

INTERTEACHING: AN ALTERNATIVE FORMAT OF INSTRUCTION FOR LAW CLASSES

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I INTRODUCTION

This article describes a new format for legal education trialled at RMIT known as interteaching. Broadly, interteaching involves students in small groups teaching each other the content of a class with the guidance of a preparatory guide distributed before each session, and with the instructor taking a supervisory and facilitative role. The article provides an overview of the empirical and theoretical literature supporting interteaching as a teaching method, largely originating from psychology faculties in the United States. It then describes the strengths of interteaching in the context of legal education, factors to consider when implementing interteaching for a law class, and the authors' experience of implementing interteaching in an Australian law class. In the authors' experience, interteaching has the potential to be an effective alternative to the traditional lecture format for teaching law.

II AN OVERVIEW OF KEY CRITICISMS OF THE 'TRADITIONAL MODEL'

The advantages of interteaching can be explained by reference to some of the key weaknesses of the traditional model of legal education in Australia. This is not intended to be an exhaustive or comprehensive statement of those criticisms; the purpose of this section is to identify important criticisms to provide a basis for the discussion of the strengths of interteaching in the remainder of this article.

In 2004, Keyes and Johnstone observed that legal education in Australia had 'struggled entirely to transcend the traditional model of legal education'.¹ Their conception of the traditional model had five key characteristics, many of which are still apparent, to a significant degree, in law teaching today:

1. It is 'teacher-focused'. The teacher's role is to 'transmit their expertise' to their students, 'who are conceived as empty vessels to be filled with information'. Further, teachers are not trained pedagogically, instead being expected to be subject matter experts for the area of law they teach.
2. It is focused on the teaching of legal rules, particularly from case law, with less emphasis on skills. Students are then assessed on their ability to apply the rules to problem scenarios.
3. It conceives of law as an 'autonomous' discipline, isolated from other areas of academia.
4. Law teaching is closely related to practice, and practitioners exert 'a very large degree of control over the curriculum'.
5. There is little formal coordination between teachers of different subjects and little formal opportunity for students to learn collaboratively.²

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1 Mary Keyes and Richard Johnstone, 'Changing Legal Education: Rhetoric, Reality and Prospects for the Future' (2004) 26 *Sydney Law Review* 537, 537.

2 *Ibid* 543.

Keyes and Johnstone then forcefully criticised each aspect of the traditional model. Many of these criticisms are now uncontroversial.

For example, Keyes and Johnstone argue that the teacher-focused nature of law teaching means that the student learning experience is not ‘taken seriously’ — it is assumed that any failure of the students to learn is a failure on the students’ part.³ Citing Keyes and Johnstone, Kift argued that this model of law teaching — the ‘transmission’ model — is ineffective.⁴ In educational psychology, the lecture format of instruction has long been criticised for its ineffectiveness.⁵ Modern legal education literature emphasises the importance of student-centred processes, whereby teachers pay more attention, and are more responsive, to students’ learning experiences,⁶ especially for less academically inclined students.⁷ Keyes and Johnstone themselves argued that, according to modern educational theory, teaching should be about ‘enabling, stimulating, prompting and guiding students to develop their own conceptions and abilities’.⁸

They also argued that law schools did not place much emphasis on ‘generic’ or ‘transferable’ skills such as communication and teamwork, a criticism also made by the Australian Law Reform Commission.⁹ Stuesser similarly defends the value of inter-personal and problem-solving skills for lawyers and law graduates who do not practise law.¹⁰ He argues that much of the content of a law curriculum can be picked up by lawyers at any time through textbooks, so greater emphasis should be given to teaching material that is of ‘lasting’ value. This includes core principles that are ‘essential to the understanding of the law’, as well as inter-personal skills.¹¹ Stuesser’s argument can be bolstered by consideration of more recent cognitive research indicating that knowledge of specific areas of substantive knowledge is easily lost, particularly if it is not supported by the application of skills,¹² as well as the fact that many areas of law change rapidly.¹³

Even aside from the benefits of generic or transferable skills, modern educational theory recognises that students learn more effectively if required to develop or apply skills related to the substantive content they are taught through an ‘integration of theory and practice’.¹⁴ As a consequence of the widespread acceptance of these criticisms, legal education in recent years has begun to focus on the student as an active learner rather than a passive recipient of

3 Ibid 540; see also Sally Kift, ‘My Law School — Then and Now’ (2005) 9 *Newcastle Law Review* 1, 5.

4 Kift, ‘My Law School’, above n 3, 11–12.

5 Diane F Halpern and Milton D Hakel, ‘Applying the Science of Learning to the University and Beyond: Teaching for Long-Term Retention and Transfer’ (2003) 35(4) *Change: The Magazine of Higher Learning* 36; Marilla D Svinicki and Wilbert J McKeachie, *McKeachie’s Teaching Tips: Strategies, Research, and Theory for College and University Teachers* (Wadsworth, 14th ed, 2006).

6 Tin Bunjevac, ‘Critical Reflection and the Practice of Teaching Law’ (2013) 6 *Journal of the Australian Law Teachers Association* 97.

7 Ibid.

8 Keyes and Johnstone, above n 1, 546.

9 Ibid 541, 544–545, citing Australian Law Reform Commission, *Review of the Federal Civil Justice System*, Discussion Paper No 62 (1999) 46 [3.23].

10 Lee Stuesser, ‘Skills for the Masses: Bringing Clinical Skills to More Students at Less Cost’ (1992) 10 *Journal of Professional Legal Education* 119, 122–123.

11 Ibid 123.

12 A Collins, J S Brown and S E Newman, ‘Cognitive Apprenticeship: Teaching the Crafts of Reading, Writing and Mathematics’ in L B Resnick (ed), *Knowing, Learning and Instruction: Essays in Honour of Robert Glaser* (New Jersey: Lawrence Erlbaum, 1989), cited in Sally Kift, ‘Lawyering Skills: Finding their Place in Legal Education’ (1997) 8(1) *Legal Education Review* article 2.

13 Kift, ‘Lawyering Skills’, above n 12.

14 Ibid.

information.¹⁵ Pedagogical approaches such as ‘blended learning’ (also known as the ‘flipped classroom’ approach), for example, are being used more often as a supplement to lecture-based instruction.¹⁶ In the blended learning approach, the student is given online resources and activities to gain some familiarity with the course content before attending class.

III INTERTEACHING AND ITS STRENGTHS

As a pedagogical approach, interteaching is motivated by the view that ‘the best way to learn something is to teach it’.¹⁷ Interteaching is carried out in six steps, across two different classes. The first class includes the interteaching session itself and the second class is a clarifying lecture.

STEP 1

Before the first class, the teacher completes a preparation guide based on the reading material for the week. The preparation guide contains a range of question types, from simple definitional questions to more complex questions such as problem-based or normative questions. The questions are designed to guide students through the course content and reading material. In an employment law class, examples of questions used in interteaching sessions include:

(Definitional) Describe an example of an employer engaging in indirect discrimination in the workplace.

(Problem-based) Martin sues his employer for breaching a provision of the Australian Consumer Law. His employer dismisses him as a result. Has Martin’s employer breached pt 3-1 of the Fair Work Act?

(Normative) Read Gleeson CJ’s judgment in *New South Wales v Amery* (2006) 230 CLR 174. Do you agree with Gleeson CJ’s assessment of the department’s policy as reasonable?

(Normative/Policy) Should it be legal for employers to keep employee workspaces under surveillance?

(Personal Experience) Have you or anyone you know ever experienced workplace discrimination?

(Personal Experience) Does your workplace have a social media policy? If yes, what does that policy say? Do you think it is a fair and reasonable policy?

STEP 2

The teacher distributes the preparation guide to students prior to the class. Students are asked to write answers to these questions and prepare to discuss their answers in small groups in class.

15 Kylie Burns et al, ‘Active Learning in Law by Flipping the Classroom: An Enquiry into Effectiveness and Engagement’ (2017) 27(1) *Legal Education Review* article 14.

16 See, eg, *ibid*; Melissa Castan and Ross Hyams, ‘Blended Learning in the Law Classroom: Design, Implementation and Evaluation of an Intervention in the First Year Curriculum Design’ (2017) 27(1) *Legal Education Review* article 13; Jennifer Ireland, ‘Blended Learning in Intellectual Property: The Best of Both Worlds’ (2008) 18(1) *Legal Education Review* article 8.

17 Thomas E Boyce and Philip N Hine, ‘Interteaching: A Strategy for Enhancing the User-Friendliness of Behavioural Arrangements in the College Classroom’ (2002) 25 *The Behaviour Analyst* 215, 218; Ming Tsui, ‘Interteaching: Students as Teachers in Lower-Division Sociology Courses’ (2010) 38 *Teaching Sociology* 28, 28.

STEP 3

Students attend the first class (the interteaching session), wherein the teacher reviews and assesses students' preparatory work individually and provides feedback. This would usually take up around one hour of a three-hour seminar. If the class size is large, it is best to only assess a portion of the class, then rotate to another portion of the class in the following week. For example, for a class size of 30 students, the teacher can assess 10 students each week.

In this assessed session, and while the teacher assesses the students' preparatory work, students form small groups of two or three to teach each other the content by discussing their answers to the interteaching questions. Students are marked on their class preparation and also on their discussion.

STEP 4

After the first hour during which the students' written preparation are assessed by the teacher and the students are simultaneously engaged in small group discussion, the entire class moves into a U-shape to form one single large group. In this large group, each small group contributes by taking turns to present their thoughts on certain questions (for example, group 1 speaks about question 1, group 2 speaks about question 2, and so on). Upon listening to the small groups' answers, the floor is then open for the entire class to speak up and make comments and/or add their own input to the questions. The discussion that took place in the small group stage can be shared with the large group.

If the subject matter is controversial, the large group discussion can get heated as different students have very different views. This is also very important for learning, as students hear each other's viewpoints.

The teacher facilitates this large group discussion and also makes notes on the discussion performance of students to collect evidence of the discussion component of the assessment.

STEP 5

At the end of the first class, the students complete a record sheet, which records which areas students found challenging, interesting and enjoyable.

STEP 6

In the next class, the teacher delivers a clarifying lecture based on the record sheets filled out by students. The purpose of the lecture is to supplement the interteaching sessions. Its content is determined by what topics students struggled with and which ones they found to be more interesting. Saville et al describe the advantage of putting the lecture after the interteaching sessions using the terms of behavioural psychology: 'the clarifying lectures are more likely to function as consequences for desired behaviours and not as antecedents, which tends to be the case with lecture-based courses'.¹⁸ In other words, because lectures *follow* interteaching sessions, the lectures function as positive reinforcement for student behaviour. They do this by making the subsequent lectures dependent on what students do in the interteaching sessions, rather than simply being static and unresponsive to student behaviour. Lack of positive reinforcement in teaching had been criticised in a seminal paper on educational psychology by B F Skinner.¹⁹

18 Bryan K Saville, Tony Lambert and Stephen Robertson, 'Interteaching: Bringing Behavioural Education into the 21st Century' (2011) 61 *The Psychological Record* 153, 157.

19 B F Skinner, 'The Science of Learning and the Art of Teaching' in *Cumulative Record, Definitive Edition* (B F Skinner Foundation, 1999) 179–91.

Interteaching is regarded as a behavioural approach to teaching, involving the application of behavioural psychology to educational theory.²⁰ Interteaching combines aspects of several previously proposed behavioural approaches. Key elements include the requirements for students to teach each other the content of a course, learn cooperatively, and learn through the application of problem-solving skills.²¹

There is considerable empirical support for the effectiveness of behavioural approaches generally and interteaching specifically, with much empirical work carried out by Bryan Saville and his co-authors. In a 2005 study, they compared the performance of students on multiple choice quizzes across four groups: interteaching, lecture, reading and the control group. The interteaching students achieved the best results.²² In a similar 2006 study, they compared interteaching and lectures by testing graduate and undergraduate students who had received instruction through both interteaching and lectures, and completed short quizzes after both types of class.²³ Interteaching yielded better quiz results and was preferred by students over lectures.²⁴ While not testing academic performance, Goto and Schneider studied interteaching in the nutritional science context, and found that students reported greater enjoyment of interteaching classes compared to other formats of instruction.²⁵

The authors have also had remarkable success with using interteaching in law classes. Students report increased student satisfaction, greater engagement in learning, increased confidence in speaking in class and enhanced learning outcomes.

These are some of the free text comments and emails received from students:

Being university students, many of us are faced with part-time and casual jobs, where students share their experience on their employment issues that are related to the topic, such as modern awards or topics like discrimination, to have a better and clearer picture of the real world (Undergraduate Employment Law student, Semester 2, 2017).

The small group activities allowed for everyone to feel included. There was a very strong emphasis on collaboration in Elizabeth's class (Postgraduate Employment Law student, Semester 1, 2017).

Interteaching encouraged me to study throughout the semester, rather than leaving study until the week before the exam (Postgraduate Employment Law student, Semester 1, 2018),

This class was definitely something that I looked forward to every week, personally I loved preparing questions and news articles for each class and made time to go beyond the required content and conduct extra research, this is not something I felt compelled to do in any of my other classes (Undergraduate Employment Law student, Semester 2, 2017).

I enjoy the experienced I had in Elizabeth's classes as it is always full of weekly activity and most importantly it boosts my confidence in public speaking ... I also learned a lot from listening to other students' input (from both local students and international students) in her class (Undergraduate Employment Law student, Semester 2, 2017).

20 Saville, Lambert and Robertson, above n 18, 155–156.

21 Bryan K Saville et al, 'A Comparison of Interteaching and Lecture in the College Classroom' (2006) 39 *Journal of Applied Behaviour Analysis* 49, 49–50.

22 Bryan K Saville, Tracy E Zinn and Marcus P Elliott, 'Interteaching Versus Traditional Methods of Instruction: A Preliminary Analysis' (2005) 32 *Teaching of Psychology* 161.

23 Saville et al, above n 21.

24 Ibid.

25 Keiko Goto and Julie Schneider, 'Learning through Teaching: Challenges and Opportunities in Facilitating Student Learning in Food Science and Nutrition by Using the Interteaching Approach' (2009) 9 *Journal of Food Science Education* 31.

IV THE SUITABILITY OF INTERTEACHING FOR LAW

A Strengths of Interteaching in Legal Education

It is not hard to see how interteaching, as described above, would be suitable to legal education. Like blended learning approaches, it demands active learning from the student and pre-class preparation.²⁶ This is a departure from the first, and frequently criticised, characteristic of the traditional model by making learning student-focused rather than teacher-focused. In interteaching, the student is required to prepare to teach the content to other students using a preparatory guide and questions. At interteaching sessions themselves, students have the opportunity to be more highly engaged than they are in lectures.

Interteaching requires students to apply a range of legal and generic skills. Answering the questions on preparatory guides, particularly the problem-based questions, involves the application of legal skills much like a traditional law exam does. However, generic skills are also involved in the interteaching process. Students are required to explain legal concepts to each other in simplified terms and develop other interpersonal and communication skills in interteaching sessions. As such, it also involves collaborative learning.

Attendance and engagement are also incentivised by allocating marks to students' participation in interteaching sessions, a point made by Saville, Lambert and Robertson.²⁷ Particularly in the legal education context, there is evidence that the level of student engagement, especially attendance levels, affects learning outcomes.²⁸

Another strength of interteaching is that while it makes use of lectures, it does so in a way that ensures the lectures respond to the students' feedback and their learning needs. Retaining lectures in a modified form may avoid some of the reasons why other alternatives to the lecture format have failed to gain traction, as discussed by Saville, Lambert and Robertson; namely, student resistance to unfamiliar teaching approaches and teachers' hesitation to relinquish too much control over the classroom.²⁹

Instead of discarding lectures, interteaching adapts them to overcome some of their weaknesses and make them more engaging for students. As noted above, the supplementary lectures after interteaching sessions are based on student feedback in the record sheets, which means the lectures can function as positive reinforcement. Keyes and Johnstone explain that '[g]ood teaching requires teachers to engage with students at their own level of understanding, motivating them to learn by stimulating their interest in the subject'.³⁰ This involves responding to the diversity of students' backgrounds and learning styles 'in the selection of teaching material and activities'.³¹ The lecture format in interteaching is one way of making lectures more responsive to students' needs, interests and learning styles. Rather than the content of the lecture being set by the teacher and imposed on the students as passive recipients of the lecturer's knowledge, lectures in interteaching are guided by the students' interests, level of understanding and feedback.

Lastly, the types of questions that can be asked in a law class are conducive to effective interteaching discussions. In law, it is easy to formulate questions at every level of difficulty and complexity, from definitional questions to problem-based or policy questions. The examples of

26 Kylie Burns et al, above n 15, 2–3.

27 Saville, Lambert and Robertson, above n 18, 158.

28 Lillian Corbin, Kylie Burns and April Chrzanowski, 'If You Teach It, Will They Come? Law Students, Class Attendance and Student Engagement' (2010) 20(1) *Legal Education Review* article 3.

29 Saville, Lambert and Robertson, above n 18, 156.

30 Keyes and Johnstone, above n 1, 547.

31 *Ibid.*

questions used in an employment law class shown above are illustrative of this point. Questions that require the application of legal standards to particular fact situations, such as standards of reasonableness, can lead to focused and engaging discussions in which students can benefit from each other's perspectives. The same is true of normative or policy-based questions. There will be further discussion on question design in Part V.

B Limitations of Interteaching

Like all approaches, interteaching has its limitations and weaknesses, many of which it shares with other teaching approaches that require a high level of student engagement. Interteaching is highly reliant on student attendance and participation. As the core of the content is taught during interteaching sessions, with lectures being supplementary only, students will fall significantly further behind if they do not attend, do not adequately prepare or do not participate. While attendance is correlated with learning outcomes even where traditional lectures are concerned,³² the impossibility of recording interteaching sessions — compared to recording lectures — means that students who do not attend have limited options in catching up. Combined with studies in Australian law schools and other disciplines demonstrating that many students do not regularly attend class, and that non-attendance can be for a wide variety of reasons (including financial reasons such as the need to work and other unavoidable responsibilities),³³ any teachers looking to use interteaching should be prepared to address the issue of non-attendance.

Further, interteaching requires much smaller classes and a higher ratio of instructors to students compared to lectures. While this could be regarded as a weakness of interteaching, given the additional resources that would be required, it is important to note that small classes are, in themselves, likely to be a benefit. In the educational literature generally, there is much research on the benefits of small classes.³⁴ As a specific example in the legal context, Anker et al report on the benefits of smaller classes (of around 25–40) after a shift from lecture to seminar-based instruction. According to them, positive staff feedback included:

It is less intimidating as a lecturer.

Students are more engaged.

Small groups can create an environment where students feel they can participate. This is important as oral skills are a really important part of teaching people to make arguments about law, which is often undervalued in the system with a large emphasis on written work.

Students tend to be a lot less prepared in lecture/tutorial format. In a small group, students are quite aware that their lack of knowledge is going to be apparent.

32 Regard should, of course, be had to the difficulty of using empirical methods to isolate the causal effect of attendance or non-attendance against other possible factors affecting student performance, such as the character traits of individual students. However, see, eg, Garey C Durden and Larry V Ellis, 'The Effects of Attendance on Student Learning in Principles of Economics' (1995) 85 *American Economic Review* 343; Paul Friedman, Fred Rodriguez and Joe McComb, 'Why Students Do and Do Not Attend Classes: Myths and Realities' (2001) 49 *College Teaching* 124; Elchanan Cohn and Eric Johnson, 'Class Attendance and Performance in Principles of Economics' (2006) 14(2) *Education Economics* 211.

33 See, eg, Corbin, Burns and Chrzanowski, above n 28.

34 See, eg, David Jaques, *Learning in Groups* (Kogan Page, 2nd ed, 1991); Leonard Springer, Mary Elizabeth Stanne and Samuel S Donovan, 'Effects of Small Group Learning on Undergraduates in Science, Mathematics, Engineering, and Technology: A Meta-Analysis' (1999) 69 *Review of Educational Research* 21.

The educational experience is much more diffuse when there's a fluid discussion in class and the teacher is not playing the authority figure. It puts much more pressure on students to work it out for themselves.

This year's group, who have had their whole foundation in small group teaching, take this approach seriously. The expectation now is that they will have to be prepared and the information won't just be dished out.³⁵

Many of these benefits might themselves counteract some of interteaching's weaknesses. For example, the dependence on student preparation and participation might be outweighed by the fact that students will be more aware that their lack of knowledge will be apparent if they fail to prepare. Further, where students are in an environment where they 'feel they can participate', they might be more willing to attend class where they would otherwise not attend due to lack of motivation.

V ADAPTING INTERTEACHING TO LAW

Interteaching has the advantages associated with other forms of small group learning.³⁶ However, small group learning is not a 'magic bullet' and should not be adopted thoughtlessly simply due to the results of those empirical studies or faculty encouragement. When designing group learning activities such as interteaching sessions, teachers should ask themselves the questions raised by Blumenfeld et al:

Will students actually learn more information and learn to think more deeply if they work in groups? Will they cooperate with each other, sharing in the labor and contributing to the thinking? Will they help each other and seek guidance from peers when they need it? Will they be happy with lowered grades if one of the group members does not understand a concept? Will they be willing to work with students who look different from themselves, speak English with a different accent, or have different attitudes about the world?³⁷

Blumenfeld et al go on to explain that:

Research has shown that successful groups promote (a) student exchanges that enhance reasoning and higher-order thinking; (b) cognitive processing such as rehearsing, organizing and integrating information; (c) perspective-taking and accommodation to others' ideas; and (d) acceptance and encouragement among those involved with the work (Bossert, 1988–1989).³⁸

The discussion of students who speak English with a different accent was especially pertinent, in the authors' experience. Frequently, international students and domestic students are hesitant to interact with each other. In discussions, it is often helpful for the teacher to encourage international students to contribute. Doing so productively requires facilitative skills from the teacher. This may be another disadvantage of interteaching in some circumstances. However, in the authors' experience, one effective way to encourage participation from international students is to ask questions about the law of their home countries, which they can compare to Australian law. Such questions also introduce a unique perspective to the class discussion.

35 Kirsten Anker et al, 'Evaluating a Change to Seminar-style Teaching' (2000) 11(1) *Legal Education Review* article 4.

36 See above n 34.

37 Phyllis C Blumenfeld et al, 'Learning with Peers: From Small Group Cooperation to Collaborative Communities' (1996) 25 *Educational Researcher* 25(8) 37, 38.

38 Ibid, citing S T Bossert, 'Cooperative Activities in the Classroom' (1988–1989) 15 *Review of Research in Education* 225.

As interteaching discussions are guided by the questions set by the teacher, it is important that the questions encourage and promote the processes outlined by Blumenfeld et al. That is the reason for preferring a mix of question types in interteaching preparatory guides, including problem-based and normative questions. Problem-based questions requiring the application of open-textured legal concepts and standards require higher-order thinking and cognitive processing. Problem-based questions requiring the application of morally loaded normative standards (of fairness, justice, unconscionability, etc), and policy questions about what the law ought to be, can require students to take different perspectives and accommodate others' ideas, particularly if students disagree about the answers.

Questions based on personal experience, such as the students' own experiences of (for example) social media policies or discrimination at work, are important for developing generic skills such as communication, collaboration and students' ability to empathise. They also help 'bring home' the relevance of the topic to their own lives. In the authors' experience, students have benefited greatly from the increased opportunity to learn from each other. For example, in the topic of Discrimination Law, one international student spoke about the discrimination they faced when applying for a job in Australia; another spoke about the precarious nature of their work as a food delivery worker and how their employer regularly underpays them but they do not complain because that is the only job they could find. Experiences like these might be foreign to other students who are in a better social and economic position and may have more options.

Teachers must also ensure that these processes are promoted while they facilitate and supervise the interteaching discussions. Inappropriate responses or discussion must be caught and stopped. Teachers should take an active role in guiding discussions to promote successful learning during interteaching sessions.

Assessing participation was discussed above, but the role of other assessment tasks also should not be overlooked. Barnes has explained how assessment contributes to student learning by clarifying learning objectives and content, implementing broader faculty objectives, instilling appropriate attitudes to learning, encouraging the development of lawyering skills, and presenting an opportunity to give feedback to students.³⁹ Interteaching is typically combined with frequent evaluative assessment throughout the semester — Saville, Lambert and Robertson suggest that students be assessed at least five times per semester.⁴⁰ There should be a clear link between the content covered in interteaching sessions and the content of assessments to enable assessments to contribute to learning in the way Barnes describes. In Saville, Lambert and Robertson's words, tying test and exam content to the preparatory guide ensures that 'there is a clear link between the behaviours students practice during the in-class discussions and the behaviours they emit while taking exams ... when students take exams, the questions should exert strong stimulus control over their behavior'.⁴¹

VI CONCLUSION

Interteaching represents an alternative approach to law teaching, which has the potential to be more effective than the traditional lecture format. In the authors' experience, it leads to greater student engagement and satisfaction. There are also empirical studies suggesting that it can lead to better learning outcomes than the lecture format. In summary, it is a promising pedagogical method that, as this article has explained, represents an attempt to overcome the limitations of

39 Jeffrey W Barnes, 'The Functions of Assessment: A Re-Examination' (1991) 2(1) *Legal Education Review* 177.

40 Saville, Lambert and Robertson, above n 18, 157.

41 Ibid 158.

the traditional model of legal education. At the same time, it has been designed to overcome some of the weaknesses of behavioural approaches to teaching. Interteaching has the potential to deliver the benefits of such behavioural approaches, such as increased student engagement and responsiveness to students' individual learning experiences. It addresses the drawbacks of behavioural approaches by retaining lectures in an altered form, allowing the instructor to address gaps or shortcomings in the students' knowledge after interteaching sessions. Interteaching strikes a balance between the traditional, teacher-centric, lecture-focused model of legal education and behavioural approaches that completely do away with lectures.

However, in adopting interteaching, its limitations and specific requirements must be borne in mind. Interteaching is most effective with a relatively small class size and a high ratio of instructors to students. As explained in Part V, the questions to be considered in interteaching sessions must be carefully designed to promote productive discussion among students and engagement with other students' perspectives. Supplementary lectures should be responsive to what happens at the interteaching sessions. Because the design of interteaching sessions and supplementary lectures is so important, it is necessary for the instructor to play a more active role. In particular, the instructor should formulate questions and facilitate discussion in a way that promotes productive exchanges between students. He or she should ensure that the content of the supplementary lectures is responsive to the students' learning styles, interests and level of understanding. This dependence on the instructor's skill means that interteaching cannot be regarded as an easy and universally applicable solution to the shortcomings of the traditional model. However, as has been argued, it is a promising alternative in circumstances where it can be effectively implemented.

The authors' experiences with interteaching and the arguments in this article can, to a limited extent, also inform other forms of small group learning. A theme of this article is that the benefits of small group learning do not come automatically: they arise only where students are put in the right environment and where teachers foster productive interactions between students. The suggestions in this article about what kinds of questions should be put to students and how student discussion should be facilitated can potentially be generalised to other forms of small group learning.