Legal E–Learning and E–Government

Colette R. Brunschwig
University of Zurich, Switzerland

INTRODUCTION: THE LACK OF EDUCATIONAL DESIGN

Fact

Today, most e-government Web sites are limited to providing and disseminating legal or legally relevant information (hereafter legal information; see "Key Terms" section). Generally speaking, the online provision of legal information is not made in line with sound educational principles. Most likely, this could be said about the provision of all kinds of information on e-government Web sites. As I am a lawyer, I only feel entitled to assess legal information. Hence, I would like to limit my reflections in this article to legal information. As a number of examples suggest, e-government Web sites are not conceived as legal e-learning environments (e.g., http://www.ch.ch, http://www.admin.ch, http://www.bund.de, http://bundesregierung.de, http://www.help.gv.at, http://europa.eu.int, http://www.firstgov.gov. All visited January 4, 2005).

Problems

(Mis)conceiving the state's online presence is detrimental since the lack of educational design fails to ensure that users can assimilate and process the legal information which e-government Web sites provide in an effective and sustainable manner. Within the communicative framework applied here, mere provision means that so-called *e-government addressees* (see "Key Terms" section) are not assisted in their efforts to assimilate and process the legal information they find on e-government Web sites. Their chances of building up legal or legally relevant knowledge (hereafter legal knowledge) are compromised as a result. There is good reason to doubt that the prevalent uneducational design of legal information can arouse the interest of the envisaged target audience(s), let alone evoke positive emotions. Furthermore, it is to be doubted whether current design can do proper justice to the cognitive and emotional needs which e-government addressees undoubtedly have. Moreover, the lack of appropriate educational design would appear to call into question the mid- to long-term success of managing legal information on e-government Web sites in an uneducational fashion.

Questions

These problems raise several questions: How can e-government addressees assimilate and process legal information in a sustainable manner? How can e-government Web sites be designed such that their addressees can build up their legal knowledge more effectively? How should legal information on e-government Web sites be designed to arouse (and sustain) their target audience's interest, offer it pleasure, and meet its cognitive and emotional needs? How should legal information management on such Web sites be practiced to assure mid- to long-term success? How might the e-government actors responsible for creating such sites reconceive what is now mere legal information dissemination as legal information communication? Would legal information on e-government Web sites need to be scripted in line with educational principles? Should such sites be designed as legal e-learning environments? Given the broad range of electronic learning environments, how would legal e-learning scenarios need to be designed in the context of e-government Web sites? Which specific requirements of what I have called *legal (information) design* (Brunschwig, 2001; see "Key Terms" section) would apply to legal e-learning environments on e-government Web sites?

Relevance of Questions

Resolving the previous problems would have a number of significant benefits: E-government addressees would be able to assimilate and process legal information in a sustainable manner. They would be able to build up their legal knowledge with fewer constraints. They would absorb legal information with greater interest, pleasure, and gratification, thereby inducing a learning curve. Their cognitive and emotional needs would be met more adequately. Moreover, the image of those responsible for managing online legal information would improve in the mid- to long term because they could no longer be (dis)qualified as merely disseminating legal information but would be acknowledged for their efforts to communicate it. In creating e-government Web sites along stringent educational principles, these sites would be conceived as legal e-learning environments much more effectively, aligning them with the specific context of e-government Web sites and their addressees' needs.

Hypothesis

Designing e-government Web sites as legal e-learning environments would benefit all those concerned in the ways sketched previously above.

Current State of Research

There is very little published research on whether e-government Web sites can be designed as (legal) e-learning environments and, if so, how (e.g., Bose, 2004; Vatter, 2004). Bose (2004) aims at identifying the technologies available for establishing online education and training. Vatter (2004) notes that it is a matter of enabling both "learning *for* e-government applications" and "learning *with* e-government applications" in terms of "a complementary educational conception of the application" (p. 10). Whereas the majority of publications I have seen focuses on e-government and knowledge management (e.g., Liebowitz, 2004; Wimmer, 2003, 2004), this article seeks to contribute to the scant research on designing legal information on e-government Web sites in line with stringent educational principles.

Procedure

In developing at least rudimentary answers to the previous questions, I will first venture briefly into legal history to discuss the reflections on education of a prominent representative of the French Enlightenment who made a persuasive case for the state as a teacher, particularly as its citizens' legal instructor. I will then outline key aspects of e-learning and key aspects of legal e-learning in the context of e-government Web sites. I will close with findings, future trends, and a conclusion.

BACKGROUND

A Brief Excursion into Legal History

That the state should act as a teacher, particularly as a legal instructor, is not a new postulate. The eighteenth century witnessed a heated and controversial debate on the relationship of the state and education. Marie-Jean-Antoine-Nicolas de Condorcet (1746-1825), an authoritative representative of the Enlightenment movement in France, advocated state education in a number of his writings, most strongly in *Sur l'instruction publique* (1791/1792) and *Rapport et projet de décret sur l'organisation générale de l'instruction publique* (1792). As Condorcet's reflections contribute to substantiating and validating my key postulate that e-government Web

sites should be designed as legal e-learning environments from a historical vantage point, I will outline the gist of his reflections regarding the learning contents and objectives (to use the terms of modern educational studies) the state should focus on, how he accounted for these contents and objectives, and which groups of learners he envisaged.

Condorcet maintained that public instruction (*l'instruction publique*) should cover all knowledge areas, including the law (Condorcet, 1791/1792, p. 154.; Hager, 1993, p. 78). The purpose of state instruction is to develop all the learner's talents and skills, to impart legal knowledge (chiefly as regards the individual citizen's rights and obligations towards the state), and to equip learners (citizens) with the knowledge they require in their professional lives in order to best serve the commonwealth. On the one hand, instruction aims at benefiting the learners' interest to attain happiness and satisfaction; on the other, it urges learners to act in the interests of the general public (Hager, 1993, p. 78). Condorcet's core argument for public instruction is that in a just state the equality and freedom of citizens cannot exist without the provision of a universal basic education ensuring that citizens are edified as regards their rights and obligations (Hager, 1993, p. 80; Lüchinger, 2002, p. 312). Providing *all* citizens, indeed *all* human individuals, with the opportunity to learn was paramount in Condorcet's thinking. He appealed not only for the instruction and education of children and adolescents, but also for the state to make provision for adult education (Hager, 1993, p. 79; Lüchinger, 2002, p. 31). Lifelong learning was more than justified, he argued, because knowledge once acquired was subject to date since science and (professional) practice never ceased to produce new insights. Many people, Condorcet argued further, had been deprived of an education in their childhood or youth, which validated lifelong education even more (Lüchinger, 2002, p. 315).

E-LEARNING IN GENERAL

E-Learning Defined

The relevant literature defines *e-learning* in various ways (see Back, Bendel, & Stoller-Schai, 2001, p. 28; Colvin Clark & Mayer, 2003, p. 13; Dichanz & Ernst, 2002, p. 43; Rosenberg, 2001, p. 28). It is beyond the scope of this article to discuss what are partly controversial notions of e-learning. The semantics of this compound can be construed "from the meaning of its parts and the manner in which the complex expression is formed from these" (Linke, Nussbaumer, & Portmann, 2004, p. 157). Accordingly, we can interpret the *e* (for *electronic*) and *learning*, and how they are related. Proceeding in this way helps

Related Content

One-Stop Government Portals: Transformation or Navigation?
Thomas Kohlborn, Erwin Fieltand Maximillian Boentgen (2013). *International Journal of Electronic Government Research (pp. 74-95).*
www.irma-international.org/article/one-stop-government-portals/95106

Technical and Functional Quality in the Development of T-Government Services
Margherita Paganiand Chiara Pasinetti (2008). *Electronic Government: Concepts, Methodologies, Tools, and Applications (pp. 2943-2965).*
www.irma-international.org/chapter/technical-functional-quality-development-government/9907

Influential Factors for E-Government Success in the Middle East: Case Study Evidence from Saudi Arabia
Roland Franke, Julia Kroenung, Friedrich Bornand Andreas Eckhardt (2015). *International Journal of Electronic Government Research (pp. 39-62).*
www.irma-international.org/article/influential-factors-for-e-government-success-in-the-middle-east/126350

Generational Differences in Information Technology Use and Political Involvement
Mack C. Shelley, Lisa E. Thraneand Stuart W. Shulman (2006). *International Journal of Electronic Government Research (pp. 36-53).*
www.irma-international.org/article/generational-differences-information-technology-use/2011

The Evolution of Information Technology Management at the Federal Level: Implications for Public Administration
Stephen H. Holden (1999). *Information Technology and Computer Applications in Public Administration: Issues and Trends (pp. 62-80).*
www.irma-international.org/chapter/evolution-information-technology-management-federal/74598