

## **Improving Teaching and Learning in Public International Law II**

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### **ABSTRACT**

This paper discussed on the teaching and learning methods of Public International Law II (PIL II), which offered to all third year undergraduate students in the Faculty of Law, Universiti Kebangsaan Malaysia. This paper will be covered on discussion about the general methods use in teaching and learning process and the improvements which may be applied, a specific discussion on methods that can be applied in teaching and learning the Public International Law II and the related discussion on applying any reasonable methods as suggestions to improve the teaching and learning Public International Law II course.

Keywords: teaching and learning; improve; Public International Law

### **1 INTRODUCTION**

Teaching and learning are basic components in the process of delivering and acquiring knowledge between teachers and students. In this process, teachers or lecturers deliver lessons and teach students while students receive and learn them. However, the methods use in this process should not remain the same all the time, and teaching and learning methods should constantly be improved for greater effectiveness and to achieve enhanced educational objectives. In fact, the term ‘learning’ itself can be defined as a change in students’ knowledge, behavior, or attitude that persists over time (Hess, 2011). From another angle, lecturers are encouraged when students are able to grasp the lessons and teaching and frustrated when such objectives are not met. In their article entitled “Teaching Law Students through Self Learning Styles”, Boyle and Dunn explained that when students were matched with teaching methods and materials that complemented their diagnosed learning style preferences, they performed significantly better than when they were not matched (Boyle & Dunn, 1998). In his article “The Good Law Teacher: The Propagation of Pedagogicalism in Australian Legal Education”, James (2004) stated that good law teaching is about facilitating student learning. He added that many law teachers claim to have moved away from the traditional approach of teaching involving lectures, tutorials, and final examinations, and to have experimented

with self-directed learning, flexible delivery, and computer-mediated assessment strategies (James, 2004).

In the Faculty of Law, Universiti Kebangsaan Malaysia (UKM), there has been no research done in evaluating the level of student understanding in the law courses offered. However, other faculties such as the Faculty of Engineering & Built Environment apply Rasch measurement and statistical approaches in gauging understanding of course. This research focuses on a discussion on improving teaching and learning PIL II course that is taught in semester II, after the students take the PIL I. This course is wide in nature and introduces the branches of public law i.e., international law of the sea, international environmental law, international economic law, international human rights, and armed conflicts and disputes. It is hoped that the findings of this research can improve teaching and learning methods in PIL II and be applied to other law subjects in the faculty.

## 2 TEACHING AND LEARNING LAW

A good teaching and learning method is one that is constantly being improved upon. Learning takes place when the student is able to provide an appropriate response to an environmental stimulus (Hess, 2011). The students' attention can also be improved by using written materials, electronic media, or a machine rather relying on a live teacher. Currently, the teaching and learning process is conducted mainly through lecturing and tutoring where the delivery is through verbal methods. An additional teaching material commonly used is the presentation slide or writing on the white board. Students have to pay full attention during class since any information or input is only received once in the classroom. As such, concentration is critical while students have to simultaneously jot down what is being said as no notes are provided, and not all students are capable of doing both functions at the same time.

Furthermore, the effectiveness of students' performance also depends on their learning styles and preferences. When their learning styles and preferences match, better understanding will be achieved and the teaching and learning process can be considered successful. With regard to the teaching of law, the Harvard Law School has used the "textbook method" since the early 1980s where students have to study and memorize parts of texts. On the other hand, the "lecture method" involves the teacher or lecturer explaining the text or teaching material that the students were required to read and is combined with the textbook method (Boyle & Dunn, 1998). Moreover, in 1870 when Christopher Columbus Langdell became dean of the Harvard Law School, he introduced the "case method" (Boyle & Dunn, 1998) where students are required to study a case in depth and use the findings to resolve disputes. This method has been successful in attracting greater student participation in the class.

The Greek philosopher, Socrates, introduced the "Socratic method" which is a question-and-answer format used in the learning process (Boyle & Dunn, 1998). In fact, the questions asked by the lecturers are answered in groups rather than by individual students. This method has its

drawbacks as it prevents lecturers from identifying student who are not active in the discussions. The lecturers themselves should not assume that all students are equal and have the same understanding as one another. This situation is similar to when lecturers are offered to a large group of students in a big lecture hall. Even though this way of teaching is better in addressing time constraints and limited classes provided, it has its share of detractors who feel that the learning process may not be effective.

The Faculty of Law at UKM has also been practicing methods such as Problem based Learning (PBL) that uses two modes namely client consultation and contract games for strengthening and enhancing the student's understanding and skills required for Contract Law courses (Sakina & Suzana, 2016). Honuskova (2010) in her article titled "Teaching Public International Law Through A Clinical Method of Teaching?" stated that there are some teaching methods which may be used in teaching International Law, including lectures, discussions, teaching based on the settlement of cases or any other teaching patterns. However, it can be said that none of the methods of teaching and learning can be regarded as the best, and there are assertions that students may have difficulty in understanding international law course especially in the early stages of learning (Honuskova, 2010).

Honuskova (2010) also noted that there are students who raised questions such as "Does international law have an effect even if there is no enforcement agency?" or "What is the purpose of international law if only strong stakeholders have a real impact on its exercise?" In this situation, the lecturer can choose a method that can help students remember the topic and other methods to help them to better understand the issues. Therefore, before choosing a particular method a lecturer needs to consider the kind of knowledge and skills that he wants students to learn during the learning process. Nevertheless, the learning process necessarily requires interaction between two sides and we can also assess the appropriateness of teaching methods selected based on the students' point of view, that is, according to how the student learns (Biggs & Tang, 2007).

Biggs and Tang produced a "blame model", where the student is the first to be blamed followed by the teacher. They also have produced a third model which does not place blame on either (Biggs & Tang, 2007). The first model is where teachers will teach and provide information to the students. If students do not correctly absorb the information, it is their fault because it relies on the extent of the the acceptance of the students themselves (model of blaming students). The second model is vice versa such that teachers not only teach and provide information to students but must give clear explanations and concepts. If the student does not understand, it means teachers are at fault (model of blaming teachers). The third model focuses on the outcome of a learning process and supporting suitable learning activities. A lecturer takes into account the level of knowledge acquired by students and helps them to learn effectively where achieving the desired learning outcomes (knowledge, and (or) understanding and (or) skills) is the most relevant factor (Biggs & Tang, 2007).

## 2.1 Methods in Teaching and Learning Public International Law

The “Hybrid Teaching” or “Blended Approach” includes face-to-face classroom instruction and web-based teaching and learning methods. The former reduces classroom contact-hour instruction with some teaching activities carried out online (Dziuban et al., 2004). In addition, the web-based and face-to-face teaching component is designed to interact in pedagogy for the benefit of both methods (Beck, 2010). Teaching methodology is done with “our allegiance to rules and text-based reasoning”. Commonly, the definition of international law found in the textbooks discusses “the rule-based nature” of the teaching system (Beck, 2010). However, different from teaching the subject of the International Law of the Sea in other countries, the teaching methodology used is the same or like other teaching methods based on the syllabus of the subjects in the textbooks.

Teaching for the course of International Law is also done through the “case-method”, with regular meetings of 75 minutes per session held twice a week and carried out on a face-to-face basis. The hybrid method represents an effort and determination of taking into account the effectiveness of online instruction and the use of teaching materials provided online. Through this teaching method, the length of time for teaching is divided equally between case analyses and attending classes (Expository lectures). Beck adds that the duration in teaching the course has been used solely for “Socratic case analysis” (Beck, 2010).

International law can be taught in a variety of ways, and some are easy to understand, relative to the clinical methods (Honuskova, 2010). However, the use of hybrid methods is sometimes found to be confusing for students because the mini-lectures are available in different digital formats (Beck, 2010). Preparation of teaching materials under the hybrid method results in incompatibility between students and lecturers’ online usage, and is sometimes a waste of time. This may happen when it takes time to upload the materials into the system for use by the students, especially when they are large-sized.

The usual method used by Beck (2010) in preparing teaching materials for international law students is the “Voice-over-Powerpoint mini lectures.” According to his research, more than 88 percent of students agreed that the hybrid teaching method was much easier and very helpful in the learning process. It can be concluded that it is a simple and fast method although uploading the teaching materials online is not effective in terms of time management. This method also makes the process of teaching of international law smoother as well as allowing students to access teaching materials at all times.

## 2.2 Students’ Performance in Learning Public International Law

Beck (2010) assessed the level of students’ understanding on international law using three in-class examinations including a final examination with all questions based on an essay style hypothetical scenario. The assessment showed the achievements of average students who were mostly found to

be aware of their primary responsibility as a student. This feedback should be exclusive and frequently sought, positive, and show the responses of students. Some research shows that the provision of feedback in the form of comments increases students' learning rather than using a dichotomous format. Further research is necessary to establish how lecturers adapt their teaching styles by taking into account the outcomes of an assessment at the micro level for students' learning and how this method affects the quality of teaching and student achievement (Beck, 2010).

A hybrid-course teaching method using the Web as an alternative delivery of teaching materials provides many advantages to instructors and students. The teaching process becomes more effective and enjoyable. Complete teaching materials are provided to students online and they can make early preparations and identify topics that are less comprehensible when preparing for the next learning session. In class, the lecturer can devote more time to the topics as well as emphasize those that are less understood by students (Beck, 2010).

### 3 IMPROVING TEACHING AND LEARNING PIL II IN UKM

There are few effective methods in improving teaching and learning at Faculty of Law, UKM (Sakina & Suzanna 2016). One of the suggestions of improvement is that lecturers should provide comprehensive tutorial classes. Such classes may help students to have a greater understanding on what they have learned in class as well as allow them the opportunity to raise questions which they do not understand on the subject. Further, students should be exposed to international and not just local law cases.

Secondly, the course outline should be well-organized. The division of sub topics should be systematic while the scope of teaching should be clearly presented as well as being more structured. On the other hands, the use of audio-visual material such as videos, illustrations, diagrams, and interesting presentation slides will assist in providing students with a better understanding of the subject as well as make classes more interesting and attractive. However, according to the students, it is not necessary for lecturers to completely follow the suggestions although they should be considered. Perhaps the methods of teaching can be improved from time to time and students' feedback sought regularly to ensure that the current method used is effective to all students.

In improving teaching and student learning, teachers should have instructional awareness (Hess, 2006). Teachers should be aware of aspects of their own teaching behavior by increasing their awareness of their teaching philosophy and practice. This awareness will motivate them to perform well in their teaching. Furthermore, teachers should have knowledge about their students' learning styles and motivation (Hess, 2006) in order to ensure that their teaching is effective and meets the requirements of all students.

Insight or feedback from colleagues and students might help teachers to know about their teaching methods and behaviors. Furthermore, refinement of teaching skills and development of the

new ones involving active learning methods such as discussions which contribute significantly to teaching and learning improvements (Hess, 2006). A good relationship or inter-personal relationship between teachers and students is very important in improving the teaching and learning process as well as allowing teachers to serve as mentors for students. Highly motivated teachers constantly renew their commitment to excellence in teaching as well as instructional improvement in which they are more aware of their own teaching and gather feedback about the effects of their teaching practices and policies.

Teaching and learning methods vary for students. In order to make the process of teaching and learning effective, teachers should understand that each student has different learning styles and strategies. They should vary their teaching methods and not rely on a single method since students learn in four different ways, namely, auditory, visual, tactual, and kinesthetic (Boyle & Dunn, 1998).

Accordingly it is suggested that lecturers adopt those four different ways of teaching in order to ensure that most students are capable of better understanding the subject. Auditory students are mostly those who can easily remember what was said in class. Indeed, Boyle and Dunn (1998) state that:

*“Only students with high auditory strengths will remember as much as 75 percent of what they hear in a normal 40-50 minutes lecture. Those with low auditory strengths would find learning-by-listening extremely difficult”.*

Students who have tactual strengths are able to take good notes in class. The combination of auditory and tactual styles gives an advantage to students since they are able to listen and write at the same time, thus making their learning process more effective. On the other hands, visual strength is mostly effective to students who easily remember and understand what they see. Presentation slides and videos are the teaching materials that are most helpful for such students. Thus, lecturers should include visual materials in their teaching activity such as overhead projectors and chalkboards as well as distribute hand-outs comprising texts, charts, and diagrams (Boyle & Dunn, 1998).

Tactual learning is mostly effective for students who commonly use their sense of touch and learn better and understand more when the materials used in class require movement and activities. According to Boyle and Dunn (1998):

*“Tactual learners remember what they write - if they are analytic - or what they “draw or doodle”- if they are global. Tactual learners use their fine motor skills, fingers, and hands while concentrating. These students need to learn with materials they can manipulate because, for them, the sense of touch is important.”*

Teaching effectiveness can be improved by reviewing the teaching portfolios of teachers. This portfolio contain four points, which are, reflective documents, teaching philosophy statements, teaching goals for future purpose, and teacher's comments. This portfolio may help teachers to become more efficient by allowing them to think deeply about their teaching, rethink teaching practices, and plan for their future (Hess, 2006).

Writing a teaching journal is another method that can help teachers in improving their teaching as it allows them to develop a habit of reflection. Further, it creates a comprehensive account of the teacher's experience, records ideas, sets goals, and plans instruction (Hess, 2006). Another effective method that can be use by teachers is the lecture which is an effective way for teachers or lecturers to transmit information to students. According to his article "Value of An Organizing Principle to Enhance Teaching and Learning" Hess (2011) states that:

*"Well-constructed lectures can elaborate on assigned material, add important content, give examples, put doctrine in context, and address student misconceptions about concepts, principles, and strategies".*

#### 4 CONCLUSIONS

There are many methods that can be employed in improving teaching and learning especially in the Public International Law II subject. In fact, developments in science and technology have introduced new teaching gadgets in the market that are very compatible and can be used in class to improve teaching effectiveness. A comprehensive tutorial class may help students to better appreciate the topics discussed in the class and provides the opportunity for students to have face-to-face discussions with their lecturers thus enhancing their level of understanding. Furthermore, if the lecturer organizes a few tutorial classes during each semester the level of understanding on the topic discussed among the students will be higher.

Other methods suggested is that teachers or lecturers use slideshow presentations, animation videos, or mind-mapping notes which makes it easier for students to understand as well as sustain their concentration in the class. A very comprehensive and well organized course outline also will help them to have a clearer understanding of the topic. The division of sub topics should be systematically well organized and will make it easier for the lecturer and students to participate in an effective and enjoyable teaching and learning process.

The improvement of teaching and learning in the Public International Law II course will result in better understanding among students as well as improve the skills of lecturers or teachers in using high technology teaching materials such as animated videos and PowerPoint slides. A successful teaching method will inspire other lecturers to be creative and enhance their enthusiasm to do well in their jobs. Continuous feedback surveys from students will also be helpful in developing improved teaching methods as lecturers will be able to identify shortcomings and find ways to address them.

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