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On teaching: some (very) personal reflections

Anthony Bradney FAcSS, FRSA

Emeritus Professor of Law, Keele University*
Correspondence email: a.bradney@keele.ac.uk.

'Follow your arrow wherever it points'

(Kacey Musgraves, 'Follow Your Arrow', *Same Trailer Different Park* 2013)

AN APOLOGY AND AN INTRODUCTION

In an academic context, personal reflections on teaching, or indeed on any other matter, appear to have little place. Philip Larkin's comment on a personal belief, that 'it applied only to one man once / And that man dying' seems, at this point, to be both pertinent and pressing.[1] Also relevant is the beginning of *Walden* where Henry David Thoreau writes, 'I have lived some thirty years on this planet, and have yet to hear the first syllable of valuable or even earnest advice from my seniors', having previously asserted, '[o]ld deeds for old people, and new deeds for new'.[2] In the Robert Galbraith Strike/Ellacott bildungsroman series of crime novels, Jonny Rockeby, Cormoran Strike's father, puts a similar sentiment more simply: 'I 'ate fuckin' advice an' all.'[3] I have a great deal of sympathy for Rockeby's view and largely agree with Thoreau. The observations of someone who has lived a different life under dissimilar circumstances to oneself may well be uncongenial and even distasteful to hear and are unlikely to be profitable to follow. Yet, equally, as academics, we are wedded to the idea that not only do our actions have to be reasoned to be justified but that that reasoning must take account of arguments that have gone before. We are scholars before we are, amongst

* Senior Associate Research Fellow, Institute of Advanced Legal Studies, University of London.

1 More fully, Larkin wrote, 'And once you have walked the length of your mind, what / You command is clear as a lading list … / And what's the profit? … Since it applied only to one man once, / And that one dying' (Philip Larkin 'Continuing to Live' in *Collected Poems* (The Marvel Press, Faber & Faber 1988) 94.

2 Henry David Thoreau, *Walden* 7th edn (Rinehart Co 1957) 6. *Walden* was originally published in 1854.

3 Robert Galbraith, *The Hallmarked Man* (Sphere 2025) 752. Robert Galbraith is the pen name under which J K Rowling writes the series.

other things, teachers.[4] Sadly, the obligations of academic freedom and professional responsibility do not allow for the luxury of misanthropic self-indulgence.[5] Instead, they require that we consider even that which we suspect to be implausible whilst, at the same time, remembering that these same obligations mean that our decisions about what we do are ones that we are personally entirely responsible for, with tropes such as allegiance to others or obedience to authority sometimes explaining but in no way justifying our actions.[6]

The fact that I have now spent 49 years living an academic life, working at three different university law schools, does not matter for that which follows; anecdotes are not educational and reflecting on anecdotes would be a poor use of time when there are better sources to prompt inquiry.[7] The fact that I have spent a substantial part of that life considering the ever more voluminous literature on the nature and practice of work in universities should be relevant to this article, if my analysis is cogent, but, in the end, it is that

4 As Isaac Newton observed, in a letter to Robert Hooke, we see further by standing on the shoulders of giants (see Historical Society of Pennsylvania) even if, in contemporary more sceptical times, we sometimes doubt those whose shoulders we stand on were ever giants.

5 'Professors and others who teach in universities have an even more general and uncompromising responsibility. They have a paradigmatic duty to discover and teach what they find important and true …': R Dworkin, 'A new interpretation of academic freedom' in L Menard (ed), *The Future of Academic Freedom* (University of Chicago Press 1996) 189. Equally, '[t]here is a long tradition of observers who claim that professionals place the good of their client, the public, or the development of a discipline over their own economic interest …': Eliot Friedson, *Professionalism: The Third Logic* (Polity Press 2001) 214. Not all legal academics appear to place a premium on these *dicta*. Sandomierski's description of the work of Canadian contract scholars seems to suggest that many place more weight on their perceived role in producing legal practitioners than their positions as custodians of legal scholarship. See David Sandomierski, *Aspiration and Reality in Legal Education* (University of Toronto Press 2020) *passim*. Owen Fiss's view that '[l]aw professors are not paid to train lawyers but to study law and to teach their students what they happen to discover' in P Martin (ed), 'Of Law and the River and of Nihilism and Academic Freedom' (1985) 35 Journal of Legal Education 1–26, 26, seems to have limited purchase in Canadian law schools.

6 The prevalence of the two obligations amongst academics has consequences in different ways. Thus, for example, it has been noted that some, perhaps many, academics tend to be poor at teamwork: see Jon Katzenback and Douglas Smith, *The Wisdom of Teams* (Harvard Business School Press 1993) 22.

7 Equally the process of reflection is itself a complex matter that requires careful consideration. See further Elaine Hall, 'Narcissus in peril: weighing the risks of unthinking practice and excellent practice against the cognitive and emotional load of reflection' (2019) 53 The Law Teacher 399–400.

literature that matters, not because it is determinative of action but because of its richness as a resource for reflection.[8]

FINANCING A LAW SCHOOL

Perhaps counter-intuitively, for each of us the choice of what we wish to teach starts with our view about how law schools should be financed. To say that we will teach something is to say that we are or will become conversant with the literature around that teaching.[9] But then there is always also the question: how will our teaching be paid for? Whilst this second matter is an institutional question and a political issue, it is also a personal problem for each academic. This question of finance is never decisive, but it is always important. Universities regularly take decisions that make little sense financially. Particular subjects or types of students, for example, may be unprofitable to teach but this does not necessarily mean that they should not be taught. But to say this is different from ignoring economic issues. If we do not know what it costs us to do something, if we do not know how we will pay that cost, we, as individuals or institutions, are unlikely to thrive.[10]

Traditionally, United Kingdom (UK) law schools have usually been financially structured upon having very large numbers of students being taught in a mixture of lectures and seminars or tutorials. The academic literature on higher education is now replete both with accounts of the poor pedagogical nature of such work and suggestions about how this may be improved.[11] Yet, such scholarship, to some extent, misses the point of lectures in the modern university.

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8 If this is so it could be argued that a bibliography of such literature would be more useful than this article.

9 Becoming conversant with a new literature is an investment by an individual academic that may be repaid not just in the knowledge acquired but also in the opportunities for research that may be occasioned. The longer the academic has been in academic life, the more difficult it will be to justify that investment because time will not allow for the new avenues to be pursued.

10 The novelist Anthony Trollope captures the problem accurately when he writes that '[t]he man who is insensible to the power which money brings with it must be a dolt' in authorial comment in *Lady Anna* (Penguin Books 1993) ch IV, 37, having had Septimus Harding, a character whose moral probity, whatever his other failings, is unquestionable, opine in an earlier novel that '[m]oney is worth thinking of, but it is not worth very much thought': *The Last Chronicle of Barset* (Folio Society 1980) ch 49, 447. '[Harding is] Trollope's touchstone of moral value': Robin Gilmour, *The Idea of the Gentleman in the Victorian Novel* (George Allen & Unwin 1981) 163.

11 For one recent example of this literature, see Sarah French and Gregor Kennedy 'Reassessing the value of university lectures' (2017) 22 Teaching in Higher Education 639–654.

Lectures are a relatively cheap resource from the point of view of universities; that more can be done with greater expenditure, even if true as it probably is, only raises the question: where is that expenditure to come from? Considerations such as these suggest not just a particular educational technique, lectures, but also a particular type of course, those which are compulsory rather than options. It is the fact that the course is compulsory, and is thus taught to many students, not its content that, in itself, is an advantage to a university. Being able and willing to lecture on compulsory courses therefore becomes an advantage to individual academics.

For academics in their first years of an academic life this advantage can itself, however, be as much a difficulty as anything else. When they come to a law school having pursued doctoral studies, as is now commonly the case, their experience is, by definition, narrowly focused.[12] John Sutherland, in the context of departments of English, has lamented the impact such appointments can have.[13] Neophyte academics who want to teach only their specialist subjects create, from a financial perspective, unbalanced departments. Ignoring one's specialism and electing to lecture in compulsory courses can thus have personal advantages for the individual as well as pragmatic benefits for the law school. Yet such a decision, given the academic obligations noted above, creates its own problems. A department may have decided that it wants a course to be compulsory but does the individual academic, whatever the personal profit it might bring to them, agree with this curtailment of choice for students?

How one justifies something as being true and important is a complex matter that itself is therefore fraught with difficulty. The terms on which judgement is made are themselves contested. Is, for example, 'impact', a relatively new criterion by which importance it is said can be assessed, as the Knowledge Exchange Framework (KEF) would have us believe, or is it merely an attempt to subvert the pursuit of knowledge for its own sake in favour of turning universities into a public sector version of Deloitte with academics as badly paid versions of their

12 Doctoral students regularly engage in teaching. If this teaching is not in the area of their doctorate this should widen their perspective.

13 John Sutherland, 'What (who?) buggered up the English Department? An end of career moan' (2012) 19(1) Changing English 3–11, 11.

private sector colleagues?[14] Complex and contested though these judgements are, they nevertheless need to be made.

THE STUDENT AUDIENCE: CONSUMERS, CUSTOMERS, CLIENTS OR MEMBERS OF THE UNIVERSITY?

Lectures, tutorials and seminars exist because of students. Consideration of students has become an increasingly common subject of research and scholarship in recent decades. How are students to be viewed? What are their needs or desires? What account, if any, should academics or other members of the university take of those needs and desires? All of these questions depend upon, amongst other things, one's view of the nature of the university. Once again what research and scholarship that there is involves contradictory positions.

The very idea of a student audience will be seen by some to involve unacceptable hierarchical suppositions. University education is not legally compulsory. Students in UK universities are almost always adults. They have choice and agency. One response to this is to regard students as active partners in the academic enterprise rather than passive recipients. They are not in this sense 'an audience'. Such an attitude can result in changes in a variety of different ways.[15] These changes are not necessarily minor and can include fundamental alterations to attitudes about how student learning should be facilitated.[16] Another response is to see students as one of a range of stakeholders in the law school.[17] Although students are not a law school's only stakeholders, including them amongst others gives them

14 On the KEF, see its website. On the implications of the KEF, see Matthew Johnson, 'The Knowledge Exchange Framework: understanding parameters and the capacity for transformative engagement' (2022) 47 Studies in Higher Education 194–211. On the work of Deloitte, see Diya Devadiga and P S Aithal, 'Deloitte as a global professional services firm: an evaluation of strategy, innovation, and market impact' (2026) 3(1) Poornaprajna International Journal of Management, Education and Social Science 98-121. On the work of professional service firms generally see Laura Empsom, Daniel Muzio, Joseph Broschak and Bob Hinengs (eds), *The Oxford Handbook of Professional Service Firms* (Oxford University Press 2015).

15 Lucy Mercer-Mapstone et al, 'A systematic literature review of students as partners in higher education' (2017) 1 International Journal for Students as Partners 15–27.

16 Ahmed Raza and Suhraiya Jivraj, 'Trust, courage and silence: carving out decolonised spaces in higher education through student-staff partnerships' (2020) 54 The Law Teacher 475–488.

17 Andrew Boon and Avis Whyte, 'Will there be blood? Students as stakeholders in the legal academy' in Fiona Cownie (ed), *Stakeholders in the Law School* (Hart Publishing 2010).

a prominence they probably did not enjoy historically.[18] A more limited response than students as partners or as stakeholders is to argue that there is a need in the law school for 'understanding what students value, and then reflecting that in course design and marketing materials'.[19] Some but not all of these attitudes are consonant with identifying students as customers, consumers or clients. These terms are far from being identical.[20] However, they all seem to carry with them the notion that there is at least the idea of an element of a commercial exchange inherent in the student's relationship with the law school; an exchange which gives the student rights and the law school obligations.

Given the introduction of student fees, this notion of a commercial contract between students and universities giving rise to a series of obligations by the university towards the student may seem both obvious and incontestable. In fact, this is not the case. Paying to belong to something does not necessarily involve acquiring anything more than that membership. Acquiring a loaf of bread is not the same as becoming a member of a university. Students may currently possess various legal rights under, for example, relevant consumer legislation, but such legal rights arise because of how the state conceives of the student's relationship with their university; it is a choice made by the state. This conception may not be in accord with the student's own views, and that conception may not even be, in the student's minds, to their own advantage.[21]

One metaphor for a student's relationship with their university does not necessarily forbid another. A student can, for example, see themselves as a partner in a university even though consumer legislation sees the student as having a service contract with that university. However, this is not to say that the words have no innate potency. In the end, for the individual academic in their teaching, one question is: what do they see students as being?

However, students are viewed, one thing that is clear about law students is that typically their views

18 Not everyone will agree with the basic premise of the idea of stakeholders in a university or its law school. See Anthony Bradney, 'Stakeholders in the university law school: a note in dissent' in Cownie (n 17 above).

19 Alex Nicholson and Paul Johnston, 'The value of a law degree – part 3: a student perspective' (2021) 55 The Law Teacher 431–447, 432.

20 Tight describes the use of such metaphors as being 'commonplace' but then goes on, despite this, to argue that with them and other similar terms there are limitations as regards their accuracy: Malcolm Tight, 'Students: customers, clients or pawns' (2013) 26 Higher Education Policy 291–307.

21 Michael Tomlinson, 'Students' perception of themselves as consumers of higher education' (2017) 58 British Journal of Sociology of Education 450–467; Patty Kamvounias and Sally Varnham, 'Getting what they paid for: consumer rights of students in higher education' (2006) 15 Griffith Law Review 306–332.

about the university are probably very different from the views of most legal academics and are possibly different from the views of at least some students in other disciplines. In her ethnographic study of legal academics in England, Fiona Cownie reported that the 'majority of her respondents both valued the autonomy they had in their working lives and their ability to conduct the teaching and research that they wanted to do', concluding that they were 'proud to be doing this job, and that feeling of satisfaction is based on a value-judgement – that it is a "worthwhile" way to spend their lives'.[22] By contrast the observation that law students have a more prosaic approach to their choice of course pre-dates the introduction of students' fees. Kate Pitcher and Jane Purcell in their 1990 study *Great Expectations*, for example, noted that 72 per cent of students chose their course for what they termed 'pragmatic' rather than 'hedonistic' reasons; the corresponding percentages for humanities students were 8.3 per cent and 85.1 per cent.[23] What precisely students expect to get out of their vocational choice is unclear. Two things that are unquestionable are that, for law schools in England and Wales taken as a whole, only a minority of graduates will go on to jobs as solicitors or barristers and that, notwithstanding this, their employment options are likely to be better than graduates in many other disciplines.[24]

Student attitudes in general to their studies may have changed in recent years. Heather Rolfe, for example, has reported a general view on the part of academics that a higher proportion of students are now interested in their studies because of their career aspirations than they once were and that, conversely, students have a lesser intrinsic interest in the subject they are studying than they once

22 Fiona Cownie, *Legal Academics: Culture and Identities* (Hart Publishing 2004) 104–107 and 118.

23 Kate Pitcher and Jane Purcell, *Great Expectations: The New Diversity of Graduate Skills and Expectations* (Institute of Employment Research, University of Warwick 1990) 11.

24 Thus, for example, being a law graduate does, on average, generate a significant financial return: Ian Walker and Yu Zhu, 'Differences by degree: evidence of the net financial rates of return to undergraduate study for England and Wales' (Lancaster University Management School 2010) 13–14. Statistics for 2023/2024 show that there were 39,830 law graduates (HESA, Higher Education Student Statistics: UK, 2023/24 – Qualifications Achieved) whilst statistics for 2023 show that there were only 830 newly admitted solicitors: The Law Society, *Annual Statistics Report* (2025) 6. In 2034/2024 1924 people were called to the Bar: Bar Standards Board, 'Call to the Bar and tenancy statistics'. Employment prospects in general and as regards going on to professional qualification will vary from student to student and law school to law school.

did.[25] Whether the academics questioned regarded those changes as legitimate and what, if anything, they were prepared to do because of them varied from academic to academic.

WHAT DO YOU INTEND TO DO WITH YOUR TEACHING?

Teaching at university level has always, for some academics, involved more than conveying knowledge of a particular subject area; legal education in universities has gone beyond exposition. Historically, for the majority of legal academics in the UK, studying law has long been seen as being part of a liberal education.[26] What has been meant by the phrase liberal education has varied. For some, the idea has only loosely been adhered to whilst, for others, it has been an important part, perhaps even the most important part, of their view of their academic purpose.[27] Whilst inculcating fidelity to rational debate in students is part of the fundamental idea of a liberal education, the approach does not necessarily presuppose any particular political programme or conception of what may be involved in an idea of the good life. Believing in a liberal education does not necessarily involve being liberal. There are, however, many more radical alternatives of platforms for teaching that have been postulated. In no particular order, feminist legal education, critical legal education and decolonial legal education are among examples available.[28] All three involve querying the supposed neutrality of law and legal structures and acknowledging the different ways in which matters such as gender, class, sex and race can alter interaction with the law. Foluke Adebisi has argued that decolonial legal education does more than this, enabling the law school 'to go beyond diversity and confront our discipline's entanglements with power', elsewhere arguing that '[c]urrently, we teach our students

25 Heather Rolfe, 'Students' demands and expectations in an age of reduced financial support: the perspectives of lecturers in four English universities' (2002) 24 Journal of Higher Education Policy and Management 171–182, 180.

26 In 1957 James Louis Montrose, then the President of the Society of Public Teachers of Law (now the Society of Legal Scholars), wrote that 'it is now a commonplace to say that a university faculty of law has to provide a liberal education', in "Law, science and the humanities" (1957) 4 Journal of the Society of Public Teachers of Law 61, 61. See also Cownie (n 22 above) 31.

27 On law as a liberal education, see Anthony Bradney Conversations, *Chances and Choices: The Liberal Law School in the Twenty-First Century* (Hart Publishing 2003).

28 There is a large literature in both this country and elsewhere on feminist legal education and also on critical legal education. Decolonial legal education scholarship is, by comparison, largely a more recent development.

a particular vision of a particular world'.[29]

A decision to go beyond exposition in your teaching throws into sharp relief the fact that teaching, particularly on compulsory courses, is not usually done in isolation. Whatever you favour as the purpose for your teaching, will it be in accord with those with whom you are teaching? Even if there is synchronicity between you and other teaching on your module, what about its relationship with other modules? This is not to suggest that conflict between aims is necessarily a problem. What you want to do, what your colleagues want to do and what your students want may all be in conflict. It might even be argued that such conflict can be fruitful as different aims are debated.[30]

One way of avoiding conflict between and within modules is for a law school to appoint only those academics who are agreed as to a particular purpose or approach. This approach to creating a school appears to offer both pragmatic and ideological advantages; it provides a foundation for subsequent work, avoiding the problems inherent in a Tower of Babel. However, there may be less advantages than at first it seems. Agreement on purpose and approach may be apparent only because neither the purpose nor approach have been subject to close scrutiny. More than this, whether the Tower of Babel is, or ever was, undesirable is far from certain. The theologian Reinhold Niebuhr has argued apropos the Tower of Babel that '[m]an builds towers of the spirit from which he may survey larger horizons than those of class, race, and nation. This is a necessary human enterprise. Without it man could not come to his full estate.'[31] If universities are not, amongst other things, sites for such contestation, what are they?[32]

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29 Foluke Adebisi, 'Should we rethink the purposes of the law school? A case for decolonial thought in legal pedagogy' (2021) Series 2, 2(3) Amicus Curiae 428–449, 429; Foluke Adebisi, *Decolonisation and Legal Knowledge: Reflections on Power and Possibility* (Bristol University Press 2023) 2.

30 Such debate can also be problematic. In his autobiography, Patrick Atiyah discusses committee meetings within the law school at the University of Warwick where discussion of the purpose of the law school, the university and universities in general took precedence over the ostensible purpose of the committee meeting: *P S Atiyah: An Academic Autobiography*, James Goudkemp (ed) (Edinburgh University Press 2026) 154.

31 Reinhold Niebuhr, *Beyond Tragedy* (Nisbet & Co 1938) 29. See further, Anthony Bradney, 'The Tower' (2021) Series 2, 2(3) Amicus Curiae 352–270, 355–356.

32 See further Michael Oakeshott. 'The idea of a university' in Michael Oakeshott, *The Voice of Liberal Learning* (Liberty Fund 2000).

CONCLUSION

In Kacey Musgraves' song 'Follow Your Arrow', from which the epigram at the beginning of this article is taken, Musgraves' character in the song considers the options before her as regards, amongst other things, marriage, drinking, losing weight and going to church. In the song she concludes that, whatever she does, she will be criticised: 'You're damned if you do, and damned if you don't / So you might as well just do whatever you want', saying later, 'Just follow your arrow wherever it points.' Given the public place of religion in the United States, Musgraves probably means 'damned' literally. UK universities and their law schools are largely secular places.[33] Nevertheless, her point applies equally to legal academics making the choices that I have noted above. The choices are important, probably more important than many of the choices that Musgraves sings about. Nevertheless, the choices are contentious, and every choice made, no matter what it is, will give rise to criticism.[34]

Once someone has been appointed as a full-time legal academic, criticism, no matter whom it is from, has little immediate practical consequence. Vice Chancellors, Deans and Heads of School matter less than some of them imagine that they do. Promotion means little in others' view of your status and even less in terms of increased financial reward.[35] Given this, what reason in teaching, as in research, or in any other part of academic life, is there to do anything other than 'follow your arrow'?

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33 'Largely' because in my academic life in the UK I have twice been asked to stand for grace at the beginning of a meal at conferences. Since I am an atheist, I declined. At the most recent Socio-Legal Studies Annual Conference attendees were asked to register in queues ordered by the 'Christian' name of the attendee. In my conference feedback I did query whether this reflected the Association's vaunted inclusive nature. In retrospect I should also have asked how those who were Christians felt about others appropriating their identity.

34 As, of course, will this article.

35 In her ethnography of English academics, Cownie noted that 'only a very small minority' of her respondents regarded having a chair as a sign of success: Cownie (n 22 above) 94. The difference between academic pay levels is negligible and far outweighed by financial rewards in most, although not all, areas of professional practice. For an alternative view to this, see Richard Collier, 'Peter's choice: issues of identity, lifestyle and consumption in changing representations of corporate lawyers and legal academics' in Steve Greenfield and Guy Osborn (eds), *Readings in Law and Popular Culture* (Routledge 2006).