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The teaching of law through Problem-Based Learning *

La enseñanza del derecho a partir del aprendizaje basado en problemas

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Resumen

En este texto de revisión de tema se muestran las ventajas y desventajas de la implementación del Aprendizaje Basado en Problemas en la enseñanza del Derecho, luego de presentar una caracterización general que describe su origen, desarrollo y adaptación en el ámbito jurídico. Con este propósito, se señalan argumentos que muestran el mejoramiento de las habilidades y competencias a partir del ABP para ejercer la profesión del Derecho con éxito y, también, se indican los inconvenientes de su aplicación teniendo en cuenta los contextos sociales específicos en el cual se introduce, las condiciones de los ambientes de aprendizaje y el tratamiento de asuntos que van más allá del currículo, por ejemplo, el de la formación ética y de calidad. De esta manera, se logra sopesar argumentos de lado y lado, con el fin de mostrar cómo se mejoraría su implementación para beneficio de la profesión atendiendo las necesidades sociales, contextuales y de proyección individual, pues no se trata de sugerir que se puede prescindir de este método en los procesos de enseñanza y aprendizaje en las Facultades de Derecho, sino de reconocer sus potencialidades.

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Palabras clave: Derecho, enseñanza, técnica didáctica, aprendizaje activo, aprendizaje basado en problemas.

Abstract

This article shows the advantages and disadvantages of the implementation of Problem-Based Learning in the teaching of Law, after presenting a general characterization that indicates its origin, development and adaptation in the legal field. For this purpose, arguments that show the improvement of skills and competencies based on the ABP to successfully practice the Law profession are pointed out and, also, the drawbacks of its application are indicated taking into account the specific social contexts in which it is carried out. It introduces the conditions of the learning environments and the treatment of issues that go beyond the curriculum, for example, that of ethical and quality training. In this way, it is possible to weigh arguments from side to side, in order to show how its implementation would be improved by attending to social, contextual and individual projection needs, since it is not a matter of suggesting this method can be dispensed within the processes of teaching and learning in the Faculties of Law, but recognizing its potentialities.

Key words: Law, learning, didactic technique, active learning, Problem Based Learning.

Resumo

Neste texto de revisão de tema, são apresentadas as vantagens e desvantagens da implementação da Aprendizagem Baseada em Problemas no ensino do Direito, após uma caracterização geral que descreve sua origem, desenvolvimento e adaptação no campo jurídico. Com esse propósito, são destacados argumentos que demonstram o aprimoramento das habilidades e competências por meio da ABP para exercer a profissão de Direito com sucesso, bem como são indicados os inconvenientes de sua aplicação considerando os contextos sociais específicos nos quais é introduzido, as condições dos ambientes de aprendizagem e o tratamento de questões que vão além do currículo, como a formação ética e de qualidade. Dessa forma, argumentos de ambos os lados são ponderados, a fim de mostrar como a implementação pode ser aprimorada em benefício da profissão, atendendo às necessidades sociais, contextuais e de projeção individual. Não se trata de sugerir que este método pode ser dispensado nos processos de ensino e aprendizado nas Faculdades de Direito, mas de reconhecer suas potencialidades.

Palavras-chave: Direito, ensino, técnica didática, aprendizado ativo, aprendizado baseado em problemas.

Résumé

Dans ce texte de revue thématique, les avantages et les inconvénients de la mise en œuvre de l'Apprentissage Basé sur les Problèmes (ABP) dans l'enseignement du Droit sont présentés, après une caractérisation générale décrivant son origine, son développement et son adaptation dans le domaine juridique. Dans cette optique, des arguments sont avancés démontrant l'amélioration des compétences et des aptitudes grâce à l'ABP pour exercer la profession juridique avec succès. Les



inconvenients de son application sont également mentionnés, en tenant compte des contextes sociaux spécifiques dans lesquels il est introduit, des conditions des environnements d'apprentissage et du traitement de questions qui dépassent le programme, telles que la formation éthique et de qualité. Ainsi, des arguments des deux côtés sont pesés, dans le but de montrer comment son implémentation pourrait être améliorée pour le bénéfice de la profession, en répondant aux besoins sociaux, contextuels et individuels. Il ne s'agit pas de suggérer que cette méthode puisse être écartée des processus d'enseignement et d'apprentissage dans les Facultés de Droit, mais de reconnaître ses potentiels.

Mots-clés : Droit, enseignement, technique pédagogique, apprentissage actif, apprentissage basé sur les problèmes.

SUMMARY: Introduction. – Problem-Based Learning. – Didactics and Pedagogy of Law. – PBL in Legal Education. - Conclusions. References.

Introduction

The professional teaching of various sciences and humanities disciplines has been characterized since its origins by the use of lectures, in which the teacher imparts a series of contents, in the case of legal education, doctrines of the Law, which students must memorize. In other words, there has been a teacher-student relationship, to some extent, vertical, based on the authority represented by the one who possesses knowledge and experience and the passive receptivity of those who learn. Even recognizing the importance of the teacher's role, this relationship has been questioned because it has implications contrary to the purposes of the student's learning process. On the one hand, it is assumed that the other, that student, perhaps because of their youth and lack of expertise, is like an empty vessel that needs to be filled with the contents of life that others know because they have lived it.

This perception of learning implies a lack of understanding of individual processes of knowledge acquisition, as there are individual and social conditions that give uniqueness to these learning processes. Furthermore, considering the other as a kind of container oversimplifies human complexity. But if we continue with this metaphor, we can say that the container, according to its shape, adapts the content that is poured into it. On the other hand, this conception of education emphasizes a clear division between thinking and doing, between theory and practice. The teacher teaches discourses about life outside the framework of life, as abstractions from the world of existence. In this way, facing life implies a gap between what has been heard, mainly during so many years of preparation, and the challenges and uncertainties inherent in professional and personal life.

This situation also applies to legal education. Law has traditionally been taught through lectures, given the importance of transmitting legal doctrine, i.e., laws, concepts, and rules. Transmission involves memorization and recitation processes that make it impossible to incorporate the vast body of law due to its extent. "This teaching method, typical of the medieval University and also widespread in the Anglo-Saxon legal world (recitation method, Dwight vs. case method, Langdell), gives teachers a generalized feeling that class hours are insufficient to cover the entire syllabus,



and students are mere passive subjects and uncritical recipients of information..." (Barrio Gallardo, 2015, p. 134); we live in the information society, where vast amounts of information are generated daily that cannot be grasped and comprehended. Colombia, like other Latin American countries, has a strong influence of Roman law, whose "rational excellence, conceptual coherence, and internal harmony constitute contributions that have managed to survive and spread throughout the legal universe of mankind" (Witker, 2019, p.68). However, its adaptation in other contexts has been erroneous because it is assumed in a finished form, when Roman law is characterized by "its permanent fluidity, innovative driving force, adaptation and flexibility, and its realization over two and a half millennia," according to Floris Margadant, cited by Witker (2019, p. 68). In other words, if the law is considered a finished matter, it is enough to reproduce its *doxa ad infinitum*, and the future legal professionals will memorize it, but we know that this is not the case: our societies are complex, and their comprehension poses new challenges for people.

Furthermore, according to advances in pedagogical reflection, it is known that the teaching-learning process repositions the student's role relative to the teacher, so that the student becomes the center of the process. In other words, the typical situation in which the student listens and rarely interrupts the teacher's discourse is questioned. Instead, motivated and stimulated students are expected, who prepare materials previously provided and come to class with questions and concerns, willing to academically engage in a creative and fruitful dialogue, under the teacher's guidance (Witker, 2019, p.76).

Problem-Based Learning (PBL) is one of the didactic methods used to subvert the student's place in traditional education and connect thinking with praxis by posing problems that require a solution or, in other words, through the problematization of situations that allow for the formulation of necessary questions for resolution. PBL has also been adopted in legal education for several years. Hence, the importance of considering its characteristics, its relationship with the contents of law subjects, with the aim of providing comprehensive education to students.

Problem-Based Learning (PBL)

Problem-Based Learning (PBL) is perhaps one of the most widely used methods in various disciplinary fields today. It has its roots in Socratic dialectics in Ancient Greece, Hegelian dialectics, and the pedagogical contributions of John Dewey (Díaz Suárez, 2011, p. 19). As a method in its own right, according to several consulted authors, it emerged at the McMaster University School of Medicine in Canada in the 1960s (Travieso y Ortiz, 2018; Baraona et al, 2015; Cabra Sarmiento, 2015).

Howard Barrows, who first implemented this method, characterized PBL as follows, according to Manzanares Moya (2008): "Learning is centered on the student. Learning occurs in small groups. Teachers are facilitators or guides in this process. Problems are the focus of organization and stimulus for learning. Problems are a vehicle for the development of problem-solving skills. New information is acquired through self-directed learning" (p. 15). Since then, it has been implemented in other medical faculties throughout the Americas that recognized the advantages of this



innovative methodology through articles reporting successful experiences in pioneering universities.

One of the advantages seen in the application of PBL at that time was its timely response to the training challenges posed by a changing society. Today, we still observe its adaptation to a world with rapid developments in the field of information and technology. "The unprecedented situations of today's society caused by transformations such as knowledge, migration, new technologies, communication and transportation, globalization, generate new forms of life and new needs. Students must be prepared to enter a job market with strong demands" (Manzanares Moya, 2008, p. 28). Moreover, it is not just about adapting to technological innovations and incorporating them into daily life but also about preparing oneself in the best way to know what to do with the amount of information circulating. In this sense, PBL can be seen as a method that adapts to contexts, generating problem-posing questions according to different disciplines.

Soon, the application of PBL began to extend to other fields of knowledge, including Social Sciences and Humanities. One of the reasons, perhaps one of the most important, why this method adapts to different disciplines is that at the very heart of human knowledge, there are questions that stimulate the posing of problems that need to be solved, or at least, in order to be better apprehended and understood within the framework of a specific social context. In this regard, Román (2021) states, "The 'problem' is the natural pedagogy of learning. Problem-solving is an evolutionary feature of our species" (p. 52).

Clearly, there is a difference in the nature of the solutions posed according to the particularities of the disciplines. Philosophy, a discipline often perceived as abstract, can pose problems that need to be resolved in everyday life; for example, the ethical dilemmas faced by decision-makers in different countries when dealing with the management of the COVID-19 pandemic. In other words, one had to think, pose a problem, philosophize in order to take actions aimed at solving a major global problem that has had and still has implications in the real and everyday life of humanity. Those who embrace this teaching method in humanities disciplines, whether as teachers or administrators, will have to adapt it to the specific characteristics of the knowledge they teach and to the circumstantial conditions of a social nature.

In general terms, PBL repositions the student as an active agent in the teaching-learning process, which implies an active and creative disposition on the part of the student towards the problematic situation proposed. A disposition constantly stimulated by the teacher and the rest of the group. This is perhaps one of the characteristics that suggests that PBL has a basis in the constructivist approach because, according to David Ausubel's contributions to this method, it is proposed that in "the learning guidance process, it is of vital importance to know the student's cognitive structure. It is not only a matter of knowing the amount of information the student possesses but also which concepts and propositions they handle" (Díaz Suárez, 2011, p. 23). Furthermore, from this perspective, teaching work is not about developing it with 'blank minds' or that students' learning starts from 'zero,' because it is not so. Students have a series of experiences and knowledge that affect their learning and can be leveraged for their benefit" (Díaz Suárez, 2011, p.23). The influence of the student's family and social context must also be taken into account, as it conditions their way



of relating to knowledge and learning processes. This point is important because the student's active or passive state cannot be explained solely by the presence or absence of a kind of voluntarism but by a series of external conditions to their own psychic and biological individuality.

On the other hand, the teacher, rather than an authority figure, becomes a guide for the student, as they accompany the process of formulating hypotheses and solutions to the proposed problem. The role of the teacher does not disappear or lose relevance; instead, it is deconstructed into an educational agent who stimulates learning through questions that effectively encourage the student to become interested in solving a problem. In the words of Román (2021):

The question serves to motivate curiosity, identify problem variables, assess prior knowledge to establish learning needs, develop critical thinking skills, encourage participative opinions on a fact or debate topic, identify the strengths and weaknesses of the learning process for early reorientation, identify the reflection mechanisms used to solve the problem situation (metacognition), and facilitate self-assessment (pág. 53).

This problem can be based on reality or it can be hypothetical (a key difference from case study); when attempting to solve it, students are expected to develop certain skills and abilities associated with analysis, critical thinking, proposing solutions, decision-making, and teamwork.

In Problem-Based Learning (PBL), students typically work in small groups guided by the teacher, which enables collaborative work, meaning that they learn together with others through dialogue and discussion. Individually, it allows for the development of personal qualities associated with strengthening leadership and autonomy. Furthermore, according to Boud, as cited by Rué Domingo et al (2010), PBL enables: i) The connection between theory and practice; ii) The recognition of the student's own experience and, related to this point, their ability to take responsibility for their own learning; iii) The importance of fostering communication skills; iv) Highlighting the transdisciplinary nature of knowledge; and v) The concept of evaluation in terms of peer assessment and self-assessment.

Pedagogy and Didactics of Law

Pedagogical and didactic reflection on teaching and learning in general has gradually repositioned the student at the center of the issue. Throughout this centuries-long process, essential questions have been raised, such as "How does one learn? What is the purpose of learning? What is the object of teaching? What are the procedures for teaching? What are the conditions under which a specific body of knowledge should be taught?" (Atehortúa, 2013, pp. 13-14). These questions can also be applied to the teaching of law in particular. Indeed, in recent decades, due to academic and social influences, various didactic tools have been put into practice in the teaching of law. Some of them are:

The questioning method: This method can be characterized by its interest in promoting critical thinking through questions and inquiries, aiming to "encourage students to think through questions that do not rely on a 'yes' or 'no' answer but give students the opportunity to be questioned and to question themselves regarding what is presented to them as truth, situation, or problem" (Baraona



et al., 2015, p. 50). Viewed in this way, questioning becomes the driving force of learning throughout the entire process, from the beginning to the end, which is a new beginning. Concerning the teaching of law specifically, "the questioning method was used to guide a deeper understanding of the contents covered in the [Civil Law and Constitutional Law] classes, through the resolution of questions associated with the key knowledge of each of the learning units outlined in the course programs" (Baraona et al., 2015, p. 50).

The case method: Castaño Ramírez et al. (2011) refer to Cristóbal Colón Langdell, a young lawyer from Harvard University and later dean of the Law School at the same university, as the person who introduced the case method into legal study. Langdell "required his students to read real judicial rulings and draw their conclusions from them... In his classes, Langdell used the Socratic method, based on questioning students about the facts of the case, the main issues, the court's reasoning, underlying doctrines and principles, and comparisons with other cases" (p. 95). Since then, the case method has had an impact on legal education methodology in Latin America.

This method can be defined as "a didactic strategy whose purpose is to confront law students with real situations, in which they must make decisions, assess and reach a consensus on actions, and make well-founded critical judgments" (Baraona et al., 2015, p. 51). Furthermore, according to López Olvera (2007), the case method allows future lawyers to investigate the national, supranational, legal, or regulatory norms applicable to the case. In this way, students come to understand that there is no ideal case to which real-life situations conform, but rather a multitude of situations that require their individual, informed, and creative perspective. Importantly, this learning is not isolated, as students "must be willing to cooperate with their peers and... recognize that dialogue is the essential foundation for reaching consensus and making joint decisions" (Tena Piazuolo, 2021, p. 529).

On the other hand, in the case method, it is important that the real situation posed finds a solution to resolve the proposed problem. However, this is not the only possible solution but the result of an analysis and interpretation that combines contextual elements and the legal corpus of the case, involving both individual and group analysis.

Problem-Based Learning (PBL) in Legal Education

In the field of Law, Problem-Based Learning (PBL) has been widely applied. According to Barrio Gallardo, "there is no reason to think [...] that PBL cannot be successfully implemented in different contexts" (2015, pp. 147-148). Different experiences in Latin America, as well as in Spain, in various areas and disciplines demonstrate this. PBL has been used in business management, engineering, and of course, in law, in countries like Argentina and Mexico, as well as by groups of Spanish teachers who consider pedagogical innovation in law through the application of PBL (Barrio Gallardo, 2015, p. 147). Therefore, it is not surprising that legal professionals in Latin America have recognized the need to renew teaching methods in law. An outdated practice of orally transmitting legal knowledge unilaterally leads to inadequate preparation to address real-world problems once the educational process is completed. These real-world problems that legal professionals face are not only solved with expert knowledge of the subject. As Font Ribas (2010)



asserts, "the competent jurist is more than just a legal expert; they are a mediator in social conflicts, a citizen" (p. 4). They need the capacity to problematize and seek answers in a transdisciplinary and collective manner.

López Güeto (2018) in the article "We Are Jurists: A Conceptual Workshop" briefly describes the application of PBL in the course on Roman Law Institutions at the University of Seville, Spain. To do this, it was first necessary to conceive how to relate the historical elements of Roman Law to present-day situations in a general sense. This was achieved by using key questions that would pique the students' curiosity and bring out the important concepts of the subject.

The methodological route, composed of a series of activities, used by López Güeto was as follows: an initial moment in which each student works individually based on "intriguing questions" related to Roman Law. In the second moment, the results of the previous individual work are shared to socialize ideas and promote debate. Here, a willingness to listen among the participants is important to find or, in his terms, negotiate a solution to the problem situation presented. Then, in the third moment proposed by the teacher, there is room for the presentation of these solutions worked on as a group. The fourth moment involves going directly to the sources of Roman Law, in this case, the text "The Institutions of Gaius," in order to correlate the reflections made in the light of the present with the reflections of the past, "from there, we develop theory" (López Güeto, 2018. p. 379). Finally, a series of activities incorporating the use of tools from our time, such as the social network Twitter and the educational application Kahoot, are used to stimulate the understanding of the fundamental concepts of Roman Law in the context of the present.

On the other hand, Jarne Muñoz (2020) shares the experience of applying PBL in the Commercial Law course at the University of Zaragoza, Spain. This course is elective and is part of the curriculum for the Bachelor's degree in Business Administration and Management. For this professor, it is crucial to consider when applying PBL that students have general knowledge of the subject matter, and that the topics are familiar, both in the economic field and in law itself. This serves as a starting point that is not limiting but provides a framework for problematizing commercial law. Secondly, it is also important that the collective work to stimulate critical and transdisciplinary thinking is done in groups of 3 or 4 students to allow active participation by all. Finally, it is essential to choose the problem or situation presented to the students carefully, taking into account the limited time for the sessions, the current nature of the problem (in the case of commercial law, problems associated with financial technology were proposed), reference to national legal doctrine for in-depth treatment, and the need for feedback from the tutor on possible doubts related to the use of specialized terminology.

Following the same line as Jarne Muñoz (2020), Díaz Suárez (2011) analyzes the influence on learning with PBL in the Commercial Law II course of the Law program at Universidad Libre, Pereira branch, in Colombia. The method was used for two months, over the course of six sessions, covering the following topics: sales invoice and transportation; actions of replacement, cancellation, and redemption of negotiable instruments; personal and real exceptions to negotiable instruments; Bill of Lading, Warehouse Receipt, and Pawn Certificate; Bonds and Stocks. PBL was applied starting with individual student work, which involved reading the presented problem



individually. Subsequently, group work consisted of sharing individual work, in which individual readings and questions were discussed, followed by the unification of concepts and criteria through discussion and consensus among students. The conclusion of Díaz Suárez's (2011) study is clear:

Problem-Based Learning for the teaching and learning process allowed the students who used it to achieve better and deeper learning of the subject matter. The dynamic generated multidisciplinary learning among the students, which was more comprehensive as it required extensive reading to understand and solve the problem. It also promoted constructivist and cooperative learning since the process involved group discussions, teamwork, individual work, followed by teamwork again, and the comparison of concepts (pág. 76).

As can be seen in these descriptions, central elements of Problem-Based Learning (PBL) converge, which are part of its value in the teaching of law: the convergence of individual and collective work and the integration of theory and practice. In a way, it updates knowledge produced in the distant past through questions that extract situations from the past, place them in the present, and problematize them. Thus, theory ceases to be something obsolete, boring, and uninteresting, and becomes a useful tool in resolving current conflicts.

From these experiences, the role of teachers as mediators can be highlighted. They take on a role of guidance in the learning process: "The role of the teacher is to guide them through the learning process: they are taught to understand, apply, analyze, synthesize, and evaluate evidence and draw their own conclusions" (p. 388). Finally, these exercises in the application of PBL find a very valuable tool in assessments, as it allows for an assessment of the possibilities offered by this method and areas for improvement. Sharing these experiences about teaching law-related subjects in the curriculum allows for an observation of the implementation of this method in the classroom to glimpse its advantages and disadvantages.

In the implementation of the PBL approach in classrooms where law is taught, it is important to recognize the role of the teacher. Unlike their role in traditional pedagogies, with PBL, it is necessary for the teacher to adapt their role in a way that subverts the hierarchical relationship and perceives themselves and is perceived as a mediator in the learning process. In this sense, there is a reconfiguration of the student-teacher relationship towards a democratic horizon that gives the student the status of an active agent in their own learning process.

It can even be said that a learning based on trust and cooperation is fostered. However, it is important for the figure of the teacher to remain, as there may be a gradual erasure of their role that induces the belief that the student is learning on their own, in a self-education process without any kind of guidance, or that they may even feel unsupported during the process. It is, therefore, a balance in the student-teacher relationship, which also involves the more structural curriculum lines of the institution.

Likewise, in this sense, it is necessary to ask who the tutor, mediator, or guide is in PBL in law courses. That is, if it is a practicing lawyer, does the approach to PBL change? On the other hand, how can an academic professor, that is, someone who has worked in academic settings and has a strong theoretical, epistemic, and conceptual preparation in law, teach using the PBL method?



It is also important to consider PBL as a complement to theoretical teaching, as pointed out by Ortiz and Tomás (2012), which "allows the student to have a complete view of the subject based on an answer grounded in theory, on the basis of the connection between the theoretical knowledge presented to them and the practical issues raised" (p. 908). Because if not, that is, if PBL becomes the sole teaching method in law classes, it would be complex and raise fundamental questions about the teaching of the legal discipline, which has a strong jurisprudential foundation.

In this same sense, it is important to take into account the conditions under which law is taught in Colombia, particularly for the application of the PBL method. Cabra Sarmiento (2015) comments on this:

In the Faculty of Law, jurisprudence from the High Courts or cases that were highly debated in the public are generally used; however, while this method should indeed stimulate debate and the exchange of ideas, it is not very practical because classes typically have 40 or more students, and not more than 50% of them actively participate, leaving the remaining 50% passive, uninvolved, or apathetic. It also lacks final conclusions as a way for students to summarize what has been discussed, as the main objective of the method is not to find a solution to the problem itself but to focus on the process followed to arrive at a solution. It is not very feasible for this method to cover the entirety of applicable or existing legislation related to the case, and ultimately, it reduces the case to winners and losers, assuming that the winner was truly in the right, as the presented problem is viewed in a fragmented manner (2015, pp. 15-16).

By pointing out that it is common to find large groups of law students, it is evident that, similar to the teaching of other disciplines, there is a decline in the quality of higher education in Colombia. This decline encompasses various aspects, including inadequate physical facilities, a lack of updates by teachers on new pedagogical methods, and a mismatch between the world of work and the curricula. It also reflects a broader issue related to the perception and realization of a society in which the state increasingly disregards and underestimates the importance of educating its citizens. In other words, educational institutions need to promote critical education that actively contributes to the formation of democratic citizens who feel like integral parts of a common project. This involves recognizing the educational institution as an integral part of social formation that acknowledges its social value.

Regarding the field of Law, García Villegas and Ceballos Bedoya (2019) warn that "71% of jurists graduate from law faculties that can be categorized as low-quality and low-cost" (p. 19), and "If there were a state examination that imposed a certain level of quality in legal studies, a significant percentage of low-quality faculties would exit the market" (p. 20). They also note, "The vast majority of undergraduate law programs are low-cost and low-quality, especially those in the private sector" (p. 49).

Given the circumstances in the teaching of law, it is valid to ask how Problem-Based Learning (PBL) can contribute to improving the quality of education in Colombia, or in other words, how to educate high-quality lawyers. High-quality lawyers are those with deep knowledge of the law and a strong ethical sense regarding their role as members of society who strive to uphold the rule of



law through their profession. How can the implementation of unconventional teaching strategies like PBL contribute to achieving this high quality? Is PBL applicable to all law subjects?

On one hand, when referring to high quality, there is a clear call for the qualification of the content being taught, including the comprehensiveness of the curriculum, the professionalization of teachers, and even the methods of teaching. On the other hand, there is the question of the ethical formation of law students during their education, which, according to Anzola Rodríguez (2016), is quite lacking in the Colombian legal education system and in Colombian society in general.

However, Anzola Rodríguez highlights a study conducted by the Ministry of Justice and Law in 1995 titled "The Lawyer in the Time of the People: Reality and Prospects of Legal Education in Colombia." The study suggests, among other recommendations to improve the practice of law, that "law faculties should make an effort to include theoretical and practical reflections within their subjects that allow students to perceive ethical dilemmas and solve them appropriately" (p. 11). The concern that remains is how these ethical considerations are currently being included or incorporated into legal education. According to Anzola Rodríguez (2016), a professor at the Faculty of Law at the University of the Andes, PBL does little to contribute to including ethical reflections in legal education because legal problems are presented in isolation from the social context in which they arise. In other words, they are stripped of some of the complexity that involves real dilemmas that affect people's lives and the perception of the state and society itself from a legal practice perspective. In his own words:

What is seen through the problem is a very small fraction, namely the legal fraction, of a larger social or personal conflict. There is no context that allows the student to visualize how their legal knowledge will directly impact the lives of the people directly involved in the case, and others who, while not part of the legal problem, will still be affected by the way it is resolved. The student acquires legal knowledge and applies it in a completely technical and neutral manner (p. 14).

Paradoxically, the assessment of the experience of implementing PBL in the Faculty of Law at the University of the Andes, since 1997, in the booklet "Problem-Based Learning (2017). Collection of Legal Education Methods" elaborated and published by the Faculty of Law at the Pontifical Catholic University of Peru is positive. It is noted that, with this method, students have developed the skills and competencies necessary for their future work, as reflected in exam results. It is also mentioned that the professional performance of its graduates has been positively evaluated by various employers. As observed, the same situation can have different readings, although the quality of the arguments varies. In any case, these types of teaching methodologies aim to bridge the gap between academic life and professional life. In other words, PBL simulates in the classroom the real-life problems that a lawyer will face. Like in other disciplines, in law, there is often a significant gap between what is learned and what needs to be applied in the workplace, even though the simulation of that reality is quite close.

Conclusions

The PBL method poses many challenges in its implementation, as it must take into account the contextual conditions in which law is taught in Colombia, especially in public universities and in those private institutions, often referred to as "garage" universities, of low quality. Furthermore, in accordance with the changing times, it becomes necessary to consider the increasing presence of information technology and



digital technology in general. Perhaps virtual learning can strengthen the implementation of the PBL method, as it may provide support for student autonomy and commitment, which are essential aspects of its characterization. In other words, online education and virtual platforms can enhance students' self-education and collaborative work by providing a supportive environment.

In legal education, it is important to strive for the holistic development of students, meaning that the legal content taught and the skills and abilities developed should be accompanied by an exploration of ethical education and questions that connect professional, personal, and social life. Law plays a central role in social structure, serving as a bridge between citizens, who have rights and responsibilities, and the State. Therefore, legal education should not ignore its social functions, which go beyond personal gain. If these aspects are taken into account and if the selection of the problem situation to be addressed and its formulation are done correctly, PBL can be considered a comprehensive method that addresses various aspects of the teaching and learning process in law.

Furthermore, it would be interesting for reflections on the implementation of PBL in law to consider both the procedural aspects of its application, i.e., how PBL is applied in a particular course, and the quantitative and qualitative assessment of its application, i.e., evaluating learning outcomes using various variables. This approach would support the multiple possibilities for implementing this method and, consequently, its potential for the teaching and learning process, taking into account curriculum and contextual specificities.

It is also important to understand that the PBL method does not replace other teaching methods in legal education but complements them by bridging the gap between theory and practice and allowing students to imagine or simulate the reality they will face as future lawyers. In this sense, it is valid to consider which subjects or courses within the law curriculum are best suited for PBL. In other words, the choice of the most appropriate teaching methodology should depend on the body of knowledge that needs to be constructed. For instance, legal dogmatics, as a repository of accumulated knowledge over centuries, should coexist with a renewed approach that questions its relationship with society and the state, emphasizing the social function of legal practice for the benefit of democracy.

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