

Foucault goes to law school: using Foucault to examine Australian legal education

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Abstract

This paper will consider the way that Foucault's work has been utilised to examine Australian legal education, particularly in the context of understanding the construction of the legal identity. While remaining sensitive to the many potential 'uses' of Foucault's tools, as well as his problematisation of the author as an organising feature of discourse, this paper will argue that legal education scholarship overwhelmingly utilises concepts such as 'discourse' and 'power-knowledge', which, while useful, cannot provide a nuanced understanding of the construction of the legal identity. Consequently, this paper suggests that future legal education research utilise Foucault's concepts of 'ethics' and 'governmentality' to address these issues.

Biography

Matthew Ball is an associate lecturer in the School of Justice at Queensland University of Technology. His doctoral research used Foucault's work to understand the production of the legal identity at three Australian law schools. Matthew's other major research interest is examining violence within male same-sex intimate partnerships. mj.ball@qut.edu.au