

THE NLS LEGAL EDUCATION GROUP

Newsletter 3 (Mar 2009)

The third meeting of the Nottingham Law School Legal Education Group was held on Wednesday 4th March 2009. The LEG, led by Becky Huxley-Binns and Jane Ching, engages in research in legal education and as a result aims to raise the profile, internally and externally, of the teaching quality within Nottingham Law School. This meeting, led by Graham Ferris, discussed some different ways to consider values in education, in higher education and in legal higher education. Graham adopted a matrix, represented below, to structure the discussion. The bottom row is blank to represent an analytical space that has not yet been explored but will in time involve a consideration of the concerns of others in legal education, whether such concerns are legitimate, how they might be interpreted, and by whom; matters which are far from straightforward. Graham is currently researching legal education in the affective domain (with colleagues across the UK) and research has shown that legal education can harm students to a measurable extent. There is reason to believe that the identification and explicit integration of 'values' can remove the alienation of the subject matter to the student and increase engagement, purpose and understanding. Graham has found the following three authors particularly helpful in formulating his thoughts: Sen (*On Ethics and Economics*), Frankl (*Man's search for ultimate meaning*) and Frankfurt (including *The Importance of What we Care About* and *The Reasons of Love*).

	AIM (A value for its own sake)	INSTRUMENTAL (Important because it meets another need/purpose)	SOURCE
Students	A devalued curriculum encourages students to focus on assessment as the only important end ("Is this on the exam?"). The problem is not one of cognition, but of feeling. If students are to gain understanding, we need to recognise and engage with how they feel about their learning. The adoption of a value by a student does not need assessing, may be impossible to assess, and should not be assessed in principle.	A wholly black letter law approach to teaching embargoes discussion on values and the context within which the law operates. Conversely embedding or examining implicit values may be instrumental in improving understanding of the black letter law, and engaging the student. For example, an approach which encourages empathy with the parties in case can produce a clearer understanding of the legal rules governing that dispute.	THIS LIST IS NOT EXHAUSTIVE (perhaps could and should never be by the nature of the discussion) but may give readers some ideas: <ul style="list-style-type: none"> Professional ethics 'Broader' ethical debates Rational handling of disputes (probably a norm in education) Religion Community Group loyalty
Staff	The role of the teacher in HE within their own expertise reveals a power to deliver 'authoritative' law. Unless we care about what we are teaching and are aware of what we are doing and why we are doing it, we cannot do it better, for ourselves or our students. Rather than being the fount of all wisdom, when values are in the teaching room, the teacher may be exposed and feel vulnerable, but that fosters trust, confidence and respect. There are no 'right' answers.	Anecdotal and research evidence suggests that a passionate teacher is an inspirational teacher and students engage with modules where they are inspired by the teacher better than otherwise. Whether the value is implicit or explicit (preferably the latter), an inspirational teacher enhances student understanding. If the teaching is within a team, there must be a consensus within the team because the value must be valued by the team of tutors as well as the student.	Consensus values in FE such as: <ul style="list-style-type: none"> truth (whatever that may mean), open discourse, freedom to exchange ideas ... <p>Values may be countered, not agreed, controversial, rejected, etc. but their very presence fosters student choice.</p>
Other			

Would you like to join us? The LEG is open to *all* academics in all 3 divisions of the Law School, and you do not have to be interested in publishing in legal education. If you are interested in what we teach, why we teach it and how, you are more than welcome to join us, either for a single session or at every meeting. The next meeting is on Monday 8th June 2009 and Joy Davies is leading a discussion on assessment.

Dates for your diaries.

- The Association of Law Teachers 44th Annual Conference is in Amsterdam on Sunday 5th to Tuesday 7th April inclusive.
- The NLS learning and teaching internal conference is on 16th June 2009. Jane Ching and John Tingle have invited all staff by email and will be circulating more information nearer the time.