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### 3 Using personas, vignettes, and diagrams in legal education

Clare Williams<sup>1</sup>

#### Introduction

Personas, vignettes, and visual technologies of communication offer us ways of telling memorable and engaging stories about the law, making them a useful tool in legal education.<sup>2</sup> In addition to diagrams and other visual forms, fictional renders of characters in the form of personas, and their intentions and motivations in the form of vignettes, can complement text-based materials by illustrating and interrogating core concepts. They illustrate by empirically grounding the conceptual, offering a tangible embodiment that brings three principal benefits to both student and teacher: namely the simplification of complexity, the reduction of text fatigue, and the provision of spaces for knowledge co-production. Used in combination with visualisations, two further interrogatory benefits can be noted for both students and teachers. Firstly, these approaches offer short cuts to sites at which meaning is created and shared, allowing students to engage critically with the law as a social institution and site of shared expectations.<sup>3</sup> Secondly, visual approaches allow us to sidestep some of the limitations of linguistic framing. This chapter will address each of these through the experiences of Academic Ann – one of three fictional personas I am developing in my own research into the relationships between law, economy, and society – as she uses visual methods to teach legal concepts. The discussion operates at three layers of analysis. Zooming out, the first suggests a general proposition regarding the use of personas, vignettes, and visualisations as tool for teaching legal theory. This responds to imperatives of both legal aesthetics and economic sociology of law (ESL) in engaging students with legal theory as a contextualized yet varied social institution. Zooming in, the second layer focuses on the fictional persona of “Academic Ann” in her role as teacher and researcher. Zooming in yet further, the third layer explores the teaching resources that Ann develops for her students. These include the creation of the persona and vignette of “Policy Polly” along with some diagrams introducing ESL. To begin, I start at the second layer of analysis by introducing Ann.

#### Introducing Ann

Academic Ann teaches law at a university, although her own research sits at the interface between law and economy. She is now reconsidering her methodology before carrying out empirical research into the experiences of foreign investors with the law. But she is frustrated

with mainstream or orthodox ways of doing, talking, and thinking about the law and economy. She has noticed that there are important voices and interests that are side-lined by mainstream frames and she wants a way of reframing law and economy that can accommodate other, non-economic interests. Ann finds that a range of interdisciplinary approaches that is sometimes referred to collectively as an Economic Sociology of Law (ESL) offers a flexible alternative that can balance competing voices, and she applies ESL to her own research. She also wants to introduce her students to ESL and its merits, but realises that this is a tricky and complex area. She needs to draw up a map of the field to guide her students across the basic topography but wonders how best to engage them. In addition to the reading lists and slides she has prepared, she creates a persona, a vignette, and diagrams to both illustrate and interrogate some of the relationships between legal, economic, and social phenomena and explore what an ESL frame can offer. As the following discussion shows, this not only engages her students but prompts Ann with different questions and perspectives, deepening her own understanding in the process.

## Communicating relationships between law, economy, and society (Ann's teaching dilemma)

The complexity of ESL in reshaping how we do, talk, and think about law, economy, and society is the first of Ann's dilemmas. The second relates to the way that the mainstream vocabularies and grammars we use to talk about law and economy shape the mental models that we work with. These tend to be, respectively, doctrinal and neoclassical, the political manifestation of which is neoliberalism.<sup>4</sup> These approaches in turn reveal and conceal problems and solutions, and enable or disable our ability to imagine alternatives. Thus, the vocabulary of neoliberalism shapes our (neoliberal) mental models, making it difficult to conceive of alternative (non-neoliberal) solutions to financial crashes, social crises, and environmental catastrophes.

## Introducing an economic sociology of law (ESL)

As an ESL is more a "frame of mind" than a fixed methodology, several ESL-inspired lenses can be noted here, including actor-network theory,<sup>5</sup> relational work,<sup>6</sup> and a community lens.<sup>7</sup> Ann likes the way that ESL re-sites law and economy socially, presenting the legal and economic as aspects of interactions. She also likes how it accommodates the differently-rational while denying claims of neutral objectivity that characterise mainstream approaches, challenging the metaphorical fictions of the separate silos of "law" and "economy".<sup>8</sup> Ann wants

her students to appreciate the historical and cultural contingency of the separation of law, economy, and society, and designs diagrams that will highlight the entrenched mental models that ESL responds to. Zooming in to the third layer of analysis, we can explore Ann's visual teaching materials.

### Visualising ESL

Visuals can be simple without being superficial. Ann's diagrams are designed to be eye-catching and memorable as well as to spark a deeper curiosity and discussion. Her starting point is to draw what an ESL might look like, and, combining symbols with text, she begins with the mainstream approaches, illustrating the silos of law, economy, and society.

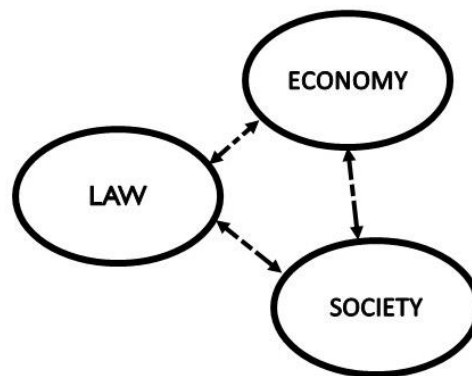


Figure 3.1 Mainstream or orthodox approaches to law, economy, and society as silos of research and practice

She then asks the students to imagine holding a “sociological magnifying glass” and moving it over the diagram, such that the circles shift closer together, eventually merging. She asks her students to notice that ESL sits at the interface of the three spheres, and that a sociological understanding of law and economy can give us different points of access, perspective, and reference. She notes that the relationship between the three initial spheres has shifted, too, and asks her students what this might mean for how we think and talk about the relationships between law, economy, and society.

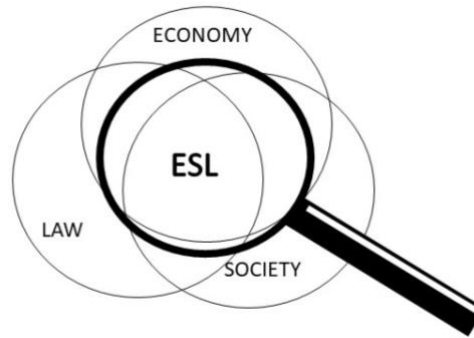


Figure 3.2 ESL through a looking glass. Ann asks her students to imagine holding a sociological magnifying glass over the spheres of law, economy, and society, such that the three spheres shift closer together.

Nevertheless, Ann realises that in avoiding linguistic metaphors, she is introducing visual metaphors with their own accompanying benefits and limitations and some of these are discussed in the final section.<sup>9</sup>

## Personas and vignettes

Having introduced her students to ESL, Ann wants them to explore the difference it might make in practice. She creates the fictional persona of “Policy Polly”, a researcher at the World Bank, who is based on a friend of hers that she had met on a previous fieldwork trip to Sri Lanka. In creating the persona of Polly, Ann sets out the characteristics that are relevant to her students (Figure 3.3). Ann might begin by asking her students to summarize the information we know.

Based on real life discussions, Ann might include a project or area of research that Polly is engaged in, asking her students to imagine what tools and concepts Polly might use in her work at the World Bank as she researches the interface between law and economy, specifically which frameworks, methodologies, and data sets.

Reflecting the Latin origins of the term, a *persona* is a fictional rendition of a character. This technique is used frequently in design where personas based on data or observation are created to embody key characteristics of the anticipated users of a designed output. Thus, the process is user-focused, and Ann keeps in mind that the end users (her students) must both identify with and invest in Polly. Personas also contextualise the discussion and there are two immediate observations here. Firstly, the persona of Polly not only provides an empirical application of the embodiment of theory but contextualises interpretation and understanding. In creating the

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persona of Policy Polly, Ann's students are asked to take account of Polly's surroundings, background, intentions, and self-perception. Similar to the distinction drawn in Mead and Blumer's symbolic interactionism between the "I" (the spontaneous self) and the "me" (the other self in which social constraints are played out), personas enable a reflexive separation that appreciates not only the character as the product of her surroundings, but her own self-perception in that context.<sup>10</sup> Secondly, in contextualising an empirical embodiment of theory, the persona of Polly reminds her students to appreciate the social context of law as a site of shared expectations.<sup>11</sup> This is developed further in the vignette of Polly ([Figure 3.3](#)).

Polly grew up in America after her parents emigrated from Bangladesh when she was a baby. She graduated just over 10 years ago from a joint development economics and international relations postgraduate degree. She started working at the World Bank as an intern before being hired as a researcher a year later. She enjoys her job but wonders if the theories the Bank uses could be improved to better reflect the realities of the communities she wants to help.

Policy Polly:

- American
- Early 30s
- Family in Bangladesh
- Studied development
- Works at World Bank

Polly used to dream about solving world poverty. She hoped that her work at the World Bank would make a difference, but after years of policy research, she is getting increasingly frustrated by the “implementation gap”. She recently worked on a project that was deemed a success, but which failed to account for the community ties to ancestral land that were uprooted in the development. It had been difficult to quantify this impact within the mainstream models used by the Bank. The marginalisation of some values prompted Polly to explore other frames and theories.

Figure 3.3 Ann might develop a persona to introduce her students to ESL. She introduces them to “Policy Polly” (top) who is based on the real-life characteristics of someone she knows. She asks her students to summarize the information about Polly (middle); and then develops Policy Polly into a vignette (bottom), including Polly’s intentions, attitudes, and general dissatisfaction with current approaches.

The shift to Polly’s beliefs, intentions, and actions develops the initial persona into a vignette, although keen-eyed readers will have noticed that mentions of Polly’s preferences in the first persona shifted towards a vignette. Originating mainly in psychology, a *vignette* comprises a short description or snapshot of a situation or context that references important points in the study of “perceptions, beliefs, and attitudes”.<sup>12</sup> This can offer a powerful way of crafting and delivering narrative that both captures and contextualises core research methods and findings. These “short stories about a hypothetical person”,<sup>13</sup> simulations, real-life stories, anecdotes or simply a narrative form of presentation can be constructed through text or images, and can be both a method of conducting research and a way of interpreting and communicating results.<sup>14</sup> It is difficult to draw a clear dividing line between personas and vignettes when used in the social sciences, however vignettes can be a useful tool in addressing the reporting gap in qualitative research between what actors do, and what they say they do, and they can offer a situated context in which to explore real world values in a selective setting. They can, therefore, allow us to interrogate core arguments conceptually and normatively through an empirical lens. From this vignette, Ann’s students understand that Polly is frustrated by the narrow viewfinder of mainstream frames and their prioritization of economic values, voices, and interests. The tangible example of Polly’s experience gives Ann’s students a setting to explore how certain voices and non-economic interests are silenced in orthodox, neoliberal discourse, and then how an ESL can offer an alternative framework in which myriad interests and values can be accommodated. Her students can begin to explore the outcomes of interventions such as those designed by Polly and the impact on communities of the language and theories she uses. Ann might develop the vignette of Polly into a mini case study in future years, including more details about her work that Ann can base on her own research and experience to give her students a richer and more detailed contextual narrative for exploring theory.

While images (discussed below) bypass language to engage through perceptions,<sup>15</sup> personas and vignettes sit between the two spheres of communication: based in text but looking to image and imagination. As user-centred, or “designerly” devices, personas and vignettes make visible relevant people and characteristics in an abstract sense, aesthetically embodying the conceptual.<sup>16</sup> Setting them out on a piece of paper as Ann does is one way of making this abstract concrete, engaging the visible and the tangible to show rather than tell. In this way,



personas and vignettes engage the aesthetic to complement the traditionally rational approaches of mainstream legal theory. In engaging the emotive and the subjective, they access the “non-rational other” just as narrative or fiction might, relying on the imagination of the audience to bring the content to life.

Zooming out to our first level of analysis, we can appreciate that, as an embodiment of an empirical instantiation of theory, personas and vignettes acknowledge the sociological turn in legal theory that responds to the mainstream, doctrinal focus on laws as written rules. Lenses like ESL remind us that law must be studied as a social institution, with visible, concrete elements but also as a site of shared expectations where meaning is attributed and intention, or Weber’s *verstehen*, is created and applied.<sup>17</sup> This phenomenological dimension requires us to understand law as a communal resource that mediates and moderates relations and resources, but which is in turn re-co-constituted through interactions.<sup>18</sup> A focus on context enables understanding of the contingency, relativity, dynamism, fluidity, and variability of social institutions, allowing for explorations of power, privilege, and ways of analysing these in empirical, applied situations. Thus, the creation and use of a persona or vignette responds to calls both from design and from legal theory to interpret the subject contextually.

## The visual

As the previous section hinted, the relationship between law and the image has a long history of opposition between, on the one hand, law’s supposed ‘rationality’ and, on the other hand, the ‘emotional’ aesthetic.<sup>19</sup> “Art is radically subjective, while law is reasoned and objective. In Hegelian terms, law is the combination of reason and necessity, art of sensuality and freedom”.<sup>20</sup> Modernist approaches, drawing on Kantian categorisation and the later interpretations of Weber and Habermas in particular, adopt “three areas of enquiry and action, the cognitive, the practical and the aesthetic to develop their own specific, internal rationality, in separate institutions operated by distinct groups of experts”.<sup>21</sup> But rejecting modernism’s supposed objectivity and neutrality, Perry-Kessaris updates these taxonomies, suggesting that “designerly” approaches offer practical-critical-imaginative spaces, encourage us to be experimental, and give us ways of making things visible and tangible.<sup>22</sup> Such “designerly ways” allow us to explore the visual at the “boundary between the social system and consciousness”, thereby bypassing regular means of communication that rely on vocabularies and grammars and engaging instead through perception.<sup>23</sup>

However, use of the visual in law might seem a radical departure, given that law is usually constructed and communicated through words or text. While words may be originally derived

from pictures, symbols, and signs, they “are not like boxcars freighting reality around; they do not simply leave the scene once their load of meaning has been dumped in our minds. The language we use [...] helps to create the reality we live in. And as the means of communication change so too does our sense of ourselves, others, and the world around us”.<sup>24</sup> Thus, as Ann is aware, the language that she uses when describing the relationship between law, economy, and society not only defines how she is able to think of these connections, but how she is positioned and constructed as an actor in the process. Additionally, as noted, vocabularies and grammars both reveal and conceal, offering and hiding spaces for imagination. Mirroring ESL’s claim that law cannot be purely rational or objective, the visual offers a way to aesthetically “make and communicate sense”.<sup>25</sup>

While text and image are usually juxtaposed, often their greatest achievements come from their close cooperation. The interlacing of text and image offers new frontiers for approaching epistemological claims and new ways of knowing the law as an aesthetic endeavour. We might imagine a continuum of textual-visual approaches that sees varying degrees of one or the other, with the greatest impact from, and engagement with, the materials lying between the two extremes. Simple captions, labels, and “alt text” can ground or “anchor” images and direct the reader, ensuring that synergies are maximised and misunderstandings minimised while simultaneously avoiding text fatigue.<sup>26</sup> While graphical representations of ideas that step beyond language can create “structured yet free spaces” in which innovation and imagination can occur,<sup>27</sup> communication remains the “core function” and the aim is not simply to make the text look pretty.<sup>28</sup>

We can identify myriad non-textual visual technologies of narrative spanning 2D and 3D creative approaches and responding to visual and kinaesthetic learning. The most familiar to legal scholars and educators will be diagrams, tables, and arrows setting out causation or correlation and outlining connections, links, and influence. These tend to be monochrome, however where colour is possible, this can offer an alternative dimension for coding and describing objects, subjects, and their (inter-)relations. Mind-mapping graphs and flow charts can (re-)present themes and connections, allowing directionality of both correlation and causation to be graphically displayed.<sup>29</sup> It is important to note the impossibility of rendering concepts in two dimensions without activating natural yet culturally-specific page hierarchies. Emphasis might be attributed differently by students whose native language reads right to left or top to bottom, for example, and this tyranny of two-dimensional hierarchy can be addressed somewhat by the addition of a third dimension (discussed below).

We can also identify forms of graphical representation that may or may not rely on accompanying text in the form of labels or captions. Art and digital art in the form of paintings,<sup>30</sup> illustrations,<sup>31</sup> tableaux, graffiti,<sup>32</sup> and photography can be used to spark discussion or can visually depict a situation, establishing the context. Narrative as context can be constructed visually through storyboarding and comics that may use or avoid text-based additions.<sup>33</sup> Such visual tools can be prepared and presented in advance or used as a creative tool to enable synchronous engagement and understanding.<sup>34</sup> Additionally, as we saw with Ann's diagrams, graphic design can be applied to concepts, frames, lenses, and theories to engage and communicate, using the basic elements of visual communication to address legal problems.

Then, more technologically-involved forms of visual engagement might include 3D computer modelling,<sup>35</sup> and animation.<sup>36</sup> Augmented reality (AR) and virtual reality (VR) also sit on a continuum of immersive digital experience for the exploration of substantive, procedural, and theoretical areas of law, and offer a way of juxtaposing the familiar with the unfamiliar, creating spaces for different perspectives to emerge. Additionally, digital platforms have expanded the scope for non-textual communication,<sup>37</sup> and the use of Serious Games, simulations and multi-user virtual environments (MUVES) can allow students to explore fictional but relevant environments before encountering such situations in real life, improving both confidence as well as engagement and retention of information.<sup>38</sup> These collaborative, interactive, and transactional learning environments create spaces for knowledge co-production as students engage with the material both synchronously and asynchronously, discovering the content with their peers and reacting both to the material and its interpretation by others, potentially fostering a more experientially-grounded approach to theory in legal education.<sup>39</sup> Finally, modular building (such as Lego), or the materiality of found objects can be used as a foundation for kinaesthetic as well as visual engagement, drawing immediate and tangible connections for the student between the law and its embodiment through, and construction throughout, everyday objects.<sup>40</sup>

### The visual as illustration

Accessibility of material need not be a barrier to engaging with the core concepts, and Ann is mindful that while some of her students have dyslexia, there is a sliding scale at which point text fatigue will set in for all students. Visual cues, signposts, and maps of the field can help focus attention and emphasis, while also directing perspective, contrast, and proportion. Once again, context is important, specifically that of the image; textually on the page, subtextually

within the material surrounding it, and contextually in the socio-economic, political, psychological, and legal climate into which the image is deployed and interpreted. The importance of the image's context(s) speaks to the ability of the audience to interpret the work, drawing on their shared cultural, social, and institutional knowledge to construct meaning in any given setting. Design principles note that "[t]he form of an object is not more important than the form of the space surrounding it", and that "[a]ll things exist in interaction with other things". Moreover, "perception is an active process" that "merges what we see with what we know to build a coherent understanding of the world".<sup>41</sup> Thus, imputed meaning may vary according to the mode of communication used, the space in which it is deployed, and the intended audience making "[l]ayout, whitespace, headings, patterns, designs, and colour [...] important in establishing meaning".<sup>42</sup> However overwhelming this might initially sound, it is important to note that when communicating in any form, the author, painter, or composer can control only what they output, entering into a bargain with the reader or audience who interprets the work according to existing (usually shared) frames of reference, context, and experience. These frames are contingent, and recent movements like Black Lives Matter and #MeToo exemplify how a fluid and shifting cultural and political context can redefine art and its interpretation. For example, campaigns to remove public statues of those who engaged in the slave trade such as that of Edward Colston, and those who engaged in acts that are no longer deemed tolerable such as Cecil Rhodes have become visible points of friction between changing social preferences and the visual representation of these.<sup>43</sup> At the same time, art or the image can offer a mirror for society to reflect on the voices and interests it chooses to prioritise while simultaneously offering a platform for shifts in attitudes to be displayed and, in turn, reflected on. The discourse surrounding the "Rhodes Must Fall" campaign in Oxford, UK, and the toppling of Colston's statue in Bristol, UK, demonstrate the reflexivity brought about by engagement with visual representations.

Finally, while the traditional educational setting might be the classroom, the effects of the pandemic might mean that face to face teaching is no longer the norm. The impact of this on knowledge co-production and the interpretation of non-textual materials cannot be overstated given the reduction in synchronous opportunities for verifying interpretation and engagement across a cohort. Additionally, the digital context in which asynchronous connections take place is constantly in a state of flux. Platforms, software, and digital access vary across time and space and mean that there is greater competition for the attention of the student as well as variability in what they might eventually see. Thus, until there is a generalised visual literacy along with visual interpretation of text as Peter Goodrich has argued, authors and educators

like Ann must be aware of the contexts in which she is deploying images, and the work that she is asking those images to do.<sup>44</sup>

### The visual as interrogation

Use of the visual brings methodological benefits for Ann as well as her students. The act of graphically representing concepts (and facts) mandates boiling down the core principles and arguments, offering different perspectives and points of entry. The simple act of thinking graphically can function like a zoom lens on a camera, bringing different features in and out of focus while presenting new connections, interfaces, and points of engagement.<sup>45</sup> In addition to letting her step beyond the limitations of language that was explored earlier, Ann may find that, in reimagining her work visually and graphically, she is confronted with different questions and connections than those that had presented themselves through text. Moreover, combining the insights of textual analysis and visual illustration might allow her to differently interrogate both the conceptual frameworks that she is developing and their empirical application, resulting in richer insights.

## Conclusions

This chapter has set out three layers of analysis, the first suggesting a broad, general proposition about the use of the visual, personas, and vignettes in legal education. These can bypass the limitations of the mental models that have become “baked in” to existing frames, offering quick access routes to shared sites of meaning while revealing fresh perspectives. Then, in side-stepping law’s mainstream ways of doing, talking, and thinking, visual approaches can respond to movements like legal aesthetics and ESL in recognising contingencies central to law’s (social) construction. Zooming in to the second layer, the chapter introduced Academic Ann who has been exploring ESL in her research and wants to introduce it to her students. Zooming in further to the third layer, the chapter presented some of Ann’s class materials, including a diagram of ESL and the persona and vignette of Policy Polly, showing how these might empirically ground and contextualise conceptual discussions, and enhance accessibility and engagement. In combination with text or as a separate resource then, the visual can simplify complexity, reduce text fatigue, and create spaces for knowledge co-production, bringing benefits both for Ann and her students.

## Notes

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<sup>1</sup> ESRC-SeNSS Postdoctoral Research Fellow, Kent Law School, University of Kent. I am grateful to SeNSS for their funding and support, and to the editors of this collection for their feedback. All errors are my own.

<sup>2</sup> For accessibility I use the anglicized plural of persona.

<sup>3</sup> This assumes a constructivist understanding of law, as set out in John Gerard Ruggie, 'International Regimes, Transactions and Change: Embedded Liberalism in the Postwar Economic Order' (1982) 36 *International Organization* 379.

<sup>4</sup> This is an oversimplification, but see Stephanie Lee Mudge, 'What Is Neo-Liberalism?' (2008) 6 *Socio-Economic Review* 703 for further accounts of neoliberalism.

<sup>5</sup> Emilie Cloatre, 'TRIPS and Pharmaceutical Patents in Djibouti: An ANT Analysis of Socio-Legal Objects' (2008) 17 *Social and Legal Studies* 263.

<sup>6</sup> Viviana Zelizer, *Economic Lives: How Culture Shapes the Economy* (Princeton University Press 2010); Viviana Zelizer, *The Social Meaning of Money* (Princeton University Press 1997); Greta Krippner and others, 'Polanyi Symposium: A Conversation on Embeddedness' (2004) 2 *Socio-Economic Review* 109.

<sup>7</sup> Roger Cotterrell, 'A Legal Concept of Community' (1997) 12 *Canadian Journal of Law and Society* 75; Amanda J Perry-Kessaris, 'Anemos-Ity, Apatheia, Enthousiasmos: An Economic Sociology of Law and Wind Farm Development in Cyprus' (2013) 40 *Journal of Law and Society* 68; Amanda J Perry-Kessaris, 'What Does It Mean to Take a Socio-Legal Approach to International Economic Law?', *Socio-Legal Approaches to International Economic Law: Text, Context, Subtext* (Routledge 2012) <[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2085007](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2085007)> accessed 13 March 2017.

<sup>8</sup> This constructivist understanding is differentiated from constructivist approaches taken in an education context (see Karen Barton, Patricia McKellar and Paul Maharg, 'Authentic Fictions: Simulation, Professionalism and Legal Learning' (2007) 14 *Clinical Law Review* 143. Instead, see Donald MacKenzie and Yuval Millo, 'Constructing a Market, Performing Theory: The Historical Sociology of a Financial Derivatives Exchange' (2003) 109 *American Journal of Sociology* 107. Ruggie (n 3); Andrew Lang, 'Reconstructing Embedded Liberalism: John Gerard Ruggie and Constructivist Approaches to the Study of the International Trade Regime' (2006) 9 *Journal of International Economic Law* 81; Anthony Giddens, *The Constitution of Society: Outline of the Theory of Structuration* (Polity 1984).

<sup>9</sup> Fred Galves, 'Will Video Kill the Radio Star? Visual Learning and the Use of Display Technology in the Law School Classroom' (2004) 195 *U. Ill. J. L. Tech. & Pol'y* 219; cited in Brian A Glassman, 'In the Mind's Eye: Visual Lessons for Law Students' (2014) 23 *Perspectives: Teaching Legal Research and Writing* 25, 27.

<sup>10</sup> An Jacobs, Katrien Dreessen, and Jo Pierson, "'Thick" Personas – Using Ethnographic Methods for Persona Development as a Tool for Conveying the Social Science View in Technological Design' (2008) 5 *Observatorio (OBS\*)*, IBBT Research Group SMIT – Vrije Universiteit Brussel (VUB), Belgium 79, 081.

<sup>11</sup> This constructivist understanding of law references Ruggie (n 3).

<sup>12</sup> Rhidian Hughes, 'Considering the Vignette Technique and Its Application to a Study of Drug Injecting and HIV Risk and Safer Behaviour' (1998) 20 *Sociology of Health and Illness* 381.

<sup>13</sup> Gourlay et al., 'Using Vignettes in Qualitative Research to Explore Barriers and Facilitating Factors to the Uptake of Prevention of Mother-to-Child Transmission Services in Rural Tanzania: A Critical Analysis', (2014) *BMC Medical Research Methodology* 14, (21),

<<https://bmcmedresmethodol.biomedcentral.com/articles/10.1186/1471-2288-14-21>>. See also Hughes and Huby, 'The Construction and Interpretations of Vignettes in Social Research' (2004) 11(1) *Social Work and Social Sciences Review* 36–51

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<sup>14</sup> Asli Kandemir and Richard Budd, 'Using Vignettes to Explore Reality and Values with Young People' (2018) 19(2) *Forum: Qualitative Social Research*, Vol 19(2) <<http://www.qualitative-research.net/index.php/fqs/article/view/2914/4193>>

<sup>15</sup> Niklas Luhmann, *Art as a Social System* (Stanford University Press 2000) <<https://www.sup.org/books/title/?id=1609>> accessed 10 March 2021.

<sup>16</sup> Amanda Perry-Kessaris and Joanna Perry (2020) 'Enhancing Participatory Strategies with Designerly Ways for Sociological Impact: Lessons from Research Aimed at Making Hate Crime Visible in Europe' *Social and Legal Studies* 835–857.

<sup>17</sup> Ruggie (n 3).

<sup>18</sup> Roger Cotterrell, 'Why Must Legal Ideas Be Interpreted Sociologically?' (1998) 25 *Journal of Law and Society* 171.

- <sup>19</sup> See inter alia Andreas Fischer-Lescano, ‘Sociological Aesthetics of Law’ (2016) 16 *Law, Culture and the Humanities* 268; Costas Douzinas, ‘The Legality of the Image’ (2000) 63 *Modern Law Review* 813; Thomas Giddens, ‘Comics, Law and Aesthetics: Towards the Use of Graphic Fiction in Legal Studies’ (2012) 6 *Law and Humanities* 85; Peter Goodrich, ‘Rhetoric, Semiotics, Synaesthetics’ in Emiliios Christodoulidis, Ruth Dukes and Marco Goldoni (eds), *Research Handbook on Critical Legal Theory* (Elgar 2019) <<https://www-elgaronline-com.chain.kent.ac.uk/view/edcoll/9781786438881/9781786438881.xml>>; Paul Maharg, ‘Democracy Begins in Conversation: The Phenomenology of Problem-Based Learning and Legal Education’ (2015) 24 *Nottingham Law Journal* 94; Paul Maharg, *Transforming Legal Education: Learning and Teaching the Law in the Early Twenty-First Century* (Routledge 2016) <<https://www.routledge.com/Transforming-Legal-Education-Learning-and-Teaching-the-Law-in-the-Early/Maharg/p/book/9781138248274>>; Desmond Manderson, ‘Desmond Manderson, Beyond the Provincial: Space, Aesthetics, and Modernist Legal Theory, 20 MELB. U. L. REV. 1048 (1996).’ (1996) 20 *Melbourne University Law Review* 1048; Richard Mohr, ‘Desmond Manderson, Songs Without Music: Aesthetic Dimensions of Law and Justice. Berkeley: University of California Press, 2000, 316 Pp., Book Review’ (2002) 11 *Social and Legal Studies* 146.
- <sup>20</sup> Douzinas (n 19) 813.
- <sup>21</sup> *ibid.*
- <sup>22</sup> Amanda Perry-Kessaris, ‘Legal Design for Practice, Activism, Policy and Research’ (2019) 46 *Journal of Law and Society* 185.
- <sup>23</sup> Luhmann (n 15).
- <sup>24</sup> RK Sherwin, *When Law Goes Pop: The Vanishing Line between Law and Popular Culture* (University of Chicago Press 2000) 27, quoted in Giddens (n 19) 94.
- <sup>25</sup> Amanda Perry-Kessaris, *Doing Sociolegal Research in Design Mode* (Routledge 2021).
- <sup>26</sup> For more detail on this, and the pitfalls to be avoided, see Perry-Kessaris (2021) *Doing Sociolegal Research in Design Mode*, Chapter 2, “Enabling Ecosystems” [forthcoming].
- <sup>27</sup> Perry and Perry-Kessaris (n 16) 16.
- <sup>28</sup> Margaret Hagan, ‘A Visual Approach to Law’ [2017] *Miscellaneous Law School Publications* <<http://repository.law.umich.edu/miscellaneous/36>> accessed 11 March 2021; Margaret Hagan, ‘Law by Design’ (*Law by Design*) <<https://www.lawbydesign.co/>> accessed 11 March 2021; Perry and Perry-Kessaris (n 16) 10–11.
- <sup>29</sup> Francina Cantatore and Ian Stevens, ‘Making Connections: Incorporating Visual Learning in Law Subjects through Mind Mapping and Flowcharts’ (2016) 22 *Canterbury Law Review* 153.
- <sup>30</sup> Glassman (n 9).
- <sup>31</sup> Included here as a separate ontology of visual representation to ‘art’, with its own theoretical body of work. See Alan Male, *Illustration: A Theoretical and Contextual Perspective* (Bloomsbury Visual Arts 2017) <<https://www.bloomsbury.com/uk/illustration-9781474263030/>>.
- <sup>32</sup> Linda Mulcahy and Tatiana Flessas, ‘Limiting Law: Art in the Street and Street in the Art’ [2015] *Law, Culture and the Humanities* <<http://eprints.lse.ac.uk/64564/1/limiting%20law%20art%20%20ini%20the%20street%20street%20in%20the%20art.pdf>> accessed 11 March 2021.
- <sup>33</sup> Rachel Ayrton, ‘The Case for Creative, Visual and Multimodal Methods in Operationalising Concepts in Research Design: An Examination of Storyboarding Trust Stories’ [2020] *The Sociological Review* 1.
- <sup>34</sup> Emily Allbon, Tina McKee, and Michael Doherty, ‘Connecting Legal Education: The Legal Design Edition’ (*Association of Law Teachers*, 8 June 2020) <<http://lawteacher.ac.uk/connecting-legal-education/connecting-legal-education-the-legal-design-edition/>> accessed 11 March 2021. Allbon uses “design sprints” to creatively engage students with the application of legal principles, using visual methods to ensure quick yet accurate communication.
- <sup>35</sup> Open source (and therefore free yet powerful) software like Blender has democratised 3D modelling and animation.
- <sup>36</sup> For short animations illustrating socio-legal ethnography, see inter alia Lydia Hayes, *Stories of Care: A Labour of Law* (Palgrave Macmillan UK 2017) <<https://sites.cardiff.ac.uk/law-lab/people/director-profiles/stories-of-care-a-labour-of-law-gender-and-class-at-work-by-lydia-hayes/>>; Lydia Hayes, ‘Stories of Care’ <<https://sites.cardiff.ac.uk/law-lab/people/director-profiles/stories-of-care-a-labour-of-law-gender-and-class-at-work-by-lydia-hayes/>> accessed 14 January 2021.
- <sup>37</sup> Stephanie Broadribb and others, ‘Second Life in the Open University: How the Virtual World Can Facilitate Learning for Staff and Students’ in Charles Wankel and Jan Kingsley (eds), *Higher Education: Teaching and Learning in Virtual Worlds* (Emerald Group Publishing 2009) <<http://oro.open.ac.uk/43632/>> accessed 8 January 2021.

<sup>38</sup> Gregory Silverman, 'Law Games: The Importance of Virtual Worlds and Serious Video Games for the Future of Legal Education' (2012) Part II –Teaching with Digital Course Materials *Legal Education in the Digital Age* 130; Paul Maharg, 'Legal Sims: From Everquest to Ardcalloch (and Back Again)' (2004) <<https://strathprints.strath.ac.uk/708/>> accessed 12 March 2020; Maharg, *Transforming Legal Education: Learning and Teaching the Law in the Early Twenty-First Century* (n 19); Daniela Ahrens, 'Serious Games – A New Perspective on Workbased Learning' (2015) 204 *Procedia – Social and Behavioral Sciences* 277; Jane Reeves, *Training Child Protection Professionals through Gaming and Simulation* (2016) <<https://www.youtube.com/watch?v=KE5jtt2f10Y>> accessed 5 February 2020.

<sup>39</sup> Maharg, *Transforming Legal Education: Learning and Teaching the Law in the Early Twenty-First Century* (n 19).

<sup>40</sup> Amanda Perry-Kessaris, 'The Pop-Up Museum of Legal Objects Project: An Experiment in "Socio-Legal" Design' (2017) 68 *Northern Ireland Legal Quarterly* 225; Perry and Perry-Kessaris (n 16).

<sup>41</sup> Ellen Lupton and Jennifer Cole Phillips (2015) "Graphic Design: The New Basics: Second Edition, Revised and Expanded", Princeton Architectural Press, Kindle Edition, Loc.1092

<sup>42</sup> Fleming, cited in Glassman (n 9) 25.

<sup>43</sup> Michael Race, 'Decision over Future of Oxford's Cecil Rhodes Statue Delayed' (5 January 2021) <<https://www.bbc.co.uk/news/uk-england-oxfordshire-55549876>> accessed 5 April 2021.

<sup>44</sup> Goodrich (2014) *Legal Emblems and the Art of Law*, in Piyel Haldar, 'Review Essay: A Gesture: A Review of Peter Goodrich, *Legal Emblems and the Art of Law: Obiter Depicta as the Vision of Governance*' (2014) 8 *Law and Humanities* 304; See also Glassman (n 9).

<sup>45</sup> This mirrors the call for a language of design patterns for contracts. See Helena Haapio and Margaret Hagan, 'Design Patterns for Contracts' <[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2747280](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2747280)> accessed 5 January 2021.