

Bennett Journal of Legal Studies
Vol. 07(01), Feb 2026, pp. 17 - 27

DISCUSSING CONSTITUTION IN A [SOMEWHAT] POST-LITERATE CLASSROOM: [A] TEACHER'S REFLECTION

Gautam Kumar
Assistant Professor, UPES, School of Law, Dehradun, Uttarakhand, India

ABSTRACT

This paper is the outcome of one and half years of classroom engagement of discussing subjects such as Constitutional Law and Transformative Constitutionalism. It tries to engage and respond to recurring pedagogical concerns that are becoming too difficult to ignore. In these one and half years I have observed increasing tendency among students to express strong and confident opinions in the classroom while engaging only superficially with the foundation texts like theoretical literature, judgments and historical context among the others. Instead of reading these trends as a student problem of disengagement, the paper locates these experiences as an indication of wider transformations in reading practices and learning cultures within contemporary legal education. Locating these experiences and observations in conversation with interdisciplinary scholarly works on reading and cognition, particularly the writings of Maryanne Wolf and Naomi Baron, this paper draws attention to how new age digital, and AI saturated environments are reshaping our attention, comprehension, contextualization and sustained reading habits. In context of legal education, the Carnegie Foundation's Educating Lawyers along with important critical interventions by Duncan Kennedy and Prof. Baxi provides a framework to understand this growing distance doctrinal familiarity and analytical preparedness among my students. In this backdrop, the paper documents and reflects on a set of recurring classroom patterns. First, students' growing dependence on summaries, snippets, YouTube videos, reels and AI generated contents. Second, articulation of surface level normative claims detached

from jurisprudential foundation. And third, the impact of these patterns for legal practice, research, higher education law and policy work among many others. The paper then shifts to reflective pedagogy, discussing a few classroom exercises that sought to respond to these challenges. These classroom exercises include use of vernacular literature, popular culture and experiential learning such as asynchronous case study-based module delivery. The paper does not intend to offer any strict prescriptive solutions. Rather, it puts forth questions about what it means to teach law in what may be termed as the beginning of a post literature classroom, the role of reading in constitutional understanding and my responsibility as a legal educator as I navigate shifting generational and institutional expectations.

Keywords: Legal Education - Constitutional Law - Post-literature Society - Classroom Experience - Reflection

1. INTRODUCTION

In the last one and half years, I have transitioned from field-based law and policy research into full-time academics. In this small duration I have engaged closely with my students enrolled in course such Constitutional Law I and Transformative Constitutionalism. These two courses are listed in two different semesters. Constitutional Law I is in the III Semester; Transformative Constitutionalism is placed in VII semester of a X semester law program. While each cohort has its own dynamics, there is this one recurring pattern that has surfaced in my observation and are becoming increasingly visible is student forming and articulating opinions within an atmosphere that can be described as a post-literature learning.

Before I move ahead, it is important to define, post-literature learning/society. Marshall McLuhan in his work, *The Gutenberg Galaxy* established this theory of future of reading and cultural cognition. He argued that emerging technology such as electronic media would fundamentally restructure the human consciousness which would lead to a global village where electronic interconnectedness would design new forms of mythic integration.¹ A breakthrough in this discussion came through the work of Neil Postman. He argued that transition from a

¹ Marshall McLuhan, *The Gutenberg Galaxy* (University of Toronto Press, 1962) 11

society shaped around reading to one built around television and moving pictures had weakened society's capacity for reasoned discourse.²

Among the contemporary work on the issue, Chris Hedges in his work documents the sudden rise of a post-literate society which is dominated by fantasy and illusion. He argues that modern societies contain two distinct populations with different cognitive and epistemic capacities. One, a literate minority capable of engaging with complexity, able to distinguish between illusion and truth and navigating nuanced arguments and second, an increasing majority retreating from reality or a contextual based understanding towards false certainty.³ And lastly, James Mariott's writings which is closely resonates to the subject of this paper. He argues that deep engagement with literary and serious texts retreats into marginal status.⁴ His work focuses on how dominance and increasing dependence on smartphones and shortform video content erodes the habits of deep reading.⁵ What these scholars and their writing is not addressing, is the origin and use of AI in 2025, further deepening the divide between reading and understanding and ready to use contents which is I am observing in my classrooms.

For instance, my Constitutional Law I course which comprises thirty-four students of BBA LLB program, many come without a substantial political/social science background. This is neither surprising as most of them are from commerce background, nor problematic itself, as providing that historical, contextual and conceptual base is very central to my work as an educator. But more striking aspect however is the uneven and irregular engagement with the assigned readings. When assign basic readings as an introduction to the course such as a chapter of *The Indian Constitution: Cornerstone of a Nation*⁶, and *The Constitution of India: A Contextual Analysis*⁷, a very small section of students which is often between eight to ten to percent, arrive having engaged deeply with these texts. This percentage is slightly better but broadly similar in the cohort of Transformative Constitutionalism comprising twenty-five

² Neil Postman, *Amusing Ourselves to Death: Public Discourse in the Age of Show Business* (first published 1985, Penguin 2006) 7

³ Chris Hedges, *Empire of Illusion: The End of Literacy and the Triumph of Spectacle* (Knopf Canada 2009)

⁴ James Mariott, 'The dawn of the post-literate society and the end of civilisation' (Cultural Capital, 19 September 2025) <jmarriott.substack.com/p/the-dawn-of-the-post-literate-society-aal> accessed 14 December 2025

⁵ James Mariott, 'The Dawn of the Postliterate Society' (The FreePress, 24 October 2025) <www.thefp.com/p/the-dawn-of-the-postliterate-society> accessed 14 December 2025

⁶ Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (first published 1966, Oxford University Press 2020)

⁷ Arun K Thiruvengadam, *The Constitution of India: A Contextual Analysis* (Bloomsbury 2018)

students from across BA/BBA/BCom LLB program where the readings are also slightly dense, the percentage is often between ten to fifteen.

This, in no circumstance, is a question of complete disengagement rather, most students happen to rely on quicker and modern day accessible on their fingertip's sources of information including social media, snippets, short videos, coaching institute reels, condensed summaries generated by AI tools like ChatGPT, Perplexity among others when forming their views. Though these sources provide immediate answers, they often inculcate opinions that are confident but insufficiently engaged in constitutional doctrine and history. Thus, the result is a set of views that indicates normative claims but struggle to capture the complexity and contestation that constitutional law demands. Students sometimes express disbelief about constitutional safeguards or social policies based not on sustained engagement with literature, but on limited exposure, experience or fragmentary online material. The perceived complexity of the subject itself sometime becomes a reason to seek shortcuts, strengthening surface engagement over deeper analytical reading.

The motive of this paper is not to approach these observations from the lens of blame. Instead, it locates them as sight of broader shifts in knowledge is being accessed, processed and valued in a digitally saturated world. The paper enters this discussion by examining the changing student engagement with reading practices and then turns to specific classroom observation drawn while discussing these two courses. The paper then reflects what these trends mean for discussing complex, theory intensive subjects and finally, it raises a set of questions about how legal education might respond to these conditions? How do we encourage sustained and critical reading in a post-literature age? How might legal education bridge the widening gap between quick opinion-driven engagement and the richer intellectual work that Constitutional Law requires?

2. METHODOLOGY

The paper is situated in a reflective, practice oriented methodological approach that is grounded in classroom engagement rather than formal empirical study. It draws primarily on my own experience of discussing Constitutional Law I and Transformative Constitutionalism across semesters in the last one and half years. At the core of this inquiry lies the systematic reflection on classroom engagements, interactions and pedagogical experimentation. I want to emphasis that these observations are not presented as mere anecdote, instead, they are read alongside

interdisciplinary scholarship on reading practices, learning theory and legal education in order to locate individual classroom experience within broader structural and institutional shifts.⁸ The methodological stance of the paper remains non-prescriptive and reflexive and the author's positionality, rather than making claims to generalisability. By doing so, the paper treats reflective practice as a legitimate and necessary mode of scholarly inquiry.⁹

3. CONTEXTUALISING THE ISSUE

Within the living tree conception of legal education, on the most significant shifts I am observing, concerns how students are approaching learning in a digital age.¹⁰ If I recall my own law school days, engagement with constitutional law was shaped in the expectation of rigorous and extensive reading. Faculty members regularly listed multiple texts, commentaries, Constituent Assembly Debates and many other relevant literatures, encouraging rich discussions rather selective consultation. Students spent hours in libraries with the assembly debates and the works of HM Seervai¹¹, MP Jain¹² and many others. These students and these spent hours might not be exceptional but formative, which allowed them to piece together constitutional meaning through layered and often competing interpretations. Deep reading was not merely an academic requirement; it was part of the culture of learning law.

My observation of contemporary classrooms, however, reflects a significantly different relationship with sources. Digital technologies have completely transformed how students access and process information, thus, as a replacement for engaging in several texts over extended periods, students normally rely on condensed formats such as short videos, blog summaries or AI-enabled tools to acquire a handy understanding of legal concepts.¹³ While these sources can offer quick answers, accessibility and can serve as convenient aids for revision or orientation, they hardly cultivate constant engagement with the philosophical foundations, doctrinal evolution, or normative reasoning that underpin constitutional provisions.

⁸ Carolyn Ellis, Tony E. Adams, 'Practicing Autoethnography and Living the Autoethnographic Life', in Patricia Leavy (eds), *The Oxford Handbook of Qualitative Research* (Oxford University Press 2020)

⁹ Donald A. Schön, *The Reflective Practitioner: How Professionals Think in Action* (Routledge 2017)

¹⁰ Naomi S Baron, *Words Onscreen: The Fate of Reading in a Digital World* (Oxford University Press 2015)

¹¹ H.M. Seervai, *Constitutional Law of India* (first edition 1967, Law & Justice Publishing 2023)

¹² M.P. Jain, *Indian Constitutional Law* (first published 1970, LexiNexis 2018)

¹³ Jonathan H. Choi Kristin E. Hickman Amy B. Monahan Daniel Schwarcz, 'ChatGPT Goes to Law School' (2022) *Journal of Legal Education* 71

These anxieties and questions are not unique to my classroom itself. Scholars across disciplines have documented what has been described as a weakening of deep reading in digital age by Maryanne Wolf.¹⁴ Nicholas Carr further caution that digital environment prefers speed and information over intellectual patience.¹⁵ Scholarships from legal education as well have echoed similar concerns. Duncan Kennedy's critiques the culture of training students to perform opinions rather than inculcating critical legal reasoning.¹⁶ If we turn to Indian context, Prof. Baxi through his writings has emphasized that constitutional understanding cannot be separated from histories of social struggles and exclusion.¹⁷ Nandini Sundar through institutional critique, highlights the increasing prioritization of credentialism and performance over contextual and historical understanding with Indian universities.¹⁸ These notions presented by various scholars, resonate strongly with my classroom experience.

Under no circumstances, I am reducing this shift only to questions of convenience. Rather, it indicates a larger transformation in learning culture where quicker access to information is increasingly substituting dense and demanding texts.¹⁹ Thus, in the environment shaped by short attention cycles and plenty of information, it is easier to engage with a five-seven minutes explanatory video than to immerse oneself in reading a judgment in its entirety. Consequently, the result is not just simple decline in reading, but the subsequent erosion of close reading, interpretive patience and critical depth that constitutional law learning has by tradition sought to cultivate.

4. OBSERVATIONS FROM THE CLASSROOM

The patterns of engagements in the present age which have been discussed in the above section, become visible in my classroom. In the very early days in my Constitution Law I class, for example, I would ask the students to read a chapter from Granville Austin²⁰ so that it helps us situate the framing of the Constitution with the socio-political and historical context. However,

¹⁴ Maryanne Wolf, *Reader, Come Home: The Reading Brain in a Digital World* (HarperCollins 2018)

¹⁵ Nicholas Carr, *The Shallows: What the Internet Is Doing to Our Brains* (WW Norton & Company 2010)

¹⁶ Duncan Kennedy, 'Legal Education and the Reproduction of Hierarchy' (1982) 32 *Journal of Legal Education* 591.

¹⁷ Upendra Baxi, 'Legal Education in India: Problems and Perspectives' (1976) 11(3) *Journal of the Indian Law Institute* 357.

¹⁸ Nandini Sundar, 'Teaching and Learning in Indian Universities' (2018) 53 (41) *Economic and Political Weekly* 15.

¹⁹ Naomi S Baron, *How We Read Now: Strategic Choices for Print, Screen, and Audio* (Oxford University Press 2021)

²⁰ *Supra* at 7

most of the students chose to rely on AI generated chapter summaries and some of them on short YouTube videos but not the assigned chapter. Now what I observed is, these summaries and videos, though provided the students with a coherent overview and they will narrate the whole summary, resulted in discussions that would largely remain descriptive. The students would be in a position to identify the themes, but they will struggle to engage with the more nuanced and texture insights that have shaped the constitutional design.

Broadly similar but little different patterns surfaced in the Transformative Constitutionalism class. In order to understand why Constitution has extended the socio-economic safeguards for certain marginalized communities, we were discussing a chapter from *The Speaking Constitution*²¹ to better contextualize the issue. Students in the beginning were able to connect empathetically with the episodes of caste bases exclusion and daily discrimination presented in the autobiography, but when our conversation shifted on the methods of constitutional responses, particularly the affirmative action, many students moved quickly towards normative critique of reservation. Now these critiques are often articulated without any corresponding engagement with the historical injustices, structural inequality that made such provision a constitutional necessity. Here again, I believe, the opinions shaped were less by close reading and more by fragmented knowledge drawn from popular discourses of condensed sources and I believe, by their own privileges, that is now allowing them to see through a different prism. As a result, the discussions would largely move around rhetoric, rather than meaningful discourse on caste or social justice as the sight for constitutional transformation.

Drawing a common thread from both the courses and based on my personal interactions with the students, I can say that reliance on quick sources be it digital summaries or unsolicited assumptions deeply rooted in social privilege had a noticeable effect on the depth of classroom engagements. Thus, the opportunity to immerse and grapple with the philosophical foundation, historical compromises and substantive ambitions of constitutional provisions were curtailed.

5. PEDAGOGICAL SHIFTS

When I come to this realization that assigning readings was not working in the manner, I thought it would, my immediate response was frustration be to very honest. Coming from a background in field research-based law and policy interventions, I had internalized rigorous

²¹ K.G. Kannabiran, *The Speaking Constitution: A Sisyphean Life in Law* (HarperCollins 2022)

reading as non-negotiable. I was being guided by own baggage. Briefly, I found myself questioning why students are investing what is perceived as minimum effort required to engage seriously with constitutional law.

However, this reaction was short-lived, and it soon gave way for self-reflection. I began to question my own pedagogical assumptions and not the students' intent. Maybe the problem was not the students' unwillingness to engage, but my emphasis on a mode of classroom engagement that no longer resonated. This marked a subtle but prominent shift from expecting reading to instinctively generate interest, to recognising the need to provide context before asking students to encounter dense literature.

Gradually from the middle of the semesters, I began looking for alternative entry points for discussing constitutional ideas. Popular culture became one such entry point, not at all as a substitute for academic literature, but a bridge to them. Cinema, web series, reels cut from the parliamentary speeches and courtroom proceedings offered ways to open discussions before introducing the text, I really wanted the students to read. For example, when we began discussing caste, minority rights or gender, I would begin with a film released in that duration like, *Homebound*, the movie captures the daily life struggles of caste hierarchies, labour migration during the COVID-19 period and cases of preferring boys' education over girls in the families or reference to Chaitanya Tamhane's *Court* which portrays labour safety and manual scavenging, opening discussions on constitutional dignity, health and economic justice. This allowed students to encounter structural injustices in a storytelling and accessible form.

Only then we turn to academic text such as *India's Forgotten Country*²² or *People's Constitution*²³ which were always my intended destination. The difference I observed was that students would now approach the prescribed reading with some context and emotional grounding.

In another measure, I began drawing consciously from vernacular literature. Stories allowed constitutional aspirations to be introduced in manner that abstract doctrine could not. Like, when discussing what Constitution means and signifies to a common citizen, I would narrate

²² Bela Bhatia, *India's Forgotten Country: A View from the Margins* (Penguin 2024)

²³ Rohit De, *A People's Constitution: The Everyday Life of Law in the Indian Republic* (Princeton University Press 2020)

Manto's Naya Qanoon.²⁴ It's ironic and tentative hope would help us frame conversations about constitutional promises and their expectations. Or literature like, *Joothan*²⁵ would tell the struggles of marginalized communities are facing from their childhood. It will bring a lived realities into the classroom. And only after these stories, would the class turn to bare provision, case laws and theories.

Another intervention that proved unexpectedly productive emerged in the Transformative Constitutionalism class. In particular, this was a module that traced the beginning of transformation but not through any landmark judgment thus deliberately displacing the Supreme Court as the primary site for constitutional transformation. Our aim was to unsettle the deep-rooted assumption in legal education that constitutional changes are driven by judicial decisions. So instead of discussing this module through curated readings and lectures, we converted it into asynchronous, caste study-based seminar presentations. Students in groups were asked to trace constitutional transformation through legislation, welfare scheme and policies and social movements.

The result surprised me. Students went beyond the indicative legislation, schemes and movements such as MGNREGA, 73rd and 74th Amendments, Chipko and Narmada Bachao Andolan and they began mapping transformations via conducting interviews with workers, women, village people, practitioners and academics on those lines. Their presentation combined field interactions, policy analysis, historical context and constitutional reasoning in a manner that was more grounded in context than many classroom discussions.

These experiences unsettled my earlier assumptions about reading and classroom engagement. It indicated that when students encounter constitutional ideas via lived realities or from the context of lived realities and experiential learning, they may find more meaningful pathways back into texts and philosophy. And for me, this exercise opened a pedagogical possibility worth holding onto that is, integrating experiential learning with heavy, academic dense reading and that it would not dilute the teaching methods but would foster an environment where deeper engagement with literature becomes possible.

6. IMPACT AND REFLECTIONS

²⁴ Saadat Hasan Manto, 'Naya Qanoon' (*Rekhta*) <<https://www.rekhta.org/stories/nayaa-qanoon-saadat-hasan-manto-stories?lang=hi>> last accessed 15 December 2025

²⁵ Om Prakash Valmiki, *Joothan* (first published 1997, Radhakrishan Prakashan 2015)

These intervention designs did not transform the classroom overnight. Even with continuous efforts, the increase in the percentage of students in deep engagement was modest, perhaps from ten to fifteen percent in Constitutional Law I course and from fifteen to twenty percent in Transformative Constitutionalism course. Yet, this small but incremental shift mattered. It indicated that while no single approach can undo the embedded reading habits, conscious context building can lower the threshold of entry into perceived difficult literatures.

Throughout this process of these experiments and finding my way from research into teaching, I found myself in constant exchange with colleagues. I shared doubts, frustrations, failed experiments and small successes. These informal yet candid interactions became an important source of reassurance. One colleague's remark has stayed with me, "*do not abandon the methodology you believe in; working with students takes time, but it does yield results.*" That reassurance did not settle my doubt, but it allowed me to remain with it.

Writing this reflective journey has not led me to settle pedagogical position, if anything, it has, I believe, heightened my awareness of the fragility of teaching in a post-literature classroom. I continue to oscillate between experimentation and hesitation, yet I remain committed to the belief that presenting context, plot, and perspective, can still open ways towards deeper engagement. Teaching, in this sense, becomes less an act of transmission and more one of accompaniment, walking alongside students as they slowly approach the texts that give constitutional law its depth and meaning.

7. HENCE, NOT A CONCLUSION

This paper is not prescriptive, it does not arrive at any conclusion/answers. It ends where it must, with questions that remain unresolved and impossible to ignore. The classroom experiences and observations discussed here compel me to ask whether we are really witnessing the beginning of a post-literature or post-reading culture or whether this analysis itself is premature, shaped by my own training and expectations? Is the difficulty here one of unwillingness to read or of unfamiliarity with why reading matters in the first place? And if students arrive in law school already shaped by educational systems that reward performance over inquiry, how much responsibility can or should be placed on them alone?

These questions without a doubt turn inward and invite more introspection. To what extent is my pedagogical instinct guided by the way I was taught? When I shift to popular culture, stories

and films as entry points into constitutional ideas, am I meaningfully adapting to changing learning environments, or merely finding ways to hold attention long enough to return to texts that I continue to regard as central? Above all, there is one more uncomfortable question, am I doing enough or am I asking the students to cross a bridge that I am still learning how to build? The modest increase in the classroom engagement followed by pedagogical experiments offer neither reassurance nor failure, but a partial affirmation which indicates that teaching in this moment may be less about measurable impact and more about incremental shifts, slow and patience persuasion.

Based on my limited experience with limited students at a law school, yet at the larger canvas, this raises questions about the future of legal education. What risks lie ahead if engagement with texts continues to decline? Can the constitutional values such as equality, dignity, fraternity, justice be understood without extended encounter with histories, struggles and argument that have them form? And if opinion without deep reading increasingly preceded, what will happen to the very practice of constitutional reasoning?

These questions remain unresolved. It invites fellow students, teachers and institutions to reflect on their practice, assumptions and responsibilities. In a classroom that is shaped by speed, opinion and abundance of information, perhaps the most honest pedagogical stance is not certainty, but sustained inquiry.