

Reinvigorating Law for the Business Student: Perceptions and Reality

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Abstract

On numerous undergraduate degree programmes students are expected to undertake study of modules which are not perceived as 'core' to their studies. Law pervades many areas of study and there is an increasing need for students on a diverse range of courses to study aspects of the law. Our research focuses on evaluation of the teaching and learning approaches when delivering a module outside of the student's main degree discipline. The research evaluates issues such as preferred learning styles and perceptions of law in relation to other modules within the student's degree programme. This paper presents the findings of our research aimed at gaining a deeper understanding of student perceptions to the study of law. However, we believe the findings are relevant to students who study law on diverse other courses, and perhaps also to most students who are required to study aspects of a subject 'outside' the main focus of their degree.

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Introduction

The interaction between law and business creates unique challenges. The aim of our research was to gain an understanding of the business students' perceptions of law and the study of law before commencing the study of their chosen programme at University level.

In the majority of undergraduate business degree programmes students are required to study and pass a business law module. There are a number of reasons for including law within the business curriculum. An understanding of legal implications permeates many aspects of business decision-making. George Siedel (2002), Professor of Business Administration at the University of Michigan Business School points to increased litigation, regulation and globalisation as important forces explaining the importance of law to business.

A review of the existing literature, focussed on teaching law to non-lawyers, suggests disappointing results obtained in law examinations, stemming from a failure to engage with the subject and poor attendance. Skwarok (1995, p199) highlights 'large class size, students' feelings of alienation and frustration in the study of law' and observes that 'students often appear to perceive the Business Law subject as peripheral to other foundation units'. Monseau (2005) highlights a number of problems including difficulty linking theory to examples given in class, using gut reactions to assess liability and students perception of gaining little from background reading. A common observation made by her students reflected the student's inability to understand a given legal concept until it had been explained during teaching sessions. (Monseau, 2005). Morris (2007 p287) observes there being a lack of training in 'how to study law' and that 'many non law students are left to puzzle these matters out as best they can'.

However, the need to teach law in a way that is different to how it is taught to LLB students is recognised and the literature highlights various suggestions to overcome problems associated with teaching law to non-law students ((Skwarok, 1995). These include adopting a simpler textbook divided into short chapters with a glossary for each

chapter, guided reading to include completion of a ten question 'quiz' prior to the seminar linked to grading and removing the standard division between lectures and seminars. Skwarok (1995) advocates concentrating teaching in a commercial context and comparing and contrasting points of law within this framework, the creation of fictitious companies and the use of case studies 'which require an integration of practical business and legal analysis'. Morris (2007) concludes that preparation is the key, that 'doing a more thorough job of "preparing the ground" at the beginning of the educational process would likely have the benefit of obviating many of the problems encountered later in the process. Soetendorp and Byles (2000) examine the pedagogy of teaching law to non-lawyers. Their findings focus on the need for inter-professional dialogue and the need to place students at the centre of their own learning through the development of micro-module materials. Corbin (2002) advocates using problem-based modules in tutorials 'concentrating on scenarios that relate to a realistic view of what the students will experience in their commercial dealings'.

The literature highlights the need for further investigation and an ongoing research study is being undertaken in undergraduate business courses at the University of Brighton to contribute to the pedagogical discussion regarding the study of law by non-lawyers. This paper presents the findings of the first stage of the research aimed at gaining a deeper understanding of student perceptions to the study of law.

The initial research consists of a questionnaire survey (appendix 1), containing both open and closed questions, undertaken by 231 first year business students about to begin a law module (approximately 81% home students, 9% EU students and 10% overseas students). A questionnaire was used to elicit information because of the need to obtain student views at a given moment in time. It was handed out in paper form when the students arrived for their first Law lecture. The survey provides an insight into student perceptions prior to embarking on the study of the module.

The initial research findings at Brighton suggest the majority of business students have an interest in studying law and see it as relevant to their future careers and believe they will develop most of their understanding and learning in group activities and tutor led seminars.

The Student Experience

At this institution the law for business module forms one of the core modules on the suite of Business Studies degrees. (These degrees comprise of BA (Hons) Business Studies, BA (Hons) Business Studies, BA (Hons) Business Management, BA (Hons) Business Studies with Marketing, BA (Hons) Business Management with Marketing, BA (Hons) Business Studies with Finance, BA (Hons) Business Management with Finance, BA (Hons) International Business). Some courses offer the opportunity to spend a year in University approved work placement in the UK or abroad. These degrees provide a broad foundation in all areas of business with an emphasis on developing business skills as well as academic knowledge and encourage students to form a global perspective on business.

Law for Business is usually studied in year one although a minority of programmes place a law for business module in year two. Traditionally the module consisted primarily of the traditional weekly lecture and a weekly face-to-face tutorial with the seminar tutor. Generally, assessment has been through a group task assignment and an unseen closed book examination. In the final year of their chosen degree programme, students who have passed this module have the opportunity to study specialised law electives in fields such as Consumer Law and Practice, Law of International Trade, Employment Law and Families, the Law and Business.

Although students were coping reasonably well with the demands of the coursework assignments, results in end of year law for business examinations were disappointing. Some students were failing to effectively engage with the subject. This was evidenced by poor examination results with average marks consistently lower than in other first year business modules. Tutors reported insufficient preparation week-to-week for seminars and the tendency of a number of students to only concentrate effort at assessment periods.

In this regard students at the University of Brighton were no different to students at other institutions. Monseau (2005) observed that once a topic area had been covered that her students had a tendency to consign it to an area of their brain, which would then only be reactivated prior to any exam, for intensive revision purposes.

The aim of this first stage of the research project is therefore to understand the perceptions of students and studying law, as viewed by students, including their background knowledge of the subject, their views as to the impact of law on their future business careers and their perception of law in comparison to other modules.

Research methodology

A survey was conducted with first year students through a questionnaire consisting of 10 questions (appendix 1). The survey was intended to produce data on the perceptions held by business students who were to study a generic law module. The basis of which will help inform future module development and teaching practice.

Before the questionnaire was finalised it was tested on a University of Brighton BA (Hons) Business Studies graduate for clarification and commentary. The questions were generally formulated so that respondents could choose from a range of possible responses. However, there were some open-ended questions to elicit more detailed responses. In investigative research open-ended questions are useful to avoid bias that a questionnaire may contain, (O'Sullivan & Rassel, 1989). The questionnaires were completed anonymously to encourage students to be as frank and candid as possible about their views.

The first question of the questionnaire related to the degree course for which the respondent was registered. The questionnaire was then designed to encourage students to explain why they chose to study for a business degree. The intention was to understand the respondent's motivation for their area of study. The questionnaire then asked the respondent whether they had previously studied law and if so, at what level. We were interested in establishing student's current level of knowledge to inform module design.

The core of the questions then focussed on the study of law. Respondents were asked to evaluate the relevance of law to business, their interest in learning law, aspects of law which they perceived they would enjoy and any concerns the respondent may have

about studying the subject. Respondents were also asked their perceptions of law in relation to other modules they were due to study in year one.

The final questions were designed to address pedagogical issues. The questions related to the learning styles most preferred by the respondent (Honey & Mumford 1992). The questionnaires were distributed to 291 undergraduate business students before the start of the module. The aim was for the students to complete the questionnaire prior to being given any information or lectures about the module by the lecturer. The distribution of the questionnaire in this way ensured a high response rate. Overall 231 questionnaires were collected before the first lecture, representing a response rate of 79.4%.

Research findings

Degree programme

In terms of 'demographic' data, the respondents came from a cross section of degree programmes including business studies, business management, business studies with marketing and international business. The majority of students were registered for a three year business management degree (46%).

The respondents were asked why they decided to study for a business degree. The results suggest an interesting range of responses. For example, many respondents indicate that they are motivated to study for a business degree because it will enable them to 'get a job'; 'further career prospects'; 'job progression'; 'enjoy the subject'; and consider it a 'useful degree'. This qualitative feedback strongly suggests that the overall theme is that students are registered for the degree for relatively practical and career orientated reasons. This may have implications for the future design of the law module.

Previous study of law

The respondents were asked if they had studied law prior to University. The data for this question is quite revealing. Nearly a quarter of respondents (60) had studied law

previously (22%). Of those who had studied law previously, most had either studied at A-Level (25) or as part of a business module (25).

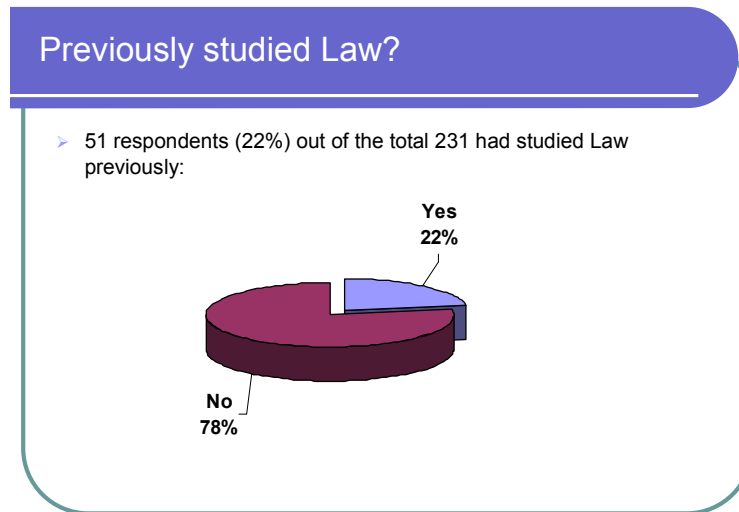


Figure 1 Previously studied law

Relevance of law to business

Question 5 asked the respondents to what extent they agreed or disagreed with the statement that law was relevant to business. The respondents could choose from four possible responses: Totally disagree/disagree/ agree/totally agree. The data reveals that the vast majority of respondents (98%) agreed that law is relevant to business.

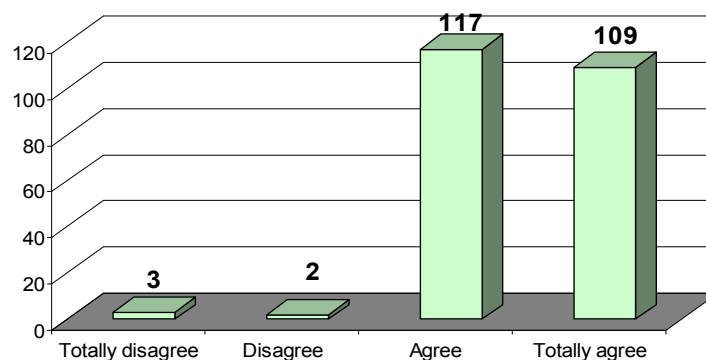


Figure 2 Relevance of law to business

Of those respondents agreeing that law is relevant to business, reasons included 'business must follow regulations'; 'businesses can be sued'; and 'lots of legislation in business'. This qualitative feedback suggests that respondents have a practical

approach to the study of law including avoidance of litigation and the need for compliance. This would suggest that to draw students into the study of law the focus needs to be on its practical application to business. Concentrating teaching in a commercial setting and creating a fictitious company at the commencement of the module may be what is required to fully engage the business student in the study of law.

Interest in learning law

Equally revealing, 87% of respondents stated that they were interested in learning about law. The question seeking this information was a closed question which gave the respondents the choice of a 'yes' or 'no' answer. As law is taught as a compulsory module in year one the results are encouraging. Twenty nine respondents (13%) were not interested in learning law. This suggests that many students do not see a break between the business aspect of the course and the study of law and in fact it indicates that students see law as an integrate part of their learning. This reinforces the work of Soetendrop and Byles (2000) which highlights the need for integrated learning.

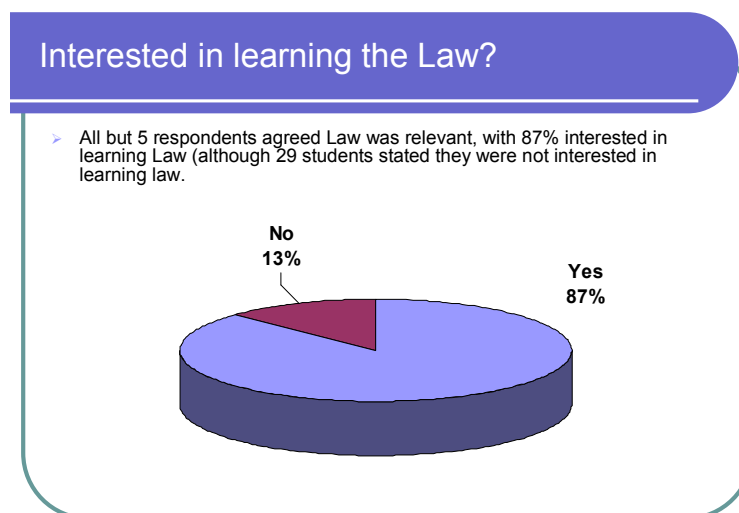


Figure 3 Interested in learning law

Views of studying law

In an open question, respondents were asked what they thought they would enjoy about studying law. There was a very strong sense in the data that the respondents were interested in learning about law in a business context – 'how it applies to certain parts of business'; 'how it relates to business'; 'rules and regulations within an operating

business'. This has implications for the pedagogical approaches to the study of law by non-lawyers. To maximise student engagement, the research suggests that the module design will need to be focussed on setting law within its business context.

The main response in relation to concerns about studying law focussed on 'retaining information'; 'complexity'; and 'legal terminology'. These concerns will also need to inform module design and assessment to enable students to overcome these barriers to their learning.

Comparisons with other modules

Respondents were asked to consider whether they perceived law would be more or less challenging (or the same) as other modules due to be studied in year 1. The current literature indicates that students perceive law as more challenging, and whilst this data confirms that view to some extent (56%) do consider law to be more challenging, a surprising number (44%) consider it either the same (39%) or less (5%) challenging than other modules.

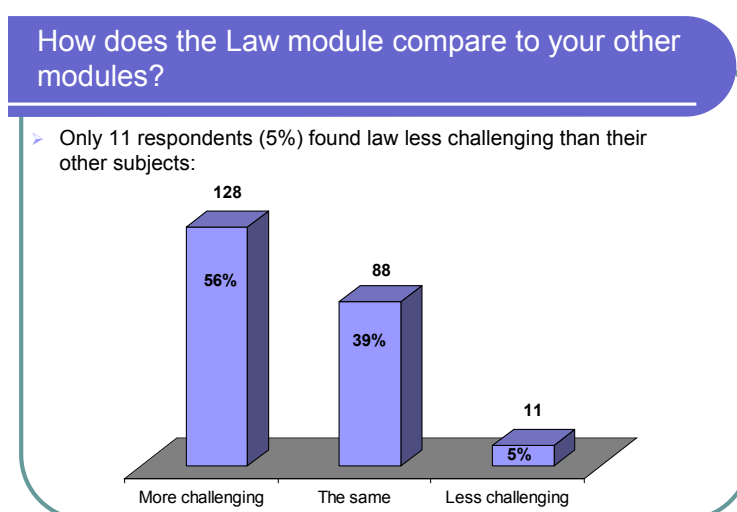


Figure 4 How does law compare to other modules?

Learning styles

At the end of the survey, respondents were asked to consider their preferred learning styles. Although there are continuing issues with the research field of learning styles the purpose of the question was to obtain a snapshot of what the students believed to

be their optimum method of learning before embarking on the module (Coffield, Moseley, Hall & Ecclestone, 2004). The question asked the respondents to rank their preferred learning style out of a choice of five, namely, reading at home alone, using case studies, working through seminar questions with a seminar tutor, working in groups in seminars, using online materials, multiply choice tests. The answers reveal that respondents place the tutor led small group seminar session at the heart of their learning, whilst online e-learning activities featured as one of the least preferred options. This is a surprising result in a business course. This preference for learning in group tasks, often based in seminars will need to be taken into account when reflecting on module design.

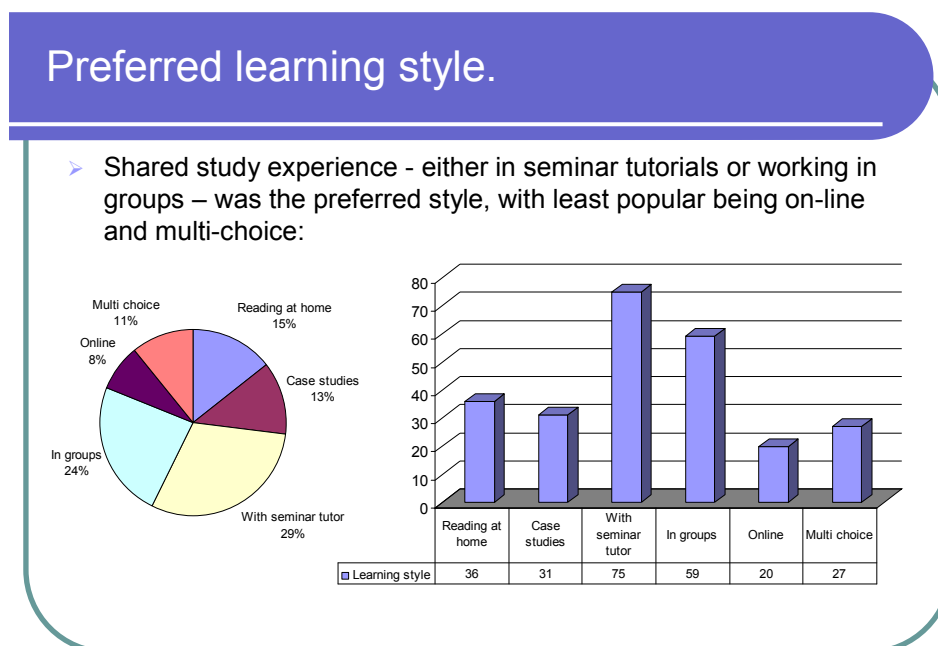


Figure 5 Preferred Learning Style

Conclusions

The survey of the undergraduate business cohort indicates that the vast majority of students come to law considering it to be relevant to business and interested in learning about the subject. In addition, nearly a quarter of students also begin the module with some background knowledge of the subject.

In terms of the reasons for choosing the area of study, the questionnaire indicates that business students are practically focussed on their career prospects and therefore the design of the law module will need to take into account this need to focus on real life examples in the business environment (Skwarok ,1995; Allen, 2007).

While this study confirms our students have an interest in studying law, the relevance of this interest will need to be balanced against what a business student actually needs to know in relation to studying law from a practical business perspective (Allen 2007).

These students do not need to be equipped to the standard of an aspiring lawyer and this principle must be considered when evaluating the methods chosen to both deliver and examine this type of module (Corbin, 2002).

The students' perceptions of their preferred learning styles imply that the existing group seminar method has a key role to play in their learning (Skwarok, 1995; Endeshaw, 2002). In the current climate of information technology, it is most informative that students do not perceive e-learning as a core learning tool.

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Appendix 1

Questionnaire: Law for Business (LW180)

1. Which degree course are you studying on?

2. Why did you choose to study for a business degree?

3. Have you studied law previously (please tick)?

Yes No

4. If yes, at what level did you study law:

A-Level Law

GCSE Law

Access Course

As part of a business module

Other, please state: _____

5. To what extent do you agree/disagree with the following statement: Law is relevant to business.

Totally disagree

Disagree

Agree

Totally agree

Why do you say that? _____

6. Are you interested in learning about the law?

Yes No

7. What do you think you will enjoy about studying law?

8. What concerns do you have about studying law?

9. Compared to the other modules you will be studying in Year 1, do you think the law module will be:

More challenging

The same

Less challenging

Why do you say that? _____

10. During your previous study, which learning styles suit you best? Please rank the following, with 1 being a style you really enjoy and 5 being a style that does not suit you):

Reading at home alone

Using case studies

Working through seminar questions with a seminar tutor

Working in groups in seminars

Using online materials

Multiple choice tests

Thank you for taking the time to complete this questionnaire. Please hand your completed questionnaire back to your seminar tutor in the first Law for Business seminar.