

## CASE STUDY: NEIL

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A student on the part-time MSt course in International Human Rights Law (IHRL), Neil is a 34-year-old Lieutenant-Commander in the Royal Navy. He previously took degrees in Management Studies (during the 1990s) and Law (2001-3). Neil's work as a naval barrister requires him to give legal advice on a number of situations related to human rights, and so he successfully made a case to the Navy to sponsor his studies. The Oxford IHRL course both allows him to carry on working while he studies and gives him the opportunity to carry out in-depth research through working on a dissertation.

Neil's motivation remained high throughout the period in which he corresponded with the Thema project team, and he reported after nine months that the course so far had "surpassed my expectations." The interest of his case study lies in a) the insights that he provides into the relationship between online and face-to-face communications in the evolution of a community of learners, and b) the influence of a somewhat unusual working environment on the pattern of his studies.

### The experience of distance learning

#### The structure of the IHRL course

IHRL is a two-year course comprising one taught online module, two five-week residential summer schools in Oxford each covering two taught modules (assessed by exam), and a dissertation during which students receive online supervision.

The course itself was preceded by a two-month induction designed to familiarise students with the online learning environment and, of course, with each other. During this period students read and discussed Simon Wiesenthal's *The Sunflower* and posted an experimental assignment to the course's online submission system (CASS) to ensure that the technology worked. They then had a few weeks' break before starting the online taught module in January 2008.

#### Learning online

The online taught module was divided into six topics, each lasting three weeks and building on the previous topic. Week 1 was given over to reading the relevant section of the core text book, together with academic articles and additional material which Neil found on the internet. Week 2 was taken up by an online tutorial, for which students were split in two groups of 15, each led by a tutor (the groups remained the same throughout the module). The topics of discussion were normally the same as the questions set for the 2000-word written assignment, which students produced in week 3 and submitted electronically.

Neil aimed to check the forum every day or two, and to post at least two to three items on each discussion board. At first he tried to take part in the discussions of all three topics, but inevitably found himself narrowing his attention to his chosen question:

"I tried to contribute to all of the questions and read all of the materials for all three questions and then having done all that decided on which question I'd like to answer. As the course progressed [...] I'd read through the questions, I'd say, you know, it was quite arbitrary but I'd say I quite fancy that one, I think I can write a decent essay on that, and then I would then only engage specifically in that discussion. I would only read the materials related to that, and then I'd write the question."

The tutor would intervene now and then, to pose specific questions or, "if you had gone in the completely wrong direction he'd interject and say, well actually how about thinking about this, this and this. And then the discussion would follow that path." He would also give the students links to relevant additional information that they could find online.

Neil found the online discussions thought-provoking: "On more than one occasion the points raised have made me reconsider my initial view in relation to human rights practices." However, in the early days he felt that, although the quality of discussion was generally good, "there is sometimes a tendency for the group to be resounding in their agreement." Asked for his views on how best to tackle this state of affairs, he replied:

"The best strategy has to be stating a controversial view. It is often too easy for everyone to agree on a certain issue and therefore the scope of the debate is limited. Far better raise a contrary view, even if you don't believe it, in order to widen the discussion and provoke comment."

At his interview he expanded on the possible reasons for the initial lack of lively dispute. First, he perceived a general commonality of outlook: "when you're dealing with people who have got a human rights, you know, view of the world in the sense that they are perhaps living with their outlook, etc., etc., so often people are singing from exactly the same hymn sheet." Second, he perceived a tendency to be polite towards people whom one has not yet met in person: "it's just perhaps inherent of human politeness not to be over critical, you know, to people you've never met, people you don't know, people you've sort of seen a photograph on the website and that's about it."

## **Learning in the classroom**

In early July the students convened in Oxford for their first summer residential session. This telescoped what would normally be a full term's study into three weeks, culminating the exams. Neil was used to intensive study from his previous Law course, but this was something altogether different:

"There is an enormous amount of reading to do in preparation for each class – but on top of that you have to revise the information, assimilate it, understand it, and then be able to reproduce it in what was essentially a three-week period."

Fortunately, some of the course materials were sent out in advance so he read them before arriving in Oxford. Once the session was underway, he reported:

"I try and do the reading... obviously the reading for those classes the day before, take notes during the class, and then in the afternoon rewrite the notes so I can understand them. And then hopefully put some stuff into the computer and I try and keep revision notes as I go to try and figure out the salient points. Because to try and do... there isn't time to do it at the end, it's a kind of a process you have to keep up to date with. And then there's a non-compulsory lecture in the afternoon; if it's something that interests me or I think it's relevant I'll go along to that, if not then I won't bother. And then in the evenings do the reading for the next day and perhaps, you know, highlight various parts of it and make a few notes etc."

Learning the entire syllabus for both exams was not an option, so revising involves an element of risk: "you will have to just be selective in what you decide to revise in detail for the exams. I mean that's just an absolute fact. And in that sense take a little bit of a risk that, you know, you've revised big topics and they come up hopefully." Revision for one exam was made even more difficult by the lack of past papers on which to practise.

For Neil the summer residential session was important both academically ("I particularly enjoyed being lectured by the world leading experts in the field of human rights law.") and socially. Two months after the end of the session he reported that he was in regular email contact with his fellow students.

## **Preparing for online research**

For his dissertation Neil was planning to investigate the impact of Human Rights legislation in the military. Work on the dissertation occupies the bulk of the second year, and because both their research and their communication with supervisors is done online, the final week of the summer residential session was taken up with preparatory work. Activities included meetings with their supervisors, guidance from the Law Library staff on consulting online resources, and presentations to their fellow students.

"It was very useful to discuss the plan for the dissertation with my fellow students in organised classes during the final week in Oxford. This was due to the calibre of my fellow students and their wealth of experience in conducting research. (We have a Professor and other notable academics as students on the course.) I also enjoyed hearing the plans of others and this gave me a benchmark as to what I should aim for in my dissertation research."

All in all, Neil felt that his dissertation got off to a good start, writing in his final message to the Thema project:

"I had a series of meetings with my supervisor in order to develop my dissertation prospectus and reading list prior to my departure from Oxford. This discussion has continued online recently. The guidance I received was first class and really focussed my studies on the narrow topic under consideration."

## **The emergence of a learning community**

As part of the induction, students were asked to submit a précis of their life and were then encouraged to ask questions of each other. Neil found this exercise "a useful way to get to know a little about each other and see if we had any common ground, outside an interest in human rights law." He felt that an embryonic learning community had been established, although discussions on non-legal topics were still limited. He thus did not feel that he had got to know his fellow students well, but in any case "when I was an undergraduate and postgraduate law student I only knew a small percentage of my class of 220 people."

As well as the formal academic discussions, students had the opportunity to mix through a student-only "common room" provided on the course Website. However, during the online part of the course students generally used it for discussing the "mechanics" of the course, such as the marking and grading of essays, rather than for sharing resources: "it wasn't used for study in the sense that people weren't really helping each other with useful websites, documents etc, then. They were using it to talk about, you know, had people got their grade through from previous essays." One person suggested that students might exchange their essays, but received no response.

Asked why he didn't feel that the common room was used much for sharing resources in the early months, Neil felt it might have something to do with the sense of competition that often exists among law students.

The difficulty of coming to know others through online communication alone became apparent when the students finally met each other face to face and Neil discovered how deceptive one's impressions others can be:

"the one thing that struck me immediately is from the online discussion and such like and from the photographs and from the biographies of each individual person [...] you form an opinion about someone. And clearly I did that and when you meet them in person that opinion in almost every case was completely wrong, in my experience."

For example, people who might appear argumentative in an online discussion turn out on meeting to be "quite moderate, [...] charming, easy to get along with."

It was during the summer residential session that the online common room finally became a medium for sharing course-related resources and, additionally, for arranging social events. Perhaps, having met face to face and feeling more at ease with each other, students felt more ready to share materials. Neil mused:

"I wonder whether the course would perhaps benefit somehow if everyone met face to face first [...] Because if you'd met face to face first, then did the essays and everything online, then perhaps people would be more willing to share their information having met and perhaps even to learn more."

## Technology and online learning

The IHRL course uses a customised version of Moodle, although it is referred to as the "course Website" rather than the "VLE" or "Moodle." As well as the formal discussion forums and the online common room, the Website includes a "notice board" for official administrative announcements and supporting resources such as the link to CASS, a guide to online etiquette, IT tutorials and guidance on the dissertation.

A self-confessed "technophobe," Neil was at first uncertain about using the Website: "I have never used a website like this before and was therefore slightly apprehensive about whether or not I could make it work." However, "it proved to be remarkably easy to post discussion points and submit essays to the CASS system and interact with my fellow students and tutors."

During the early months of the course Neil's own access to technology was constrained by his work circumstances, as he was serving at sea. Internet connectivity (via satellite) was a problem, since naval communications naturally took precedence over use by the crew for personal purposes. "Social" Web services such as Hotmail, eBay and Facebook were, of course, banned completely: "a load of other people on the ship were huge fans of Facebook and that was one of the things that they suffered most on six months away from the UK, they had no access to Facebook, it was driving them mad."

The intermittent access to the course Website had an impact on the pattern of his participation in the online discussions:

"I couldn't then go onto the website and just, you know, have the luxury of reading through all of the [posts] and being able to consider in detail my position and then you know, write about it. Basically I'd log on, have a quick scan, rush to make a contribution, type something as quickly as I possibly could while the satellite was still connected, fire it off and that was that."

Technology also affected the way Neil wrote his essays. The Navy provided him with a rather elderly laptop, and consequently he found it easier to plan with pencil and paper:

"I did everything from a very small laptop with a very small screen [...] So I [did] everything the old fashioned way, write everything down and write notes by hand, and then really sort of type it into the computer then print out a draft copy, amend it, go back and make the amendments, do it again, and probably amend it two or three times."

Back on dry land, with more modern equipment (his Macbook), he could plan and write essays in Word from start to finish. Although he studied largely at home, he had the option of a wireless connection to the Internet in the social areas of the naval base where he was stationed.

## Managing study time at sea and ashore

While at sea, Neil's study hours were dictated by the ship's timetable:

"[I] structured my study around my working day onboard. This meant I did 1-2 hours study in the morning starting at 5am and then 1-2 hours in the evening from 2200. This was 7 days a week and weekends were no different to weekdays – everyday at sea was a normal working day!"

Indeed, the restricted nature of life at sea was actually conducive to learning: "You can't very well go down the pub, you can't take the dog for a walk, you can't do anything like that, you're absolutely captive, you know, a bit like being in prison."

In April Neil was reassigned to a shore-based post in the UK, where his work pattern changed slightly. He was now living in a house with his wife, so the day was less rigidly structured. Nevertheless, he remained an early bird, rising to study at 5am and continuing after he got home in the evening. Lacking the structure of life at sea, he had to be more self-disciplined – and also give time to his domestic life:

"I work from 8 until about 5, but then I've got time in the evenings to do study and suchlike and it's not too bad. But I haven't got the structure. I haven't got... the discipline isn't being forced on me anymore by the environment, I have to be far more self-disciplined now. I have to say, I will have to dedicate this time for doing study, I can't go down to the pub, I can't go for a game of golf, I can't go for a game of tennis [...] in a bizarre way it's more difficult. You'd think I'd have more time, I haven't, I've got less because I've got other demands that I didn't previously have."

Studying while serving in a far-flung region of conflict – his next anticipated posting – would be even more challenging, if not altogether impossible: "The next online work will be for the dissertation and it is likely for part of this time (6 months) I will be serving in [a region of conflict] – at present I do not know how this will affect my ability to undertake my studies."

## **Support from family and colleagues**

Neil freely acknowledged the support given to him by his wife, who "has been extremely supportive throughout the course of study." He was fortunate that she was able to visit him several times during the summer residential session. His wider friends and family were also taking an interest, although "I do not discuss what I am studying with them in anywhere near as much detail as I do with my legal contemporaries."

Neil found his superiors very supportive and he greatly appreciated the time which he was allowed for study and to attend the summer residential session. Nevertheless, on returning to work in early August, Neil was not entirely pleased to find that a number of tasks had been assigned to him in his absence. He is the first person in the Navy to take the IHRL course, which has now aroused considerable interest among his colleagues. Indeed, at the time of his final correspondence with the Thema project he was writing a paper advocating the course as beneficial training for military lawyers interested in international law.