Deconstructing and reconstructing core motivating beliefs about law without causing destruction

Anneka Ferguson
Australian National University

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Overview

Why values and SDT matters?
What values?
Changing values
Cognitive dissonance

What’s Self Determination and Values got to do with it?

Feel they can deal with their environment
Feel in control
Need to feel close connections with others

... three innate psychological needs — COMPETENCE, AUTONOMY AND RELATEDNESS — which when satisfied yield enhanced self motivation and mental health and when thwarted lead to diminished motivation and wellbeing.

[Ryan and Deci, 2000]

Why would we apply SDT to legal education?

Self Determination Theory as a framework for considering deficits in:
- Legal Education wellbeing*
- Practice motivation and professionalism**


Autonomy Relatedness Connectedness Hope Professional Identity Progress towards values

Winter, 2013 Response rate of approx 66% from beginning to end of course (390 out of cohort of 587)
Ethics approval provided.

Scores refer to frequency/intensity symptoms of depression/anxiety/stress only.
**PREDICTORS OF OVERALL PSYCHOLOGICAL DISTRESS**

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Statistically significant: ↓ predicts less distress; ↑ predicts more distress

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**Lawyers, Justice Ethics: 1st year, second semester - Three questions**

- **Why you are studying law?**
- **What values you want to bring to your study of law and possibly practice of law?**
- **Is there anything you are nervous or worried about?**

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**Why study law?**

- ‘Helping people’/Improving an aspect of the world - in different ways
- Prestige/money/employment – more likely JD students
- Knowledge acquisition/interest
- Flexibility of qualifications

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**Values**

- Honesty
- Empathy
- Integrity
- Justice
- Equality

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**Worries/Concerns**

- ‘...To try and find a way to help the disadvantaged…’
- ‘...I was passionate about social justice and had a desire to, albeit in the smallest way, make a positive difference in our world…’
- ‘To attempt to use my skillset in a way that can benefit other people.’
- ‘Versatile and interesting degree. Sought after by employers.’
- ‘We hear about it everywhere – it sounds fascinating; ability to effect change in people’s lives; pays well!’

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**Assessment/Exams/Reading**

- Whether they can keep their ideas of what the law is/ whether law will change them?
- Not being able to achieve their ‘social justice’ goals
- Impact of technology on job market/getting a job
Later year students

- Anecdotally worried about
  - Getting a clerkship in a commercial firm
  - Getting a job
  - Getting the right grade
  - Getting through

A change in focus from the intrinsic motivation/values led motivation to extrinsic motivation

- Why is there this change in focus?
- Are they still pursuing their values?
- Does it matter that their ‘values’ appear to have changed?
- Through what mechanisms are these values changes occurring?
- What impact does this have on their wellbeing/our profession?

The original Cognitive dissonance

- Cognition = ‘Piece of knowledge’ (i.e. about behaviour, attitude or the world)
  “The holding of two or more inconsistent cognitions arouses the state of cognitive dissonance, which is experienced as uncomfortable tension. This tension has drive-like properties and must be reduced” (Festinger, 1956)
- More likely to be done through attitude change rather than behavioural change (Cooper, 2007). But could also be done by adjusting the importance of cognitions (Simon et al, 1995), bolstering supportive cognitions (Shermon and Gorkin, 1980) and seeking new supportive cognitions (Frey, 1981)

The magnitude of the dissonance

DISSONANCE MAGNITUDE = \( \frac{\text{SUM (all discrepant cognitions x importance)}}{\text{SUM (all consonant cognitions x importance)}} \)

(Cooper, 2007)

Discrepant cognitions = those cognitions that are inconsistent with each other
Consonant cognitions = those cognitions that are consistent (i.e. support) each other

Discussion: Does it matter?

- If it is values that are changing through this process, is this a problem?
- Is this values obstruction of the problematic kind?
- If it is problematic, what does this mean for the way we teach our students?
Anneka Ferguson, SFHEA
Senior Lecturer
The Australian National University School of Legal Practice
E: anneka.ferguson@anu.edu.au
Linked In: https://au.linkedin.com/pub/anneka-ferguson/34/a1a/3aa
Twitter: @AnnekaFerguson