

## UW Academic Challenge and Engagement Study (UW ACES):

### Law, Societies, and Justice

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#### INTRODUCTION

Research on learning in college shows that learning is profoundly shaped by the goals, practices, cultures, and values of the academic disciplines<sup>1</sup>, particularly the disciplinary practices in students' majors. Therefore, if we are to understand the kinds of experiences that students find intellectually rigorous (and, thus, engaging), we need to examine challenge in the major. Understanding challenge in the major is important because at every stage of their college experience, students report that they want to be challenged, that they perform better in courses that are challenging, and that they value classes that stretch their thinking and ask them to demonstrate learning more than they value classes that ask little of them.<sup>2</sup> Although learning about where students experience challenge is important, asking students to describe challenging learning experiences in their majors requires some prior understanding of how those majors operate. The Office of Educational Assessment (OEA) designed the UW Academic Challenge and Engagement Study (UW ACES) to accommodate these needs.

#### METHOD

Qualitative methods are recommended when researchers are seeking to understand the complex learning experiences of students, as well as the meaning they ascribe to those experiences<sup>3</sup>; therefore, we designed the UW ACES to be primarily an interview study.<sup>4</sup> Using a "citizen science" model, OEA asked departmental advisers if they would be willing to volunteer to interview seniors in their departments who came in to advising to apply for graduation. Advisers are knowledgeable about their academic programs, understand disciplinary practice in their departments, and are trusted by students in the major, so they have the best chance of gathering good information from seniors about their experiences in the major.

Sixty-six advisers from 32 undergraduate programs volunteered to participate. During the 2012-13 academic year, the volunteer advisers asked students if they would participate in brief (5-10 minute) interviews about challenge in the major. If the students agreed, advisers asked them to respond to four open-ended questions, entering students' responses directly into a Catalyst survey form that OEA researchers had designed for that purpose. The questions were as follows:

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<sup>1</sup> Beecher & Trowler, 2001; Bransford et al., 2000; Beyer et al., 2007; Donald, 2002; Pace and Middendorf, 2004; Wineburg, 2001, 1991; Neumann et al., 2002; Shulman, 1988; Biglan, 1973.

<sup>2</sup> Beyer, et al., 2007.

<sup>3</sup> Merriam, 2001.

<sup>4</sup> One participating department asked students to respond to the open-ended questions in writing.

1. What do you consider to be the most challenging work that you had to complete in this major? And by "challenging" I mean doing the work that stretched your thinking the most. This can be anything—a project, a paper, an exam question, homework, something else you did related to the major.
2. What made the project/class/activity challenging?
3. What did you do or learn that enabled you to meet those challenges?
4. What do you think you learned by completing this project/class/activity?

In addition, advisers asked students in what course the challenging work took place and how many quarters they had until they graduated.

Researchers in OEA conducted training workshops in interviewing skills with all participating advisers, provided individual departments with survey customization if required, and monitored all resulting interviews, reporting back to advisers about the interviews they had conducted. By the end of the academic year, departmental advisers had interviewed 1,237 students. Students' responses were analyzed using a constant comparison method<sup>5</sup>, an inductive process designed to let themes emerge, rather than imposing assumed categories on students' comments.

## STUDY LIMITATIONS

If we interviewed students post-graduation, they would be likely to identify their capstone courses or their advanced senior-level courses as the ones asking for their most challenging work. However, because we wanted to attach the interview to a time when students would normally see their academic advisers, we interviewed students when they came into the advising office to apply for graduation, which often meant that they were two or three quarters away from graduation. Senior-level courses, particularly capstone or capstone-like classes, are those which students often say are their most challenging and satisfying. Although interviewing students as they applied for graduation meant that we might not gather information about late-senior year courses, we felt that it would be interesting to departments to learn the kinds of challenges that lead to and prepare students for those more advanced experiences.

## LAW, SOCIETIES, & JUSTICE PROGRAM RESULTS

The Law, Societies, & Justice Program (LSJ) was one of the UW ACES' 32 participating departments. Mark Weitzenkamp, the LSJ academic adviser at that time, asked 15 students if they were willing to be interviewed for the study and all of them agreed. This number represents about 18% of the 82 seniors in the Law, Societies, & Justice program who graduated during the 2012-2013 school year.<sup>6</sup>

### ***Quarters to Graduation and Where Students Experienced Challenge***

Nine of the students interviewed reported having two quarters until graduation; three said they had three quarters remaining; two had one quarter remaining; and one student indicated still having four quarters to go before graduation.

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<sup>5</sup> Merriam, 2001.

<sup>6</sup> The number of undergraduate degree completions is based on the 2012-13 UW Profiles reports published by the UW Office of Planning and Budgeting ([https://bitools.uw.edu/views/13-SummaryandTrendsDegreeAttributes\\_0/13-Dashboard#1](https://bitools.uw.edu/views/13-SummaryandTrendsDegreeAttributes_0/13-Dashboard#1))

Overall, the 15 interviewees listed 13 courses in the Law, Societies, & Justice major as presenting them with significant challenges. One interviewee listed more than one course as the source of her greatest challenges.

Students identified six 300-level courses and two 400-level courses as the sites of their most challenging academic experiences. The list of courses in the major as well as the number of students who identified them (only one if not otherwise noted) were as follows:

LSJ 320: The Politics and Law of International Human Rights

LSJ 322: Human Rights in Latin America (3)

LSJ 327: Women's Rights as Human Rights (2)

LSJ 361: United States Courts and Civil Liberty

LSJ 363: Law in Society

LSJ 367: Comparative Law and Courts

LSJ 401: Field Experience in Law, Societies, & Justice

LSJ 490: Special Topics in Comparative Legal Institutions (3)

Moreover, two students mentioned Philosophy 314 (Philosophy of Crime and Punishment) as the course that presented them with significant challenges and one student listed Philosophy 114 (Philosophical Issues in the Law).

## **1. Students' Greatest Challenges**

Students were asked: *"What do you consider to be the most challenging work that you had to complete in this major? And by "challenging" I mean doing the work that stretched your thinking the most. This can be anything—a project, a paper, an exam question, homework, something else you did related to the major."*

One major theme emerged from students' responses along with several minor themes.

**Writing papers.** Ten of the 15 LSJ majors (66%) mentioned that their greatest challenges were writing papers that required higher level thinking skills, challenging them to choose a topic, gather appropriate sources, and synthesize information. As several students noted:

- *It was an eight page paper on a quote from a book in LSJ 363. We were to write a paper on the quote. It was a complex thought process on law*
- *Probably my final term paper from LSJ 490 Activism and the Law. It was left open. It wasn't that there wasn't any guidance, but it was an open topic. You could pick anything, and you could write about anything so that was a challenge. That forces you to think about what you want to write about, to fit it into a context. That was very hard for me at first, but it was probably the most rewarding project that I have done.*
- *I had two ten page papers due in "Institutional Failure" and in "Women's Rights as Human Rights." Basically they were choose your own topic things within the class constraints.*
- *Research paper on international courts: South Africa. Some of the information I found was very vague. It was the first time I had to go into the library and work from a text. I wanted to use online resources but the instructor said we couldn't. Just having to use the library resources and then pinpoint ideas was very difficult.*

One of the ten students described a paper she/he wrote for a class from another department, stating:

*What I remember, because the class was linked to another department, I had to think a lot differently when writing the paper.*

**A course.** Three students (20% of the interviewees) cited a specific course as their greatest challenge in the major. Two students remarked:

- *It was probably the 320 class that I took with Ramasastry. It was kind of run like a law school class, and the paper prompt was inherently complicated. Also the way that she structured the final [was challenging]. It had hypothetical questions, which is different than the way that most of the profs design their exams.*
- *LSJ 327 was women's rights. So many of the things we studied were heart-breaking. Going through and reading the material was really difficult or painful. Also some of the films we saw were horrific. But that was probably my favorite class I ever took at UW.*

One interviewee noted a specific class but focused on the papers required for the course, as follows:

*My US courts and civil liberties class. We wrote a couple of case briefs. That was pretty standardized...Two other major papers were definitely challenging.*

**A course in another department.** Two students cited course(s) linked to another department, with one student specifically citing Philosophy. In the words of these two students:

- *I think the Philosophy classes I took, because it was a different way of thinking from what I was used to. It was interesting though. It definitely expanded the way I thought about things. For my PHIL 314, we had to do a debate and pick a side and argue it philosophically. I can debate things legally, but philosophically is different because everyone has different morals in their head. That was probably the most challenging for me.*
- *What I remember, because the class was linked to another department, I had to think a lot differently when writing the paper.*

**Other.** In addition to the themes discussed already, individual students mentioned the following challenges:

- *I think in this major, probably I would have to say the internship because I hadn't been in a work environment before.*
- *One thing that stands out to me is concepts that do not tie into my broader goals, like when we learn details that don't attach to any broader importance or the broader importance is not explained. An example are cases from long ago that didn't tie into modern ideas. They just felt like examples of really old cases.*
- *Everything is challenging because it makes you think critically. Sometimes having classes that require a lot of work without quiz sections [are challenging], such as the 14-page paper I had to write for a seminar class.. It's a nice small environment.*

## **2. What Made Those Activities/Classes Challenging?**

When asked what had made those activities challenging, 60% (nine of the 15) of the interviewees identified more than one challenge. One major theme emerged from students' responses to this question along with several minor themes.

**Required critical thinking skills.** The most frequently given response—noted by 8 of 15 respondents—was that the most challenging aspect of activities/classes in the major were the critical thinking skills needed to evaluate, synthesize, and organize large amounts of data, particularly in the process of writing a paper. The following quotations illustrate this category of response.

- *I think because the parameters were pretty wide, to hone in on one idea was challenging. It was really interesting though.*
- *It was difficult to figure out what was the important information from what the judges wrote and to try to put that into a paper.*
- *It involved a lot of primary course readings. We needed to connect basically newspaper articles to the material studied in class. It required a lot of work on our part to basically connect the general material to specific commodities. There was a volume of research. There was the length of the paper, and its particular structure, and analyzing a real world problem and looking at existing situations and how explanations may fall short. I thought that was challenging. It involved a lot of critical thinking.*

**Academic reading.** Three respondents specifically mentioned that reading and interpreting academic papers was a major challenge. As one participant explained:

*I picked a pretty narrow topic: patriarchy in Native American societies. There wasn't a ton of research about this. So I had to do a lot of reading to approach the topic and most of it was scholarly and academic. But it was not very conclusive. I was forced to draw my own conclusions and forced to come up with my own theories about how these things work.*

**Not my strength/an area of weakness.** Two respondents explained that the activities were challenging because they tapped perceived weaknesses. As one said:

*I never studied human rights before. The human rights subfield was difficult because it was not my strong suite. It involved a lot of abstracts and nebulous areas. That made it difficult.*

## **3. What enabled students to meet those challenges?**

Most of the interviewees (75%) focused on a single source of assistance in meeting the challenges they discussed. Overall, students' responses yielded one major and minor theme, and various idiosyncratic responses.

**Emerging ability to think critically/look at issues from multiple perspectives.** Sixty percent of the students (9 of 15) explained that they learned to conduct “deeper” analyses by learning to look at issues from various viewpoints, forging connections with existing research, and formulating their own informed theories. Four students' comments serve as examples of this category of response:

- *Critical thinking and analyzing skills. I think I developed those with this research paper, and ultimately, those same skills were useful for other papers as well.*
- *I basically learned how to formulate my own theories and cross-reference them with work that was already done by other academics.*
- *I guess I just had to look at it from the perspective of an analytical perspective. I had to take my feelings out of it and present useful information to my classmates and peers.*
- *I started making my own connections that were not stated. I just did my work and got through it. I would connect the really old cases to a case from modern day or to modern day examples.*

One student in particular commented that learning to think in this way extended to other LSJ courses as well. She/he explained:

*I just learned not to focus solely on LSJ, but then to think from a different perspective. Not just law, but I also had to think about the theories behind it. And that helped me with other LSJ courses.*

**Law library/general research skills.** Three students mentioned that the law library was helpful in showing them how to conduct research more generally and, specifically, how to navigate online research tools. See representative quotes below:

- *I spent a lot of time in the law library. The research librarians helped with how to use lexis/nexus and legal track.*
- *The law library helped with the research. In a quiz section, we had to go into the law library and focus on specific issues. Where would you find this? Where would you find that? The law library was very helpful.*

**Other.** In addition, six students mentioned the following when asked what enabled them to meet the challenges described:

- Completed the course readings
- Learned not to “overthink” things
- Time management skills
- Getting assistance from the writing center
- Utilizing experience from previous classes- specifically how to read primary sources and “digest” the information
- Specific analyses related to LSJ. (*learning how to go over treaties and statutory law as it pertains to human rights.*)
- The value of the TA. (*I talked to my TA. She was really helpful. She knew what [the professor] wanted for the papers. The TA said important things that should be included. Then we had to go back to the case law to find things that would fit those requirements.*)

#### **4. What did students learn by completing this project/class/activity?**

When asked what they felt they had learned by meeting the challenges they had described, one major theme and a few minor themes emerged, while the remainder of responses were largely idiosyncratic.

**How to critically evaluate evidence and come to an informed conclusion.** Sixty percent of the students interviewed (nine of the 15) mentioned that they had gained the ability to critically evaluate evidence by examining multiple perspectives to come to an informed conclusion. As two students explained:

- *I learned--...to reach my own conclusions based on the analysis. The analysis that I did in the process of researching [helped me learn that].*
- *That not every class will spoon-feed you importance and context. They tell you the facts, and you have to extrapolate from them.*

**What appears just in the law may not be.** A less prominent theme, mentioned by three students (20%) is that they learned to see law from a different perspective, coming to the realization that law is not necessarily “just and fair” and is subject to scrutiny. In the words of those students:

- *I guess I learned that things aren't always what they seemed to be-- that we perceive law as being just and fair, and it can appear that way, but when we dig deeper and specifically look deeper, we see that it is not.*
- *I learned how to not solely focus on law to answer a question, but rather to look at different aspects of the question that was being asked. Different points of view I guess.*
- *I had to debate on whether or not to ban hate speech on campuses. I chose pro-banning it, but obviously others were against because of free speech. I learned that even if something is legal... you have to look at things in a bigger picture. You can't look at just one law. You have to come up with many ways to look at it. It's not that black and white.*

**Specific content knowledge.** Three students (20%) described specific content knowledge that they had gained in the process of meeting the challenges described. In their own words:

- *I guess I learned about specific chaining of commodities in Latin America. I learned about the subject. It prepared me for writing.*
- *I feel like I got a solid grasp of the historical background of human rights.*
- *Substantively, I learned a ton about modern day patriarchy and the lack of patriarchy in pre-modern society.*

**Helped with writing.** Two students commented that the work they did helped them with college writing more generally. As one student said:

*I think something I really took away from that was cutting out all of the fluff, to put in everything that I needed, but nothing more. I learned how to be really concise.*

**Other.** Moreover, four students mentioned the following when asked what they learned by completing the project/class/activity.

- Completing the case study was valuable
- Learned that it was okay to ask for help/formed bonds with other students
- How to break down complex tasks/make them manageable
- *Start early, don't really get facts. Don't try to dance around the answer. Don't try to add irrelevant information just to meet the paper requirements.*

## SUMMARY

A strong, recurring theme underlying students' responses to all questions was the challenges involved in learning to think critically and examine legal issues from multiple perspectives. For many students, this revealed the complexities of the role that law plays in our lives. As one student explained:

*I guess I learned that things aren't always what they seemed to be-- that we perceive law as being just and fair, and it can appear that way, but when we dig deeper and specifically look deeper, we see that it is not.*

Two other students stated:

- *I learned to look at topics from all sides. Looking at it from a moral perspective could help me in law school or something, rather than looking at it legally.*
- *I learned how to not solely focus on law to answer a question, but rather to look at different aspects of the question that was being asked. Different points of view I guess.*

Students commonly cited writing assignments as one of the most challenging aspects of the major, commenting on the difficulty in choosing a topic, examining the literature, deciding what information is important and synthesizing and organizing the data in a succinct written presentation. Two students noted that courses linked to other departments (e.g., Philosophy) were particularly challenging because they required them to think in a different way with one specifically citing a paper and the other a debate.

When asked what they did or learned that enabled them to meet the challenges outlined above students most commonly cited their emerging ability to conduct "deeper" analyses through coursework (e.g., discussions, writing). One student commented on the skills she/he learned:

*Critical thinking and analyzing skills. I think I developed those with this research paper, and ultimately, those same skills were useful for other papers as well.*

Several students also noted that the Law Library was instrumental in showing them how to conduct law-related research and teaching them how to navigate online research tools such as Lexus Nexus.

In sum, although the number of students interviewed was small, their responses clearly reflect the goals of the Law, Societies, & Justice Program, which aim to equip students with the skills and knowledge to examine law from a wide array of social science perspectives (e.g., anthropology, geography, political science and sociology) and to formulate sound written and oral arguments.

Finally, students' responses to the UW ACES interview questions suggest that Law, Societies, & Justice majors felt that the challenges they described were rewarding. Indeed, many students spoke of how much they enjoyed the course or the challenging activity they described, as the student's comments in the box that follows this summary illustrates. This response to challenge is consistent with research on student learning, which shows that when an assignment is challenging for students and when instructors help students meet those challenges, students are engaged in their courses and, therefore, learn more than when coursework is easy.

### **One Student's Responses to All Four Questions**

**Course where greatest challenges occurred:** LSJ 490: "Activism and the Law"

**Q1. What was the most challenging work you did?** *Probably my final term paper from LSJ 490 Activism and the Law. It was left open. It wasn't that there wasn't any guidance, but it was an open topic. You could pick anything, and you could write about anything so that was a challenge. That forces you to think about what you want to write about, to fit it into a context. That was very hard for me at first, but it was probably the most rewarding project that I have done.*

**Q2. Why was it challenging?** *I picked a pretty narrow topic: patriarchy in Native American societies. There wasn't a ton of research about this. So I had to do a lot of reading to approach the topic and most of it was scholarly and academic. But it was not very conclusive. I was forced to draw my own conclusions and forced to come up with my own theories about how these things work.*

**Q3. What helped you meet that challenge?** *I basically learned how to formulate my own theories and cross-reference them with work that was already done by other academics.*

**Q4. What did you learn by meeting that challenge?** *Substantively, I learned a ton about modern day patriarchy and the lack of patriarchy in pre-modern society. I learned about picking a topic and sticking with it. To stick to your thoughts and follow them through to a conclusion that you were willing to support and stand behind.*

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