

## What it means to be a student

*A student is someone who studies*

A student is someone who studies. Not someone who is taught or someone who drinks latte and plays computer games: but rather, someone who studies. We must bear in mind the active component of studying that is required by this model of what it means to be a student. After a secondary education in the UK, it would be reasonable to suppose that being a 'student' means 'being taught': but the passivity inherent in this model is entirely inappropriate. A student is not someone who receives teaching and merely vomits it back; rather a student is someone who is responsible for her own learning and study.

*Getting some perspective*

There was a traditional model of studying a university which saw the place of the student as being someone who received a library card and a reading list and generally got on with it. There were short series of lectures delivered by various lecturers which presented their impressions of various aspects of the law, but there was certainly not the sort of close attention to the needs of students which most law schools tend to lavish on students today. It is important to recall, however, that the step-up from school to university is bound up in a shifting of responsibility from the teacher to the learner: the learner is responsible for her own learning ultimately, within limits.

In Evelyn Waugh's novel *Brideshead Revisited* the hero Charles Ryder gives us the following glimpse of his university life: 'I... and got on with my two essays a week.' Note that: two essays per week. Charles Ryder's education was formed of him attending lectures and then going into a library, reading and writing two essays every week, before then reading those essays out to his tutor to receive comments immediately. There was no system of agonizing over an essay, trying to avoid having to do it for as long as possible, seeking an extension and then handing it in late over the course of something in the region of two months. Most law schools insist on one piece of work in each course in each term: that is much, much easier than Charles Ryder's workload.

Note also what being an *active learner* like Charles Ryder meant. Each week (or every couple of days), Ryder had to do sufficient reading (if a law student, which he was not) of cases, statute, journal literature and textbooks to be able to write an essay which could be read out to a tutor in a very small class format (usually of two or three people). This required skills in reading, structuring the material, writing well and at speed, and being able to discuss the points that were made and the arguments which were asserted.

So, if we accept that the teaching and learning culture in modern law schools is an advance on the old model (something we will discuss below), then we should not lose sight of the fact that you, as a law student, should still be striving for the excellence, the dedication and the responsibility bound up with being that sort of active learner.

### *Active learners*

An ‘active learner’ is a person who takes charge of their own studies. A person who does not require direction as to which journal articles to read, does not require goading to read the case law and the statutes in full, and seeks intelligently and pro-actively to formulate her own views about the law and its social context.

It is common for academics, teachers and policymakers to complain that our educational system in the UK is too concerned with testing schoolchildren and consequently with ‘teaching to the test’: that is, teaching pupils exactly what to write in the exam, as opposed to seeking to educate them more generally. My own education certainly did involve a little nervous cramming towards the end of the year as O-level (GCSE) and A-level examinations<sup>1</sup> approached by teachers who knew that the performance of their pupils was important. But it was no more than a couple of weeks. Otherwise, we read and were expected to read ourselves, we discussed precious things beyond the syllabus,<sup>2</sup> and so it did not occur to us that the teacher was solely responsible for everything that we knew, nor did it occur to us that our first instinct on having a question was to ask the teacher: instead we used the library, dictionaries and our own brains. Teaching to the test has killed off the curiosity instinct in many modern pupils, and it has made for less effective students.

Understanding that is important for any law student studying while reading this: it is only if you have some idea of the gulf between people’s expectations of you and the way in which your education has prepared you, that you will be able to make the most out of your time at law school. The result is that law schools and bespoke university departments have begun to put on remedial skills teaching for first year undergraduates instead of the traditional ‘foundation courses’ which were intended simply to introduce students to things which are different about studying law at university from being taught for A-levels at schools and colleges. This is something which would not have been countenanced at Charles Ryder’s university because it was assumed that all of the (admittedly public school educated) students would already have been educated in all of the fundamentals which they required to make a success of university study.

*So, what should I do to make up the gap?*

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<sup>1</sup> And in my case ‘S-levels’ too.

<sup>2</sup> In particular in English literature a teacher who took it upon himself to lecture us in the entire history of English literature from the mystery plays onwards, as well as attending to the main syllabus; in French Literature classes I remember a teacher who journeyed from etymologies of French words to the detail of existentialist philosophy; in Politics classes there was no corner of political philosophy one of my teachers was not happy to dust out. To be honest, many of my other teachers were next door to useless, but I had a general liberal education which took in everything from classical civilization and Latin, through to a sketchy account of science which missed little things like the whole of sub-atomic physics.

First, read. In particular at the outset read books like Glanville Williams's *Learning the Law*. You do not (in fact, should not) take notes or agonize over every line. Instead you should be trying to understand what is being said and to amass your own opinions. This bit of this web-site is going to do its level best to help you to find ways of studying which will work for you.

Second, think. Do not just assume that everything you read is correct nor that you are obliged to believe that it is true. Instead, think about it. Separate off in your own mind things that are fact from things that are comment: you do not have to agree with every 'comment', and the facts you should be prepared to check for yourself.

Third, read more. When studying law, you *must* read all of the primary materials for yourself. It is common for law students to rely on textbooks to the exclusion of all else, particularly short textbooks which promise to cover an entire course in only a couple of hundred pages. But if you do not read the primary materials for yourself, then a large amount of the law will simply not make any sense to you because you will not be able to sense the judges' frustration or sarcasm or determination or whatever. Simply reading a textbook without reading the cases for yourself is like hearing about a holiday you did not go on: you might hear other people's excitement but you cannot actually understand what it was like. (We will talk about taking notes elsewhere.)

Fourth, read different things. No good law student only reads law. There is a world of culture out there: fiction, philosophy, television, theatre, film, music of every stripe, and an internet groaning with information. How exciting is that? What you should be trying to do, I would respectfully suggest, is to find yourself in all of that material. University is the perfect time for you to become the person you want to be. First, however, you have to discover the person you want to be before you can become that person.