COMPARATIVE LAW TEACHING THROUGH VIDEOCONFERENCING

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Introduction

This article is provided in the hope that it will successfully encourage many others to experiment with co-teaching a course on any aspect of environmental law with colleagues in other countries. It describes my own experience over the past 14 years in co-teaching a course on comparative and international indigenous rights with Professor Lindsay Robertson of the University of Oklahoma. While our experience only occasionally addressed environmental and natural resources law issues, my objective here is to focus on the use of videoconference technology as a tremendously effective vehicle to enhance the way we teach. Over the intervening years this course has grown from a North American focus to a more international one that has involved 13 law lecturers from 8 different law schools as well as many hundreds of law students from the 4 countries that have participated. It has excited students and other colleagues now for many years while prodding all of the participants to think far more profoundly about how the law has evolved in their own country and why it has taken the paths that it has, in contrast to other options pursued elsewhere. All of the law lecturers have dramatically increased their expertise in their own legal system and quickly gained an enhanced understanding of the legal systems of the other three countries that have been the focal points for our course. Thus, while the specific subject matter in our course is quite distinct from that in which most readers of this article will regularly teach, I would suggest that the experience gained since 2000 is readily transferable. The key lessons to be drawn are from the use of videoconferencing as a medium of delivery and the many attractions of using this technology as well as occasional pitfalls remain constant regardless of the content. Before turning to my own experience with teaching through the utilization of the now widely available videoconference facilities, it is first important to situate

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this form of teaching in an historical context. It is through possessing a clear understanding of how distance education has developed over time, the criticisms that it has received for its divergence from the standard classroom teaching experience, the views of some of its strong supporters and how videoconferencing technology has enabled law professors to overcome virtually all of the prior complaints that one can fully appreciate the exceptional opportunities now available to us all to offer exciting new courses. Co-teaching among law schools and across borders can further generate fascinating new research questions, enjoyable collaborations with international colleagues, enliven existing thinking and strengthen partnerships within the Academy of Environmental Law.

The History of Distance Education

Distance education (DE) has always been identified through its stark difference from traditional notions of education as well as methods of instruction. It is, as Larreamendy-Joerns and Leinhardt note, known for its "departure from the conditions in which teaching and learning 'naturally' take place".[1] The history of distance education attests to the different directions it has taken in comparison to the conventional classroom setting.

Although agreement on the origins of DE has never been reached, this form of instruction has existed for centuries. Some argue that "a unique period of correspondence education" began as early as the medieval period,[2] while others, using a more technology-based definition[3] situate its origins in the 19th Century.[4] Although exact origins of DE remain in doubt, the dominant view provided by Keegan, stresses the necessity for the postal service developed during the Industrial Revolution to make DE effective.[5]

According to Larreamendy-Joerns and Leinhardt, one of the more well-known examples of widely available correspondence education in the United States was Anna Eliot Ticknor's Society to Encourage Studies at Home.[6] The Society provided personalized instruction conducted through regular mail which, upon completion, students would mail back for "comment and discussion".[7] Another prominent example of the growing trend towards

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[1] J Larreamedny-Joerns, and G Leinhardt. 'Going the Distance with Online Education' (2006) 76 (4) Review of Educational Research 570.
[2] A Blinderman, 'Medieval Correspondence Education: The Response of the Gaeonate' (1969) 9 (4) History of Education Quarterly 473.
[3] D Keegan (1996). *Foundations of Distance Education* (3rd edn, Routledge, 1996) 7-8.
[4] Ibid 8.
[5] Ibid 44.
[6] Larreamedny-Joerns and Leinhardt (n. 1) 573.
[7] Ibid.

distance education was the University of Chicago's Department of Home-Study. Correspondence study at the university coincided with the increasing university extension movement taking place across the United States and United Kingdom throughout the latter part of the 19th century.[8]

With the rise of distance education as a non-traditional form of teaching and learning came many concerns focused on the effectiveness of independent study, the role of pedagogy and student-teacher interaction. The advent of newer technologies such as audio and then video recordings, broadcast radio and television and telecommunications have all been utilized in the delivery of courses to address these concerns.[9] Nevertheless, debates regarding this alternative to traditional in-class instruction continue to the present day.

The Advent of New Technologies in Distance Education

Film and radio are two of the earliest examples of the incorporation of more interactive and engaging technologies to be used. Instructional film was introduced as early as 1910 and was believed to have the capacity to transform distance education.[10] It was not until the 1920's that instructional media became a feature of many extension programs "in the form of slides and motion pictures just as they were in the classroom".[11] Nistorescu *et al.* note that, with the introduction of radio broadcasting, the U.S. government issued the first educational radio licence to the Latter Day Saint's University of Salt Lake City in 1921. The next year the University of Wisconsin and the University of Minnesota were also issued radio licences.[12] While an improvement in many ways over reliance solely on printed materials, radio was a less effective and less popular method of instruction than television later proved to be.

By the 1950s, instructional television had established itself as a viable mode of delivery for educational programs and the 1960s saw numerous educational institutions develop courses for TV broadcasting to on and off-campus student populations as well as the implementation

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[8] Ibid 574.
[9] Ibid (n. 1), "Since the inception of correspondence study classroom instruction has been the standard to match. Consequently, advocates of distance education were expected to demonstrate that distance teaching and learning were at least as good as residence education. It is noteworthy that, after more than a century of collegiate distance education, pro and con arguments have changed very little." 579.
[10] M Jeffries, 'Research in Distance Education' (2000.) Indiana Higher Education Telecommunication System Online http://cmapspublic.ihmc.us/rid=1HZXXGY8W-1ZZ4DLF-137T/Research%20in%20Distance%20Education.docx
[11] Ibid.
[12] M Nistorescu, L Carabaneanu, and I Mierlus-Mazilu, *Distance Education and Interactive Technology* (Technical University of Civil Engineering Bucharest, 2006) 62. Online: http://www.codewitz.net/papers/MMT_61-66_NISTORESCUect.pdf.

of closed-circuit television systems to present course materials to students at different locations.[13]

An example of this type of program was the Midwest Program of Airborne Television Instruction (MPATI), which offered a "flying classroom" from an airfield close to Purdue University in Lafayette, Indiana. From the airfield the MPATI broadcasted instructional programs to schools and to the general public in Indiana as well as to five surrounding states.[14]

A significant outcome of the "flying classroom" experiment was the increased implementation by many schools of closed-circuit television systems as well as Instructional Fixed Television Service microwave systems.[15] Microwave technologies increasingly improved in quality throughout the 1960's making it an attractive option for universities to use to connect to other sites within their local region, as well as serving to increase the access of distance education students to course material. It relied upon rather inexpensive transmission equipment with low energy needs and inexpensive receivers within 20 miles (32 kms).

Other prominent examples of institutions drawing on instructional technologies included Britain's Open University. The Open University made available a wide variety of courses through broadcast television[16] by offering lectures in conjunction with correspondence texts and professor-student visits.[17] What was significant about its method of course delivery was its open distribution to the general public, in comparison to the more frequently used closed-circuit systems by American universities.[18]

Satellite technology proved to be another major advance in the delivery of televised distance education programs. The University of Maine provides an example through its utilization of a low-level satellite system to deliver academic courses throughout the state of Maine.[19] DE students were able to take the same university course delivered to their local communities via satellite transmission alongside their on-campus counterparts. Satellite transmission has the advantage of enabling connection from the teaching site via an uplink satellite dish to downlink receivers anywhere in the world that can use standard televisions to display the

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[13] M Jeffries, (n. 10).
[14] Ibid.
[15] Ibid.
[16] I Miller, 'Distance learning – A Personal History' (2000) 3 Internet and Higher Education 8.
[17] The Open University, "History of the OU" Online: http://www.open.ac.uk/about/ou/p3.shtml.
[18] Ibid.
[19] Ibid 10.

video transmitted. Initially the use of this technology was either not interactive or relied upon recipients to communicate with the teacher by telephone (which could include very expensive long distance charges). Considering that the satellite dishes and uplink transmitters were rather expensive, this technology was largely restricted to circumstances where significant numbers of students would congregate in distant classrooms.

Distance Education and Theories of Learning

While technological developments enhanced the delivery mechanisms for DE, considerable resistance remained among the general community of educators who perceived it as inferior due to insufficient student-instructor interaction.[20] Michael Moore was particularly influential in describing the limitations of these earlier forms of DE.[21] He emphasised that the limitations are not merely about the geographic separation of teachers and students, but are also founded in a pedagogical issue that requires a reworking of traditional conceptions of teacher-learner interaction.[22] As Moore puts it, "with separation there is a psychological and communication space to be crossed, a space of potential misunderstanding between the inputs of the instructor and those of the learner. It is this psychological and communications space that is the transactional distance."[23]

According to Heath and Holznagel, the significance of the separation necessitates adopting teaching and learning strategies tailored to the distance environment. Importantly, the nature of communication mediums will also influence the interplay between teacher-learner and environment.[24] The use of one-way communication media, whether through traditional correspondence or modern satellite and microwave systems, are examples that do not allow for genuine dialogue between teacher and learner and, therefore, cannot successfully bridge transactional distances.[25]

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[20] RM Purcell-Roberts and DF Purcell, (2000). 'Interactive Distance Learning' in L. Lau, *Distance Learning Technologies: Issues, Trends and Opportunities* (Idea Group Publishing 2000) 16.
[21] M Moore, *Theory of Distance Education* (Distance Education Symposium: Selected Papers, Research Monograph Number 9, American Centre for the Study of Distance Education, College of Education, Pennsylvania State University 1991).
[22] Ibid.
[23] M Moore, 'Theory of Transactional Distance' in D. Keegan (ed), *Theoretical Principles of Distance Education* (Routledge 199) 22.
[24] M Heath, D Holznagel, K de Ford, and V Dimock, (2002). *Understanding the Value of Interactive Videoconferencing Technology in Improving K-12 Educational Systems* (Regional Technology in Education Consortia National Collaborative Project 2002) 9.
[25] Ibid.

Stanford and Roark assert that education is above all about human interaction, and teaching practices should be a reflection of this.[26] While not attempting to diminish the importance of content, they were trying to shift the focus of education towards social interaction and social learning, which included the teacher also being an active learner. In agreement with Marshall McLuhan,[27] Stanford and Roark thought that the "medium is the message" such that within the context of education, social interaction is the medium.[28]

Haughey noted that temporal distance presents conflicting perceptions of the learner; on the one hand they are independent and autonomous and on the other they are dependent upon interaction, in need of guidance from the centre and using technologies should seek to overcome as much as possible their separation from the traditional classroom.[29] The role of the teacher is significant in bridging the interactivity gap, however, she has argued that simply replicating models of interaction within the traditional classroom in a DE setting can lead to the same problems of disconnectedness often found in face-to-face classes.[30] For Haughey, both "presence and distance are held in tension as aspects of learning".[31]

Distance Education and the Electronic Revolution

According to Keegan, the possibility of truly teaching face-to-face at a distance was not possible until the 1980's with the advent of the electronic revolution.[32] The arrival of satellite technology, along with digital telephony systems in the 1980s, created the Integrated Services for Digital Network (ISDN). This established common communication standards to simultaneously transmit bits of data that could be voice, video, text or other data over standard public telephone lines. This meant that the virtual classroom could now be linked in a manner that allowed students to respond to their lecturer.[33] The lecturer's ability to view and communicate with students at multiple sites was also now possible, while students at different sites could hear and see the lecturer. The arrival of such technologies meant that where virtual systems existed the "interpersonal communication of conventional education can be achieved at a distance".[34] The ISDN system was dependent though upon the use of multiple phone lines to transmit video along with a single line for audio. As a result, long

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[26] G Stanford and A E Roark, *Human Interaction in Education* (Allyn and Bacon, 1974) 2
[27] M McLuhan, Understanding Media: The Extensions of Man (McGraw-Hill 1964).
[28] Standford and Roark, (n. 26) 3
[29] Ibid, 6.
[30] Ibid, 8.
[31] Ibid,13.
[32] Keegan, (n. 3) 8.
[33] Ibid.
[34] Ibid.

distance charges could be an expensive factor until the arrival of Internet Protocol (IP) in the late 1990s.

Belanger and Jordan noted that most of the early electronic technology of the 1920s to the 1970s provided little to no mutual interaction between teacher and learner, as students could only receive the audio (and later audio and video) signal without an ability to reply. Most of the regularly scheduled radio and TV format style DE offered little contextual information, if any, outside of lecture content; while other, even traditional correspondence, distance education technologies could provide a wealth of additional information.[35] More recent technological advances have enabled marrying various methods of interactivity with the ability to supplement the 'class time' with added text, audio, video and weblink materials. Certain technologies can provide for greater learner flexibility in terms of time and place due to their asynchronous style of course delivery; while others offer synchronous learning that provides the greatest amount of communication and interaction outside the traditional classroom.[36]

Computer based training remains one of the most popular technologies. Typically the course is provided online without the presence of an instructor, with students able to complete the course work at their own pace, have a limited amount of interactivity, including with each other. The course may also include receiving immediate feedback in the form of marking and correction of answers previously prepared by the lecturing staff.[37] The downside to online delivery is its fully independent nature, thereby meaning there is no direct instructor verbal feedback or room for student-to-student verbal or face-to-face interaction.[38] Similarly, it is hard to develop groups of 'study buddies' to work together and learn from each other amongst students who only connect through cyberspace, although online chat rooms and email lists do make such communication possible.

Computer aided instruction (CAI) has become one of the mainstays of many DE courses. Originally used as an add-on to supplement the traditional in-class lecture, CAI now often accompanies distance education texts. Only providing online lectures, practice, tests and tutorials, is not sufficient for delivering DE. Belanger and Jordan outline that web-based training should also use the Internet to deliver courses and includes the use of chat rooms and email to enrich simple online delivery. Web-based training morphs into web-based

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[35] F Belanger and DH Jordan, Evaluation and Implementation of Distance Learning: Technologies, Tools and Techniques (Idea Group Publishing 1999) 35.
[36] Ibid.
[37] Ibid, 41.
[38] Ibid, 42.

courses when offered in the place of a traditional classroom; such courses are referred to as "cybercourses" or "virtual courses". Not only can students work at their own pace (as with online courses), but it also allows for the distribution of course materials at any time through the dedicated website, and it has thereby gained "unprecedented popularity in academic circles".[39] Not only does it offer relatively low cost and greater revenue possibilities for universities but it importantly adds the capability of some communication. Interaction between students and teachers through email, Listservs and chat facilities all enhance the web-based learning experience.[40] Nevertheless, these cybercourses, especially when asynchronous, still suffer from a student sense of being disconnected as all interaction is indirect relying upon text to convey questions and comments. The ever more cryptic, depersonalized form of modern email communication inevitably means the loss of subtleties in more expansive word choice, and the import of body language and facial expressions. This is coupled with the lack of immediacy in reply, *et cetera*.

On the other hand, online learning can provide far greater access to education for a large and distinct segment of the population. Those who wish to further education while working full-time, raising young children, caring for elderly parents, living in remote locations, working night shifts, possessing major physical disabilities and in many other circumstances can find access to the standard tertiary educational institution difficult if not impossible. At the same time, improvements in technology have now created the expectation that online learning will involve a high degree of interactivity so as to closely resemble traditional classroom-based learning.[41] The growing use of videoconferencing is a reaction to this student expectation and to the inability of online teaching fully to recreate the classroom experience.

Fully Interactive Distance Education – Videoconferencing Technology

The rise of distance-reducing technologies is leading to the "passing of remoteness" in distance education.[42] Videoconferencing is one of if not the most interactive forms of distance education. It makes immediate, two-way, face-to-face communication a reality in DE. This has the benefit that, "the visual cues so often considered important in determining if messages were being properly communicated were now available. Immediate visual feedback leads to more productive dialog."[43] The initial use of videoconferencing for teaching was between campuses of the same university to replace one-way video

[39] Ibid, 49.
[40] Ibid, 50.
[41] L Schrum, 'Online Teaching and Learning: Essential Conditions for Success' in L Lau (n. 20) 92.
[42] I Yermish, 'A Case for Case Studies via Video-Conferencing' in L Lau (n. 20) 208.
[43] Ibid, 208-9.

transmission for students enrolled in the same course with a single lecturer at the main site.[44]

As this article demonstrates, videoconferencing has come to be used not only within universities but also across national borders, just as it similarly moved beyond initial communication within companies to extend to widespread external corporate communication. More recently it has been accepted by courts as a means to connect prisoners to judicial proceedings as well as convene bail and motions applications in many countries.

Distance Education in the Law School Environment

According to Gleason, despite the growth of distance education in the mainstream of higher education, law schools have been slow to accept distance education.[45] Many law schools have argued that the value of a sound program of legal education relies on class sessions, interaction with instructors and fellow students, and physical "residency" so as to steep students in the law school environment.[46] Despite this, changes have been put in place that signal a growing switch towards distance education in law schools.

Nottage and 5 colleagues discussed the possibility of transnational legal education and argued in 2008 that the value of the global classroom is self-evident.[47] Anderson noted in his contribution to the joint article that one of the original challenges was the technology itself, particularly technological glitches or hiccups.[48] He suggested, however, that this problem has itself become a valuable learning tool; challenges are typical in the lawyering environment, "thus learning to roll with the punches is a lesson that as a practical matter will make the students better lawyers".[49]

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[44] Ibid, 211.
[45] D Gleason, 'Distance Education in Law School: The Train Has Left the Station', (unpublished 2006) available via SSRN online database, 2.
[46] Ibid, 4.
[47] L Nottage, F Bennett, K Prokati, K Anderson, L Wolff, and M Ibusuki, 'Beyond Borders in the Classroom: The Possibility of Transnational Legal Education' (2008) 25 *Ritsumeikan Law Review* 183, 190.
[48] Ibid, 191.
[49] Ibid.

Teaching Comparative or International Law through Videoconferencing

The comparative and international indigenous rights course I co-teach today grew from an idea over lunch between Professor Lindsay Robertson of the University of Oklahoma College of Law (USA) and myself, while at the University of Ottawa (Canada), at a Sovereignty Symposium conference in Tulsa, Oklahoma in June of 1998. Online courses were becoming popular at the time and seemed to be the way of the future. Each of us had taught domestic oriented courses on indigenous legal issues and thought it would be fun as well as of student benefit to co-teach on a North American basis so as to focus on the similarities and differences between the laws in each country and their respective histories of colonization and struggles against dispossession. We thought it might be possible to use the new technology available to make our mutual DE course fully interactive so as to overcome most of the flaws with standard DE experiences. Another trigger for the commencement of a transnational comparative course in this field was the progress being achieved at a global level in discussions on a UN Draft Declaration on Indigenous Rights as well as within regional and other international bodies.

Our course began in 2000 and comprised of a two hour class each week for an entire semester that were fully interactive, with us using PowerPoint (PPT) presentations and audio-visual material along with lecturing, as well as promoting discussion amongst all students participating. Everyone could see and speak to all others in the 2 classrooms in Norman, Oklahoma and in Ottawa. Thus, we were able to overcome the lack of mutual interaction in most DE by having full access to every other person in each classroom and questions were encouraged at any time. Students were enrolled in a course with their own law school so there were no admission or registration issues, no cross-crediting or transcript transfers, and no added fees or transfer of funds. Both Professor Robertson and I handled all administrative matters for our respective students as well as grading. Students loved the technology while also having the comfort provided by their own professor in their classroom.

We began initially by transmitting video and audio data via 6 long distance ISDN telephone lines to each other paid by the University of Ottawa. The change over from expensive ISDN lines to VoIP (Voice over Internet Protocol) in 2003 allowed us to expand so that the Universities of Monash, Saskatchewan, Queensland, Auckland, Waikato and Victoria University of Wellington have become involved since the course was first launched with as

many as 7 law school classes connected in any one year.[50] The VOIP system also has much higher quality and has enabled us to transmit PPT or film simultaneously on separate or split screens in addition to the live video feed from up to 7 law schools. It also has no transmission cost.

Videoconferencing technology is not difficult to implement. The initial cost to install the necessary technology of a bridge that can handle linking multiple sites is undoubtedly expensive [roughly US$100,000], but the capital cost is dramatically less for those other universities that merely connect to the host university's bridge. The cost for the actual videoconferencing teaching sessions is nothing beyond staff time since Internet Protocol became available to replace ISDN. While videoconferencing technology is usually user friendly, good technical backup is vital. In theory, all that is required is for a lecturer to turn the video equipment on in the classroom and wait until a call is received to link their site to the others. Increasing the number of sites involved in each videoconference does lead potentially to more technical difficulties.

There are a variety of other challenges that are unique to any long distance comparative or international law course, which include multiple time zones and scheduling difficulties, differences in the academic year as well as class sizes. Importantly a course like this requires a significant amount of organization. Discussion must take place far in advance around not only the course outline as a whole but also what precise topics are to be covered in each jurisdiction, by whom and in what order. Communication must take place on an on-going basis in order to successfully "choreograph" each weekly session as much as possible while factoring in student participation and questioning.

Course Website

One of the important ways to connect students together more effectively and help them to feel part of an extended class with staff and students from the other partnering law schools is through sharing a common course website. I originally developed a quite rudimentary website in 2000 that contained all of the assigned readings for each week's class throughout the many weeks that we were meeting together through videoconferencing. I also posted the list of research topics selected by the students at Oklahoma and Ottawa followed later by

[50] For a more detailed description of the structure and nature of this course as well as student feedback see, M Stephenson, B Morse, L Robertson, M Castan, D Yarrow and R Thompson, "International and Comparative Indigenous Rights via Videoconferencing," (2009) 19 *Legal Education Review* 237.

their draft and final research papers.[51] Over the years the website evolved to contain the final research papers for most of the law students from most of the participating law schools.[52] The participating teachers also frequently added reference materrials (for example, relevant national legislation; recent government, legislative or international treaty body reports; personal publications; reading lists; important other websites; *et cetera*) as well as some videos of distinctive events (such as the video produced to capture what transpired on September 7, 2007 when the UN General Assembly passed the Declaration on the Rights of Indigenous Peoples). We would occasionally post newspaper articles and other major events happening in one of the coutries over the last week or even during the class itself when germane to the discussion.

The website was also used as a means of encouraging communication. Since it was password protected with each student having a unique password,[53] it meant that students had a reasonable degree of comfort about the security of their conversations when they emailed each other individually or in groups or used the chat room. Some years I had sufficient grant funds to enable a graduate student specialist to be hired to run discussions each week through the chat room to spark more discussion and answer questions. By announcing in class that we had posted research topics we were encouraging students to see what others were doing so that they might find projects overlapping their own in which sharing information would be mutually beneficial. As students were required to do comparative research, this also encouraged them to pass on any prior research of their own that might connect to a new student project as well as to share their greater expertise in their home country – often in return for a student doing the same from a country in which the first student was pursuing a comparative topic.

The class was also recorded each week with the website serving as the repository for these videos. This meant that students who missed a class could readily later view that session as well as those who simply wished to refresh their memory, see themselves on camera or who had not fully understood part of a discussion. Since as many students as possible would provide a 5-10 minute summary of their research paper in the final weeks of the shared

[51] The website was hosted and supported tremendously by the Centre for Mediated Teaching and Learning at the University of Ottawa from 2000 until 2013. The course website is now hosted by the University of Oklahoma College of Law.

[52] I use the expression 'some' in describing this aspect of the content of the website as some participating law schools never supplied me with student research papers, some years individual law schools used exams rather than papers and a few students declined to have their papers posted for future student inspection.

[53] The Distance Education Office at the University of Ottawa provided a discrete password for each student registered in one of the participating law schools connected to his/her preferred email address until 2014.

course, watching that class's video of their own presentation could be highly informative for a student wishing to see her/his own style and possible unintentional mannerisms.

Students from all participating classes are encouraged to collaborate and support each other with feedback and sharing research ideas and sources while they individually write a relevant research paper from a comparative law perspective. This creates an interactive international learning environment. In fact in the first lecture in most years the students introduce themselves and state their areas of interest. In the mid-session break the students may immediately rush to the microphones and make contact with students in the other jurisdictions. Students frequently initiate informal chats with one another by email or chat rooms hosted by the main course website. Students can also directly email the other lecturers to discuss areas of interest or their research papers.

One of the advantages of a videoconference course is that it truly allows students to interact with and learn from professors who are co-teaching the class from afar and who are expert in that field in their home country. This overcomes complaints regarding online and other DE learning where students work from a book or on a computer with no face to face contact with lecturers or other students. In our course, students are encouraged to participate in class, question the teachers directly at any time and also engage with other students outside of class. Therefore, this DE experience is intended significantly to enhance and enrich the learning experience for regular law students and give them perspectives from other countries rather than providing DE to those unable to engage in university campus education. It can, however, be used for students who can only study remotely; and in fact we did so for a student residing in the far north of Canada in 2002.

Positives and Challenges

Student reaction over the years has ranged from very good to the overwhelmingly positive. Each participating teacher's university naturally conducts its own course appraisal system, however, examples of student feedback are:

> *"This was one of the best courses I've done for a long time: revolutionary to say the least."*

> *"Fantastic video-conference course. It was great to be connected to students on the other side of the world. It was great to be taught by instructors, in each jurisdiction, who were experts on legal Indigenous issues."*

> *"It was interesting to get a more global perspective on Indigenous legal issues. The course has definitely widened my interest in this area of the law."*

> *"The opportunity to video conference with universities abroad and international aspects was excellent, and unlike any learning format I had ever participated in. I hope this innovative format continues and is expanded to other courses."*

As globalisation increases, acquiring knowledge of the principles and practices of various peoples and nations around the world is vital so that we can share and learn from 'foreign' experiences. Broadening student knowledge of what is occurring elsewhere not only avoids ethnocentrism but also positions students to be better placed in their future careers to deal with evolving legal issues. Our videoconferencing course certainly broadens students into considering a global perspective on indigenous laws that then translates for them to think comparatively in all legal spheres. Other positives include:

- It dramatically broadens the depth and breadth of expertise available among the teaching staff through the participation of colleagues at other law schools.
- It brings comparative law to life in a real way for students as they inevitably see similarities and differences between the laws in their own country with the legal regimes in the other participating nations. This easily generates the questions of: why is our law and policy the way it is? Why is it not like the law in X nation? Would it be better if we adopted the approach of Y nation? How different are our conditions, history, economy, or culture that explains these differences? Why do we share certain elements in common when we are so different?
- Students witness differing views among scholars expressed in the presentations and discussions among the teachers (thereby realising that there can be different perceptions that are still valid and we are not always right).
- It can create greater diversity among the participating students (regarding citizenship, ethnicity, cultural background, legal system, *et cetera*.) that can enrich the discussions and fosters greater cross-cultural sensitivity in a different way than in a single classroom of multicultural or international students.
- It can offer interaction opportunities for one's own students with law students from other countries by enabling students to share experiences via social media and even form friendships leading to travel opportunities and possible impact on future career choices.
- It helps develop research links among students so that they can share their current or past research sources and ideas with other students who have similar research

paper topics (thereby demonstrating to themselves that their research can be of value to others). We post many past student research papers on the course website and encourage all students to examine them for research sources and ideas.

- It enables students to interact with law teachers in other countries without leaving home (thereby reducing possible boredom or overexposure of their own law school's teachers).
- It generates a sense of curriculum excitement, international connectedness and feeling enriched by foreign experts. They can see and hear leading experts on the other side of the world just as they experience in watching TV news programmes – except they are part of the programme and can speak directly to teachers and students abroad. Guests at one school benefit all the others. For example, in one recent class we had the new President of the Committee of Experts of the UN Convention on the Elimination of Racial Discrimination, Francisco Cali, speak at the beginning of the session from Oklahoma while Professor Aaron Tupper of the University of San Francisco was in the Monash classroom and Professor Keira Ladner of the University of Manitoba was at Waikato.
- Students love seeing themselves on TV – even if nervous when presenting or asking questions – while also getting valuable visual feedback on their own presentation style when reviewing the video later.
- Students highly value the immediacy of the interaction. It is literally up to the minute as students and teachers can share newspaper headlines, court decisions, Bills introduced, UN or government reports just released, *et cetera*. that have occurred that very day on the other side of the world by posting it on the course website or uploading and discussing it in class. No single law professor can do this effectively for multiple jurisdictions just before each class.
- Each teacher enriches her/his expertise in the substantive law and policy issues present in that topic in the other participating countries simply by being involved in the course and learning from one's co-teachers.
- New friendships may develop amongst teaching staff or become deeper through co-teaching experience (resulting in subsequent visits, collaborative research, conference panels arranged, *et cetera*.).
- The course website builds over time with added resources, past student papers, video clips, *et cetera*. so that each year new students can see they are part of something that has a bit of history to it in which their forerunners have contributed so that they can benefit, and then they can contribute too to aid their successors.
- IT IS REALLY FUN!

The course is not, however, without its challenges and drawbacks. It may cross several or many time zones; in our course there is a maximum of an 18 hour time difference over 2 days in opposite hemispheres and in very different seasons, yet students and teachers come together through videoconferencing to discover both how much they have in common and also how different their approaches can be to similar issues. All four of our countries have a similar history of British colonization and share the legacy of English common law yet the interesting thing to study is how each country developed differently from that same origin. It can be a revelation for the students to see just how things can be so different elsewhere in the world while also being so similar in very many ways. While our course is one that consciously explores not only similarities but also differences in the experiences of the various jurisdictions, any transnational law course will inevitably challenge the students and teachers to ask and seek to understand why those differences have occurred. Other challenges include:

- Technical failures will inevitably happen. It is best to expect them and be prepared as best one can. Each teacher needs to have some capacity to substitute immediately when the key speaker of the moment suddenly disappears due to lost connection, power failure, *et cetera*. (or have a co-teacher who can readily do so). Similarly, when their site is disconnected, they must scramble to reconnect while also trying to keep their own students engaged. Everyone needs to have emergency contact details for co-teachers, their own university IT specialists AND, most importantly, for the host university's IT that provides the bridge to connect all classes together.
- Organizing course content and planning the schedule of classes, readings, structure of each class, clarifying the role and order of each teacher in each topic is not easy when colleagues are in different cities, let alone time zones. This entails group emails, Skype & phone calls, *et cetera*.
- Differing school years – semesters run at different times, study weeks or exam times differ as do statutory holidays. This can mean starting or ending a course at times outside of the normal semester period and/or having participating law schools for differing lengths of time. Where one university group miss a week due to a vacation they can, however, still benefit from the teaching experience by accessing the class through a video recording posted on the course website.
- Time zones – finding a schedule that fits all participants becomes ever harder as distance expands (our classes start from 17:00 on Wednesday evenings in North America to noon local time on Thursdays in New Zealand). Some time zone

connections simply will not work. We have had to reluctantly turn down involvement from law schools in South Africa and Western Australia as it was impossible to find a common timeframe that suited all without someone having classes in the middle of the night.

- Daylight savings time (DST) – our course has had up to 7 law schools participate in any one year that have varied from 4 to 6 distinct time zones each year due to differences in when daylight savings starts in North America [9 March 2014] and ends in Oceania (6 April 2014). This creates shifting class times somewhere of 1 hour (when DST starts in North America) and then 2 hours (when DST ends in Australasia), which is further compounded by some jurisdictions that do not follow DST at all (which includes our 2 participants in Saskatchewan, Canada and Queensland, Australia).
- Password protected course website – A website is required to enable all readings to be posted online as it is simply too hard to print course materials at each law school. A further factor is that fully, open access may run afoul of local copyright laws. We also want to upload new material regularly, including even during class that is accessible to all who have internet access. Since there are unpublished papers and chat room discussion, there is an added need for the website to be password protected, which then means there is a small logistical irritance around issuing usernames and passwords to all teachers and students. It is best if this is done by the university hosting the course website as soon as possible before the course commences so that adding late stragglers is not too burdensome.
- Varying equipment quality and nature - Some universities have superb equipment with HD transmission, voice activated or individual microphones around their room, multiple screens in class, able to record classes for future uploading and access, easy capacity to share documents during class, can handle 9 separate sites simultaneously on their giant video screens, *et cetera*. On the other hand, some law schools have few microphones, poor classroom acoustics, only 1 screen with limited capacity for Picture-in-Picture (PIP)[54] transmission, are unable to see themselves, *et cetera*. The teachers all need to know what the equipment situation is at each participating law school so that they all can adjust their teaching accordingly.

[54] Picture-in-Picture refers to the capacity of a television or projector to handle more than one live video feed at a single time. Some equipment will provide up to nine video feeds on a single overall screen simultaneously through subdividing screens into segments. Some PIP will be designed to have a dominant video transmission that captures the source where talking is occurring while the silent sites remain in smaller squares. These latter systems will then shift any other site into the larger, central location as soon as the other site starts speaking.

Fortunately, the rewards far outweigh the challenges that exist and most of the latter can be mitigated, if not eliminated, by proper planning along with good IT support (especially from the law school(s) that will bridge linking together all sites and host the course website). Conducting a 'dry-run' that successfully links together all the sites with their technicians and teachers present is critical so that everyone knows how it will work and how to contact each other if an emergency arises. It is virtually certain that a technical failure will occur at some point where a site is lost for part or all of a class so fall-back planning and capacity is vital if reconnection does not occur quickly.

The technology to undertake videoconferencing courses exists at most Universities today. This technology could be used not merely for an occasional guest lecture, as is commonly the case, but it can also be used for a course taught entirely or predominantly by videoconferencing. Courses that conceptually could be taught comparatively with others in different parts of the world lend themselves immediately to teaching through videoconferencing. This is a stellar way to internationalize the curriculum, a great experience for the students and also for the teaching team. In my opinion, videoconferencing courses will become a standard part of the curriculum of all universities in the not too distant future as its potential benefit is so massive. All law schools are aware that the legal profession is becoming ever more transnational, such that we need to respond by aiding our students to become global lawyers. Teaching domestic law subjects comparatively as well as international law through transborder videoconferencing is an excellent method to help achieve this goal.

Despite the challenges, the benefits completely overwhelm the problems for both staff and students. So long as teachers can be patient, are flexible by nature and everyone has a sense of humour, then this is a fantastic teaching and learning experience for everyone involved.