STUDENT CENTRIC TLE APPROACHES IN LAW: A CRITICAL ANALYSIS IN THE LIGHT OF COVID-19 PANDEMIC

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Abstract - The law and legal principles can never be considered as final. This is because of the fact that law is very closely inter-related with the society and is always changing. In this context, the teaching of law and imparting of the legal education must be not only informative and syllabus oriented, but must also be interesting and creative. The year 2020 has witnessed an unprecedented problem in the form of COVID-19 Pandemic and the impact can be seen in the field of education also. The Law Universities and Law Colleges have shifted to online mode of teaching which has advantages as well as disadvantages for a complex subject like law. There is a need for proper methods of teaching and learning law in the current COVID-19 pandemic situation. These TLE approaches must not only be able to transmit knowledge, but must also be student- centric and innovative. The present paper examines the need for student-centric TLE approaches in law and attempts to give suggestions for improving such student-centric TLE approaches for teaching law.

> "Law or legal propositions are not final or absolute, but are in the state of becoming. The rules and principles of case-laws have never been treated as final truths, but as working hypotheses, continually re-tested in those great laboratories of the law- the Courts of Justice"[1].

The above view of Benjamin Nathan Cardozo[2], one of the most influential jurist and Judge in America, highlights the dynamic and ever-changing nature of law. Indeed! The law and legal principles can never be considered as final. In fact, law is always subject to changes, modifications, experiments and alterations. This is because of the fact that law is very closely inter-related with the society. Whatever changes happen in society have an impact on law; and whatever changes take place in law and legal systems have an impact on society. Thus, Law can never be static and must always adapt itself to the changes taking place in the society.

In this context, the teaching of law and imparting of the legal education must be not only informative and syllabus oriented, but must also be interesting and creative. The students of law must study not only the different subjects and areas in law, but must also be able to understand the various facets and dimensions of law. The students must be able to understand the multi-faceted and multi-dimensional nature of law and its inter-relation with society and must be able to apply the theoretical knowledge in practical situations. Hence, the Law Universities and Colleges have to devise various methods and approaches for imparting the knowledge of law to the students in an interesting and creative manner.

The year 2020 has witnessed an unprecedented problem in the form of COVID-19 Pandemic. The pandemic has affected each and every aspect of our lives and literally the world has come to a standstill. The impact of COVID-19 can be seen in the field of education also as almost every University and College has shifted to online mode of teaching. The law Universities and Law Colleges have also shifted to online mode of teaching. The benefits of online modes of teaching are that at least the classes are continuing even during the pandemic. At the same time, there are practical problems such as difficulties in teaching as well as understanding such a vast subject like Law. Thus, there is a need for proper methods of teaching and learning law in the current COVID-19 pandemic situation. These TLE approaches must not only be able to transmit knowledge, but must also be student-centric and innovative. The present paper attempts to examine the need for student-centric TLE approaches in law to make the teaching as well as learning of law interesting and informative. It also highlights the merits and demerits of student-centric approaches in law and attempts to give suggestions for improving student-centric TLE approaches in law.

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[1]Justice Benjamin N. Cardozo, The Nature of Judicial Process, Yale University Press, US, 1921,

[2] A creative common-law Judge and legal essayist who influenced a trend in American appellate judging towards greater involvement with public policy and thus modernization of legal principles.

I.   THE TEACHING OF LAW: TRADITIONAL METHODS

Teaching and learning and education have been a part of society from the ages. In almost every civilization, there were mechanisms and methods for imparting education to the students. The Greek Philosophers are credited with developing various methods of teaching and philosophy of education. In ancient India, during the Vedic period, there were 'Gurukula' or 'Gurukulam' system with the Shishya or disciples living near the Guru's ashrams and receiving education in various subjects. The students were not only taught different subjects but also how to live a cultured and disciplined life. The focus was on developing critical thinking, intelligence, physical and mental health, and practical skills[3].

There has been a vast change in the Indian society due to the various social, economic, political developments and it has had an impact on each and every aspect of life including education. With the passage of time, there has been a change in the teaching and learning methods also and schools, colleges and Universities have been set up in the Country. With respect to the legal education, presently, The Bar Council of India, which is a statutory body, regulates the legal education and profession.

The establishment of Colleges and Universities focussed on the model of teaching which is often centred on the classroom teaching. There is a prescribed syllabus which is to be completed within the stipulated duration of the Course. In case of Law, the students can opt for either Three Years Law Course or Five Years Law Course (according to the eligibility conditions) and after clearing the exam the students are eligible to get the Degree and may choose various career options or further higher Post-Graduate Course in Law as per their interests.

In most of the law colleges, it can be seen that the classroom model is the common method of teaching. The classroom teaching are usually referred to as 'Traditional Learning Environments' (TLE). Such a model focuses on transfer of knowledge from the teacher to the student[4]. In such a method 'Teaching' can be understood in simple terms as, a face to face, formal, direct interaction between the teacher and the students in which information and ideas are passed by the teacher to the students. Usually, teaching is restricted to organized classroom interaction between the students who have the desire to learn and the teacher who is there to help them achieve that aim. Teaching is often defined as an interactive process, primarily involving classroom talk which takes place between the teacher and pupils and occurs during definable activities[5]. However, focus on only classroom model is monotonous and is not conducive for developing the critical thinking and practical skills of a student for a subject like law which is so multidimensional and interactive.

The Subject of Law: Significance in Society and Need for Innovative Teaching Methods

Law is one of the oldest academic fields in the world and Law profession is considered as one of the noblest professions. The aim of law is to uphold justice and maintain peace and order in the society. *Law is considered as a normative science, that is, a science which lays down norms and standards for human behaviour in a specified situation or situations enforceable through the sanctions of the State. What distinguishes law from other social sciences is its normative character.*[6] Thus, law is concerned not only with regulation of human conduct and behaviour but also with the norms and rules for such regulation of human behaviour. In the present times, the norms/ Acts/ Rules are made by the legislature, implemented by the executive and administrative authorities and enforceable by the Judiciary.

However, the law made by the State can never be static and rigid. The changes are made according to the demands of the circumstances in the society. In fact, Law is considered as an instrument of social change. Law moulds and changes the society and law also changes its shape according to the requirement and needs of the society[7]. Innumerable examples are there to show how law brings about social reform in the society[8]. At the same time, the changes in society due to advancements in science and technology also have an impact on law.[9]

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[3] See, Chandwani, Nikhil, "The Importance of the Gurukul System and Why Indian Education Needs It," in TOI Blog, India, March 08 2019,

[4] See Educational Programming, High Performance Learning Environments, Ohio School Design Manual, Ohio School Facilities Commission, www.shaker.org

[5] Definition of teaching as given by Edmund Amidon, an Author, The Role of the teacher in the Classroom, Temple University, Philadelphia, Pennsylvania, 1967

[6] S.N.Jain, Doctrinal and Non- Doctrinal Legal Research, Doctrinal Research and Social values, in Legal Research methodology, 2nd Edition, Verma, S.K.; Wani, Afzal M., (Ed.) 2001, Indian Law Institute, New Delhi, p.68.

[7] Malik Krishna Pal, Kaushik C. Raval, Law and Social Transformation in India, Allahabad Law Agency, 2007, p. 2 & 3.

[8] Social reform is a term used to explain the changes brought about in society. The law and social transformation is a unique subject and studies the social problems in societies and the solutions for such problem through legal approach. Law has played a role in various countries including India to bring about a social transformation. Numerous examples can be referred such as

Thus, the subject of law is very wide and the nature, scope and role of law is very vast and cannot be limited in a definition. In fact, law is inter-related with each and every aspect of human life and society. Today, this inter-relation between law and various aspects such as morals, ethics, sociology, economics, political science, history, psychology, technology etc. can be clearly seen. Due to this, the teaching of law has to consider the multidimensional nature of law and the students must be equipped to appreciate the various dimensions and inter-relation of law and society.

The year 2020, saw an unprecedented disease which took the shape of a pandemic and affected millions of lives all over the world including India. Each and every aspect of social life, including education has suffered an adverse impact due to the COVID-19 pandemic.

II.   IMPACT OF COVID-19 ON LAW TEACHING

In the present times, the unfortunate spread of COVID-19 pandemic has affected the entire world and each and every aspect of life in society. The educational institutions all over the world including India have been forced to close down to reduce the spread of COVID-19 and to protect the health of the young students[10]. Many of the Colleges and Universities had not even completed their course syllabus and the examinations were either postponed or cancelled. As the lockdown measures were continuing the educational institutions including the Law Universities and colleges started shifting to online modes of teaching in order to complete the pending syllabus and complete the course curriculum. However, as the COVID-19 Pandemic still continues, the Universities and Colleges have to continue with the online modes of teaching.

The online methods offer the advantages that at least the academic session of the Universities and law colleges is continuing and the students are able to get the information and knowledge of the subjects by attending the online classes. At the same time, there are practical difficulties. The teachers have to teach the vast and multidimensional subject like law through online classes and it may not be possible to include each and every aspect of the subject. The students may also have difficulty in understanding complex areas of law. Further, there are technical issues faced by many students such as internet issues etc. Due to all this, there is all the more need for innovative and accessible Student Centric TLE methods in law.

Student Centric TLE Approaches in Law

The complex and multidimensional nature of law as well as current pandemic situation require that the TLE approaches must be Student Centric. Such student-centric approach focuses on the students/ learner's and supports the activities and principles that facilitate learning. It helps to make the teaching as well as learning process interesting by providing for participation of the students in the class through discussions, debates, e-learning, collaborative activities etc. It aids in the engagement and interaction of students in class, encourages teamwork and learning, and generates interest in concurrent interdisciplinary themes. As the students are more active and participate in the class it also helps to improve the interaction between teacher-learner; learner-learner; learner- content; and learner- outside source.[11] Thus it helps to improve the students' understanding of the subject, critical analysis and practical application skills all of which are very essential in law.

In India, the National Policy on Education, 1986 and The Programme of Action 1986 have also emphasised the need for a complete restructuring of the teaching education. The recent National Education Policy (NEP) 2020 aims to revise and revamp all aspects of education in India and lays emphasis on development of creative potential of each individual. The NEP, 2020, has highlighted that education is fundamental for achieving full human potential, developing an equitable and just society and promoting national development[12]. Thus, to realise the objectives of education policy in India as well as to fulfil the goal of law in society and meet the various challenges in society, such as the current pandemic situation, there is an urgent need to adopt interesting and innovative student centric TLE methods in law.

Abolition of Sati, Abolition of Untouchability, Protection of Rights of Women, Children, Vulnerable Sections of Society, Criminal Law reforms, etc. (also refer, Malik Krishna Pal, Kaushik C. Raval, Law and Social Transformation in India, Allahabad Law Agency, 2007, p. 1 & p. 12 to 22).

[9] In the present times, new laws are emerging to cope up with the changes in society. Such as laws relating to cyber crimes, cyber frauds, genetic engineering, artificial intelligence etc.

[10] See, COVID-19 Educational Disruption and Response, UNESCO, 24th May 2020

[11] See Educational Programming, High Performance Learning Environments, Ohio School Design Manual, Ohio School Facilities Commission, www.shaker.org

[12] See, the National Education Policy, 2020, Ministry of Human Resource Development, Government of India, approved by Union Cabinet on 29th July 2020, https://innovateindia.mygov.in/nep2020/ visited on 20 November 2020

III.   CONCLUSION AND SUGGESTIONS

Law is a multidimensional subject inter-related with each and every aspect of our lives. Hence the teaching of law must be not only for improving knowledge of the students; but it must also help the students to apply the knowledge in practical situations. The current COVID-19 pandemic has forced the education to go online. However, the traditional classroom model of teaching is not suitable for a complex subject like law. Also the online classes need to be informative and interesting to develop the students understanding of law. Thus, there is an urgent need to adopt Student-Centric TLE Approaches in Law in the present times. Such methods must not focus only on bookish knowledge and rhetoric learning, but must help to develop practical knowledge and critical thinking of the students. It must consider the unique nature of every student. It must be noted that same model of teaching cannot be applied to every college. Hence, as per the situation and according to the needs of the students the teaching models must be developed. Further, care must be taken to see that student centric TLE approaches ensure the respectful relation between student and teacher and have a balanced holistic approach to make both the teaching and learning process, interesting, informative and holistic.