Getting Law Students to Contribute in Class: A Personal Reflection

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I am a final year PhD student from the Law School and have contributed to undergraduate teaching for two years. The module I teach is criminal law, which is a core, compulsory module that all the students must take to attain a Qualifying Law Degree (QLD).[1] I contribute specifically to seminar teaching, also referred to as small group teaching. The students are in groups of approximately 12, and have 10 criminal law seminars per academic year. In academic year 2014-15 I taught five seminar groups, and in academic year 2015-16 I taught three seminar groups.

This assignment presents a reflection of an area of my teaching practice that I have tried to improve this year. This is tied to key pedagogic concepts and theories which I feel have helped to improve the way I manage students in seminars.

Teaching Reflection

Throughout my two years of teaching, I have received positive feedback from both students and colleagues about its quality. I still found, however, that some groups were more difficult to engage than others in the seminar setting. Informal discussion of this with colleagues at the Law School indicated to me that this is a standard occurrence. The attitudes of some I spoke to were quite defeatist, who stated, for example, that there is only so much that we, as teachers, can do; and that if students do not come to seminars prepared and willing to participate then 'on their heads be it.' I felt unsatisfied by this approach, perhaps in large part because it is not that long since I was an undergraduate student participating in small group teaching sessions. Therefore, I was keen to enhance my skills as a seminar leader and to develop a greater awareness of the reasons for poor participation resulting in difficult and unenjoyable seminars for all.

Reflecting on teaching practice is useful to identify areas which need improvement. This account of my teaching reflection demonstrates its iterative and ongoing process. As per Kolb's reflective learning cycle,[2] I entered a process of continual reflection on and adaption

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[1] A QLD enables graduates to go practice law following completion of the relevant professional qualifications. Criminal law is a module that is compulsory on the QLD, see: Bar Standards Board & Solicitors Regulation Authority, 'Academic Stage Handbook' (July 2014, version 1.4) Appendix 1, schedule 2, p.18.

[2] See D Kolb *Experiential learning: Experience as the source of learning and development* (Prentice-Hall 1984).

of my teaching practice. Following any experimentation I carried out with different techniques, I reflected further to consider their effectiveness.

This year, one of my criminal law seminar groups was more difficult to engage in group discussion. This was noted in my peer-review feedback: 'The group was a difficult one who seemed to have done only the minimum amount of preparation and were reluctant to engage in discussions.' The observer was keen to note, however, that 'from the outset [I] conducted what would, in any circumstances, be considered to be a good seminar.' Despite the assurance that I had done a good job of leading the seminar, I began to reflect on ways in which I could adapt my approach to this group to encourage the students' participation.

I had been approaching the seminars by asking questions of the students in the group, in relation to those to which they should have prepared answers. This required the students to give their answers to the whole group. The usual tactics of selecting a student to answer in the absence of volunteers, and allowing silence to prevail in the hope that someone would answer had limited success in promoting discussion. This was for two reasons. First, the answers that were (often reluctantly) given were often vague and general rather than detailed and nuanced. Second, there were two quite dominant students, who, probably to compensate for the lack of contribution from the other group members, answered the majority of questions asked.

I considered that the reasons for these issues in this group related in large part to the group dynamic. The dominance of some students, combined with the passive nature of others was a large factor in the difficulties I was having facilitating group discussion. Exley and Dennick highlight that non-participation by some group members may be an indication that they are particularly shy or anxious to communicate in the group setting.[3] This can undermine the effectiveness of activities designed to encourage critical analysis of ideas, since some students' failure to contribute can inhibit the presentation of opposing views.[4] Furthermore, Harkins et al. note a phenomenon called 'social loafing,'[5] where a reduction of individual effort in a group setting occurs among some members.[6] In my teaching reflections, I considered that the dominance of a minority of students may act as a disincentive to other students to contribute to discussion. In addition, it may also mean that said students come to the seminars inadequately prepared to engage in the discussions, with the expectation that the dominant students will do all of the work.

I adapted my approach to the seminars several times throughout the course of the year in order to try to improve the group dynamics and minimise the detrimental effects of the

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[3] K Exley & R Dennick, *Small Group Teaching: Tutorials, Seminars and Beyond* (Routledge Falmer 2004) 30.
[4] The Higher Education Academy Psychology Network, *Psychology Teaching* (Psychology Network University of York, January 2008).
[5] This term was coined by S Harkins and others, 'Social Loading: Allocating Effort or Taking it Easy' (1980) 16 *Journal of Experimental Social Psychology* 457-465.
[6] See S Harkins & R Petty, 'Effects of Task Difficulty and Task Uniqueness on Social Loafing' (1982) 43(6) *Journal of Personality and Social Psychology* 1214-1229, 1214.

poor dynamics. As per the general constructivist theory of learning, learning occurs in social context and is constructed according to our interactions and experiences.[7] For these reasons, the dynamics of the groups in which learning is supposed to take place are key to students' success.[8] Constructivist theory promotes '*cognitive development* and *deep understanding* ... [through] *constructions of active learner reorganisation,'*[9] rather than knowledge transmission and the recording of such knowledge by students.[10] This approach is encouraged at the University of Birmingham through the promotion of Enquiry Based Learning (EBL).[11] This is because for anything more than surface learning to occur,[12] the students need to construct and develop their knowledge by 'revising and creating new understandings out of existing [schemas].'[13] The techniques I employed in an attempt to improve the group dynamics and thus the students' abilities to construct new knowledge and develop academically are outlined below. This helped me, as per UKPSF-A4,[14] to develop effective learning environments and to promote participation (UKPSF-V2).

Attempt 1

First, I split the seminar group into two smaller groups of six. Disagreement exists in the pedagogic literature as to the optimal number of students contained in a small group setting, but Jacques advocates six as ideal.[15] I thought this would be better as it would make the passive students more accountable as they had less people to hide behind when required to participate. In theory, this should reduce the prevalence of social loafing. I gave each of the two groups a different task to do which related to the seminar questions to which they had been asked to prepare answers. The students then worked in their groups to discuss the task set, with the knowledge that they would then have to feedback and justify their viewpoint to the other group. I hoped that the ability to test out their ideas within their smaller group and come up with a series of 'group approved' answers would increase

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[7] R Yager, 'The Constructivist Learning Model' (1991) 58(6) *The Science Teacher* 52-57, 54.

[8] Diegnan highlights the importance of division of labour and managing group dynamics to enable successful learning in: T Diegnan, 'Enquiry –Based Learning: Perspectives on Practice' (2009) 14(1) *Teaching in Higher Education* 13-28, p.20-01

[9] C Fosnot,' Constructivism: A psychological theory of learning' in C Fosnot (ed.) *Constructivism: Theory, Perspectives, and Practice* (New York: Teachers College Press 1996) 10.

[10] J Applefield and others, 'Constructivism in Theory and Practice: Toward a Better Understanding' (2001) 84(2) *The High School Journal* 35-53, 37.

[11] See http://www.birmingham.ac.uk/undergraduate/teaching/approach/index.aspx

[12] For an overview of surface and deep learning, see: https://intranet.birmingham.ac.uk/as/cladls/edudev/documents/public/ebl/journey/surface-and-deep-learning.pdf

[13] J Applefield and others, 'Constructivism in Theory and Practice: Toward a Better Understanding' (2001) 84(2) *The High School Journal* 35-53, 37.

[14] References to 'UKPSF' throughout this essay are to the key dimensions of the UK Professional Standards Framework for teaching and supporting learning in higher education. They provide non-exhaustive examples of how my teaching practices have met the requirements of the framework. See: https://www.heacademy.ac.uk/sites/default/files/downloads/ukpsf_2011_english.pdf

[15] See D Jacques, Small Group Teaching (Oxford Centre for Staff and Learning Development, 2004).

the confidence of shy or anxious students. Furthermore, the mixed ability of the group members should help individual members to develop – the lower ability students thriving from guidance from their peers, and the higher ability students benefiting from giving their assistance.[16]

The quality of the students' answers did improve, since they were more detailed and more willing to respond to challenges and critique in the feedback session. I did notice, however, that some members of the two groups still offered minimal contribution (if any) to both the group discussions and the feedback of ideas at the end of the seminar. Furthermore, the students did not consider all of the relevant points to form a fully developed answer. This meant that in the feedback session, when I prompted them to think about other viewpoints and issues and discuss them, the dominant students responded and the more passive ones stayed in the background. The adaptions I had made, therefore, did result in an improvement in the group dynamic and the engagement of the students, but only to a limited extent.

Attempt 2

In light of my reflections on attempt 1, I made further adaptions in the next seminar. On this occasion, I split the seminar group into four smaller groups of three. I set each group a task, and made clear that each group member must contribute to the discussion and would also be expected to feed an element of it back to the entire group at the end of the seminar. By significantly reducing the number of students in the group and also setting high expectations with regards to their individual contributions, I sought to eradicate any opportunity for social loafing.

An additional technique I invoked was to join in with each group discussion for a small amount of time before the feedback session. This gave me the opportunity to listen in to the group discussions, draw in students who were not participating so that their views could be heard, and to prompt further evaluation of their ideas. In addition, I was able to suggest other avenues of discussion which should prove fruitful, so that the students covered all of the issues required to develop a detailed answer or set of answers. This technique is referred to as a 'cooperative classroom.'[17] The verbal behaviours in this setting are categorised as 'encouraging student initiatives, helping students with their learning task, facilitating communication among students, giving feedback on task performance, and

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[16] See C Bennett et al. *Small Group Teaching and Learning in Psychology* (LTSN Psychology 2002). See also N Webb, 'Peer Interaction and Learning in Small Groups' (1989) 13(1) *International Journal of Educational Research* 21-39, where Webb discusses the kinds of peer interaction, and relevant variables within it, which influence learning in small groups.

[17] See R Gillies, 'Teachers' and Students' Verbal Behaviours during Cooperative and Small-group Learning' (2006) 76 *British Journal of Educative Psychology* 271-287.

praising individual student's efforts.'[18] This approach is thought to be conducive to learning since the language used by the teacher is 'more caring and personal as they work more closely with small groups.'[19]

I found that this approach vastly improved the group dynamics and their productivity, both in the break-out groups of three and the original seminar group of 12. Sitting in on the break-out groups' discussions gave students, particularly shyer students, opportunities to clarify their understanding on areas of the seminar material which they found confusing, in an encounter which was non-threatening and low pressure. The students were also able to test out their ideas on the task set with me before feeding them back to the group. The interim feedback that I provided here (UKPSF-A3), that they were on the right tracks for example, gave the students the confidence to assert their ideas and defend them before the rest of the group in the feedback session. Furthermore, all of the students participated and were engaged in the tasks set.

At the start of the next seminar, I asked the students whether they preferred working as one large group, two groups of six or in four groups of three. They all said that they preferred the latter approach, since it gave them more opportunities to work through the seminar content and to build a deeper understanding. I found that by sticking with this technique for the remainder of the year, the students became much more comfortable and confident in the seminar, and that their analytical and verbal skills hugely improved. Working in smaller groups with informal input from me as the teacher helped to steer the students into 'zones of proximal development' where they were able to construct new knowledge and develop understanding.[20]

I consider the adaptions I made in the seminars to have been a success, having reflected through Brookfield's four lenses.[21] My own observations (or autobiography) of the students interactions, and the direct responses of the students when asked which approach they found the most beneficial, support this assertion. In addition, I received some positive feedback from students via a colleague, who emailed me to let me know that the students had found a seminar I did with them very helpful. I also consider the pedagogic literature to provide support for the methods I have employed (UKPSF-V3) to stimulate individual participation and thus improve the group dynamics. This approach is yet to have been observed by another colleague, as it was one which I adopted post-observation. Next year, I will seek to gain feedback from a colleague on their perceived effectiveness of my new approach, so that I can fully evaluate the effectiveness of my teaching (UKPSF-K5).

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[18] ibid 272.

[19] ibid 274.

[20] As per L Vygotsky, discussed in D Mills & P Alexander, 'Small Group Teaching: A Toolkit for Learning' (The Higher Education Academy, March 2013) 12.

[21] S Brookfield, *Becoming a Critically Reflective Teacher* (Jossey-Bass 1995).

Conclusion

This essay has given an account of my teaching practice and shown how I reflected upon it, amended it, and evaluated through further reflection the success of my modifications. I have demonstrated how I have drawn on the pedagogic literature, highlighting my understanding of the constructivist theory of learning and the importance of achieving good group dynamics within that.