

**“TEACHING LAW IN THE GRAND MANNER” IN THE TIME OF COVID-19 AND BEYOND:
VIRTUES OF THE HEART AND OF THE MIND AT MALCOLM HALL**

Elizabeth Aguilin-Pangalangan
Professor 12
Director, U.P. Institute of Human Rights

The U.P. College of Law has admirably adapted to the surprising and staggering impact of the COVID-19 pandemic. We have continued our teaching at Malcolm Hall, shifting to online teaching platforms, and our faculty and students have found ways to adjust the traditional pedagogy to modern technology. We have sustained our research and conferencing work at Bocobo Hall, and shifted to Webinars and online meetings.

The long-term challenge is how to find in COVID-19 not just *disruption* but likewise *opportunity* for reform. Online classes can actually foster long-term changes in traditional law teaching, to make the most of easy access to online databases so that both teacher and student can instead focus on analysis and new perspectives. Online teaching can also help them overcome the barriers, like traffic and cost of living, that burden both faculty and students. Already, the online format has led to smaller class sizes and better teacher-student ratios. Conversely, it has enabled the Law School to attract internationally-trained young alumni to join faculty ranks.

Finally, as we approach the first full year of COVID-19 measures, we must look at the lessons from online teaching, on one hand, the problem of the uneven internet access of students, and on the other, the liberation of students in the provinces from classroom-bound teaching, whether they are here or abroad, or from inaccessible or flooded parts of the country. On the other hand, we can also explore blended learning, an approach to education that combines teaching-learning online with traditional place-based classroom methods that give students a degree of control over time, place, or pace.

We must also make the most of new technologies. Before COVID-19, virtual meetings were not “real.” Yet after one year of Zoom meetings, having adapted to the new reality, we can actually use technology to confer and consult each other, e.g., faculty and townhall meetings with students. On the other hand, we need to train our staff to develop new skills to perform online work.

Finally, COVID-19 brings to the fore the erstwhile invisible issue of mental health for faculty, staff and students. Increased physical isolation side-by-side with enhanced digital communication may actually tend to mute the cries for help or lull us from seeing problems. We need to take deliberate measures to address the well-being of our constituents.

In all these, we must not see this period merely as a transition to a “new normal” brought forth by the pandemic. Instead we must see it a surprise opportunity to bring forth a “better normal” that will outlive the pandemic.

Faculty

Faculty recruitment. The College must continue expanding our faculty to meet the demands of online teaching without compromising on either the quality of education or pedagogy by inviting alumni who are recognized experts in their respective fields of law and are able to commit to teaching the next generation of U.P. law students the U.P. way.

The College should strengthen its faculty ranks by securing a balance between full-time academics (a traditional strength of U.P. Law over all other Philippine law schools) and part-time lecturers from practice who teach Bar Review and the more practice-oriented subjects. It must continue the recruitment of young alumni who have distinguished themselves with advanced studies from universities abroad.

Course offerings. The College should diversify its course offerings. Aside from foundation courses and bar review subjects necessary to ensure that our graduates do become lawyers, the College should offer a wider range of subjects and approaches that will build on the core courses. As was done in the past, the College should resume teaching perspective courses or “non-bar exam” electives to expose our students to new ways of looking at old topics. Subjects such as Public health law, Bioethics, Juvenile Justice, Climate change, Women and the Law, International Trade Law, and Comparative law will give students an opportunity to explore new areas of law and discover, if not pursue, their own passions and advocacies.

One thing the pandemic has made us realize is that we cannot compartmentalize life. Overcoming the pandemic needs knowledge of not just law but of health policy, economics, technology, and life skills, and the interweaving of these different areas is introduced in perspective courses, not in rigid bar subjects.

Faculty development. We must expand the educational and research opportunities for faculty members. The College should encourage its faculty members, with priority given to its full-time regular faculty, to participate in international conferences and short courses in their areas of expertise either as speakers or learners. The College should support young faculty to pursue their LL.M.s and Doctorates in excellent universities abroad. This brings not only new learning into U.P. law discussions but also enlists new networks of support and exposure for our young faculty.

Research and publication. The College should fund academic research by faculty members and prioritize publication of their research outputs. Publications remain the best test of scholarship in the academic world. Sustained research engagements will ensure regular publications of books and academic journals that will in turn ensure wider distribution and subscriptions. This ensures that the faculty members are able to share their knowledge and extend their influence, and at the same time enhance their stature in the legal community.

Public intellectuals. In addition to scholarly publications, our faculty should lead in legal debates in the Philippines and provide new insights and authoritative voices. We must foster the role of our faculty in these public conversations on the challenges faced by our country. Aside from incentives for research and publication, similar encouragement should be available to faculty members tapped as *amicus curiae* (“friends of the court”), experts and resource persons before legislative bodies, advisers to government leaders.

International networks. The College should continue to partner with international institutions, co-host international conferences, and expand its collaboration with respected Asian and global academic institutions and associations. These have been done under various

College administrations and have enabled us to network and multiply the audiences that we can reach. Partnerships with respected academic institutions have moreover assisted the College to synergize its finite resources hand-in-hand with the resources from foreign partners.

The next Dean of UP Law should have networks to tap. My years of collaborative work with the Southeast Asian Human Rights Network (SEAHRN), Working Group for an ASEAN Human Rights Mechanism, Permanent Bureau of The Hague Conference on Private International Law and the Asian Society of International Law, among others, will thus be useful.

Bonifacio Global City Campus. Some JD classes of the College are offered in BGC. It also houses the LLM program, which is our website is described as “oriented to a cross-border regional hybrid legal system interacting with national judicial systems under the unique ASEAN Charter-based horizontal integration.” We have had a good first batch of Filipino lawyers who began their LLM studies but there should be greater effort placed in attracting qualified foreign lawyers to the program. Opportunities to acquire specialized knowledge, to interact with other lawyers who have been educated and trained (and therefore think) differently, and obtain a deeper understanding of law and policy are among the reasons for taking one’s LLM abroad. The UP College of Law can offer all these as well as tuition fees that are not as prohibitive as those in law schools in Singapore, Thailand or Australia.

Students

Students provide first-hand feedback on the quality of our teaching. We must foster mechanisms for their voice to be heard, *inter alia*, periodic meetings with the Law Student Government, whose newly elected officers encountered many challenges, including conducting the first LSG elections online.

In this pandemic season, on top of my list of priorities is organizing town hall meetings that can be conducted online and are dedicated to listen to students’ concerns. Among these are problems faced by working students and students who are themselves parents and whose burdens have increased with their own children learning online from their homes.

Admissions. U.P. takes pride in attracting the best and the brightest, and subjecting them to the toughest entrance procedure. Precisely for this reason, we must continue to review the admissions process, especially the admissions criteria which historically has relied on an applicants’ undergraduate average, Law Aptitude Exam score, and interview by a faculty panel. We must strengthen the meritocratic process based on excellence, while recognizing that the U.P. lawyer must also be inclusive and truly represent the diversity of our nation.

Internships/Externships/Assistantships. Legal aid work trains the students professionally by exposing them to actual courtroom work while likewise enabling them to help disadvantaged clients. Traditionally, Malcolm Hall pioneered clinical legal education in the Philippines through the Office of Legal Aid (OLA), in which students spend their senior year in law school dealing with indigent clients and representing them in court. The legal clinic experience of students has expanded to internships in the Office of the Solicitor General and the Office of the Government Corporate Counsel.

We need to expand this further through public interest internships (through U.P. courses with a clinical component) and externships (by placing and monitoring students who work in NGOs). This kind of work gives students hands-on experience in actual social problems, e.g.,

environment, human trafficking, human rights in general, children's rights, rights of indigenous peoples, OFWs, etc., while training them to use their legal knowledge for the benefit of vulnerable groups and worthy social justice causes.

Even during the pandemic, where placement of students in NGOs may not be safe, we can instead train our students to give legal advice and assistance online, for example, to victims of domestic violence, the number of cases of which has increased due to the long-term quarantine and lockdown measures that have caused stress, isolation and depression.

Consultation on Study Load and Academic Standards. Law studies at U.P. are demanding especially considering that we use the Socratic method of teaching. By asking our students question after question on statutes, cases and readings, we test their knowledge and understanding of the law. More importantly, we train them to think critically while under immense pressure and to innovate and find more than one way of solving a legal problem.

Without compromising our academic standards, the College should provide space for consultation with students on matters that affect them most, especially during this pandemic and calamities. For example, there should be a consultation meeting – at the start and at the end the school year –with student leaders and class representatives to discuss things such as a more streamlined MCQ exam, scheduling of classes- regular and make-up, synchronous and asynchronous -that will guarantee the highest learning effectiveness. Student feedback is crucial to inform the guidelines for faculty members to ensure that class requirements are reasonable and that sufficient leeway is given students who have connectivity problems. Failing to address these exacerbate the pressures on the students that manifest in serious physical and mental health concerns. In this regard, the College should have a Wellbeing Officer who is trained and capable of responding to the needs of a student, and close coordination with the Office for Counselling and Guidance to provide advise and support to students.

We must ensure that every bright student admitted to the U.P. College of Law must be able to enrol, and not be prevented from enrolling due to poverty. We must increase in the number and amount of scholarships available to students, which should be given on the basis of either merit or financial need, and must include first-year law students. We must be able to provide internet and gadget support to as many students who need them so that all students are able to learn.

Extra and Co-Curricular Activities. Life balance requires a healthy distraction from intense studying. Engagement in moot court competitions, writing in the law journal, inter-law school debates, as well as sports and music. And though not all of these student activities are now possible, the College should provide adequate funding for those that are still doable. Specifically, those who represent our College and country in international moot court tournaments should not have to worry needlessly over keeping body and soul together in preparation for and during competitions.

Research and Extension Staff

Access to scholarship and funding. The academic, non-teaching, research staff must be given access to scholarships to pursue LLM and other advanced studies. They must also be given support to present papers in conferences and seminars here and abroad. They must be included in incentive programs for academic publications.

Increased career opportunities. The academic, non-teaching research staff must also be assisted in finding teaching opportunities at U.P. and elsewhere.

Administrative Staff

Salary augmentation. The research, international conference, and MCLE activities discussed above should be used to generate resources and also provide additional opportunities for administrative staff to augment their regular income with project-based allowances. The goal is to peg additional pay to additional work, while sustaining staff morale and developing staff expertise.

Support for career development. Even in the time of COVID, our administrative staff are in a sense our “first responders.” Oftentimes, they are the ones the public gets to speak with. Hence there should be deliberate steps for them to attend courses for professional development so that their skills in office management and assistance are at par with those of administrative staff in private offices. With the shift to work from home, where work is done online, there should be a deliberate effort to ensure that they become technically competent.

The U.P. Law Complex must provide them financial support to access learning opportunities, whether short-term courses/conferences or long-term graduate studies.

Extension programs

Enhancement of MCLE Programs. MCLE from the development perspective can be considered as Lifelong Learning. From a legal perspective, the goals of MCLE are to (a) help lawyers keep abreast of the latest developments in certain fields of law; (b) assist lawyers who wish to branch out into new fields; (c) use MCLE courses as a venue to find emerging experts from among the practitioners; and (d) use MCLE to give exposure to faculty and REPs, and augment income for faculty, REPs and administrative staff.

Demystifying Law, Empowering Communities. The Law Center Institutes are not only crucial in engaging in research on burning issues, helping government craft legal positions on specific national issues. It is also through these Institutes and other academic programs that the College is able to reach out to the public. The Popularizing the Law Program of the Law Center has for decades taught teachers, law enforcers and other citizens various areas of substantive law in a language understandable to laypersons by holding extensive trainings in various parts of the country. The relatively new Paralegal Training Program (PTP) has trained hundreds of people in the basics of law to be able to assist government agencies and private offices in substantive legal work. In keeping with its character as a public service university, the UP College of Law should train paralegals to respond to requests for assistance from vulnerable communities including PWDs, children and abused women.

We must seize the COVID crisis not just as the daunting challenge that we already recognize but as an opportunity to marshal our intellectual reservoir, develop new strengths, enlist the power of new technologies to enhance teaching effectiveness, reach wider audiences, develop the skills of our students and staff, and in the end foster the solidarity that celebrates the “grand manner” in ways that are felt in the here and now.