

A re-ordering occurred so that a topic would be covered, again across the span of three weeks, but using a lecture/moot/tutorial sequence. The placement of the moot between the two traditional means of delivery was designed to enable a full debriefing of the moot problem in the subsequent tutorial. The aim of this was two-fold – first, students were made aware that they would be expected to discuss the problem in the tutorial and would be asked about what the mooters had said in relation to it. They were given the problem a full week in advance of the actual moot and told to prepare an answer to it for discussion in the tutorial two weeks later. Obviously, there was now a reasonable incentive for closely following the proceedings in the moot court. Second, by discussing the problem after the moot, staff were able to clarify particular issues that may have become confusing in the course of the legal submissions.

The changes that have occurred in the delivery of this one subject at UWS Macarthur have been fairly significant, yet it is clear that there is so much more that can be done. In particular, stronger efforts should be made to ensure that theory is not lost in a sea of doctrine and skills. At present there is a substantial portion of the course devoted to an examination of the tenets of Western legal theory which underpin the Westminster system of government, but perhaps this material could be enhanced by a greater connection to the material covered in the moots, or at least the reflection upon them.

It is educationally sound and, despite student protestations at the time and the occasional sleeper in the audience, the survey results indicate that there are benefits to be gained by those students who are prepared to devote a little preparation and energy to making the most of their spectating role. A tighter course structure can assist students to do this. The role of feedback can also receive more emphasis. The potential then exists for students to approach their studies in Constitutional Law in a manner which prepares for and facilitates learning through a variety of contexts, thus enabling a deeper understanding of all facets of the course.

TECHNOLOGY

Leila's working day: one of the futures for legal education

A Paliwala

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It is fashionable to predict the future: it allows one to be utopian, to promote one's causes. To talk of futures is more daunting. Futures envision parallel universes, ambivalences, or even fractal pluralities. The account of Leila's day is a realistic utopian future, albeit with a dash of poetic licence. It is not an attempt to predict the future, but to imagine and to an extent argue for a well provided legal education in which Information and Communication Technology (ICT) will play a considerable role. Such a future is intended to be educationally stimulating in the placement of the student in the centre of the learning process; in involving contact, personal and ICT based, among lecturers and students; in emphasising situational and skills based learning without undermining intellectual skills.

Essential to the positive vision is a rediscovery of learning in the context of information and communication technology. The vision has to adapt realistically to a new environment characterised by fundamental restructuring of the higher educational system in its funding, staffing, size and nature of institutions; by changes in law and lawyering as a consequence of increasing global competition and challenges from other professions on the monopoly enjoyed by lawyers; by lifetime learning, rather than the very short periods of academic and professional training to which we have become accustomed; and finally by global learning in which the suppliers, consumers and the substance of legal education transcend national geographical boundaries.

Traditionally, legal education emphasised a relatively rigid syllabus delivered by means of lectures and tutorials over which the student had little control. In contrast, Leila's learning activity has radically changed, not merely in its use of information technology, but also in the pedagogical shift from the present sys-

tem of teaching to student-centred learning. Such a transformation involved a variety of components, including independent resource-based learning and situated learning through active engagement with legal situations.

In Leila's future, the learning system, with its emphasis on project based work, actively encourages her selectively to explore this wide range of resources, but also to interact actively. It is this aspect of learning from and through the context which has been increasingly emphasised by learning experts.

Leila's work schedule is organised by Sal, her system assistant. Leila determines the priorities in her study, work and social existence; Sal ensures that these are properly timetabled. In her selections of courses, Leila relies on LawLife Inc, one of a range of advisory services on study as well as remunerative work. Such services have become essential because the learning experience is increasingly seen as a lifetime one. The greater sophistication and size of educational and assessment tasks involved can only be managed by an equivalent sophistication in the development of the university's Learnnet, which is an evolution of the intranets which became common at the end of the century.

Developments in lifetime learning have fundamentally transformed the learning time of law. It became apparent that legal education goes well beyond the confines of Blackstone's tower – legal education is as pervasive as law. While the academy only became strongly involved in professional legal education towards the end of the century, by Leila's time, the distinction between the academic and professional phases of legal education has become progressively blurred.

Where Leila and her university are located is not defined. In fact, Leila could be located anywhere. Learning became increasingly globalised in the law twentieth century as students started going to the metropolitan countries for their education. This phenomenon was increasingly supplemented by a new phenomenon – of global distance learning.

This utopian vision is a non-escapist and non-fantastic constructive guide to the future. Such a vision struggles against alternative visions and dark sides, which are many and various. There is a real possibility that pedagogical initiatives will not be implemented or will be mismanaged. For example, the existence of vast electronic learning resources can only be fully utilised when students are given the incentive to explore widely and deeply. They do not have such incentives if curricula remain constrained both in terms of content and assessment methods. There is the danger of a decadent parallel of intellectually destructive technologism – in which information and communications technology perverts the intellectual values of learning, resulting in learning factories in which students are trained by computer boxes with very little computer or human interaction. A proper education requires a restructuring of the technological and human components in the interests of creative and reflective learning. The simple substitution of one component by another is likely to be dysfunctional.

Alternatively, Leila's day represents a constructive vision based on the primacy of educational values. She learns independently not only legal rules but the holistic experience of law. She is a global learner, yet does not ignore local legal culture. She is a distance learner but not a 'distanced' alienated learner, as she keeps actively engaged with her personal contact learning group and her personal tutor, as well as being in active communication through her course groups.

'Community without propinquity' - teaching legal history intercontinentally

D Harris, J McLaren, W Wesley Pue, S Bronitt & I Holloway

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At the cusp of the twenty-first century, law teachers find themselves in another unprecedented period of technological change. Available means of presenting and distributing information are daily transforming. Newly developing commu-

nication technology ('DCT') collapses both time and space. It holds forth the promise of liberating researchers, teachers and students from the normal constraints of our materiality. DCT offers the hope of developing both inter-institutional and intercontinental teaching exchanges and of fostering student community across huge spaces, cultural differences, and, perhaps eventually, languages. Huge resources of pent-up pedagogical creativity might be unleashed when we transcend the constraints of the printed page and the bricks and mortar of our classrooms.

There is a danger that DCT may not merely fail to attain its potential but might actually be subversive of both the scholarly community and of quality, imaginative education. There is indeed something about DCT which threatens to consume our lives with the relatively pointless work of adding 'bells and whistles' to that which we already do through traditional, and arguably equally effective, educational methods. Moreover, the possibility of reducing all higher education to neatly pre-packaged modules of information, presented and evaluated in uniform ways, foretells an undesirable bureaucratisation or routinisation of the educational process, as well as a 'proletarianisation' of the professoriate.

Yet even taking full account of the possible dangers and leaving aside possible pedagogical advantages, there are compelling reasons to explore the use of DCT in law teaching. The first is simply that, in an era of globalisation, aspiring lawyers should have some exposure to the global legal community during the course of their university training. DCT can make this a basic part of legal education much more fully and routinely than in the past. Secondly, in an era of shrinking faculty resources, DCT opens opportunities to draw on a vast, yet disperse, pool of expertise to provide outstanding instruction in an array of fields that no faculty could on its own provide.

An international course in legal history was developed by faculty members and student research/teaching assistants at the Australian National University and

British Columbia's University of Victoria and the University of British Columbia during 1997. Students in all three courses received web-based instruction and were required to participate in web-based discussions. The resulting course was unique in several ways: first, four faculty members and a graduate teaching assistant at three institutions separated by many thousands of kilometres created the course; second, collaboration produced an innovative course which explored comparative legal history between two former British dominions, that would have been unlikely or impossible without the spur of collaborative teaching; third, the three classes were linked through the internet, with students from each institution participating in the learning process as a single group.

What emerged was a web page containing all the course material including text, pictures, maps, links and the course readings in various formats. Throughout the process, and on the advice of distance education experts at each of the universities, the lowest possible level of technology necessary for any particular teaching purpose was used. Rather than replacing teachers, classrooms and books, it was hoped that the internet would provide a unique medium to inform and engage students, not only through teacher-led instruction, but also through student to student communication.

These contextual modules provided students with rich multi-media exposure to a substantive knowledge base. They represented the bulk of intellectual labour involved in developing the course, and a necessary baseline from which a productive trans-Pacific interactive seminar could build. The core of the course, however, was the development of a 'virtual seminar', focussed on specific problems or issues in comparative legal history.

The experience of teaching the course has provided an opportunity to reflect on the utility of distance education technology in relation to legal education. Three lessons have been learned through developing and offering this particular course and the experience opens the space