

Why is this student different from all other students? The Passover Seder as a metaphor for teaching to different learners.

And you shall tell thy son in that day, saying: It is because of that which the LORD did for me when I came forth out of Egypt. Exodus 13:8

Summary and Introduction

Each spring at the Passover Seder the story of the Israelites' exodus from Egypt is retold. Using the Seder as a metaphor for teaching legal writing, I will discuss the Four Children (wise, wicked, simple, and the child who does not know how to ask) as a way of thinking about teaching our legal writing students. The talk will end with a discussion of the students we cannot (or do not) reach.

In keeping with the discourse structure of a Seder, I intend to lead the conversation in the order indicated below, but welcome and invite questions and commentary as we progress through the following steps.

Background – Seder

Jews are commanded to retell the story of the Exodus from Egypt each year. The format of this retelling is the Passover Seder. The text used is called the Haggadah. Although there are hundreds of versions of the Haggadah, the order and content have remained essentially unchanged for close to 1700 years.

What does the Seder have to do with teaching legal writing?

Both:

- Follow a set order
- Explain rules
- Consider alternative meanings
- Use persuasive argument
- Contain plagues and miracles
- Finish and promise to do it again the following year

The Haggadah as Teaching Manual.

The leader is instructed to:

- Use language that all participants can understand
- Interrupt proceedings to be sure that all participants understand or to discuss points with participants
- Make sure all participants are awake and alert
- Provoke curiosity and questioning
- Create active roles for participants
- Engage in multiple learning modes
- Differentiate instruction
- Engage participants where they are and inspire them to learn more
- Improve the critic by our response

The Four Children ~ The Four Students

WISE

- eager, wants to know more, open, expert, self-regulated learner
- not necessarily the smartest, but the best at being a student
- in the classroom: reads, asks questions, able to synthesize material, well-organized, articulates arguments, finishes drafts early

WICKED or DEFIANT

- know-it-all, close-minded, doesn't want an answer, excludes himself from the community, would have been left in Egypt
- negatively engaged
- in the classroom: questions the project, does not want to work within the legal writing paradigm

SIMPLE

- wants to learn, hasn't done much or anything to do this herself
- in the classroom: overwhelmed, difficulty in synthesizing all aspects of the project

DOESN'T KNOW HOW TO ASK

- silent, no opportunity to learn
- in the classroom: quiet, underprepared, over confident, absent

Why Is This Student Different From All Other Students?

- What do we do with the student who refuses to or cannot engage?
- Where do our obligations end?