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BRIDGING THE DIVIDES: AN INTERDISCIPLINARY PERSPECTIVE ON THE TEACHING-RESEARCH NEXUS AND COMMUNITY ENGAGEMENT

Abstract

This paper examines the application of 'design thinking' principles to the teaching-research nexus, and argues for extending this nexus to community engagement, in the context of an ongoing interdisciplinary research project. The research is investigating young people and civic engagement, and is an ideal site for building a positive and reciprocal relationship between teaching, research and community engagement. These relationships are not axiomatic but must be nurtured with commitment and strategically managed. Drawing on teaching experiences in sociology and law, and reflecting on a co-design methodology developed for investigating youth citizenship, we conclude that 'design thinking' principles can be applied more broadly to strengthen the teaching-research nexus. Finally, we argue that universities must develop and implement genuine community engagement to remain relevant in the contemporary world.

I Introduction

It is well recognised that research tends to be favoured over teaching at many universities.[1] From the prestige associated with major research grants to promotion criteria, the status of research is placed above that of both teaching

1   Gil Nicholls, *The Challenge to Scholarship: Rethinking Learning, Teaching and Research* (Routledge, 2005) 21.

and community engagement. This is not a new phenomenon. In their edited volume on the role of universities and community engagement from mediaeval times to the present day, Peter Cunningham, Susan Oosthuizen and Richard Taylor show that universities have always had such priorities.[2] In the collection, David Watson notes the long history of 'binary systems of higher education', which see a 'division [as] largely constructed around the separate realms of research and teaching'.[3] Watson quotes Yves Mény, President of the European University Institute on the French experience:

> Where the Napoleonic model was imposed in a radical way, the fundamental division was not so much between teaching and research but between the university system on the one hand and the professional schools in charge of educating and training the future civil servants of the State.[4]

These binaries, teaching-research and scholar-practitioner, are recognisable to anyone involved in higher education today, including or perhaps especially in law, where the movement between practice and academia is a more 'high traffic area' than in most disciplines. In Australia, recent discussions have been largely focused on the national standardisation of the core curriculum,[5] but Napoleon's university-profession binary has long been of interest in the USA and elsewhere.[6] In this article, we argue from a socio-legal perspective that the further split between teaching and research is reductionist and risks the production of graduates who lack a comprehensive understanding of the system as a whole, whether law or society. Two strategies to strengthen the teaching-research nexus are presented in this article: the application of 'design thinking' principles and the strengthening of genuine community engagement. Design thinking offers a range of strategic and practical approaches to creativity and innovation, including an understanding of stages of thinking and reflection; an evaluation of the dynamics of team work; the workings of conversation and dialogue to generate new thinking about complex problems. Community engagement has long carried a multitude of meanings. Here we start by noting that authentic community engagement is not merely a 'consultative process' initiated by the state, is not a top-down strategy and includes both initiative and response. An engaged university is simultaneously engaged in the communities of students,

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2   Peter Cunningham, Susan Oosthuizen and Richard Taylor, *Beyond the Lecture Hall: Universities and Community Engagement from the Middle Ages to the Present Day* (Victoire Press, 2009).

3   David Watson, 'Foundations, Funding and Forgetfulness: Reflections on the Pattern of University Histories' in Cunningham, Oosthuizen and Taylor, above n 2, 11.

4   Ibid.

5   Law Admissions Consultative Committee, *Uniform Admission Rules 2008*, sch 1 (the Priestley 11); David Weisbrot 'What Lawyers Need to Know, What Lawyers Need to Be Able to Do: An Australian Experience' (2002) 1 *Journal of the Association of Legal Writing Directors* 21.

6   Harry T Edwards, 'The Growing Disjunction Between Legal Education and the Legal Profession' (1991) 34 *Michigan Law Review* 34; Deborah L Rhode, 'Legal Scholarship' (2002) 115 *Harvard Law Review* 1327.

its geographic location, research, teaching, and its international groups and institutions. Together, design thinking and community engagement strategies are essential to the relevance of contemporary universities when confronted with massive online and other private sector competition.

II University Culture and the Teaching-Research Nexus

Those appointed to 'teaching only' positions, even those with distinguished practice experience, are considered to be in an inferior situation to research-teaching and research-only appointments. Marina Nehme finds that 'within many universities there is a culture that values and rewards research at the expense of teaching'.[7] From emerging academics to professors approaching retirement, research positions are perceived as the ideal. Research-only appointments provide the opportunity for scholars to establish their careers without the 'distractions' that come from undergraduate subject coordination, teaching and marking. These distractions grow exponentially in parallel with participation programs, in Australia and elsewhere, that have seen the *massification* of tertiary education.[8] Entire student cohorts that historically would have been excluded from tertiary education are now attending university.[9] Our own institution, the University of Western Sydney, is not only comprised of many such cohorts, but was specifically formed for the purpose of delivering local tertiary education to the population of Greater Western Sydney, which, traditionally, is the lower socioeconomic region of our wealthy global city.[10] This student demography can place greater demands on teaching time and further limit capacity for peer-recognised research.

Most debates around these issues presuppose that teaching and research are at best competing for academics' time and expertise and are at worst mutually exclusive.[11] Yet this establishes a false binary between teaching and research. While everyone's time is scarce, a rigid divide between the two activities is unhelpful and ignores the continuous nature of both roles. Good teachers are constantly observing, analysing and testing their conclusions about assessments, class activities or student-teacher communication. It is a sometimes lamented but widespread truism that most

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[7] Marina Nehme, 'The Nexus Between Teaching and Research: Easier Said Than Done' (2012) 22 *Legal Education Review* 241, 244.

[8] Margaret Thornton, *Privatising the Public University: The Case of Law* (Routledge, 2012).

[9] Commonwealth of Australia, Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education, *Higher Education and Participation Partnerships Program* <https://education.gov.au/higher-education-participation-and-partnerships-programme-heppp>.

[10] Ingrid Matthews, 'Teaching and Learning Citizenship: From the Margins to the Centre'(Paper presented at The Citizen in the 21st Century, Sydney, 3–5 February 2013).

[11] E E Gottlieb and B Keith, 'The Academic Research-Teaching Nexus in Eight Advanced-Industrialized Countries' (1997) 34 *Higher Education* 397.

academics are seeking the next research project or grant opportunity between class preparation and marking tasks.

A false teacher-researcher binary also overlooks the third, essential role of scholars and tertiary institutions: community engagement. Universities are situated in a range of communities across a vast scale, from the geographical location of the buildings to virtual and global groupings of scholars, practitioners and activists. Yet Cunningham, Oosthuizen and Taylor, Nehme and Watson (among others) demonstrate that research, teaching and engagement can be managed to reinforce each other, to make better teachers and researchers who are more actively engaged with the various communities to which universities belong.[12]

To answer the question *how does one bridge the teaching-research divide?,* it is also necessary to ask *what is the role of universities in the contemporary world?* and include community engagement as a core function alongside teaching and research.[13] In many disciplines, and particularly in law, there is frequent movement between the universities and the professions through student placements, careers fairs, pro bono work, and reference to scholarly texts in judgments and other real world contexts. This rich conduit of knowledge transfer between the academy and society is generally only applied sporadically and by individuals, rather than at an institutional level or in a strategic way.[14] A university that is genuinely engaged with the communities in which it operates will harness the experiences of scholars, practitioners and students to strengthen teaching and research outcomes. Adding community engagement to the teaching-research nexus is essential for another reason: to maintain relevance in these times of increasing competition, such as from Massive Open Online Courses ('MOOCs') and other private sector providers. Below, we outline some of the strategies we have tested in an effort to see the teaching-research-engagement nexus strengthened. First, we outline what design thinking principles offer in our respective disciplines of sociology and law and reflect on whether these approaches can be applied more broadly.[15]

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[12]   Cunningham, Oosthuizen and Taylor, above n 2; Nehme, above n 7; Watson, above n 3.

[13]   Julian Jenkins, 'Creating the Right Design Environment' (2008) 19 *Design Management Review* 16; N Tromp and P Hekkert, 'A Clash of Concerns — Applying Design Thinking to Social Dilemmas' (2010) 8 *Eighth Design Thinking Research Symposium (DTRS8)* 393.

[14]   It is more common to see discussion of knowledge transfer from the academy to industry, however, knowledge transfer generally is gaining more attention. See the European Commission guidelines: *Improving Knowledge Transfer between Research Institutions and Industries Across Europe* (Office for Official Publications of the European Communities, 2007); and the 'Innovation Through Knowledge Transfer' Special Edition: (2012) 5 *Innovation Impact* 1.

[15]   Bec Paton and Kees Dorst, 'Briefing and Reframing' (2010) 8 *Eighth Design Thinking Research Symposium (DTRS8)* 317.

III An Interdisciplinary Framework

The research project team developing the co-design methodology reported here is comprised of five people who teach or have taught across the humanities, sociology and cultural studies, design, international relations and law.[16] Social justice is a shared and guiding ethos. The central aim is to identify 'threshold moments', when a person sees the world anew and starts making more active decisions about themselves and others. The analysis centres on the ethnography of a workshop program and has expanded to include the co-design methodology, where both content and delivery are designed in partnership with youth agency staff and representative young people.[17] Because we are teaching and learning 'active citizenship', we do not want to roll out workshops on democracy that are undemocratic in nature. Active citizenship goes beyond 'the two Vs', voting and volunteering. The 'surplus model', also recognised in 'content co-creation' practices, where teachers and students embark together on a teaching and learning journey, is being tested beyond the lecture hall, in a community engagement setting. Like most academics, we are simultaneously reflecting on the relationships between practices — teaching, research, and community engagement.

Commencing with sociology, it is well known that there is a band of traditional topics that have always been taught: class, gender, power, race and the nation. But unless Margaret Thatcher's philosophy that 'there is no such thing as society'[18] is adopted, the traditional approach tends to deprioritise the complex bonds that create societies, between and beyond the individual. This does not mean that the individual does not matter. Rather, it means we must understand the big issues — class, gender, race — in terms of relationships between each other and how each relates to individuals, including our students.

Similarly, there is little time or space in a law degree for developing a thorough understanding of the relationship between subject areas, and thus the various divisions of the legal system. Yet all lawyers must be aware of the messy reality, where clients do not demarcate which of their problems is a matter for contract law, or the criminal court, or best resolved by an equitable remedy. That being the lawyer's job, our students will enter the profession much better prepared if we frame our teaching with principles that promote critical understanding of the relationships between these different areas.

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[16] The members of the team are James Arvanitakis, Mitra Gusheh, Anna Powell, Bob Hodge and Ingrid Matthews.

[17] These decisions range from the general to the specific and from the seemingly trivial to the obviously serious. We might cover an immediate problem, such as young people's use of public space and police move-on powers, or changing the world, such as global hunger and climate change. The workshops may be outdoors, over two days or one, or in school holidays.

[18] Douglas Keay, Interview with Margaret Thatcher (IPC Media Woman's Own Interview, 31 October 1987).

There are questions of resources here, but it is essential to move beyond funding, which is unlikely to be expanded in the near future. Instead, it is essential to think creatively about teaching to ever-increasing class sizes and address the limitations of some traditional teaching practices. These include the vertical, or broadcast model and reductionism, where disciplines are broken down into basic fragments and each degree, and in turn each subject, is essentially taught as the sum of its parts. In the vertical model, where the 'teacher is the broadcaster',[19] communication is one-way and linear. The lecturer sits up the top and passes information downwards to the students. The MOOCs sector is already going the same way: 'the movement to MOOCs reinforces a mode of learning that otherwise was coming to seem dated, with one authoritative figure lecturing to large groups of passive learners.'[20] There is no room for genuine engagement in such models.

One example of resisting reductionism is the topic 'the individual, class and class relations', which can be found in first year sociology lectures. Rather than setting many pages of theoretical text to be read each week, the material was reframed under the heading *what limits our life choices?* This draws on the class relations literature, and invites students to bring their personal experiences to the lecture hall and to online discussion. Their observations in turn provide insights and deliberations that may enhance, de-stabilise or confirm research findings in the youth citizenship project.[21] An earlier output of the citizenship research was a series of exercises designed to lead students to identify issues that can expand their life choices, such that they can 'make a difference'. The classroom responses encourage reflection on the relevance of these empowerment exercises, represent a measure against which to locate our cultural referents (climate change, 9/11, the Arab Spring, refugees) and potentially identify new areas to pursue. Research and teaching are in dialogue around an enduring question of contemporary society: *what do young people think?*

While not every research area overlaps with teaching as neatly as class, youth and citizenship, it is a truism that all students are subject to the rule of law. In this context, instead of introducing law with theoretical readings on *what is law?,* first year students can be invited to share their experiences or knowledge of law. Nehme finds that a student-centred approach to teaching facilitates integration of teaching and research.[22] She cites Patrick Terenzini, who noted, 'learning occurs best when it

[19]   Don Tapscott and Anthony Williams, *Macrowikinomics: Rebooting Business and the World* (Portfolio Hardcover, 2010) 2.

[20]   Carl Straumsheim, *Masculine Open Online Courses* (3 September 2013) Inside Higher Ed <http://www.insidehighered.com/news/2013/09/03/more-female-professors-experiment-moocs-men-still-dominate#ixzz2dsnGvaZE >.

[21]   'Promoting Young People's Citizenship in a Complex World' is a three year ARC Discovery project headed by James Arvanitakis with Professor Bob Hodge. Ingrid Matthews is the project research officer. See James Arvanitakis and Bob Hodge, *Promoting Young People's Citizenship in a Complex World*, University of Western Sydney <http://www.uws.edu.au/ics/research/projects/young_peoples_citizenship>.

[22]   Nehme, above n 7, 266.

is "situated", when the challenge encountered has real meaning in a real context'.[23] The great question for jurisprudence scholars and first-year law students alike, *what is law?,* attracts a wide array of responses, from speeding fines to school excursions to court. These answers represent rich data on which the lecturer can reflect and then consider how best to make the readings relevant and applicable to students' own varied experiences and levels of insight. Some students have been witnesses, a few have been defendants, and most have a view on the process of obtaining a driver's licence. Even television shows are not off the agenda. Whether they watch *Crownies*, *Rake*, *CSI* or *Law and Order*,[24] examples from these shows are most likely to illustrate a legal concept in a way that will be better understood and remembered. This exercise is also an entry point to observing the similarities and differences between real-life and television courts and police stations. Furthermore, this process facilitates reasoning by analogy.

These approaches combine the surplus model with co-design principles.[25] The deficit model assumes that students are 'empty vessels', waiting to be filled with knowledge.[26] In contrast, the surplus model recognises that students are in fact experienced individuals with ideas, perceptions and opinions of the world and the subject area they have chosen to study. Using the surplus model includes drawing on the experiences and views of students to co-develop course content, a process that is consistent with co-design principles.

Partly in response to fragmentation and specialisation, inter-disciplinarity (and its variants, multi-, cross-, and trans-disciplinarity) has emerged in research culture over the past two decades or so.[27] Alongside developments in systems analysis and complexity theory,[28] this underscores the importance of understanding whole systems and not merely individual components, regardless of the discipline.

Tim Brown's discussion of Thomas Edison's signature invention, the electric light bulb,[29] illustrates the relationship between individual 'design' and systems thinking. Brown writes: 'Edison understood that the bulb was little more than a parlour trick without a system of electric power generation and transmission to make it truly

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[23] Patrick Terenzini, 'Research and Practice in Undergraduate Education: And Never the Twain Shall Meet' (1999) 38 *Higher Education* 33, 35.

[24] Anecdotally, more students tune into American forensic shows than Australian lawyer shows.

[25] James Arvanitakis and Bob Hodge, 'Forms of Engagement and the Heterogenous Citizen: Towards a Reflexive Model for Youth Workshops' (2012) 5 *Gateways International Journal of Community Research and Engagement* 5.

[26] Paulo Freire, *Pedagogy of the Oppressed* (Myra Bergman Ramos trans, Penguin, 1970).

[27] Bob Hodge, 'Monstrous Knowledge: Doing PhDs in the New Humanities' (October 1995) 38(2) *Australian Universities Review* 35–9.

[28] Kim V Hodges, 'Solving Complex Problems' (2012) 338 *Science* 1164.

[29] Tim Brown, 'Design Thinking'(2008) *Harvard Business Review* (online), June 2008 <http://hbr.org/2008/06/design-thinking/>.

useful'.[30] Edison's brilliance was that he did not simply see a light bulb as a discrete device, but saw it in the context of restructuring the way people lived and how the economy ran. Ultimately, Edison reconsidered and reframed the purpose of a single product by consideration of how users' needs and preferences would develop.[31]

Investigating and implementing the 'full spectrum of innovation activities' from a human-centred ethos epitomises design thinking.[32] It requires a deep understanding of the needs of people in order to resolve problems and to innovate.[33] Another example where design thinking informs sociology and law comes from a research project based with the University of Technology Sydney (UTS). The 'Designing Out Crime' project[34] is investigating the high level of violence that occurs in Sydney's Kings Cross.[35] The linear approach of the New South Wales government to confronting this challenge is to increase security and police numbers, place a freeze on the number of entertainment venues and lock out patrons.[36] Yet those familiar with 'lock 'em up' culture and 'law and order auctions' know that these responses are not evidence-based. Most amount to little more than political posturing (and opportunities for earning overtime),[37] while a heavier police and security presence can in fact inflame tensions and violence.[38]

Design thinking identifies and demonstrates that security-oriented solutions are counter-productive. A design thinking-based analysis produced alternative, including counter-intuitive, strategies. In the UTS study, analysis of the number of patrons and the reasons people go to Kings Cross revealed that each and every Friday and Saturday night should be considered an 'event'. While security plays its role, Kings Cross patrons are not best managed by being primarily treated as a security 'problem'. Rather, Friday and Saturday nights in 'the Cross' are an event management challenge. The movement of large numbers of people through venues across the district is akin to hosting the Olympics or the football finals. The key is well-resourced and efficient management of transport, safety, hydration, waste and

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[30]   Ibid.

[31]   Paton and Dorst, above n 15.

[32]   Brown, above n 29.

[33]   Tromp and Hekkert, above n 13.

[34]   The Designing Out Crime Research Centre, *Designing Out Crime* <http://www.designingoutcrime.com>.

[35]   Catriona Menzies-Pike and James Arvanitakis, *A New Plan for Kings Cross* (20 September 2012) New Matilda <http://newmatilda.com/2012/09/20/new-plan-kings-cross>.

[36]   Ibid.

[37]   Nicholas Cowdery, *Getting Justice Wrong: Myths, the Media and Crime* (Allen and Unwin, 2001).

[38]   Stephen Tomsen, ' "Boozers and Bouncers": Masculine Conflict, Disengagement and the Contemporary Governance of Drinking-Related Violence and Disorder' (2005) 15 *Australian and New Zealand Journal of Criminology 283*; Peter Miller, 'Patron Offending and Intoxication in Night-Time Entertainment Districts' (Monograph Report No 46, The National Drug Law Enforcement Research Fund, 2013).

catering. The results point to measures such as increasing the number and variety of venues and live music sites and introducing late night markets and 'recovery' tents. In contrast, limiting the number of venues distorts the market and protects operators who badly manage their outlets.[39]

How do these examples relate to the teaching-research-engagement nexus? The principles of design thinking set out below assist us to move on from simply delivering 'individual components of knowledge' to promoting scholarship in its richest sense. In her review of the teaching-research literature, Nehme points to the 'conventional wisdom' model, in which academics assume that research and teaching 'are mutually enriching: efficient teachers are active researchers who use their research to enliven the classroom'.[40] This would be ideal, but a positive correlation between teaching and research is not axiomatic and is certainly not automatic.[41] To ensure that the relationship is mutually beneficial, active agency by individuals and groups and strategic planning and resourcing by institutions are all required.

While individual academics are continually addressing specific challenges, cultural change towards better 'valuing the scholarship of teaching'[42] is a central strategy here. Nehme cites the 'approaches to the scholarship of teaching' offered by Trigwell et al, including 'investigating the learning of one's own students and one's own teaching' and 'collecting and communicating results of one's own work on teaching and learning within the discipline'.[43] We go further by emphasising the importance of communicating results beyond as well as within disciplines and beyond as well as within universities.

Before proceeding, we emphasise that design thinking is no silver bullet, nor is it formulaic, or necessarily transferable to every discipline. As with the common law itself, we rely on general principles, to be applied to seemingly new or unique circumstances and problems, to strengthen the teaching-research nexus and to overcome false binaries.[44]

IV Principles of Design Thinking

The general principles outlined here draw primarily on the work of Julian Jenkins[45] and Kees Dorst,[46] and are illustrated by experiences from lectures and tutorials in

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[39]   The Designing Out Crime Research Centre, above n 34.

[40]   Nehme, above n 7, 251.

[41]   Ibid 261–71.

[42]   Ibid 267.

[43]   Keith Trigwell et al, 'Scholarship of Teaching: A Model' (2000) 19(2) *Higher Education Research and Development* 155, 159 in Nehme, above n 7.

[44]   Tromp and Hekkert, above n 13.

[45]   Jenkins, above n 13.

[46]   Kees Dorst, 'The Design Analogy: A Model for Moral Problem Solving' (2006) 27(1) *Design Studies* 633.

sociology and law. We apply the principles under another broad question: *what are we aiming to achieve?*

Jenkins stresses that the first major challenge any individual or organisation faces is to convince colleagues that a new approach is required.[47] Radical changes to teaching are likely to be criticised by colleagues who see the path to delivering a subject today as no different from the path in 1970, despite the social, cultural, demographic, political and technological changes.[48] It is therefore essential to gain the support of some senior colleagues.[49] Some methods may be considered controversial and all are open to criticism, for this is an essential component of peer-reviewed research processes.[50] To confront controversy, criticism and risk-averse environments, it is crucial to build a strong case for change that at least some senior colleagues can support. This also goes to ensuring that the exact goals have been clearly articulated and that innovative methodologies meet professional and ethical guidelines.[51] Transparency here also promotes compliance with oversight from external bodies that monitor quality and content. The excitement of innovation can often distract from formal approvals, load allocation and other administrative requirements. Building support structures and networks of practice provide checks and balances on whether the innovations meet institutional policies and other rules.

The second area to reflect on and recalibrate is the learning outcomes, including the role of students in achieving these.[52] If we insist on the lecturer as broadcaster, it follows that the only role for students is to be 'empty vessels'.[53] However, if we redefine students as active agents who, as Paulo Freire argued, have important experiences that the teacher should recognise and incorporate into teaching and learning practices,[54] then the way we approach teaching changes dramatically. Individual and collective student experiences inform teaching methods and content.

This 'non-empty vessel' approach has been tested in conjunction with application of principles of design thinking in a first year sociology subject.[55] 'Contemporary

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47   Jenkins, above n 13, 2.

48   James Arvanitakis, *Kill Your Powerpoints and Teach Like a Pirate* (7 December 2012) The Conversation <http://theconversation.com/kill-your-powerpoints-and-teach-like-a-pirate-10908>.

49   Jenkins, above n 13.

50   Arvanitakis and Hodge, above n 21.

51   It may also be appropriate to seek ethics guidance where teaching experiences become research inputs, such as comparative guidelines for research results.

52   Dorst, above n 46.

53   Paulo Freire, 'The Fourth Letter' in *Teachers as Cultural Workers: Letters to Those Who Dare Teach* (Donaldo Macedo, Dale Koike and Alexandre Oliveira trans, Westview Press, 1998).

54   Ibid 209.

55   James Arvanitakis, *Contemporary Society: A Sociological Analysis of Everyday Life* (Oxford University Press, 2008).

Society' introduces students to basic sociological concepts: class, power, gender, race, technology and globalisation. It is a core unit for humanities and liberal arts students, many of whom are wondering how Marx, for example, is relevant to their lived experience. As one student said, 'I am over learning about old, dead white guys who lived 100 years ago.'

The learning outcomes of the subject would be familiar to anyone in the liberal arts:

• analyse social structures and the cultural practices and discourses that mediate them;

• learn to apply general methods of analysis and key concepts to specific real-life problems and issues;

• critically analyse academic and popular texts that interpret social realities;

• develop and expound an argument in written form and apply referencing conventions; and

• conduct research and demonstrate skills of social analysis.

Along with many colleagues, we have spent agonising hours trying to ensure that learning outcomes are clear to students and meet institutional and sector-wide graduate attribute requirements. Though it is an essential academic discipline to list these outcomes in a clear and concise way, it is also important to ask *what are we aiming to achieve?* This open-ended question is designed for maximum input and flexibility; no response is prematurely positioned (skewed, dominant) or ignored. The question also demands a series of specific, meaningful answers if it is to be answered at all. By reframing the learning outcomes into a synthesised understanding of what we are trying to achieve, we reconceptualise teaching and learning as a participatory, shared process. A parallel aim here — and it must operate in parallel — is to develop student-teacher engagement across all the content, with an emphasis on continuity and links between the constituent parts of the course. Without specific strategies that promote continuity and connection, the standard weekly reading model is inherently fragmented and linear.

Drawing on citizenship research and reflecting on the subject goals, the learning outcomes for students were reframed as follows:

• promote a sense of active and engaged citizenship; and

• introduce students to academic research and writing disciplines.

The new aim was to see how students' lived experience could be actively deployed as an input to the teaching and learning process and applied to different theoretical areas. Students become more active participants in the learning process and in a follow-up exercise are encouraged to discuss how they use the new knowledge in their own lives. This exercise asks: *what has changed for you, if anything, in*

acquiring this knowledge? and *how relevant is this knowledge for navigating contemporary society, in our case, a multicultural Australia?*

This led to identification of 'everyday acts of citizenship' as conduits to the empowerment and engagement of young citizens.[56] For example, one student, after discussing the issue of race and racism in class, instigated a proposal to introduce multicultural days at her children's pre-school to break down misconceptions and stereotypes. This powerful act of citizenship is well beyond the traditional civic measures of volunteering and voting and is clearly an example of navigating multicultural Australia. Her story became one of many referents for the citizenship research project, reinforcing the nexus between teaching and research and the value of student-focused content and delivery.

Shifting the focus from class and class structures to what can limit life choices opened a wider communication channel, allowing 'thicker' (at least two-way) exchanges.[57] The classroom content is co-created by students, which in turn provides invaluable insight to empowerment and human agency. In terms of our youth citizenship research, students' stories and experiences can provide some measure for checking the accuracy and relevance of results. We are far less likely to draw misguided conclusions or miss a looming barrier to a student's participation when we are in regular communication with the students we see every week.

Jenkins' third principle is to be a 'systems thinker'.[58] To establish this position, he discusses the reductionist history of the sciences and argues that while individual parts are important, the relationship between components as well as the overall system must be understood. So a complex system such as climate, for example, cannot be explained by its individual parts or by the individual impacts of human activity.[59] We must understand both cumulative and compound effects. Systems thinking is amenable to wide adaption, whether applied to transport planning, climate science or statutory interpretation.

Many first year law students struggle with seemingly contradictory concepts. A classic example is: every statute must be read as a whole, while every word must be assumed to carry meaning. Yet in law and in life, we must negotiate contradictory instructions. One approach is to expect students to absorb this essential piece of understanding over the course of their degrees. Another is to embed salient examples and techniques in introductory classes. Many introductory legal concepts lend themselves to explanation in terms of lived experience, not least those concepts that have made their way into the vernacular. 'Finders, keepers' is perfectly illustrated by *Armory v Delamirie*,[60] while 'the exception that proves the rule' illustrates

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56   See Arvanitakis and Hodge, above n 21.

57   Bob Hodge and Ingrid Matthews, 'New Media for Old Bottles: Linear Thinking and the 2010 Australian Election' (2011) 44(2) *Communication, Politics & Culture* 95.

58   Jenkins, above n 13, 20.

59   Ibid.

60   (1722) 1 Strange 505; 93 ER 664.

all manner of challenges in legal reasoning. The principle of charity, the precautionary principle and the criminal standard of proof are all associated with the broad concept of who gets 'the benefit of the doubt', which in turn can be illustrated by cricketing allegory. This may sound frivolous, but cricket and the common law are in many ways peculiarly English: understanding the principles of one complements an understanding of the other. 'It's just not cricket' epitomises the 'spirit of the law' and few law schools would advocate for confining the curriculum to black letter law.

Design thinking builds the capacity to identify and comprehend relationships between branches of a subject, a crucial skill in legal practice. By unpacking everyday sayings for their roots in legal concepts, a broader picture of the overall system emerges. This approach relies on what Vygotsky has conceptualised as the 'zone of proximal development',[61] which 'bridges the gap between the existing knowledge of a person and the discovery of new knowledge'.[62] It further complements the 'process of facilitating students' construction of knowledge',[63] another of the strategies identified by Nehme as actively 'creating a positive nexus between teaching and research'.[64]

The systems principle of design thinking assists with reconciling seemingly inconsistent or overlapping content by reframing the teaching experience to include students as part of the whole. Again, what appears at first frivolous — *do you like* Law and Order? *Have you seen* Twelve Good Men? — elicit information that can operate as entry points for delivering content on theory and practice. The relationship between the police and the prosecution (and defence), the role of citizen-jurors, our duty to clients and the court, ultimately the rule of law itself, can be linked by connecting, comparing and distinguishing popular depictions of law with course content. A useful reflection here for future lawyers is that many of their clients will also know little about the law proper, but would have been exposed to multiple fictional versions of it. Conversely, in Legal Aid practice particularly, clients will know a great deal about legal processes and outcomes, in contrast to the young lawyer. Students with a working understanding of the surplus model are better equipped to recognise client experiences and how such experiences of the law influence client stories, fears and decisions.

A typical topic ripe for the 'systems' approach is the role of juries. This lecture might begin with Henry VIII and work through to the 21st century, by which time many students will be on Facebook, or have stopped taking notes, or be asleep. An alternative is to deliver a brief, functional overview, set five minutes to look up the words 'majority' and 'unanimous' (by any means available, whether it be phones, laptops, the person sitting next to them, text or dictionary) and ask: should we allow majority verdicts? What about for murder? The answers provide an overview of the students

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[61]   Lev Vygotsky, *Mind in Society: The Development of Higher Psychological Processes* (Harvard University Press, 1978) 87–8.

[62]   Nehme, above n 7, 266.

[63]   Ibid 267.

[64]   Ibid 261.

in the room — the compassionate, the cautious, the risk takers — and introduce content that will be delivered later in the semester: presumption of innocence, beyond reasonable doubt, evidence and proof, tribunal of fact, fact and law.

Student input also improves continuity for both teacher and learner. Rather than focus on each individual week's reading in delivering a subject, systems thinking embraces the entire narrative of the subject. By reinforcing the big picture as well as the relationships between each week's topic, students can build memory pathways for retaining the material and add richer meaning as each new pathway is forged or relationship understood.

Fourthly, Jenkins and Dorst describe the critical role of 'human interactions and social processes'.[65] In the juries example, when the associated concepts come to be addressed in more detail, students' memories can be triggered: *remember when we discussed majority verdicts and some people said this and others thought that*? Their classmates are in many ways more real to them than we are, and either way, the content is reinforced by genuine human exchange, something that prompts most humans to retain at least part of what has been said. In their clinical study on 'conversational memory', Laura Stafford, Vincent Waldron and Linda Infield found that 'participants reported more thematic and evaluative statements while observers produced more errors and elaborations'.[66] The latter are clearly two characteristics we seek to avoid, whether in exams, research or court.

It is imperative that as academics we take into account the human-centred aspect of our work. That is, we are not simply delivering content, but building a citizen/student body able to confront some of the world's most difficult and complex problems, be it in ethics, the humanities, sciences or engineering. We must be preparing students for even those challenges we are not yet aware exist. In the 1970s, few engineers would have learnt of climate change resilient systems, or law students imagined the complex legal battles over patenting human genes or suicide pacts formulated via social media. What is important here is not so much the specific content but the human interactions required to understand, define and confront new challenges.

One of the highest profile new challenges at our university (for lecturers, students and perhaps most of all for the technical staff) was the decision to provide all first year students with an iPad. Due to universal distribution of the device, we were able to side-step many of the access problems associated with the digital distribution of lecture materials. It also opens up opportunities for more interactive teaching methods, such as class exercises designed to interpret real life events in real time. The topics of race, racism, marginalisation and life chances, for example, were pursued by looking at the racial abuse of Sydney football star Adam Goodes by a member of the crowd and, subsequently, a high profile commentator. The words used, the player's reaction, social media comment threads and mainstream coverage

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65   Dorst, above n 46; Jenkins, above n 13.

66   Laura Stafford, Vincent R Waldron and Linda L Infield, 'Actor-Observer Differences in Conversational Memory' (1989) 15 *Human Communication Research* 560.

are all immediately available for critical thinking exercises. *How do we respond to subtle racism? What is our obligation to the stranger as fellow citizen? How do we break cycles of abuse, marginalisation and exclusion? How do we perpetuate these issues? How do they limit our life chances?* By raising these questions in the same week of the incident, we confirm that university study is not about 'dead white men' from the distant past but our contemporary lived experience.

In first year law, race and racism are usually introduced with regard to the impact of colonial law on Australia's first peoples. Again, theory-based lectures are much less likely to engage students than approaching the topic via lived experiences in our multicultural society. In general terms, the same content is communicated, but the way it is communicated and shared with the students is radically different. Whether interrogating the many ways to negotiate the different dimensions of multicultural societies, or running a group mooting of *Mabo*,[67] we discuss the complexities, consider how to avoid pitfalls of the past and seek to promote a sense of agency, in mainstream society and beyond. Some lecturers may decide to mark students on participation: either way, they are asked to give something of themselves during class, an important skill for future advocates and a motivator for the peer-sensitive majority.

Given the same tools, law lecturers can apply similar techniques for co-creation of content, for gaining greater insight into the student cohort and for subsequently forming further research questions, not just in pedagogical inquiry but on the operation of the law and public perceptions of its efficacy. One of the easiest exercises is to scan the day's news. Sentencing or release of serious criminals is usually available and useful for some classes, while legislative reform, policy announcements or any other legal news affecting young people or students will serve others. A couple of key words later, the class warm-up exercise is ready. First, ask students to search for the story and any commentary or public reaction and read it. Second, ask themselves if they understand the legal reasoning or issues. Third, identify different legal categories and divisions (whether substantive/procedural, legislative/common law, or administrative, corporate, criminal and so on). Finally, invite comment on the differences between the legal and popular interpretations of the event. This simple exercise introduces students to the critical thinking that we demand of them in assessments and exposes them to more sophisticated research techniques, such as using media for critical discourse analysis. It can also be framed by emphasising that words are our tools and that argument rather than violence is the exact point of our enterprise. Finally, we are employing a surplus model in the sense of building on students' existing strengths: news stories and comments pour through their social media accounts every day. The class exercise simply sharpens and resources the mind, putting an existing social practice to scholarly use.

The fifth and sixth principles we adopt from Jenkins are in some ways less classroom and more staff room, or at least are located at the intersection of innovative teaching and learning and the sometimes rigid nature of institutional systems. This space must be recognised and reconciled. Disciplinary standards must be maintained.[68]

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[67]   *Mabo v Queensland [No. 2]* (1992) 175 CLR 1 ('*Mabo*').

[68]   Jenkins, above n 13, 21.

There must be nothing in the reframing of the subject and learning outcomes that compromises graduate attributes and other academic requirements.

Jenkins cautions that design thinking includes being prepared to confront (and kill) some 'sacred cows'.[69] One aspect is to comprehend that some traditions that define an area can also limit our capacity (and inspiration) to innovate. The obvious example for sociologists is the special place held by thinkers such as Marx and Hegel. While we may enjoy reading their work, the reality is that there is little room for Marx in the first year mind, or little that can be adapted, applied and made relevant among the multiple competing interests of a young person's first year at university. As such, it is justifiable to remove the readings from the first year curriculum and mention them only in passing. Those students who are interested can pursue the heavier theoretical underpinnings once they have a working grasp of what the theory is trying to explain, and a strong grip on how theory relates to everyday life — theirs and others'.

Other sacred cows might include dialectical materialism, or the master/slave analogy, the *Magna Carta*, natural law and positivism or *habeas corpus*. None of these are discussed by young people in our citizenship research — and there is no pressing need for students to learn about them immediately and directly in first year. The key is the conceptual canvas and its relationship and relevance to students. This is how we understand the individual and the system, not by week after week of impenetrable, often foreign-sounding theory. Removing the theorists opens up teaching space to pursue questions around life choices and opportunities. These questions include *who can access the law? Who most benefits from it? And if prisons are overwhelmingly populated by the poor, the homeless, the mentally ill or the illiterate, what does that tell us?* This content in turn creates multiple entry points to theory and principle, whether Gibbons' structure and agency, Marx's materialism, parliamentary sovereignty or the 'right' to a fair trial. Some may suggest that this is a betrayal of academic discipline. We argue that this approach confirms the relevance of academic discipline in the contemporary world. When its conceptual framework and everyday relevance has been confirmed in the student mind, theoretical intricacies can be more successfully added in later years.

The final principle we adapt here is to be reflective, honest and to share experiences genuinely and generously.[70] Just as there is no single way to pursue and apply design thinking, we are bound to make mistakes and errors as well as discoveries and innovations.[71] Each step requires honest assessment, personal reflection and discussion around the processes, with colleagues and with students.

> Opportunities to publish one's insights and findings regarding one's own teaching will not only mean that teaching is informed by research; it will also mean that teaching is 'research at all levels'.[72]

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[69]   Ibid.

[70]   Dorst, above n 46.

[71]   Tromp and Hekkert, above n 13.

[72]   Nehme, above n 7, 271.

When our approaches are not well received, we seek counsel to again reframe and re-innovate, to adapt and respond. Our citizenship research project aims to develop innovative ways to grow engagement and empowerment through the human agency of young people. As such, consultation and co-creation of content, with the staff of partner agencies, the academics, the youth leaders and their more marginalised peers, ensures that the practices promoted are actually followed. These discussions inform teaching and research together, just as good pedagogical research informs better quality teaching practices.

As noted above, these principles are drawn from various sources with the work of Julian Jenkins providing the foundation. There is no simple or linear way to apply them to different subjects, disciplines or contexts. Rather, the illustrations from two disciplines promote this 'genuine sharing' principle. The purpose is to invite review and critique, as well as to prompt reflection on why we teach, the relevance of our research, and the interaction between the two. Understanding the various ways that teaching and research interact promotes engagement with the student body and recognises students as a valuable and resourceful community. They are one of many communities with whom we engage, and this is where we turn in conclusion.

V To Engage

Cunningham, Oosthuizen and Taylor argue that universities must (re)establish connections with the various communities in which their teaching and research are located.[73] Engagement is a neglected but important role of all universities. Community engagement is fundamental to the future existence of universities.[74] The authors tell us that 'relentless policy changes by successive governments' have led universities to often take a 'defensive stance that can emanate from an inward-looking and self-referential academic culture'.[75] They argue that what we do has significant resonance beyond the classroom and *should be promoted that way*.

As mentioned, some areas of teaching and research engage with and reach out to communities more easily than others. Nonetheless, design thinking can provide insight into how our work *always* has an engagement aspect to it. Students discuss their experiences with friends and families outside the university. In these discussions, they are testing, applying, challenging and reflecting on their learning. Likewise, their friends and families sitting around the dinner table or at cafes are assessing the value of this knowledge and its relevance.

At this real-life roundtable, the value of higher education is being assessed. This is critical at the University of Western Sydney and in our student population, who

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[73]   Cunningham, Oosthuizen and Taylor, above n 2.

[74]   J Arvanitakis and B Hodge, 'Engagement and Citizenship: Universities in the Contemporary World' (Paper presented at The Citizen in the 21st Century, Sydney, 3–5 February 2013).

[75]   Cunningham, Oosthuizen and Taylor, above n 2, 1.

predominantly arrive directly from local high schools.[76] Higher education is a way of promoting active citizenship among those sections of the population who have not, traditionally, considered university as a possibility or a life choice. This is repeatedly confirmed by new students who share that they have come to university because their children, friends or partners raised many of the issues discussed in class, through feedback from workshops with western Sydney high school students, including Aboriginal-only groups and institutional data and recruitment programs.[77]

By ensuring that our research can be understood, we ensure that it has relevance in the classroom and beyond. One strategy to use with higher degree research students, for example, is to ask them to discuss their work as if the audience was educated to the age of sixteen. The Australasian three-minute thesis competition is based on a similar ethos.[78] This does not 'dumb down' the content, but ensures it is accessible and jargon free: simplified language does not necessarily mean simplified knowledge. Using this approach increases the likelihood that the work we undertake can be seen as valuable *and applied* by various communities with which universities interact, whether for student recruitment, research partnerships or broad dissemination of knowledge.

Additionally, this accessibility goes to academics' capacity to quickly enter public debates — the third dimension of community engagement. The value of higher education in the contemporary context, government funding of universities and relevance of various research outputs all are, and should be, open to public scrutiny and debate.[79] That universities are accused of being 'ivory towers' and pursuing aesthetic research is nothing new. Sydney's tabloid newspaper, *The Daily Telegraph*, often accuses the Australian Research Council of funding inward looking or irrelevant projects.[80] In the recent federal election campaign, the then-shadow Treasurer generated a flood of headlines with the claim that the Australian Research Council 'wastes taxpayers' money' by funding 'futile' investigations.[81] In a time when budgetary constraints and austerity measures define the global economy, the relevance of universities as publicly funded institutions is regularly questioned.

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[76]   Matthews, above n 10.

[77]   University of Western Sydney, *Pocket Profile 2011* (February 2012) <http://www.uws. edu.au/__data/assets/pdf_file/0010/359389/UWS_PocketProfile_2011_FNL.pdf>.

[78]   The three-minute thesis competition is an initiative of the University of Queensland, and has now gone global, with regional events in the United States, the United Kingdom, Canada, Fiji, Hong Kong and Vietnam. See, eg, Desley Blanch, 'Three Minute Thesis Competition Goes Global' (28 February 2012) ABC Radio Australia <http://www.radioaustralia.net.au/international/radio/onairhighlights/three-min-ute-thesis-competition-goes-global>.

[79]   James Arvanitakis, *Julia Gillard's Western Sydney Roadshow: The Good, the Bad and the Ugly* (8 March 2013) The Conversation <http://theconversation.com/julia-gillards-western-sydney-road-show-the-good-the-bad-and-the-ugly-12605>.

[80]   Miranda Devine, 'Price is Right' (Opinion), *The Daily Telegraph* (Sydney), 18 April 2011, 21.

[81]   ABC Radio, 'ARC Wasting Taxpayers' Money Says Hockey', *PM*, 5 September 2013 (Ashley Hall) <http://www.abc.net.au/pm/content/2013/s3842173.htm>.

Regardless of the motivation of raising such questions, and given the rapidity with which the 24-hour news cycle can generate outrage and as quickly move on, usually leaving little more than a sense of distrust and betrayal in its wake, we must be able to succinctly articulate the relevance of what we are pursuing. This justifies our existence in a language that multiple and diverse audiences can hear.

The design principles discussed here have been actively applied in the citizen engagement research project, a work-in-progress.[82] Fundamental to the concept of engagement is the reciprocated relationship established, in this case between teacher-researchers and community.[83] Engagement must always be mutually beneficial. Just as we have discussed the need to draw on our students' experiences in delivering content, engaging a community should begin by drawing on the experiences and knowledge of community members. Echoing the teaching example, engagement is about mutual learning as well as accessing case studies to enhance our research. How do we work together with the community to co-develop and operationalise an active research project?

It became quickly apparent that in seeking to identify ways to improve civic engagement among marginalised young people, the project was largely place-based. After much discussion with the partner agencies, two youth organisations in western Sydney, we recognised that the diversity of the research sites meant that the strategy might fail to meet its aims. One site is located in the inner west of Sydney, whereas the other is on the very outskirts of the city. Because the demographic, economic, social and cultural experiences of each community are radically different, we risked missing the fundamental challenges that each group confronts. The strategy we developed here is one of iterative improvement, or in design terms, 'rapid proto-typing'. This involves meeting with partner agency staff with a skeleton outline and sample exercises that convey our overall ethos of co-development,[84] and finding out from them what the urgent and important issues of the day are among their client group. The next step is to run a sample workshop with staff and some of the potential young leaders who use or have used their service and devise the rest of the content, which is then rolled out together with the project team, unless or until staff felt confident to run it in-house.

This reflects the teaching examples above. It involves each one of us coming together with the experiences and knowledge we have, to build from a starting point that

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[82]   Arvanitakis and Hodge, above n 21.

[83]   James Arvanitakis, 'Beyond Engagement: Universities Within Their Community' (2013) 2(1) *International Journal of Deliberative Mechanisms in Science* 15.

[84]   The content of the program we are co-designing with youth agencies is based on an earlier series of workshops, run with high schools and members of university leadership programs (as opposed to marginalised young people), and distributed through a Creative Commons licence, reflecting our commitment to participatory, mutually beneficial dissemination of knowledge. See James Arvanitakis and Mitra Gusheh with Oxfam Australia, 'From Sitting on the Couch to Changing the World' (Creative Commons Australia, 2008).

recognises everyone as having a role in both teaching and learning. The process of sharing these practices across teaching and research, and writing up results from both the classroom and the research site, is recognised as an active strategy for strengthening the teaching-research nexus, which in turn is understood to be necessary. Academics cannot assume there is a positive or even any correlation between teaching and research (although many do), but rather must simultaneously undertake both and promote a healthy relationship between two sometimes competing, and not always complementary, activities.[85]

While a lengthy description of the project is outside the scope of this paper, we present this brief example as drawing together both the application of design thinking principles in the classroom or lecture hall with a project that has the twin qualities of overlapping with and informing curriculum and practice. This overlap has created a space to test the teaching-research nexus using a particular iteration of the principles, through co-development. Fundamental to understanding co-development is understanding it as a process in which all partners design, develop, implement and deliver. Such practices involve long-term commitment of time and resources. In a time when academics are required to regularly produce research outputs, this is challenging and risky. But such a commitment should be at the very core of the teaching-research nexus and any community engagement strategy that we pursue.

VI Conclusion

This article brings seven principles of design thinking to the important job of building and strengthening a robust and meaningful nexus between teaching and research in universities. In addition, we argue that we are simultaneously pursuing an engagement agenda, which involves our work travelling beyond the walls of the university or the pages of academic publications.

For too long there have been artificial lines drawn between teaching, research and engagement. This article reports and discusses ways to remove these lines to promote better teaching, more informed research and the engagement of the various communities with whom we work. There is no single approach, rather, there is a set of principles that can be employed or adapted to suit different disciplinary areas, student cohorts and academic contexts.

More important than simply outlining ways to bridge these artificial divisions, is the very survival of our institutions as homes of the pursuit of knowledge. The broader issue here is the future of universities. As academics, we cannot justify our existence on the simplistic basis that we have always existed. We need to show the social and cultural value that makes our institutions an essential part of a vibrant and authentic community. This is the challenge we face in the 21st century.

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85   Nehme, above n 7.