Comparison, Self-Direction and Creativity: Contextualising Public Law

Danielle Ireland-Piper

*Bond University, Danielle_Ireland_Piper@bond.edu.au*


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COMPARISON, SELF-DIRECTION AND CREATIVITY: CONTEXTUALISING PUBLIC LAW

Danielle Ireland-Piper, LLB, BIR, LLM, GradDipLP, PhD: Danielle teaches ‘Constitutional Law’ and ‘Laws of Armed Conflict and Peacekeeping’ at Bond University, Australia. In 2014, she was awarded a ‘National Citation for Outstanding Contribution to Student Learning’ and in 2013, she won the ‘LexisNexis / Australasian Law Teachers Association Early Career Award for Excellence and Innovation in the Teaching of Law’. She has an LLM from the University of Cambridge and a PhD from the University of Queensland.

The Problem

The study of law can be technical and dry. Law is often taught in a didactic manner that focuses upon complex legal rules, doctrine and theories in isolation from the law’s social, cultural and political contexts. Law teachers often employ orthodox, conservative teaching methods such as didactic lectures and the prescribing of large quantities of reading. Consequently, the level of engagement by law students in their studies can be rather low, and many students are extrinsically, rather than intrinsically, motivated.

Comparative Study

“When one is confined to the study of one’s own law within one’s own country and, thus within one’s own cultural environment, there is a strong tendency to accept without question the various aspects (norms, concepts, and institutions) of one’s own legal system. One is inclined to think that the solutions of one’s own legal order are the only possible ones. This leads to an ideolization of one’s own legal institutions and to treating them as inherent in the general nature of law” (Kamba, 1974, 491).

Steps taken

Creative Medium

Creativity, which although ‘not something that is usually taught explicitly at law school’ (James, 2012, p. 85), is nonetheless relevant to legal problem-solving and ‘as a tool to promote analytical thinking in a law subject’ (p. 85).

Self-directed

‘When institutions provide opportunities for students to learn both autonomously and with others, and to develop their sense of competence, students are more likely to be motivated, to engage and succeed’ (Zepke & Leach, 2010, p. 170).

Results

Increased student engagement

Improvement in academic performance