

Problem-Based Learning in the Area of Law: Systematic Review

Sandy Elisa Játiva Aguirre¹, Edinson Javier Guerrero Iguasnia², Helen Elizabeth Hernández Córdova³, Gustavo Adolfo Crespo Vera⁴

Abstract

The review addresses the issue of problem-based learning in the field of law, which is defined as a problem-solving approach to the learning process, which is developed from the critical and reflective judgment of the law student. Law autonomously, the same that allows the resolution of the problem and with it, the development of skills and competencies in its training process until its application in the exercise of the profession. The objective of the study focuses on conducting a systematic review about the importance of problem-based learning in the area of law. From the methodology, a quantitative investigation was applied through the use of the PRISMA method, taking into consideration articles that are related to the topic of study, such as Scielo, Dialnet and Redalyc. Among the main results, it was observed that, of the 8,058 initial articles analyzed, a total of 10 articles were included that address the problem from different areas of law. It is conclusive for the authors that the problem-based learning methodology constitutes a fundamental tool that contributes to the teaching-learning process of the law or specialty student. Likewise, it is supervised that its application not only allows the development of critical thinking, but also skills, abilities, values for the resolution of legal or legal problems.

Keywords: *Problem-based learning, education, law students.*

INTRODUCTION

Since the mid-twentieth century, the development of science and technology has continued to accelerate, and there is a growing need for independent professionals with strong moral values who can use new knowledge and technological innovation to serve social progress. However, the continuous development of science and technology quickly leads to the obsolescence of knowledge and thus to the need for people to be able to follow their own learning. It is, therefore, the responsibility of the education system to train citizens in the appropriate skills so that they can autonomously acquire the up-to-date knowledge necessary to make appropriate decisions and choose relevant alternatives, which allow them to effectively solve personal, professional and social problems. (Guamán & Espinoza, 2022)

¹ Magister en Derecho Constitucional: Mención en Derecho Procesal Constitucional, Universidad Estatal de Milagro Milagro, Ecuador, sjativaa@unemi.edu.ec, ORCID: <https://orcid.org/0009-0001-9825-9154>

² Ingeniero Comercial y Empresarial. Magister en Gestión de Proyectos, Universidad Estatal de Milagro, Milagro, Ecuador, eguerreroi1@unemi.edu.ec, ORCID: <https://orcid.org/0009-0000-7033-2332>

³ Master Universitario en Derecho de Familia, Universidad Estatal de Milagro, Milagro, Ecuador, hhernandezcordova@gmail.com, ORCID: <https://orcid.org/0000-0002-7076-3797>

⁴ Master Universitario en Derecho de Familia, Universidad Estatal de Milagro, Milagro, Ecuador, gustavocrespov1991@gmail.com, ORCID: <https://orcid.org/0000-0003-1193-5971>

Problem-based learning (PBL) is one of the most suitable learning methods because it is an interdisciplinary approach with an innovative approach, rooted in constructivism, focused on work, study, research that students follow, and reflection. Its objective is focused on the resolution of problems posed by teachers autonomously or in small groups (Gil et al, 2021) whose solutions will involve the development and acquisition of certain competencies and skills that can later be transferred to the professional field, since one of the purposes of this methodology, is for students to learn to solve professional problems (Hincapié et al., 2018).(López, 2019)

As part of the curriculum, PBL is related to subject whose content requires the resolution of logical, mathematical, algorithmic, strategic, or decision-making problems that require reflection, self-control, and require real-world problem-solving skills. Therefore, the construction of learning considers students as responsible for their own learning (Velásquez et al., 2021) since the learner is the one who sets goals, commits, discovers, wants to know more and therefore this process feeds back and stimulates the capacity for leadership, communication and decision-making, creativity, critical thinking and teamwork.(Espinoza, 2021)(Lozano, 2021)

The questions are based on practical situations of legal significance, depending on the teaching objectives of each course. Information on the issues is presented in a similar way to the way a lawyer would receive information while practicing law. After a brief discussion, the group will decide if any additional information is needed or if the information they have is sufficient to understand the academic question posed. Therefore, PBL in the legal field can provide valuable practice that facilitates the development of reasoning, analytical, and argumentation skills, which are the basis of necessary methods in the legal field.(Perafán, 2017)

In this sense, the law degree has a transcendent role in the social field, since it is responsible for the study of the regulations that cover a specific company, territory or country. Therefore, its absence would mean a social problem of incalculable consequences, mainly related to the impossibility of achieving justice, so the educational process in which this group of students is immersed must be carefully studied and constantly improved. and improve the training of future professionals.(Universidad Estatal de Milagro, 2020)(Universidad Austral de Chile, 2019)

On the one hand, it can be evidenced that problem-based learning is necessary for the student of the Law career and the specialties derived from it, to develop a critical analysis of information, as well as a correct interpretation and relationship with the information obtained in their training process and its relationship with the articles present in the constitution. international treaties, laws, regulations, ordinances, decrees and other normative and legal documents, based on the application of practical exercises based on the curriculum of each institution, which will allow training professionals in law with values focused on autonomy and responsibility.

The development of the study will make it possible to demonstrate the importance of the application of the problem-based learning model in the different subjects of the law career, specialties and related, which allow to directly benefit the students, since it is necessary to strengthen those practical processes that will be applied in the course of the daily life or the exercise of the profession of future lawyers or specialists in one of the rows of the law.

In the same way, from the pedagogical point of view, the results obtained will serve to evidence the methodological changes that teachers must develop in the construction or design of their teaching-learning process, in order to achieve the objectives set out in the subject, and contribute to training quality professionals with the theoretical-practical knowledge required in the graduate profile of the careers and/or specialties associated with law.

The purpose of this study is to carry out a systematic review of the importance of problem-based learning in the area of law, with the purpose of evidencing the role of PBL in teachers of careers associated with the area of law or law. Therefore, this systematic review aims to answer the question: What is the importance of problem-based learning in the training of law students?

METHODOLOGY

The study corresponds to a quantitative research, which, according to Hernández and Mendoza, is aimed at carrying out an analysis of data and quantitative or numerical information, in addition to developing a specific criterion on its variables. Specifically, this research focuses on analyzing problem-based learning in the area of law through a systematic review.(2018)

As described by Arévalo et al., the systematic review focuses on an organized and systematized research model that aims to compile scientific information on a specific problem or topic and answers the question of the study, which corresponds to: What is the importance of problem-based learning in the training of law students?(2020)

The method selected and according to this type of review corresponds to the Preferred Reporting Items for Systematic reviews and Meta-Analyses (PRISMA), which allows to adequately document the research process itself, the different sub-processes, as well as the information of their authors and extracted information. (La Madriz, 2019)

For the eligibility process, observational, descriptive, analytical studies and systematic reviews associated with the problem, published in scientific journals and present in the databases, were included; Scielo, Dialnet and Redalyc. In addition, articles in English and Spanish are included. Informal research, undergraduate theses, dissertations, and website documents are excluded.

For the design of the search strategies, the following search terms were used: "Problem-based learning", "law students", "derecho" and English terms "Problem-based learning", "law students", as well as Boolean operators such as "AND" and "OR".

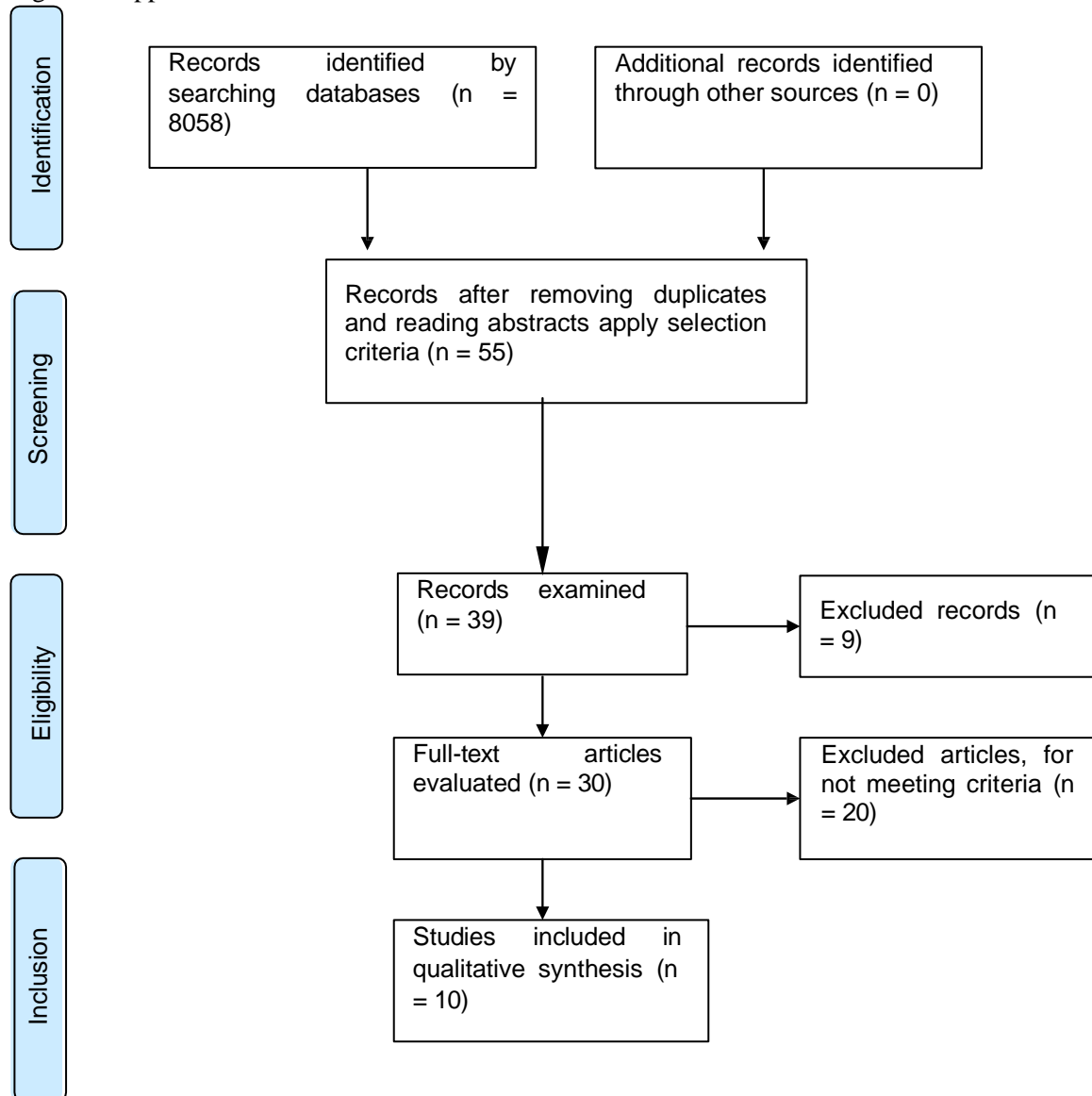
Table 1 shows the process of identifying and selecting articles from the database and search strategies:

Table 1. Item Identification & Selection

Item Identification & Selection						
Base	Strategies	Initial	By Title	Summary	Read	full text
Scielo	(Problem-Based Learning) AND (law) OR (law students)	6	5	4	3	
Dialnet	(Problem-Based Learning) AND (law) OR (law students)	128	19	15	6	
Redalyc	"Problem-Based Learning" AND "Law Students" OR "Law"	7924	15	7	1	

Similarly, Figure 1 shows the flowchart from the application of the PRISMA method

Figure 1. Application of the PRISMA method



RESULTS

You can then establish the results associated with the extraction and analysis of the information from the included articles:

Table 2. Description of included studies

Description of included studies			
Author	Year	Design	Results
Hanco	(2020)	Descriptive	In the context of education in the area of law, it can be evidenced that the teacher, in order to achieve a correct educational process, must have knowledge about procedures and strategies such as the application of the problem-based learning methodology.

Marquez	(2021)	Observational	The application of PBL and case analysis in law students has the particularity of bringing students closer to the legal reality or practice of the profession, in which they will have to face situations similar to those designed in the classroom process. PBL allows students to schedule and plan their school year according to their own needs.
Vinueza et al.	(2022)	Observational	Among the main advantages obtained through the PBL method are; the formation of skills and abilities associated with the identification of knowledge for the resolution of the problem posed. Through PBL, students build their knowledge based on the problems provided in the classroom space.
Monroy	(2018)	Bibliographic	Institutions should focus on designing curricula that promote the education and training of students associated with the resolution of legal problems, both designed by the teacher and real legal problems.
Muñoz	(2020)	Bibliographic	PBL should be used in legal cases present in the territory, so that the student knows the current reality and adopts a participatory role, where he or she searches, analyzes and proposes solutions based on current legal regulations.
Quarter	(2015)	Application	The problem-based learning methodology and its acceptance has allowed its use to be extended to all fields of knowledge, specifically law and legal training, since this learning method allows it to be used in the different subjects.
Loud	(2013)	Explanatory	The purpose of applying the PBL methodology is associated with training future professionals, trained, with critical analysis skills that allow them to apply regulations responsibly.
Font	(2012)	Descriptive	The main advantage of the use of ABO is focused on achieving an integrative treatment of the skills and competencies that a judge must possess.
Rué et al.,	(2011)	Descriptive	The use of PBL focuses on the fact that the student, during their training process, can acquire the knowledge and skills necessary to allow them to practice the profession in such a way that they have the ability to solve legal problems in accordance with the law.

Rocha	(2011)	Descriptive	The application of PBL showed that students not only acquire knowledge, but also allow them to develop competencies associated with the resolution of legal problems.
-------	--------	-------------	---

DISCUSSION

According to Gil et al. (2021), the objective of PBL focuses on solving problems posed by teachers autonomously or in small groups. Among the benefits obtained are the development and acquisition of certain competencies and skills that can later be transferred to the professional field to solve legal problems (Hincapié et al., 2018). Therefore, PBL in the legal field can provide valuable practice that facilitates the development of reasoning, analytical, and argumentation skills, which are the basis of necessary methods in the legal field.(Perafán, 2017)

Among the benefits observed from the application of PBL, according to Márquez, are bringing students closer to the legal reality or practice of the profession. On the other hand, Vinueza et al., Monroy state that the advantages obtained after the application of PBL correspond to the formation of skills and abilities associated with the identification of knowledge for the resolution of the problem posed. In the same way, for Muñoz, Barrio, Recio, Rué et al., it allows the student to know the current reality and adopt a participatory role, where he searches, analyzes and proposes solutions based on current legal regulations. (2021)(2022)(2018)(2020)(2015)(2013)(2011)

From the teacher's perspective, Hanco's study established that students must have knowledge about procedures and strategies such as the application of problem-based learning methodology. In another context, the PBL process, according to Font, allows for an integrative treatment of the skills and competencies that a judge must possess.(2020)(2012)

CONCLUSIONS

At the end of the systematic review and analyzing each of the arguments raised by the authors of the different articles included, it was evident that the problem-based learning methodology is a fundamental tool that contributes to the teaching-learning process of the student of the law career or specialty. In the same way, it was observed that its application not only allows the development of critical thinking, but also skills, abilities, values for the resolution of legal or legal problems in the areas of civil, administrative, criminal, commercial law, among others, both at the level of the territory itself and problems of an international nature. For this reason, it is recommended to modify the methodological teaching strategies by teachers, and focus on designing or presenting a legal case in which students are involved in providing possible solutions within the framework of the law.

References

- Arévalo, P., Cruz, J., Guevara, M., & Palacios, A. (2020). Update on scientific research methodology. *Universidad Tecnológica Indoamérica*, 13(3). Retrieved from https://www.researchgate.net/publication/349038465_Actualizacion_en_metodologia_de_la_investigacion_cientifica
- Arias, W. L., & Muñoz, A. (2016). Burnout syndrome in nursing staff in Arequipa. *Cuban Journal of Public Health*, 42(4), 1-19. Retrieved from <https://www.redalyc.org/articulo.oa?id=21447534010>

- Barrio, A. (2015). PBL in Private Law. *Journal of Law Education*, 13(25), 131-151. Retrieved from <https://dialnet.unirioja.es/servlet/articulo?codigo=5260494>
- Espinoza, E. E. (2021). Problem-based learning, a challenge to higher education. *Conrad*, 17(80). Retrieved from http://scielo.sld.cu/scielo.php?pid=S1990-86442021000300295&script=sci_arttext&tlng=pt
- Font, A. (2012). Problem-based learning in judicial training. *Journal of Education and Law*(6). Retrieved from <https://dialnet.unirioja.es/servlet/articulo?codigo=6092638>
- Gil, R., Martín, I., & Gil, F. J. (2021). University students' perceptions of the competencies acquired through problem-based learning. *Education XXI*, 24(1), 271-295. Retrieved from <https://redined.educacion.gob.es/xmlui/bitstream/handle/11162/205306/Percepciones.pdf?sequence=1>
- Guamán, V. J., & Espinoza, E. E. (2022). Problem-based learning for the teaching-learning process. *Journal of University and Society*, 14(2). Retrieved from http://scielo.sld.cu/scielo.php?pid=S2218-36202022000200124&script=sci_arttext&tlng=en
- Hancoo, J. C. (2020). The importance of learning, teaching and studying law. *Journal of Law*, 5(1), 47-53. Retrieved from <https://www.redalyc.org/articulo.oa?id=671872865008>
- Hernandez, R., & Mendoza, C. (2018). Research methodology. Retrieved from http://virtual.cuautitlan.unam.mx/rudics/wp-content/uploads/2019/02/RUDICSv9n18p92_95.pdf
- Hincapié, D., Ramos, A., & Chirino, V. (2018). Problem-Based Learning as an Active Learning Strategy and its Impact on the Academic Performance and Critical Thinking of Second Semester Medical Students. *Revista Complutense de Educación*, 29(3), 665-681. Retrieved from <https://doi.org/10.5209/RCED.53581>
- La Madriz, J. (2019). Research methodology. Retrieved from <http://repositorio.cidecuador.org/bitstream/123456789/75/1/Metodologia%20de%20la%20Investigacion.pdf>
- Lopez, J. M. (2019). Problem-based learning and the development of thinking skills. *Educa UMCH. Journal of Education and Society*, 14(1), 5-22. Retrieved from <https://doi.org/10.35756/educaumch.v1i15.130>
- Lozano, M. C. (2021). Problem-based learning in college students. *Pedagogical Trends*(37), 90-103. Retrieved from <https://redined.educacion.gob.es/xmlui/bitstream/handle/11162/208230/Aprendizaje.pdf?sequence=3>
- Márquez, A. (2021). Teaching strategies used with law students. *RIDE*, 12(22), e220. Retrieved from <https://www.ride.org.mx/index.php/RIDE/article/view/929>
- Monroy, D. A. (2018). Towards a practical and globalized legal education. *Ibero-American Journal of Higher Education*, 9(26), 130-152. Retrieved from <https://www.ries.universia.unam.mx/index.php/ries/article/view/301>
- Muñoz, A., & Velásquez, M. (2016). Work-related burnout syndrome in nursing professionals, Bogota, Colombia. *Journal of the National School of Public Health*, 34(2), 202-211. Retrieved from <https://www.proquest.com/docview/1818006320/AC93F861C2D6434FPQ/38>
- Muñoz, J. (2020). The teaching of commercial law through problem-based learning and current legal issues. *Teaching and Law, Journal for University Legal Teaching*(16), 28-40. Retrieved from https://www.uco.es/docencia_derecho/index.php/reduca/article/viewFile/208/pdf_35
- Perafán, B. (2017). *Problem-Based Learning (First ed.)*. Bogotá, Colombia: Colección Métodos de Formación Jurídica n° 3. Retrieved from <https://facultad-derecho.pucp.edu.pe/wp-content/uploads/2022/08/3.-aprendizaje-basado-en-problemas.pdf>
- Recio, M. (2013). Problem-based learning: a hands-on experience. *Docencia y Derecho, Revista para la docencia jurídica universitaria*(7), 1-8. Retrieved from https://www.uco.es/docencia_derecho/index.php/reduca/article/viewFile/77/102

- Rocha, E. (2011). Application of the PBL method and the Procedural Clinic in the teaching and learning of Commercial Procedural Law. *Ibero-American Journal for Educational Research and Development: RIDE*, 1(2), 117-129. Retrieved from <https://dialnet.unirioja.es/servlet/articulo?codigo=4932617>
- Rué, J., Antoni, F., & Cebrián, G. (2011). Professional training in law through Problem-Based Learning (PBL). *Journal of Education and Law*(3). Retrieved from <https://dialnet.unirioja.es/servlet/articulo?codigo=5066760>
- Silva, A. F., Barcellos, R. d., Eckeli, A. L., Pires, A. N., de Oliveira, A. M., & Cruz. (2022). Sleep quality, personal, work, and lifestyle variables of hospital nurses. *Revista Latino-Americana de Enfermagem*, 30, 1-13. Retrieved from <https://www.proquest.com/docview/2718757768/AC93F861C2D6434FPQ/149>
- Universidad Austral de Chile. (2019). Career description. Retrieved from <https://www.derecho.uach.cl/index.php/pregrado/descripcion-de-la-carrera.html>
- Milagro State University. (2020). Law Degree. Retrieved from <https://www.unemi.edu.ec/index.php/carreras-en-linea/derecho-modalidad-virtual/>
- Velázquez, R., Maldonado, K., Castro, C., & Batista, Y. (2021). Problem-based learning methodology as a tool for the achievement of the teaching-learning process. *Scientific Journal of Synapsis*, 1(19). Retrieved from <https://revistas.itsup.edu.ec/index.php/sinapsis/article/view/465>
- Vinueza, N., Maldonado, R., & Hernández, V. (2022). Analysis of methodologies for the teaching of labor law. *Conrad*, 18(86). Retrieved from http://scielo.sld.cu/scielo.php?script=sci_arttext&pid=S1990-86442022000300198&lang=e