



Legal Case-Based Reading to Promote Critical Thinking for Law Students

Misnawati Misnawati*, Zul Astri, Reski Pilu

Universitas Negeri Makassar, Jalan Bonto Langkasa, Makassar, South Sulawesi, 90222, Indonesia

*Corresponding author, Email: Misnawati_amir@yahoo.com

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Abstract: Critical thinking and creativity are the essential qualities must-have to face industrial revolution 4.0 and society 5.0, particularly for students. Higher education institutions play a vital role in de-veloping critical thinkers. This study aimed to assess the impact of the author's teaching technique of Legal Case-based Reading (LCbR) on students' critical thinking abilities. This study used a quantitative approach with collecting data through observations, doing a pre-test, treat-ment, post-test, and following by questionnaire to see how the students felt about the program. The data was then analyzed by using SPSS 26 program. The participants in this study are first-semester students at Sekolah Tinggi Ilmu Hukum Pengayoman Watampone, Indonesia, in the 2020/2021 academic year. Subjects were chosen using a purposive sampling strategy, with 43 samples. The research lasts for approximately two months, from September - November 2020. This research showed that 1) Applying Legal case-based Reading has a considerable effect and change on students' critical thinking skills; 2) Students' critical thinking level increased from low order thinking skills to high order thinking skills. And 3) Students thought the response options were good, with an average value is in the "High" category.

Keywords: Legal case-based Reading; Critical Thinking; ESP Class; Law students

Abstrak: Critical thinking dan kreativitas adalah kualitas esensial yang harus dimiliki untuk menghadapi revolution 4.0 dan society 5.0, khususnya bagi mahasiswa. Lembaga pendidikan tinggi memainkan peran penting dalam mengembangkan pemikir kritis. Penelitian ini bertujuan untuk menilai dampak dari teknik pengajaran penulis tentang Legal Case-based Reading (LCbR) terhadap kemampuan berpikir kritis siswa. Penelitian ini menggunakan pendekatan kuantitatif dengan pengumpulan data melalui observasi, melakukan pre-test, treatment, post-test, dan dilanjutkan dengan angket untuk melihat bagaimana persepsi siswa terhadap program tersebut. Data tersebut kemudian dianalisis dengan menggunakan program SPSS 26. Partisipan dalam penelitian ini adalah mahasiswa semester satu di Sekolah Tinggi Ilmu Hukum Pengayoman Watampone, Indonesia tahun ajaran 2020/2021. Subyek dipilih dengan menggunakan strategi purposive sampling, dengan jumlah sampel 43 orang. Penelitian berlangsung selama kurang lebih dua bulan, mulai September – November 2020. Hasil penelitian menunjukkan bahwa 1) Penerapan Legal Case-based Reading (LCbR) memiliki pengaruh dan perubahan yang cukup besar terhadap kemampuan berpikir kritis siswa; 2) Tingkat berpikir kritis siswa meningkat dari kemampuan berpikir tingkat rendah menjadi kemampuan berpikir tingkat tinggi. Dan 3) Siswa menilai pilihan jawaban sudah baik, dengan nilai rata-rata berada pada kategori "Tinggi".

Kata kunci: *Legal case-based Reading; Critical Thinking; ESP Kelas; Mahasiswa hukum*

1. Introduction

We were again astonished by the Society 5.0 advent, which came from the Industrial Revolution 4.0 accompanied by the growth of the era of disruption (society 5.0). As a result of the rise of the Industrial Revolution 4.0, the notion of Society 5.0 arose in anticipation of global trends. The Industrial Revolution 4.0 has spawned a plethora of inventions in the industrial world and society. It resulted in society 5.0 as a response to the problems posed by the age of the Industrial Revolution 4.0. Society 5.0 is a society that can solve various challenges and social

issues by utilizing multiple innovations that were born in the era of the industrial revolution 4.0. Such as the Internet of Things (internet for everything), Artificial Intelligence (artificial intelligence), Big Data (large amounts of data), and robots to improve human life quality. To deal with the super-smart society, ten abilities that must be had are formulated in the face of this tremendous transformation. The three most essential qualities are the capacity to tackle complicated issues, critical thinking, and creativity. (Santoso, 2019).

In another source, Ricard Paul and Linda Elder stressed the necessity of critical thinking in a student who seeks to perceive numerous occurrences and realities in their book *Student Guide to Historical Thinking* (2011). As a result, learners' capacity to think critically becomes a "condition sine qua non." They must constantly respond to numerous challenges that they and their community face in line with their competency and scientific field by detecting problems, synthesizing, analyzing, and producing problem-solving solutions. (Tapung, 2016).

More interesting, people are inherently emotion-oriented when confronted with daily obstacles and issues, according to Emerzon (2013), which leads to their views and viewpoints being shaped by their feelings. As a result of their lack of critical thinking, most people are labeled "passive thinkers," with an unreal self that serves as a mask to hide the reality of who they are (actual self) and who they ideally want to be (ideal self). This instills in them a sense of being "the only logical sound person whose facts are the only ones that matter" (Duron, Limbach & Waugh, 2006, P.160). As a result, a person may experience a wide range of undesired suffering sensations, leading to long-term negative behavior and mood due to an estimated disparity (Moghadam et al., 2021).

Higher education institutions play a vital role in the development of critical thinkers. Higher education institutions have long been thought of as knowledge mills. More significantly, institutions must instill in learners the habit of lifelong learning, which includes critical thinking. Turn on the television, read the newspaper, or listen to a radio commercial, and they'll note how many questionable assertions are out there that can't withstand inspection from brains trained in critical thinking. Critical thinking is broadly applicable "across the curriculum" (Halpern, 1997), particularly in problem-solving and decision-making processes (Halpern) (Halpern; Epstein, 2003) (Debela & Fang, 2008).

In addition to critical thinking abilities, Indonesian education also requires students to concentrate on teaching English. This demand aims to equip students as active English speakers to become a superior and internationally competitive generation and realize Indonesia's aspiration of becoming a golden Indonesia by 2045. As a result, one of the needs for facing changing times and preparing to be a part of that transformation is the capacity to communicate internationally. This need forces educators to have fun while teaching English and create a variety of aspects that will aid students in developing their creativity and critical thinking abilities throughout the teaching-learning process.

Some researchers have looked at extensive Reading on critical thinking and how Reading affects vital thinking development. Husna (2019) discovered that students' necessary thinking abilities improved after completing the curriculum based on the Critical Thinking exam. They also had good impressions of the program's activities and assessments, which they said had a beneficial impact on their critical thinking. This suggests that critical thinking abilities may be integrated into an English reading curriculum. (Husna, 2019).

In addition, Jimenez, Haydee, Rosales, and Soraya (2010) researched El Salvador to see if Reading for pleasure might assist ESL students in building critical thinking skills by exposing them to the actual world. Their findings revealed that the students grew accustomed to the scientific reading style, which aided them in writing logical arguments. The study also found that broadly reading can assist students in avoiding making poor decisions in their lives because they can utilize the information to create a logical framework to cope with real-world problems.

At Azad University's Rasht Branch, another study looked at how extensive Reading might improve ESL/EFL students' critical thinking abilities. They claim that incorporating critical thinking skills into reading activities is an important strategy to help kids solve challenges. It was discovered that students with necessary solid thinking abilities could better grasp reading materials and that superior reading comprehension might increase students' general critical thinking skills (Eftekhary & Kalayeh, 2014). Another research in junior high school students indicated that 18 of 35 students (51%) improved their critical thinking abilities in the areas of 1) reasoning, 2) predicting, 3) context recognition, and 4) questioning (Fadhillah, 2017).

Based on the research findings mentioned above, several practical and straightforward reading exercises for developing critical thinking abilities may be implemented in schools where English is not the native language, such as in Indonesia. Critical thinking abilities may be defined as the capacity to explore all alternatives while addressing an issue, consider multiple views, and perceive the arguments of others as part of a different contribution or conclusion on a particular topic. (Guevara Jimenez et al., 2010).

In terms of promoting critical thinking, the author, as an educator for ESP students, students majoring in law, tries to apply a learning method using Reading for the case. The cases in Reading are distributed to students for elaboration and given a problem-solving solution. As a law student, the readings provided are related to legal issues, both civil and criminal cases. Therefore, the authors named this method Legal case-based Reading (LCbR). This method is introduced to students to improve their critical thinking skills as a prospective legal expert must have qualified competence in solving his client's problems later. One of the essential competencies for law students who want to succeed is understanding legal cases. It is vital since case law is one of the most important sources of law (Ariffin, 2014).

This article refers to the need for the English language for the law students still viewed as esoteric and foreign, requiring intensive learning. The need for English language education to enable law professionals to operate in academic and professional legal contexts requiring the use of English well- established. Therefore, educators in law school need to consider the students' English needs for their future carrier.

As a result, the purpose of this study was to assess the impact of the author's teaching technique of legal case-based Reading on students' critical thinking abilities. Legal case-based Reading (LCbR) is a text that law students are given individually or in groups to polish their necessary thinking skills by solving an issue in a legal case, civil or criminal case. Students' capacity critical thinking is tested at each level of essential instruments of thought by Ennis in this problem: 1) formulate the main points of the problem; (2) reveal the existing facts; (3) choose a logical argument; (4) detecting bias with different viewpoints; (5) draw conclusions.

2. Method

2.1. Legal Case-based Reading (LCbR)

The researchers used a quantitative approach to see if legal case-based reading exercises might help students enhance their critical thinking abilities and determine what students thought about the program. The author made observations while conducting the data collecting procedure, including a pre-test, treatment, and post-test on students' critical thinking ability. The author circulated a questionnaire to see how the students felt about the program.

2.2. Setting and Participants

This study applied at bachelor's degree of Law major in Sekolah Tinggi Ilmu Hukum Pengayoman Watampone, Bone regency, South of Sulawesi Province in Indonesia. The population in this study is about 145 students as the first semester in the 2020/2021 academic year. This study used one group pre-test, and post-test and students were given the treatment of LCbR for eight meetings, so this research lasts for approximately two months, from September - November 2020. Subjects were chosen using a purposive sampling strategy, with 43 samples gathered. This sample is the first group of the first semester, including 15 males and 28 women. This sample is chosen because the author believes this is the more active class for studying English for Law Purposes. So, the author expected it to be more fun and challenging having this class for doing research.

2.3. Instruments and Measurements

The Critical Thinking (CT) Assessment used in the pre-test consists of two legal case-based readings, each reading text consisting of five open-ended questions. Critical Thinking Assessment used in pre-test consist of 2 legal case-based readings with each reading text consisting of 5 open-ended questions with the CT criteria by Ennis (1993) are being able to: (1) formulate the main points of the problem ; (2) reveal the existing facts; (3) choose a logical argument; (4) detecting bias with different viewpoints; (5) draw conclusions (Fatmawati et al., 2014). At the same time, students are given three legal case-based readings with the same formula as the pre-test in the post-test. Between the pre-test and post-test, the author delivers educational therapy via legal case-based Reading with eight meetings, resulting in the following study process:

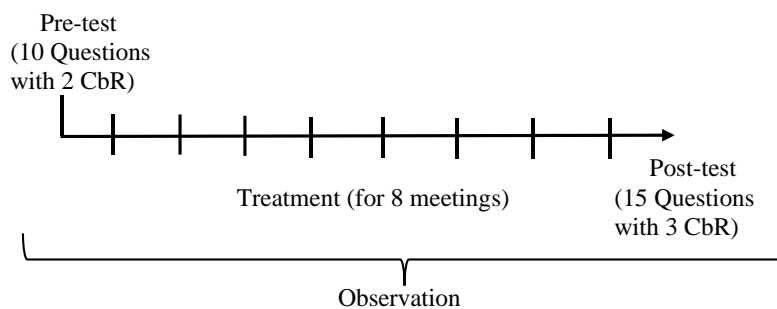


Figure 1. Collecting Data Process

According to Resnick in Thompson (2008), the thinking level is divided into essential and higher-order thinking. Meanwhile, Krulik & Rudnick in Siswono (2009) stated thinking skills generally consist of four groups: recalling thinking, important thinking, critical thinking, and creative thinking. Based on the level of thinking above and the results of research developed by

Siswono (2009) about levels of thinking to critical thinking are critical thinking level 0 (CT 0), critical thinking level 1 (CT 1), critical thinking level 2 (CT 2), and critical thinking level critical 3 (CT 3). The lowest level of thinking (CT 0) consists of almost automatic or reflexive skills. The next level, CT 1, includes understanding concepts such as addition, subtraction, and so on, including their application in questions. One of the thinking skills that belong to the higher-order thinking skills is CT 2 and CT 3. The results, according to Ennis, are in the following criteria: 1) CT 0, i.e., no answer matches the critical thinking indicator; 2) CT 1, namely the students' answers according to two or three critical thinking indicators; 3) CT 2, namely the students' answers according to the four critical thinking indicators; and 4) CT 3, namely students' answers according to the five critical thinking indicators according to Ennis (Fatmawati et al., 2014). The formulation of questions on student CT measurements is as follows:

Table 1. Students' Critical Thinking Process based on Legal case-based Reading

Critical Thinking Level	Formulate the main points of the problem	Reveal the existing facts	Choose a logical argument	Detecting bias with different viewpoints	Draw conclusions
CT 0	Students are not able to formulate the main points of the problem.	Students are not able to uncover the facts needed in solving a problem.	Students are not able to choose logical, relevant, and accurate arguments.	Students are not able to detect bias based on different points of view.	Students are not able to determine the consequences of a statement taken as a decision.
CT 1	Students are able to formulate the main points of the problem.	Students are able to uncover the facts needed in solving a problem.	Students are able to choose logical, relevant, and accurate arguments.	Students are not able to detect bias based on different points of view.	Students are not able to determine the consequences of a statement taken as a decision.
CT 2	Students are able to formulate the main points of the problem.	Students are able to uncover the facts needed in solving a problem.	Students are able to choose logical, relevant, and accurate arguments.	Students are able to detect bias based on different points of view.	Students are not able to determine the consequences of a statement taken as a decision.
CT 3	Students are able to formulate the main points of the problem.	Students are able to uncover the facts needed in solving a problem.	Students are able to choose logical, relevant, and accurate arguments.	Students are able to detect bias based on different points of view.	Students are able to determine the consequences of a statement taken as a decision.

2.4. Data Analysis

The data we gathered from pre-test and post-test was then analysed using the SPSS 26 program. For the questionnaire, the author uses Google form as a platform in this analysis to distribute a questionnaire with a closed direct questionnaire about perspectives about this legal

case-based reading method. A Likert scale of five solution options is used for the data interpretation, as follows:

Table 2. The Likert Scale

Category	Score
Strongly Agree (SA)	5
Agree (A)	4
Neutral (N)	3
Disagree (D)	2
Strongly Disagree (SD)	1

The information is processed as it is collated, tabulated, and reviewed. The author does a descriptive analysis of the independent and dependent variables before categorizing the total number of responses. The rating criteria for each question item, consisting of 15 questions, were compiled using the total score of the respondents' answers. The average of the questionnaire distribution findings is then calculated using the formula:

$$M = \frac{\sum fx}{N} \tag{1}$$

After measuring the average score, the respondents' propensity to respond to a scale is categorized by the formulation: minimum score = 15, maximum score = 75, and the range is 60, while questions consist of 5 groups, so $60 : 5 = 12$. The scale group can, therefore, be defined as follows:

Table 3. Interpretation of Average Value

Interval	Category
63-75	Very High
51-62	High
39-50	Moderate
27-38	Low
15-26	Very Low

Source: (Sudjono, 2011)

3. Results and Discussion

3.1. Results

Critical thinking tests are given before the program starts (pre-test) and after (post-test). The test is presented in the form of Legal case-based Reading (LCbR), wherein in the pre-test, students are given two LCbRs with each LCbR containing five questions so that ten open-ended questions must be answered in the pre-test. While in the post-test, there are 3 LCbR with the same formulation in the pre-test, so there are 15 open-ended questions that students must answer. Each question uses 5 CT criteria by Ennis, as attached in Table 1.

In calculating the difference in student results between the pre-test and post-test, first, the average search was carried out through SPSS 26 with the results recorded in table 4 below:

Table 4. Paired Samples Statistics

		Mean	N	Std. Deviation	Std. Error Mean
Pair 1	Pre-test	45.2093	43	11.05518	1.68590
	Post-test	67.6279	43	15.86104	2.41879

In the post-test (Table 4), the students' mean score was 67.63, higher than the pre-test mean score. It suggests that after receiving LCbR treatment, students' critical thinking abilities have improved. The next step is to determine whether or not the growth is significant. Table 5 shows the outcomes of the calculations:

Table 5. Paired Samples Test

		Paired Differences					t	df	Sig. (2-tailed)
		Mean	Std. Deviation	Std. Error Mean	95% Confidence Interval of the Difference				
					Lower	Upper			
Pair 1	Pre-test - Post-test	-22.41860	8.26707	1.26072	-24.96283	-19.87438	-17.782	42	.000

According to Table 5, the sig value (2-tailed) is less than the alpha (0.05) value, indicating that the pre-test value is substantially different from the post-test value. It suggests that the LCbR teaching treatment, given to students throughout eight meetings, impacted their critical thinking abilities. From the pre-test to the post-test results tested on students, data were obtained for each level of critical thinking students based on criteria for critical thinking levels ranging from CT 0 to CT 3. The data are presented in table 6 below:

Table 6. Number and Percentage of Students in CT

Critical Thinking Level	Interval	Number of Students		Student Percentage	
		Pre-test	Post-test	Pre-test	Post-test
CT 3	76-100	0	17	0%	40%
CT 2	51-75	4	10	9%	23%
CT 1	26-50	39	16	91%	37%
CT 0	0-25	0	0	0%	0%

From data analysis on critical thinking levels, before LCbR treatment was carried out, students tended to be in critical thinking level 1 or CT 1. The data experienced an increase after LCbR was applied to the teaching process; namely, some students were already at the CT 3 stage. And the good news, no one student was at CT level 0, meaning that before the introduction of LCbR, students did have critical thinking skills, although they still tended to be at CT level 1. According to Ennis, students with CT 1 were 39 people in the pre-test, and 16 people in the post-test met the criteria of two or three indicators of critical thinking. They formulate the main points of the problem, reveal the existing facts, and choose a logical argument. In addition to 4 students with CT 2 in the pre-test and 10 in the post-test were considered able to meet the criteria of four critical thinking indicators according to Ennis to detect bias with different viewpoints. Meanwhile, 17 students with CT 3 ability after being given the LCbR method were

categorized as having met the criteria for all critical thinking indicators according to Ennis to the draw conclusions stage.

Meanwhile, from the student's point of view of the teaching method used, the following are the results of the Likert Scale test on students' critical thinking skills after treatment with the LCbR teaching method. The interval values on the Likert Scale test in this study are a) Very Low (15-26); b) Low (27-38); c) Moderate (39-50); d) High (51-62); and e) Very High (63-75). The average results of descriptive statistics are as follows:

Table 7. Descriptive Statistics

	N	Minimum	Maximum	Mean	Std. Deviation
X1	43	3	5	4.21	.742
X2	43	3	5	4.21	.742
X3	43	3	5	4.30	.741
X4	43	3	5	4.19	.732
X5	43	3	5	4.19	.732
X5	43	3	5	4.19	.699
X7	43	3	5	4.02	.771
X8	43	3	5	4.21	.773
Y1	43	3	5	4.30	.741
Y2	43	3	5	4.33	.680
Y3	43	3	5	4.19	.764
Y4	43	3	5	3.74	.819
Y5	43	3	5	3.98	.831
Y6	43	3	5	3.86	.861
Y7	43	3	5	4.09	.781
Total				62.01	

Table 7 above shows that the average category of respondents or students for the two variables measured, namely Legal case-based Reading and Critical Thinking, is assessed at the interval 51-62, with an average value of 62.01, which is in the "High" category.

3.2. Discussion

The author practices legal case-based Reading (LCbR) at the research location for law students at Sekolah Tinggi Ilmu Hukum Pengayoman Indonesia. This is a reading skill approach where the reading material is presented. It explicitly discusses legal cases, both civil and criminal cases, as students as objects of teaching are students majoring in law. The aim of the researcher to apply this method and approach is to improve students' critical thinking skills in handling legal cases as their future career as prospective legal experts, especially in making legal opinions. A legal idea is a legal scholar's response to a client's concern about legal issues. (Priyono & Benuf, 2020).

The pre-test and post-test results can be concluded that the study findings have a considerable effect and change on students' critical thinking skills. These findings are consistent with a prior study by Fadhillah (2017), which revealed that students' critical thinking abilities through reading improved before and after applying critical reading practices (Fadhillah, 2017). Husna (2019) discovered that by including some critical thinking skill activities as part of students' required assignments (reviews, summaries, and presentations), students learned to think before acting, became more objective and sensitive, and developed their curiosity and ability to elaborate their ideas (Husna, 2019). The tasks and questions given to students require

them to identify problems, add reasons, draw conclusions as honest answers and questions, practice their cognitive skills of thinking before acting, see issues from different perspectives, and seriously present arguments (Chaffee, 2014). For these kids, practicing these abilities is a crucial life skill that may help them avoid making poor decisions and enhance their quality of life and prospects (Guevara Jimenez et al., 2010).

After the classification of students' critical thinking level compared by this research, the writer then found out that the level of students' critical thinking skills underwent a change where some of them increased their level from low order thinking skills to high order thinking skills. Thinking critically, in essence, is a criterion for distinguishing between high and low achievers in those learners who think critically on various aspects of their academic enterprise typically have a better understanding of their objectives and, as a result, can achieve them more efficiently effectively. Critical thinking is also essential for developing other vital abilities such as creativity, risk-taking, and motivation. In other words, when students critically consider their goals and get a thorough grasp of them, they may be able to devise more effective and innovative tactics to attain them. Furthermore, they are more ready to take calculated risks because they are well-aware of their goals. As a result, because high critical thinkers are often better at reasoning, inferring, and inductive evaluation (Tirri, 2017; Wang, 2012, 2009), they may outperform their low-critical thinkers in reading comprehension exams (Heidari, 2020).

Reading comprehension is influenced by a variety of things. The awareness and application of reading techniques are essential aspects that affect reading performance. A significant quantity of research has been conducted in the previous two decades to establish that reading techniques play a critical role in reading comprehension competency (Al-Qahtani, 2021). According to Mokhtari and Sheorey (2002), reading comprehension and academic performance are linked to the awareness and implementation of reading techniques. They produced a list of metacognitive reading techniques, splitting them into three categories: global, problem-solving, and support reading methods (Mokhtari & Sheorey, 2002).

In addition, students thought the response options in the post-treatment and post-test questionnaires were good. They exhibited a favorable effect with an average value of 62.01 in the "High" category. The findings of this study are also consistent with Muhammad Din's (2020) research, which found that students have a highly favorable attitude toward critical thinking and that critical thinking is a strong predictor of students' critical thinking ability. This study also shows that 98.5 percent of students have a very positive attitude toward critical thinking. There are 56 percent of students who achieve very high scores on the critical thinking test (CTT), and only 18.2 percent of the study's subjects achieve very high scores on the critical reading test (CRT). This term suggests that 18.2 percent of students can apply their critical thinking abilities to critical Reading (Din, 2020).

Aside from focusing on examples that educators stressed, students also paid more attention to the most relevant and recent cases. These included significant instances pertinent to the law they learned and their limited understanding of issues. Students were able to figure out the application of legal principles in the judgments during the observation for treatment administered, which would later boost their comprehension of the law topic by paying greater attention to these instances. Furthermore, students preferred to focus on recent cases because they considered that these cases had already leaned on past landmark decisions, which had been

crucial in determining the outcome of the judgments. Furthermore, recent instances were essential in demonstrating the progress of a specific discipline of law.

From the discussion above, it can be concluded that LCbR is a method that is quite effective in improving students' critical thinking skills. However, the most decisive in the results of this study should be underlined the effectiveness of the treatment. If the method is taught well in the treatment, the results will also be good, and vice versa. Therefore, the authors recommend this method be applied to college students, especially law students.

4. Conclusion

The conclusion for this research is Legal case-based Reading (LCbR) as a text that law students are given individually or in groups to polish students' critical thinking skills by solving an issue in a legal case. It can be integrated to promote students' critical thinking skills. Students' critical thinking needed is related to Ennis indicators are: 1) formulate the main points of the problem; (2) reveal the existing facts; (3) choose a logical argument; (4) detect bias with different viewpoints; (5) draw conclusions.

The three measurements in this study showed positive results in improving students' critical thinking skills through the Legal case-based Reading (LCbR) method: 1) The pre-test and post-test results can be concluded that the study findings have a considerable effect and change on students' critical thinking skills; 2) The classification of students' critical thinking level underwent a change where some of them increased their level from low order thinking skills to high order thinking skills; and 3) Students thought the response options in the post-treatment and post-test questionnaires were good, with an average value is in the "High" category.

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