Understanding Law, State and Society:  
a practical pedagogic perspective

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Introduction
For the majority of law students the decision to study law is driven by the desire to become a solicitor or barrister, and their vision of themselves as graduates is often very traditional. The creation of a single honours law degree at Ulster has provided the Law School with the opportunity to create new modules to develop student insight into the role of law in society, and to expand their view of the vocations open to them post-graduation. Law, State and Society is one such module, developed as a 10 credit point first year module in line with objectives outlined during the law degree’s validation process, to make first year law teaching more oriented towards ‘law in context’ and give it more of a ‘socio-legal’ flavour. The approach adopted within this module, which ran for the first time in 2008-09, encouraged student engagement and active participation in the learning process, as advocated by Graham et al (2007) who state that “a diverse body of educational research has shown that academic achievement is positively influenced by the amount of active participation in the learning process” (p.234).

This note outlines the innovative nature of the module content and course delivery, and utilises student feedback to evaluate the extent to which the module objectives were achieved. It concludes with some thoughts on the role of academic staff in encouraging student engagement.

Module content
The module aims to fulfil the brief of addressing ‘law in context’ by highlighting issues of current controversy where there exists obvious potential to bring to bear not only legal but also political, economic, sociological or other social-scientific forms of analysis. A principal objective is to open up discussion so as to get behind the technical analytic elements of any of these disciplines in order to generate discussion and critical thought on basic issues of social justice and the core connections between law, state and society. A
second objective is to situate discussions on the local connections of these elements within another set of potential discussions as to the connections of the local with the global. Inherent within this is the idea that the module should remain responsive to contemporary controversies and so it is expected that the course content will vary largely from year to year. A third objective is to ensure high levels of teaching expertise on the issues addressed, facilitated by either having the teaching team teach to their research interests, or by bringing in specialist outside speakers. Typically, the module would aim to include guest presentations for 2 or 3 weeks of the module, and, in support of the research specialisations of the teaching team, use films, documentaries and/or reports for the remaining weeks. To these ends the module has included the following thematic content from 2008-09 to 2010-11, the specific material of the ‘lecture’ session being complemented by some required and recommended reading.

Films
The use of films as an educational resource is well documented both within law (Greenfield et al, 2001) and beyond it (Buchanan and Huczynski, 2004; Billsberry and Gilbert 2008; Smith, 2009; Ambrosini et al, 2009). Films chosen for the module have been balanced between the more ‘traditional’ law films, specifically demonstrating various workings of the legal system, and others that have been chosen to encourage debate in a wider context, illustrating less obvious connections between law, state and society. All films are followed by directed discussions and small group work feeding back into large group discussion. The films have included ‘M’, (M. 1931. Fritz Lang. Germany: Vereinigte Star-Film GmbH.) which deals with a serial child-killer in 1930’s Germany being held to a form of popular justice by his criminal peers. This film stimulates discussion on key areas such as the rule of law, sovereignty, and the legitimacy of justice mechanisms. The film ‘Twelve Angry Men’ (1957, Sidney Lumet, USA: United Artists) has also been used, and is followed by discussion on the themes of the institutions of democracy, jury trial, social stereotyping, gender stereotyping and the nature of evidence. The showing of the films ‘Hotel Rwanda’ (2004, Terry George, UK/South Africa/Italy: Miracle Productions) and ‘Judgement at Nuremberg’ (1961, Stanley Kramer, US:
United Artists) has enabled directed discussion on the themes of international law and justice, the role of the UN, the institutions of the UN, patterns of globalisation and global justice, the meaning of genocide and the manipulative power of film.

**Guest speakers**
The use of guest speakers has been a particularly successful aspect of the module. Speakers have included representatives from the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) and Youth and Victim Support, each with different perspectives on aspects of victimisation, and speaker presentations have been followed by exercises and discussion on the themes of criminality, social exclusion, voluntarism, intentionality and access to justice. We have also had specialist presentations by the NI Human Rights Commission, the Committee for the Administration of Justice, the Children’s Law Centre, and the Public Interest Litigation project, followed by directed discussion on the nature of human rights, the local qualities of human rights, the propriety of a bill of rights for Northern Ireland, and the role of law in protecting individual and group rights. Other topics built on some of these themes and have included issues of access to justice, international law and global political hegemony, and the understanding of, and need for, developing human rights protections in NI. Students were also given a presentation on the issue of university tuition fees by Professor Richard Barnett, allowing them to develop a legal framework around what is generally perceived to be an economic and political issue, at a time when the Minister of the Department of Education and Learning (DEL) was finalising his consultation paper on the subject. Finally, the NI Education Minister, Caitríona Ruane gave a presentation on the issue of post-primary transfer arrangements. This was preceded by small group discussions on the research reports and policy documents related to transfer arrangements and was followed by a lively debate between students and the Minister.

**Reports and Documentaries**
As the module was running in 2007-08 the ‘Eames Bradley’ report on ‘The Past’ in Northern Ireland was published, amidst considerable controversy. The teaching team led a presentation on the report
and its reception by the Northern Ireland public, followed by directed discussion on issues addressed by the report such as ‘Memorialisation’, ‘Recognition payments’, ‘The Legacy Commission’ ‘Education’ and core interrogation of the supposed need for measures to address directly ‘the past’. These discussions were also linked to discussions which arose from the viewing of the film ‘Hotel Rwanda’. The film ‘Judgement at Nuremberg’ was used in 2010-11 to set up discussions on dealing with the past, including proposals to deal with the past in Northern Ireland, and this was followed by a guest presentation by Denis Bradley, co-author of the Eames-Bradley report, and a student-led debate. Documentary material was also used to address the issue of capital punishment, through a showing of the BBC NI documentary ‘Last Man Hanging’ (*Last Man Hanging*, 2008, BBC2, September 8, 9pm) which charted the circumstances surrounding the murder of Pearl Gamble and the subsequent trial, appeal and death sentence given to Robert McGladdery, the last man to be hanged for murder in Northern Ireland. This was followed by a debate between students and the director of the BBC documentary, Stephen Douds, and led to small group discussions on the issues arising from this debate.

**Module teaching and learning arrangements**

**Team Teaching**
As a way to develop the depth and breadth of the course, it was decided that the two lecturers involved in the module would team-teach, rather than each teach for three weeks of the six. While team teaching arrangements can be more resource intensive, in that it allocates two members of staff to the same teaching slot, the teaching team agreed to be credited with a reduced teaching allocation for this subject. This compromise reflects the strong view that team-teaching would provide students with a number of benefits including the legitimacy of contrasting academic approaches to topics as a means of understanding that the core of academic practice is cogent argument, rather than resolution or agreement, as well as requiring the lecturers to be responsive not only to the students but to each other, creating a greater vibrancy to the class discussions. This approach to the module encourages students to “actively explore ideas confidently with others; and learn to value
perspectives other their own” (Rush and Balamoutsou, 2006, cited in Trowler, 2010 p.1).

Large group sessions
Because of the basic (in the sense of foundational) nature of the topics the module deals with, it was decided not to follow the standard practice of splitting the large lecture group of between 65-110 students into small seminar groups, but to maintain the integrity of the group and have an integrated lecture/seminar approach. There were several reasons for this decision:

- so that the students might have a sense of themselves as being part of a large conversation about their own place and role as the next generation of lawyers to take on the task of forming and administering the justice system in Northern Ireland, and to have the further sense that this is not a matter isolated from global political conditions;

- so that the students through large group interaction might get to know each other better and generate a sense of the ‘class of 2009/2010/2011’;

- To maximise the possibility that the fullest range of contribution to this conversation should be heard by everyone in the group, in particular since the exercises and discussions generated were directed towards opening up a sense of exploration and debate, rather than to tying down technical answers to particular questions as is more usual in law teaching.

Small group sessions
In order to combine the benefits of small group teaching, in terms of accommodating the lively interactive input of a small group of people on a limited theme, with the benefits sought through keeping the large group together, the class was split into smaller groups to discuss a directed theme distilled from large group discussions. Each group was then invited to give feedback to the large group, in turn generating a wider discussion. The division between, and time devoted to, large and small group teaching varied from week to week. Some weeks, for example, began with guest presentations,
followed by large group discussions, and then smaller groups were used to develop deeper discussions which were fed back into a large group discussion. The fluidity of the format enabled the teaching team to respond to the level of interest generated in the topics under discussion, and to facilitate the most successful forms of student engagement with the issues.

**Student evaluation**
Students were made aware that Law, State and Society was a new module, being taught in a slightly different way from traditional law modules and focusing on different skills and techniques than their core modules. The teaching team sought qualitative feedback on the module alongside standard module evaluations. This feedback took the form of general questions inviting all students to critically reflect on what they felt to be the most positive and negative features of the module and on how the module could be further improved. Feedback overall was very positive, covering a range of issues.

**Group participation**
Encouragingly, the overwhelming majority of the students commented favourably on the group participation aspect of the module. While identifying the requirement to speak out in a large group as often intimidating, the majority of students felt that this aspect of the module was positive. In particular, a number of evaluations suggested that learning to speak in this environment boosted confidence, allowed for more views to be expressed and facilitated greater interaction. A small number of evaluations, however, stated that it was harder to ask questions in a larger group, although these students still identified the aspect of group participation as a positive feature of the module.

During the large group sessions there was often a disparity between the volume of contributions made by some students, which tended to reflect greater contributions made by the part-time students as compared with full-time students, a point highlighted in the evaluations. This was an aspect of the large group discussions the lecturers were aware of, and attempted to deal with through small group discussions which then fed-back to the larger group, as well as encouraging the ‘younger’ students to make more contributions, with the latter feature identified by students as being positive. The
small group work within the larger group was particularly well received, and evaluations reinforced this, with most stating that this was a positive feature of the course. Groups were allocated according to the themes identified by the students in the large group discussions, and students then elected to join whichever group discussion was of most interest to them. As the students did not sit within their usual seminar groups, over the course of the module they were able to interact with a greater range of students. This was also seen as being a positive feature, allowing them to hear different opinions. Others related this advantage beyond the legal issues within the course, such as ease of interaction with other students within and outside class. The feedback element of the small group sessions was also identified as being positive. This aspect of the course was also used by the teaching team to counteract the reluctance of some students to participate.

**Team teaching**
The evaluations were uniformly positive about the team teaching aspect of the course, providing students with access to contrasting academic styles which was seen as making discussions more interesting.

**Nature of the course**
The evaluations revealed that the use of media material was overwhelmingly popular, providing a means of bringing different topics to life. The use of presentations was generally considered to be enjoyable and informative, but inevitably some presentations were felt to be better and more relevant than others, and one student felt that some of the presentations were too much like ‘lobbying’. Gradually a bank of reliably interesting and engaging outside speakers is being developed.

Overall the nature and content of the module were very well received, and evaluations suggest that the main objectives of the module were achieved.

**Teaching team evaluations and conclusions**

**Module content**
The design of the module is that it should be responsive to issues
of current interest and/or controversy to engage the students in debates to which they are already attuned because of wider media attention. The content seemed to be received well or less well depending on two principal factors, one predictable and one not so predictable.

Predictably the interest of the students varied according to their perception of the qualities of the outside speakers who were brought in, and although reactions varied (according to the feedback) it is of course important to get the best possible external contributors, and to work with them on an appropriate presentation for the group (as regards length, content, interactive elements, and so on). With this in mind, the guiding factor remains our commitment to the material that we would like to see addressed.

Less predictable was the indication from the evaluation that a high proportion of students really did not like addressing issues about Northern Ireland, finding them either ‘boring’ or ‘too sensitive’ and much preferred the wider considerations of international law, global justice, etc. This does not of course dictate an automatic pandering to this view, but does give pause for thought as to the sensitivities of the (mainly local) student group, topics to be covered, and how best to cover certain topics.

A further advantage that can be identified was in highlighting the existence of the law degrees to a wider audience in Northern Ireland, in particular for those organisations approached to provide guest speakers who were unfamiliar with law provision at Ulster. It was also particularly encouraging that all of the guest speakers commented positively on their experiences of presenting to these law students, and the quality of the student contributions to the discussions. These networks of support are expected to generate ongoing interest from guest speakers and relevant governmental and voluntary sector organisations in the further development of law at Ulster.

The use of films and documentaries was also regarded by the teaching team to be a successful innovation, facilitating and encouraging students to develop their thinking on, and discussions around, different topics.
While the content was necessarily focused on ‘legal’ issues – broadly interpreted – the module demonstrates that innovation in course design can exist even within traditional, technical and professionally oriented subjects. Law remains a very traditional degree, with elements that require to be included to meet the demands of related professional bodies. Traditional teaching and assessment techniques will always be required within this subject, but the ability to innovate within this framework provides a complementary space for students to reflect on the very formal and technical issues they grapple with in other core modules, and to locate the need for legal knowledge beyond the standard goal of ‘pass/fail’. There were no guarantees that this module would work as well as it has, or at all, but a broader vision of how knowledge can be shared suggests that, regardless of subject, calculated risks in course design are worth considering.

Course teaching and learning arrangements
Overall, as the evaluations demonstrated, the module has been well received by students, and met the objectives set by the teaching team as regards benefits to the students:

- Students responded well to the different teaching methods and to the team teaching technique; comments were universally positive on this point,

- Students participated in large and small group discussions to a much greater level than is generally the case in core, first year modules. Indeed, the teaching team felt that the level of student engagement with the material was one of the most successful features of the module, and there was a definite sense that having the groups organise around themes each week (meaning that the groups changed from week to week) kept the interaction between students fresh.

- The development in overall willingness of the students to participate in large group discussions from the first to the final week was striking.

- The idea that the class would develop an overall sense of itself did seem to be gradually realised, and it was gratifying to read
in the evaluations that students became more aware of a wide range of opinions and had the chance to encounter a much wider range of fellow students than the normal seminar structure allows.

Conclusions
For the teaching team this module constitutes a particularly enjoyable and energising teaching experience, and one that we would be committed to continuing and developing in future years. Clearly academic staff have a role to play in student engagement. As Umbach and Wawrzynski state, “faculty staff do matter. The educational context created by faculty behaviours and attitudes has a dramatic effect on student learning and student engagement” (2005, p. 173). Efforts devoted to innovation and student engagement may enhance both the teaching and learning experience, energising both staff and students alike. We would also argue that the benefits of Law, State and Society – in terms of developing student participation and confidence in larger groups – can contribute positively to student participation in other modules, and in this sense the innovation has a broader reach. It is difficult to predict a cross-over appeal of this method to other disciplines but in general terms, the approach adopted here is closely aligned to the first of Krause’s ten ‘working principles’ for enhancing student engagement, namely to “create and maintain a stimulating intellectual environment [in order to] stimulate discussion and debate, exploration and discovery” (2005, p. 12). Although it is difficult to separate out the nature of the content from the teaching arrangements put in place to deliver this content most effectively, it is striking that the innovations in teaching arrangements met with almost universal approval while the content met with a more mixed (although generally positive) response.

References


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