

Knowing, Being and Becoming: Exploring the Lived Experience of Learning Law



*I kind of like the murkiness.
It's very human.
(Bea's story)*

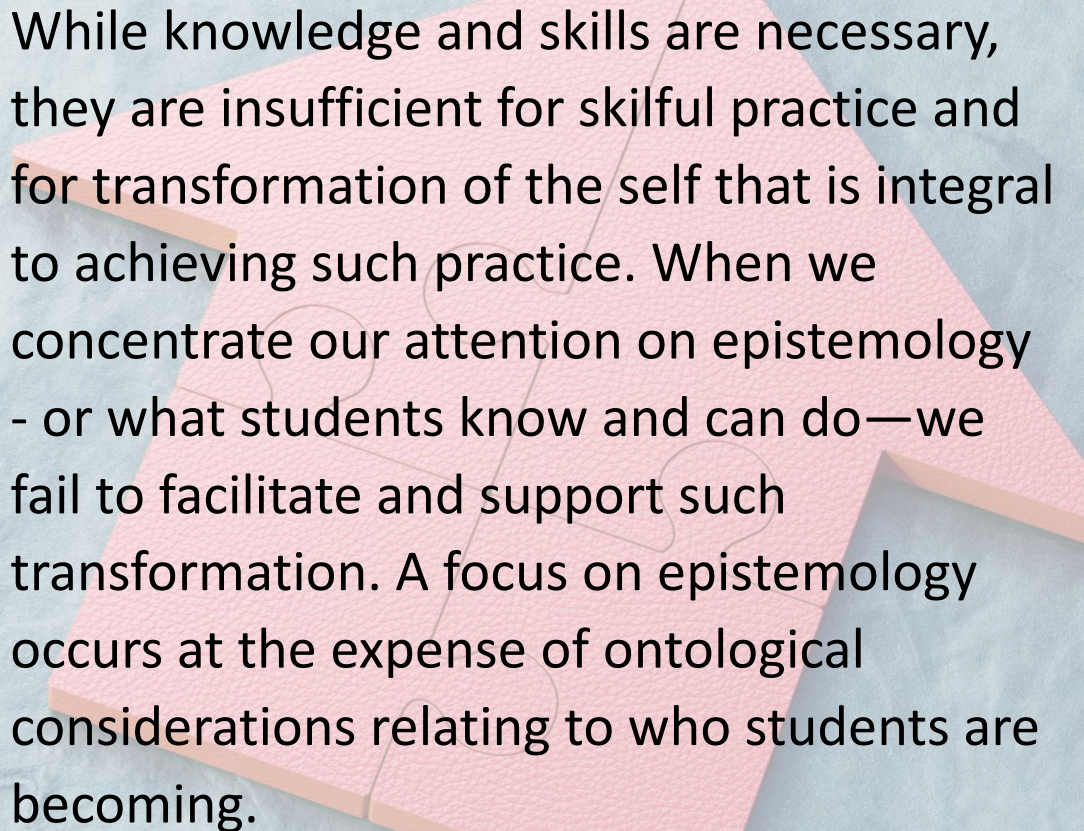
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Starting with a 'research puzzle'

all significant matters have become inherently disputable (there is no retreat to a world of secure categories), a genuine higher education cannot content itself with a project either of knowledge or of skills, or even of both. It has to do with being, for it is being that is fundamentally challenged in and by a world of supercomplexity.

(Barnett, 2009:439)



While knowledge and skills are necessary, they are insufficient for skilful practice and for transformation of the self that is integral to achieving such practice. When we concentrate our attention on epistemology - or what students know and can do—we fail to facilitate and support such transformation. A focus on epistemology occurs at the expense of ontological considerations relating to who students are becoming.

(Dall'Alba, 2007:34)



*My Dad likes to tell a funny,
(it's not funny at all,
it's been overtold)
but he likes to tell a story.*

(Zoe's story)



Working in a three-dimensional inquiry space
(Clandinin & Connelly, 2000)

- Interaction (personal/social)
- Continuity (past/present/future)
- Place (context/physical setting/character)

Deweyan focus on experience – moving in and out of the field of research, gathering participant stories, with pragmatic and ethical purpose.



Narrative Inquiry as methodology

Enables exploration of...

the immediate intersubjective relationships in which a narrative is produced, the collective social field in which one's life and story evolved; and the broad cultural meaning systems or meta-narratives that underlie and give sense to any particular story

(Zilber *at al.*, 2008:1047)



The role of theory - a 'conversation' between literature and life

Formalists begin inquiry in theory, whereas narrative inquirers tend to begin with experience as expressed in lived and told stories.

(Clandinin and Connelly, 2000:40)

the need to place participants' stories in the foreground meant moving my theoretical frameworks to the background. From that position they informed my understanding but did not presuppose a particular construction from participants' stories.

(Baxter Magolda, 2004:36)

'Ways of Knowing' personal epistemology

Students interpret, or make meanings of, their educational experience as a result of their assumptions about the nature, limits, and certainty of knowledge. Such assumptions, referred to by researchers as epistemic assumptions (Kitchener, 1983), collectively form "ways of knowing".

(Baxter Magolda, 1992:2)

For Baxter Magolda these 'ways of knowing' can be framed as:

- Absolute
- Transitional
- Independent
- Contextual



‘Ways of Being’ Self-authorship

We expect students to develop an internal sense of identity - an understanding of how they view themselves and what they value...We expect them to integrate these ways of knowing, being and interacting with others into the capacity for self-authorship - the capacity to internally define their own beliefs, identity and relationships. This self-authorship, this internal capacity, is the necessary foundation for mutual, collaborative participation with others in adult life. (Baxter Magolda, 2004:xvi).

Three linked dimensions of self-authorship

Cognitive

Intrapersonal

Interpersonal



Stages of self-authorship

(Baxter Magolda, 2004:xviii)

Following External Formulas:

Following formulas for knowing the world drawn from the external world around. External influences are dominant.

The Cross-roads:

Individuals experience dissatisfaction that arises from ignoring internal needs and perspectives and identify the need to begin looking inwards for self-definition.

Individuals recognise they need to move away from reliance on external influences, but have yet to achieve this.

Self-authorship – becoming the author of one's own life:

Individuals are now deciding what to believe, how to define their identity and how to interact with others, constructing their own approaches to knowing, identity and relationships.

Achieving Internal Foundation:

A stage of grounding. Individuals are able to manage external influences rather than being controlled by them. They are contextually aware, taking into account consideration of external perspectives and others' needs.

Blurring of reasons for choosing law

- Timing - early interest
- Personal Experiences
- Interest in discipline/ disciplinary way of thinking
- Perception of 'lawyerly' personality traits (as observed by others)
- Indirect influence/ approval of family



'I was eleven – I stuck to my guns'

Ways of beginning (Ana's story)

Timing

I was in year seven when I decided

'I'm going to be a solicitor'

I was eleven

I stuck to my guns.

I was too stubborn,

Didn't really think about anything else?

This is what I was going to be,

there was no alternative for me.

.....

Interest in Law as a Discipline

Something could be interpreted in so many different ways

and picked apart

it was fascinating and it drew me in

it was like 'This is what I want to do'

Characteristics of a lawyer

Whenever I said 'I want to be a solicitor'

everyone said 'Oh, you'll be good for arguing then' (both laugh)

"That's what you do, you argue every side of everything'

and I was like 'Yeah, it's great'

So that was, yeah, that's what drew me.

'You sort of know what the deal is' - the role of family (Zoe's story)

I never considered anything else.

*It wasn't until sixth form
that I ever considered doing anything but law.
I always knew I was going to end up doing law*

*I think it's partly because immigrant parents,
they want you to become a lawyer or a doctor,
you know, some sort of profession,
I guess you could say it was that.*

*It wasn't like a pressurising thing,
they didn't say 'You have to do this'
You sort of know what the deal is.*

I never considered anything else.

'Prom Night' Personal experience - Ed's Story

Prom night I got picked up by the police.

Then my Dad's actually in prison.

I guess it's loads of different things

I guess maybe a feeling of helplessness with the law?

You don't understand the law unless you know a lawyer.

I think that's where a part of me got into it.

That ... and me being arrested.

I sat in the cell

being in a cell was not that nice,

I guess that makes sense.

I didn't really know what was going to happen,

I guess a sense of helplessness.

I think most things you can google and find out,

if your bike broke you can watch a movie on YouTube how to fix it.

With law you can't do that,

I guess that kind of inspired me.

Blinders and that balancing act (Zoe's story)

*On my way here on the bus
I was thinking about how third year for me
is really a balancing act.*

*Putting my blinders on,
but also trying to see the bigger picture.*

*It's the balancing act,
really concentrating in the moment,
really concentrating,
making sure I'm sat in that lecture
really listening,
really observing,
really being the best student that I can be*

*Then taking that a step back
really making sure that outside of this
lecture*

*I'm doing the prep for my workshops
and taking it further out,*

and further out

and further out

so far out that you go

'Right,

now I've got to make sure that

*I'm setting the stones for what happens
after university'*

*Applying for things,
going to events,
'networking' (laughs),
meeting people,
exploring different options,
different avenues.*

*I almost make myself laugh when I'm sat in lectures
thinking of the bigger picture,
because I should be zooming in right now
because you can't get there
if you can't get through this.*

*So that's what third year is for me
that balancing act.*





Recognition of a need for a more holistic approach to the study of law

Space and time for:

self-reflexivity, the development of understanding of how the past has shaped the present and how one's own situation is related to the larger social world, as well as entertaining and probing possible models of identity

(Sullivan *et al.*, 2007:32)

Practical application

‘The Student Lawyer’ in the new LLB

- Holistic, programmatic thread that runs throughout LLB
- Supporting focus on professional identity formation, personal and professional development in context
- Matter of interpretation for each student as to the meaning (not assuming professional law as destination at end of LLB)
- Practical approach through project work involving external engagement (student lawyer projects) to support skills development
- Focal point enabling metacognitive awareness of learning across the LLB through reflective practice

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