

NEED TO CHANGE THE CLASSROOM: RECONCILING INQUIRY AND TEACHING

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In this narrative I share my thoughts about teaching constitutional law (I & II) in the background of pedagogical challenges of inclusion that surface in an under-graduate class room. My purpose here is to portray challenges I encountered in whetting teaching with inquiry in designing the curriculum, teaching style, examinations, and pattern in evaluations in a constitutional law course. Two aspects that underlie my concern are, how do we nurture lifelong learners who can persist with inquiry in their own pace? And related to this, how does the teacher's attitude teach more than his or her academic material? The aim is not to offer practical recommendations and it takes into account wider source of creative inquiry and societal and human imperatives in classroom education especially relevant in a subject as constitutional law which is prone to serious value judgments. In the end, teachers must acquire the ability to relate to all students and this can happen not by more knowledge about the subject but understanding rather how to think about new ways of knowing.

I.

A great deal of effort has been spent on the structural features of legal education reform in the country and if these well-intentioned attempts must signify anything we have to begin with reflecting on our own role in this process. In this essay I attempt to share my experience teaching constitutional law (I & II) at the under-graduate level in the academic year 2011-2012. The objective of writing this essay is to briefly narrate some initial premises I had about the subject of constitutional law and how ultimately my interaction with students now leads

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me to revise some of those assumptions. The essay will be useful for young law teachers interested in a description of the relationship between pedagogy and how knowledge is created within the legal academy.

My purpose here is to portray challenges I encountered in whetting teaching with inquiry. I discuss the teaching design which was a strong inquiry-based approach in the curriculum, teaching style, examinations, and pattern in evaluations in a constitutional law course. I stress the limits of such a discourse-based inquiry of constitutional law that is too heavily reliant only on scholarly practices ignoring the everyday meanings of the constitution from our personal history and socio-cultural knowledge. The aim is not to offer practical recommendations but stress on the principle of inclusiveness by taking into account wider sources of creative inquiry and societal imperatives in classroom education especially in a subject like constitutional law which is prone to serious value judgments. In the end, teachers must acquire the ability to relate to *all* students and this can happen not by more knowledge about the subject but understanding, rather, how to think about new ways of knowing. Teaching must take the form of a more subtle inquiry where it does not over-emphasize or take ability as fixed but is capable of being changed for different learners.

The purpose of writing a reflection in singular voice and not in the usual academic double is to fill the crevices that are apparent in the knowledge of our actions. My hope is to begin a process of self-knowledge as through teaching we must strive for freedom *within*. The quest of understanding the essential nature of our own self captures the paradox inherent in teaching others. Inclusive teaching can begin only when the teacher fully recognizes their own incomplete consciousness.

The discussion is organized in three parts. Part II will lay out the accepted contours of the discipline of constitutional law, the intellectual advances I tried, and some of the difficulties associated with it. In part III I specifically cover these difficulties of an inquiry approach of teaching in the various stages of the teaching enterprise. In part IV I offer inferential observations for an impetus toward a genuine sense of inquiry that can be inclusive as well as critical.

II.

To begin with, modern day knowledge of Indian constitutional law is approached as something beginning from 1950 or its inspiration in 1935. This is manifested in the way we assign importance to fundamental rights and the framework of parliamentary democracy. In the traditional order monarchs ruled on the basis of divine authority through multiple intermediary layers of jurisdictions. Further, in this context, what the colonial-modern state did is inaugurate a relationship between society and the modern state which constitutes a break from the reliance on religion and custom as authority and delineated a legal contract of a strong state.¹ The consequence of this is that its acceptance into folklores, mythologies, and religions was still a project left wide open. Today's law teachers teaching this subject have the difficult task of relating the dislocation of this subject from our collective past and the increasing scholarly attempts now to return to the interstices in the construction of the constitutional republic to moments of the constitutional assembly debates are a turn in the direction of negotiating the past.

With a centralized state, constitutional law has become the most important field of interest. It is not ironical then that teaching constitutional law courses is a trend in law schools as it focuses on the headline cases that have shaped India's contemporary socio-political imagination. The complexity of these realities and the creativity and contestation of the Supreme Court make a plain storytelling approach of Indian constitutionalism now more or less outmoded. The subject is studied thematically: defining the relationship of the individual and social arrangements and how people consolidate political power—their rights, entitlements, and safeguards; dividing and sharing powers between union and states; establishing the branches of governance and the manner of allocation for a proper exercise of power among them including the role of judicial review; and last and more recent in focus is the study of citizenship and democratic participation. Interspersed with these are myriad doctrines, juridical rules, and political conventions that occupy the place of tradition more than authority. Judicial adjudication happens based on the condition of modernity's promise of democratic rights.

1 I am grateful to Vishnupad Mishra for clarifying the literature on this.

Accordingly, the constitution is read closely and dialectically by extrapolating the plurality in judicial pronouncements and disentangling it using analytical, politico-socio-historical lenses, and public-policy implications. Even the slightest effort at rendering this consistently has the potential to make the subject matter interesting and invite students to critically interrogate assumed knowledge.

Now in covering this, however, the major drawback inherent in legal reasoning is positive reasoning. It is gone about by pitting one argument against another such that it caricatures a courtroom. The polarizing approach seemed like erecting a smokescreen clouding a full study of the problem. It disintegrated into the study of authorial intentions and in legal adjudication referring to what the judge actually may have meant by what he or she decidedly said. An extreme form of this is a ritualistic observance of legal formalism in the guise of coherence. This is done in two ways: closely interrelating what the judge says and what the judge holds, and developing precedent consciousness by contrasting previous holdings on the same. This is the vestige of the case-law heuristic which does not augur well with the transformative element in the course.

Undoubtedly, this is a very useful technique used in legal understanding where cases are self-explanatory ways of presenting complex social problems enacted in positive law. However, this method needs to be supplemented with a more free-floating one since constitutional cases are full of intriguing counter-narratives. Take for instance everyone's hobby horse: *Is the death penalty constitutional?* Arguments tend to posit the question of life and dignity against legality and punishment. It is extremely over-deterministic to arrive at familiar junctures where one already recognizes the issues in a catalogued form. The question then is in the discussion of the context and content of these issues is there a way to invoke them and at the same time move beyond circulating it into rival conceptions of "for" and "against"? We can study it from punitive policy and look if certainty of punishment has a better effect in stemming crime over severity of sentencing. We can look at it from the point of view of socio-cultural attitudes toward punishment and see if society is becoming more violent. We could iterate big questions on life, death, pain, and suffering.² We can consider if there is a notion of humanism in

2 I recall using Victor Hugo's novel, *The Last Day of a Condemned Man*, which captured the feelings of a condemned man in his last day.

the constitution and if it had any connection with the constitutional founders who expressly debated this notion and did not mention “God” in the hope of framing a modernist document. In other words, we avoid getting too caught up in polarities and gaze at the backstage consisting of the untold and unseen.

I would disagree that the implication of this is that the inquiry moves with a preconceived frame of mind. In fact my point is exactly that we do not need to look at the problem in daylight divisions but reside in its shadows. Debating in a combative form is an overemphasized way of teaching anything. This means we listen sensitively to the residue that we miss out in the overall and follow the path of one question leading to another where what begins merges into other things. Keeping such an aim in mind I experimented by starting the course with an introductory reading on citizenship by Will Kymlicka and Wayne Norman that summarized the field on duties and obligations of citizens. I felt that it was useful to the core aim of the constitution which was in notions of friendship and social solidarity symbolized in the Fundamental Duties in Part IV of the Constitution as the legal ideas on citizenship did not capture its dynamism. This set the trend for handling difficult questions later on too about how important it was to note that the purpose of a constitution is not merely about vertical sharing of power between citizens and the state but also about how individuals relate to one another in their everyday life.

Until this point above I pointed out how becoming sceptical to received views open intriguing possibilities where teaching becomes a way for the instructor to ferret research questions. While this is true, however, from now on in this essay I intend to share how if this is not checked, it can slip into an over-deterministic act which has the unintended consequence of discouraging young minds. The high expectations of criticality border on unrealistic aims from students to contribute to the instructor’s research ambitions.

This manifests differently in different instructors. In my case, it started with a belief that only in reading lay true knowledge, and every class was raised to minute dissections of the prescribed texts. Anyone who had not done the reading did not know what was going on because I spent all my time slicing narratives

that are woven in the text. On my part, I thought this was good, since it made students aware that they had to either read or perish.

Now the problem with an exegetical style is that it misses the world outside it. While it can succeed in a critical reading of the material, it ignores the emotional and everyday connections students make to academic topics. Taking the cue from the illustration of capital punishment, I could have additionally asked intuitive value questions: *how and why did we react in a particular way to someone wronging us in our own life and what do we feel about ourselves after that?* This is not merely about the format of lecture but the way of thinking about the subject by emotionally immersing ourselves and departing from the props of the text *whenever called for*. First time learners must be initiated into arriving at questions from their own vantage point: taking the subject to one's own life and not being too embroiled in textual narratives. I missed seeing a gamut of experiences - like love and happiness - that the constitution was about. Too much content-based teaching has its own limitations and I was treading very near on diminishing returns.

Writers say that a good story never has an ending in the mind of the reader; it is slow and continuous opening a communication to a secret place in his or her mind. Very often, this uncharted terrain is not traversed by following the path of texts, but in imagination. A good teacher tells this sort of a story to which the students can add their own continuations. Truly open teaching will be prepared to become de-centred. The disquieting thought is that I failed in making this inner connection with students because I was too occupied with leading them on my path and not letting them free to reach their own.

I approached teaching as a continuation of inquiry but in doing it over-zealously I made inquiry and teaching as antagonistic aims. Thinking merely as a researcher has short-term gains to induce students into genuine inquiry that can recreate the constitution because it puts too much pressure on those students who need time to blossom. Not all students pick up the thread instantaneously and they take subtle clues from the teacher's erudition and assume they do not have the answer to what the teacher is looking for. Inquiry based teaching needs tremendous maturity where the compassion of a teacher must over-weigh the restless quest of a researcher.

By its nature, teaching can become a very intrusive activity as teachers unknowingly discourage students and drive away those whose incapacity has just been reinforced. Definitely the duty of these students to read, but the reality was that most of them were not used to a regular reading habit and soon enough were indifferent. So, is such teaching inclusive if more than half the numbers in class felt they were not on board? As I now see it, a teacher cannot be insulated and must be prepared for interventions and support even if it is at the cost of high-learning. This has been my big lesson from my teaching experience: instead of authoritatively plumbing the labyrinths in the subject, teaching has to very gently sow seeds of curiosity for future. Two aspects underlie my concern throughout the essay: how do we nurture lifelong learners who can persist with inquiry? And, how does the *teacher's attitude* teach more than his or her academic material?

III.

1. Coming up with a Plan

Devising the course curriculum is half the work of a teacher. It gives a rough direction of the road ahead; the way I saw it was that even if I did not make the class interesting, a meticulous syllabus could guide students wishing to learn their own. In trying to devise a syllabus for both my courses I did the normal diligence: surveying commentaries on Indian constitutional law, prescribing academic writing on the subject including comparative dimensions that show reference points, utilizing literary and digital sources, and dialoguing with colleagues in the field and comparing their own syllabi for missing insights.

By and large the vacuum of not having a case book on Indian constitutional law is seriously felt as this meant that the complete judgment must be covered from case reporters. As a consequence, a major concern I had at that time was preventing students from taking ready made summaries for granted and instead reading primary materials in their place.

Reading constitutional law cases as a text is suffused with interpretive incongruities arising from the way judgments are written and understood in the first place. The contentious cases on constitutional amendments and caste-based

affirmative action are famous for subsequent cases basically just clarifying earlier ones, because of difficulties in locating the judge's clear position on vital legal issues in the case. There is no single reading and this is a big problem students take very long to grasp and faultily rely on unsubstantiated interpretations. My task in the outset was, how can I assist them in expounding cases? In this context, barring the valiant ones, they shrugged the hard grind of reading and opted for Wikipedia and case summaries on the internet. Surely the problem in reading throughout the semester is one of scale, and future courses cannot expect students to read each and every case from the reporter. There will hopefully be a teacher soon who will put together and circulate extracts from judgments and share this resource with rest of the teaching community.

Today the problem of using internet information is chronic. I did away with research projects because experience made it evident that the exercise was by and large a mindless outcome. In spite of this, case summaries on the internet were students' backbone in discussions and assignments. I adopted a relentless attitude to remove this dependence and structured everything beginning from the curricula to evaluations so they can experience the joy of grasping the primary source. I recall a large bias I carried toward students who could show they had read cases in its original. However, my approach as I see it now was rigid. In hindsight, I should have accepted the times we are in: that technology and media are an extension of cultural tools which need to be assimilated into curricula.

So my response to this is something I actually learnt from a student who used class lectures and information on blogs to spot the gaps. Back then I felt awkward as everything I uttered was being doubted by her for its authenticity. Today after thinking about this issue I realize that she opened my eyes.³ Indeed, she was doing something very novel: she was grasping arguments from the class and evaluating its claim of generalization and the main evidence based on which the argument was made. Taking a cue from her, teachers must be prepared to work with internet material in a similar manner, as a way to verify authenticity and encourage students to engage with what is out there and not just take anything

3 I also benefitted from a reading of a similar issue written in the context of High School; Houman Harouni, *High School Research and Critical Literacy: Social Studies with and despite Wikipedia*, 79 HARV. EDU. REV. 473 (2009).

for what it is. This set of students find material in ordinary prose more accessible than academese and they use their ability to synthesize the text and virtually available information.

So, students must be left to browse and become blog editors but self-correctively in the way she was pushing her understanding. A former student and now a colleague once shared with me how the internet mirrors his mind: as his intellect grew and transformed so did the internet expand for him. Maybe the syllabi of tomorrow can be designed where students research the most convincing sources and assess their strengths and weaknesses. Learning through rethinking and distilling what is a reliable source from an unreliable one is ensuring the student is evaluating her/his received information, and this verification is ultimately creating real knowledge.

Returning to the course plan, I divided the course thematically and selected cases from the treatises of Profs. M.P. Jain and V.N. Shukla. The writings (and diatribes) of H.M. Seervai were anecdotal references in class. The course list prescribed cases along with secondary material either from scholarly writing or treatises. Prof. Jain's text had very useful and concise sections on the comparative position of federalism, centre-state relations, and fiscal powers which are otherwise hard to find. I ensured as a matter of policy that apart from covering recent developments that every section in the course will cover works of Profs. Tripathi, Sathe and Baxi. This was done with an eye to engage with our active scholastic tradition and because they are not just classics in juristic studies but also each time we read them it gives us new meanings on ways they looked at legal research. This was done in tandem with recent developments in the field. The course list was a mix of the nuts and bolts approach with experiments in secondary readings in politics, sociology, and history on topics ranging from constitutional identity to separation of powers made under required and optional readings that fill the gaps in the case laws. For instance, Rajeev Bhargava's reading on secularism in India was something they all took very well because the cases in themselves did not present a ready analysis of the distortions around what being secular means. Similarly, Govind Rao and Nirvikar Singh's work on the political economy of federalism explained the institutional dimensions of fiscal reform after economic

liberalization and it gave us perspective on the financial relations between centre and states.

No sooner did class sessions start the arsenal of cases in the curriculum evoked enormous criticism. My own sense of helplessness was because I could not cut down on cases since it was important for them to follow the trajectory. They found the detailed bibliography impossible to cover in a span of fifteen weeks. In hindsight, designing a course is very different from designing a book. So should curricula make more with less?

Both the basic approach and the high-road are doomed on their own. Students fundamentally want very different things. If some students needed a proper rendition of the basics, others wanted something more. Students have very different things they want from the course and this is a simple truth about teaching. I return to this later in the essay where I talk about examinations. My own reflection on this is that it is not just about their interests but also how they each learn so that general inquiry accumulates these voices by taking care to protect each one as well as the kinds who for a variety of motives could not cope. There was not one such student belonging to the latter that my teaching plan could bring on board. It drew the industrious and the skeptical minds together but showed little patience for the uninitiated. Including them means we must imagine a classroom with genuine inquiry of the kind that I am referring to throughout this essay.

2. Putting the Plan to Fruition

My entire attention seemed as it was to sustain their reading stamina. I approached every class as seminar like sessions where I laid out expectations at the start in the form of questions and then moved into the texts working cooperatively with students leading the discussion for that day. It was important to renew their participation for each session in an incremental manner by ending with unresolved questions in the text. I can say with earnestness that we did not miss studying any case or text prescribed in its entirety. Class discussion itself moved beyond conventional fact, issue and judgment analysis, and was woven around the hidden digressions, images, and symbols in the text. This was the most exciting as well as eventually the biggest drawback of a style anchored primarily in text.

Constitutional law cases resonate with an expansive rhetoric of judge-made law and the difficulty was meaningfully spending time on the concept and making connections to our surroundings. For instance, it was necessary to arrange a general lecture on caste starting with the sociological perspective and relating it to the present day urban condition in order that students can think deeper on the role of caste based quotas since they seemed to deny there was any caste-related discrimination in metropolitan areas in today's day and age.

During the famous case on personal liberty, *A.K. Gopalan*, and while reading Justice Fazal Ali's dissenting judgment, we were engrossed in a discussion of the relationship between natural law and constitutional law. When discussing the case on constitutional amendment of *Golaknath*, we found the observation of Justice Subba Rao about distinguishing between parliament and a constituent assembly a confounding question of when a constitution can be said to be born and reborn: does the alteration of some features of the constitution amount to bringing a revolution? The connection between a constitution and revolution had intrigued the class.

It was evident that constitutional law divides and fragments the class ideologically, and labels of liberal, conservative, and radical are not off the mark. Students, like judges, have preconceived inclinations. Some, like Pradyut for instance, had strong ideas about reading the constitution politically from the experience of marginalization and suffering at the hands of the modern state. From very early, it was evident that he was stirred by the writings of Arundathi Roy and voiced opinions continuing that train of thought in class. The task of the teacher for such students is to allow them the space to follow through their own thoughts.

There were many inventive student-driven presentations which are cherishable moments in any teacher's memory. Pradyut creatively presented the *Golaknath* case calling it "Mozart to Beethoven and Bach again" where he compared each judge to a symphony and then correlated it to harmony and noise. He found Justice Hidaytullah's judgment the most convincing one, although the judge in that case had held in favour of individual over social rights. What fascinated Pradyut was

the judge's resort to the idea of the general will in the constitution. Then, Arman, who had the distinction of having kept pace with the deluge of readings each week, had theatrically impersonated Justice Khanna during the discussion of the magnum opus case of *Kesavananda Bharati* which was on for one week in class. It was clear that as the course came to end a select few benefitted from reading against the grain of the text and developed their own vocabulary of constitutional law. There is no single reason why some were drawn to it more than others because each student took something different out of the course.

I felt that whenever I walked into class with a pre-scripted lecture I generally struggled to provoke them than when I went in with some uncertainty. It was a given that the space of the class room must be filled with passion and intensity. There were occasions when I received appreciation but I did not know how to gauge myself and assumed this all along until one fateful day a student made a representation to me that she felt intimidated and silenced by my demeanour and the tempo of discussion in class. I began to realize how a certain kind of inquiry I depicted was taking the space of teaching.

The study of constitutional law must be closely connected with real-world topics or else it is nothing but power and language games. Normally, an inquiry begins with a question from within the literature without sometimes directly focusing on the real-world significance of its impact. The enterprise of teaching on the other hand inherently strikes a balance within its act by studying real world problems within the framework of a corpus of knowledge where each one informs the other.

3. The Constraint of Normalization

There is no escape from the normalizing behaviour of formal education: everyone must undergo a test of fitness. The big challenge is how to make the examination a useful exercise that students will not fear, but use it to bring the best out of themselves. I put a lot of emphasis on trying to make the exam inclusive. But since a vast mass was neglected on the fence they could not experience its freedom. At the outset, I allocated two weeks to take suggestions from students

to have in the exam anything they found interesting on their own. But on the whole it was rather disappointing that student contributions were marginal. One such suggestion I incorporated from a student which became a popular choice in the exam was:

Recall H.R. Khanna, J. quoting another in *Additional District Magistrate of Jabalpur v. Shivkant Shukla* observing:

A dissent in a court of last resort is an appeal to the brooding spirit of the law to the intelligence of a future day, when a later decision may possibly correct the error into which the dissenting judge believes the court to have been betrayed.

Give an account of the relevancies of some classical dissenting judgments that we have covered in this course; and how and why you think they occupy a central part in understanding the jurisprudence in that area.

Questions were given with a view to provide ample variety so students can find the best fit. I tried to ensure that each section catered to different learning styles by having hypotheticals, argumentative, historical narrative, and personal, including fiction and drama-based essays. I saw to it that the essay questions were known to the class to avoid any element of surprise. Questions were designed in such a way that it was basically an extension of class room discussion.

The students who fared well were the ones who were well versed with what I had demanded throughout: close reading of the text. There were few surprises; many for whom it was not a friendly exam because they were left behind from the beginning. On a related note, evaluations in themselves can become an exercise to confirm one's own intellectual and personal biases. At the same time, however, blind evaluations are not helpful if you want to assess the small improvements individual students make during the term. One possible experiment is to closely supervise essays of some students knowing which student wrote it. Teaching should not be about attaining illusive uniformity and must be flexible at all times. The end result should be that the each student be able certify to oneself his or her level of mastery in the subject and not depend on the teacher for the last word. This is why some pedagogues can ask from students' questions on teaching

the course as a part of their exam to invite students to shed their educational experience. The belief is that it is not grades or other credentials that define the student's achievement, but the ability to consciously translate the subject through pedagogical concerns which is a sign of true internalization. For example, I recall receiving this question I really liked: *How would [sic] constitutional law look like in 2020? How could you design and teach this course differently?*

IV.

Today, formal instruction in newly established higher education centres heavily incentivizes research and teaching as these centres recognize that power can be retained in the way inquiry is practiced. If everyone in a class must learn, surely it cannot be forced down peoples' throats and at the same time, teachers have limited time and energy to individually supervise every student in class in the middle of all the pressures they are under every day. So how can we genuinely cultivate opportunities for an inquiry that is not antagonistic to the goals of teaching?

Genuine inquiry is not a euphemism for a received view of knowledge as something static, but it is very much about students as active learners. If this has to be individually experienced then we must not fall in the trap of looking at teaching in black and white approaches. To understand variances in outcome we must listen more to students' lived experiences. Student feedbacks are rarely helpful since the questions are already fixed in which a score in one thing often signifies an unexpressed something not captured in the objective pro forma. The column of "general comments" is a place students normally vent their raw reactions of liking or hating the instructor, thus proving to be unhelpful. Personal experiences of students on how they perceive authority and the ability of the teacher to encourage their comebacks in a class room determine their motivation.

To start with, the class room must be an environment that every student can trust. Very often this means we must attach great importance to the conditions that come into play with the behaviour and personality of the instructor as a reassurance of academic things to follow. This also extends to the awareness that

there exist dynamics among peers. Because there is heavy language, ethnic, and regional markers that separate students in the classroom which determine peer membership. Connected to this is that the intellectually confident ones in any setting jump off the blocks faster.

Whenever we go into class we imagine that students think like us; they will obviously like what we like, for example, how can anyone not like Foucault, Derrida, and Sartre; and if we show them something marvellous they will appreciate it. However, it is not right to suppose that students and teachers will have the same interests to start with. In fact, the root of the entire problem was that an exclusive pursuit of one's own interests made many first-time learners feel unintelligent. For example, there is virtue in keeping questions that are general to their surroundings in college and only then shift the focus to derivations from the text because there are many keen listeners who can be included and in this manner hopefully spurred into future reading. I witnessed glimpses in the discussions on euthanasia where absolutely everyone had something to say about it. Teachers always come up with ways to be subtle than direct, like, for instance, adopting a multi-lingual teaching style that puts oneself in the problem and relate it to the everyday.⁴

From the above, learning involves questioning one's own intuitions, and its emotional experience is the reason why students will do everything to resist and retaliate. Teachers must know how a student is making the transition from taking something strange and foreign to internalizing it from the signs given out of what he or she is doing with it. In other words, the final aim is that everyone must transform the academic problem into their own problem. We rarely ever wait for that because most of the times we are preoccupied by the need to execute our roles. It is helpful for both teachers and students to keep a personal diary drawing self-reflected conclusions to complex real-world and academic puzzles.

There is some weight behind the belief that the cause for students not learning in school should be attributed to the teachers. The counter to this does not imply a consumer model of teaching here where teachers must cater to students and

4 I thank Vishnupad Mishra who shared his experience trying it.

impart skills demanded by the market. If students or parents see it in that way, the whole purpose of education as a means of self-improvement is lost out. In this context, students who did badly in my courses were doing so on a consistent basis. It happens that our system's second chances in the form of a repeat exam is not having an effect because the teaching never changed the second time around and all involved now just want a way to get out of the mess they landed in. This surely is a lesson for pedagogical systems to account for the future and not base themselves entirely in the current.

If students must become their own teachers, then we must not look at correcting what a teacher may spot as "deficiencies" in students. Some opinions in the teaching fraternity stress on inculcating disciplinary skills like developing a scientific-legal methodology of constitutional law reasoning; softer skills like reading techniques; impart skills of academic writing; and setting up a language centre on campus. While suggestions like these are made in right earnest it is not what students want. This obscures the humanistic element in the course and easily creates a myth that there is a deficiency in them. I request colleagues to rethink these potentially over-bearing suggestions that are floated even in faculty forums. The day formal education trains students in methods to think better, it is in danger of curtailing the freedom that current law research has enjoyed in accepting a wide variety of styles to build on what we already know and come up with explanations for what we do not know.

In general, instructor and students negotiate relationships which will have their give and take. Students need to know that the person they are cooperating for is someone they can repose faith in, and teachers need to comply while prioritizing learning objectives. Students must be shown very early that freedom and responsibility are two sides of the same coin. This can lead to agreeing on fixing the number of pages for each session as a way to increase readership. Somewhere around fifty pages for a day seems achievable for an under-graduate class that meets twice or thrice in a week. In general, the teacher will have to recognize that students have feelings and emotions behind all the drudgery they have subscribed to. In the same vein, some self-motivated but otherwise impenetrable students require a dialogue or intellectual friendship with the instructor to overcome their

own internal fears. While there can be a concern about perceived bias toward some students and not others and so on, I think the point is well served in recognizing a need for providing an environment of support when necessary.

In this essay I do not wish to touch on the extrinsic factors, chiefly the nexus between education and the economics of it, in today's educational corporations. The lessons from this are visible to any discerning eye.

Inclusive teaching is a moral imperative for an egalitarian society that aspires for the political, socio-economic, and intellectual participation of all. In the above discussions so far I have tried to show in the context of teaching constitutional law how we need to be sensitive about new configurations in the way of knowing it in a classroom. Seen this way, there can never be a monolithic teaching plan with pre-decided objectives in mind because each student will always want something else, and it is pointless to speculate on engendering one kind of learner as superior to others. While there is more to be desired about substantive ways we can get down to enumerating specific teaching skills for a subject like constitutional law, however, the unhappy truth is that one size does not fit all, and inclusivity means that it is not just a way of thinking but also being. We must interrogate what criticality should mean and ask the question: what does it mean to teach constitutional law in a critical as well as an inclusive manner?