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Maybe I Have Different Opinions Now: Exploring the Learning Experience of My Social Justice Major

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SJUS Practicum

Capstone Paper

May 8, 2020

Maybe I Have Different Opinions Now

Exploring the learning experience of my social justice major

Introduction

My journey as a social justice major has not been a typical one. I am starting paper off strong with a cliché, I thought it would be better if I just got it out of the way. I came to Ouachita as a music major in hopes of joining the music industry in some capacity. While this has not necessarily changed, the social justice major and my broadening experiences have helped me to realize why I wanted to pursue law school. Through my experiences before my internship in both my volunteer time and in my classes, I learned the value of aid and specifically legal aid.

Throughout my classes I saw how historically that lawyers played a role in social change and how they were able to oppress, but also undo oppression using the same legal language as the oppressors.

My experience at my internship, while it was not all I hoped it to be, was still a very educational opportunity. While I saw some of the stereotype that surrounds personal injury law in Arkansas, I also saw a lot of good that the firm does and how much value both lawyers and clients derive from their relationship. Ultimately, those at Taylor King Law are helping others, albeit in a different way than at a nonprofit or in a governmental capacity. My duties were

relegated to more administrative work, but I believe that I still gained a lot from working with both the documents and the people that I worked with. Justice is not carried out by one man with a good heart, instead it is about systemic change and how whole teams address an injustice that plagues our society. While TKL did this on a more select scale, I think that even personal injury law contributes to the overall theme of extending justice to those who need it.

Broadening prior to Internship

In my tenure as a social justice major, I did broadening experiences besides my major. One of the most notable of these was my experience as an Academic Success Tutor. Most of my Transerve hours would come from my time as a tutor, and I still see it as one of the most valuable things that I did during my time at Ouachita. As a tutor, I worked with students at Ouachita in a one on one, small group, and large study group settings. It was through this experience that I worked with all sorts of different kinds of students, each coming from their own diverse background. I learned several valuable lessons through my tutoring, even though I should have been the one doing the instructing. Maybe I was not that great of a tutor after all.

Firstly, tutoring helped me to learn how different everyone is, but yet how remarkable similar we all are. I could be tutoring someone who was making all A's in their class but just came to tutoring as a precaution (as a long of stressed, overachieving students do because they beat up on themselves too hard) or I could be tutoring someone who was in danger of failing out of OBU and some of their complaints would be the exact same. I suppose there isn't anything that unites people more than not quite understanding the macroeconomics that led to the Great Recession or the nuance of the impact of the US' Israeli foreign policy has on the rest of the region. While all of my tutees came from wildly different backgrounds, I sought to maintain and

grow a personal relationship with each of them and are happy to call some of them my friends today.

Through my tutoring experience I also learned that I had to learn different approaches to talking to people. Instead of insisting that I bring people to my level, it is important to know where the tutee is at and the scope of what they are trying to accomplish within the scope of the class. To try and force my interest in certain topics or my goals on other people almost never worked and I quickly learned that when helping people in this capacity, it was not about me. Instead, I should pay close attention to the tutee's needs and help them to accomplish what they want to accomplish. This is a fine line to walk with pandering or not pushing your tutee, as this is also important, but you should push your tutee only once they can see their original goal as easily attainable. While I do not have any formal teaching experience, I feel as though this tutoring experience helped me to understand how to teach a little more and how to help people. This will undoubtedly help me as I decide to go into a legal profession and how to better help my clients.

During the tenure of my major at OBU, I also participated in several other volunteer capacities to fulfil my Transerve hours, but sometimes just as a volunteer. I began as a member of the Ouachita Student Foundation in my sophomore year, and I have mixed feelings on my time participating with that organization. OSF is an organization on campus that seeks to improve the lives of students on campus. Their motto, "Students Helping Students", is fairly indicative of their stated cause and they seek to do this through various means, the most notable of which is the student scholarships that are given out in the spring semester by the organization. However, while this organization does seek to do good, my own personal experience felt not as helpful as it could have been.

In my time in OSF, I felt as though I was not actively helping other students on campus most of the time. I remember immense pressure to participate in tours for prospective students, an obligation that I thought, while enjoyable, did not contribute greatly to the idea of “students helping students”. I found a lot of value in the scholarships that the organization gave to students, but I felt that much of the organization felt fairly hollow and unhelpful to the student body. I also felt that many of the members of the organization were in it for the wrong reasons, as it felt like more of a show instead of people genuinely seeking to help other students. For these reasons, I decided to leave the organization.

While my experience within the organization was not ideal, I feel that I learned several lessons that I could carry forward throughout my experiences. Firstly, I learned that help and assistance are reliant upon the one performing the assistance. It all depends upon the attitude and why you are genuinely performing aid whether or not it will be perceived as truly helpful. Even if you are doing good work, like OSF does with student scholarships, it can be perceived negatively by third parties or even by those who are receiving the help themselves. To do good work with a good attitude and the right mindset is critical in how you help and fight injustice, which is something I learned through both tutoring and my experience in the Ouachita Student Foundation. This would prove to be helpful in determining why I wanted to go to law school and how law school could best help me to help others in my profession.

Why Law School?

I did not always see myself as a social justice major, much less a potential lawyer. I came to OBU as a music business major (now the music industry major) and saw myself going into the music industry, but unsure of what I would do or where in that industry I would go. Music has

always been, and will most likely always be, a very important life. I truly do still believe that music is one of the only things in this world that can still bring us all together. It has always been that special place for me, and I see it as a possibility to be a special thing for others.

I was under the impression that this love for music would naturally lead me to be a music major when I went to college. I went to my theory and aural skills classes, which now litter the “Electives” section of my transcript. I took saxophone lessons and loved participating in ensembles on campus, even if they were a bit stressful at times. However, I never saw myself as using those particularly much in my career. The way I wanted to influence the music industry and the way I thought I could best serve the music industry was not one that was confined to staff paper. Instead, I saw myself making an impact on a more macro scale and one that was more institutional. This led me to intellectual property law, specifically copyright and entertainment law for the music industry. This seemed like a natural fit for me, given my love for music and my ability to argue with a brick wall. I took the copyright law class that was offered at OBU, and I thoroughly enjoyed the material so that encouraged me even more. At this point I still saw a copyright lawyer as part of the music industry.

I began to take a few classes within the history department, beginning with the Apartheid class, and I found myself quite interested in the material. It was after I took this class and while I was frustrated with my ability to perform as a music major (I suffer from crippling stage fright while playing an instrument, a great quality for a music major) that I decided to switch my major first to history, and then switch completely to a History/Social Justice double major (I kept the music industry minor). I still very much wanted to do copyright law; however, I saw myself as being better suited for this route of majors and thought they would be more educational and prepare me better for law school and the legal profession.

It is through the social justice major that I would learn what all it even meant to be a lawyer. Before I just thought of being a copyright attorney as a way to help the music industry, but through the major I was able to learn that just staying within the music industry might be limiting myself. The legal profession is so much more than a way to make sure you are a part of the things you love in a way that would be the most effective. I learned through all of my classes to have a greater interest in disciplines besides music, which helped me to realize that the central idea behind me wanting to go into the music industry was not because I was talented or because I truly loved what I was doing in music. The reason I wanted to go into the music industry is because I wanted to help and protect the things I cared about. This naturally caused problems when I began to care about other things, because it made me want to expand my horizons and look into other places to help. And people who want to help many different disciplines are incredibly boring, so this decision and realization naturally hurt my fun level at parties.

Joking aside, the social justice major helped me to realize what law really was about. In Apartheid, my introductory class to the major as a whole, I saw legal work in the foreground and how the work of lawyers first and foremost laid the groundwork for a revolution. Mandela and Tambo did not just seek to improve the parts of their lives that brought them joy, if that were the case Mandela might have just been the best lawyer for the sport of boxing that there ever was. Instead, these men built coalitions of people who all cared about the same thing and turned an oppressive system on its head, with help from other great minds of course (because its well known that lawyers don't do most of the work anyways).

Race, Law, and Social Change also was one of the most formative classes in my decision to pursue law from a different angle. This class demonstrated the power of law within a system and how it can both be designed to hold people down and protect them, depending on the wills of

the lawyers willing to act upon them. Lawyers are often the medium through which social change occurs, even if they are not acting in a legal representative way. Most politicians are at least acquainted with the law and most successful ones are lawyers themselves. If this just helps them manipulate people into voting for them or if it actually helps them do their job better, who is to say. However, it is notable that those who have helped to stop oppression, injustice, and discrimination across the world have a large group of lawyers in their ranks.

These classes helped me learn what I truly like about the idea about going into copyright law. It had nothing to do with the details of the DMCA, or the protection of music, or even my love of music. I realized that I wanted to go into law because I wanted to help people. Everyone deserves help when they should need it (not pity, as that is a completely different discussion), and lawyers are often the first to be able to do this. This can give lawyers a bad reputation as people see the work they do as sometimes litigious and makes them easy targets for attacks against what they are doing, simply because people do not understand the nuance of the way that they are helping someone. Do some lawyers deserve it? Of course, but the title is broadly applied to many who do not deserve that title (as I will discuss later in my paper.)

This misnomer also made me unsure of my route into law, even if those around me already thought I would be an excellent lawyer. It was these classes, however, that showed me the good that attorneys do across history. My exposure to this knowledge helped me to realize that law was the correct route for me, and that can only be attributed to the courses I took in completion of this major. This knowledge would prepare me to seek a broadening experience, or internship, with a law firm.

Internship at Taylor King Law

I planned to do my broadening experience with a law firm, since I have an interest in law and doing law throughout the world. However, I faced a difficulty since intellectual property law is very uncommon, especially in Arkansas, I simply sought to intern at any law office. My family happened to have ties to the Taylor King Law Firm, through OBU no less, and I was quickly set up with an interview with them and able to be hired on. I was excited to begin my employment at the firm, as I hoped to work with clients and use some of the skills that I had learned at my time at Ouachita as a social justice major.

During my long-awaited broadening experience, I worked at Taylor King Law Firm in Arkadelphia. This is consistent with my desire to go to law school and I believed that by working at a law firm I would learn plenty about how law works and feel more concrete about my decision to attend law school. Needless to say, that did not happen. I mostly worked with records and was a bit disappointed with my role, however this does seem to be consistent with the role of interns at law firms. However, in that process I was able to learn about the different approaches to law and working with cases. There is a plethora of diversity among both attorneys and those who work in law firms on how they feel on both cases and their work as a whole. That much was an educational experience.

TKL is a personal injury firm that has several offices across Arkansas. Personal injury law almost always deals with insurance and paying for medical bills of those who have been injured in some way that was not their fault. Personal injury law is often portrayed very negatively within law circles, as it is often depicted as being the stereotype of the “ambulance chaser” or the lawyers who are fighting for causes just to get a paycheck. While I will address these concerns later in my paper, I do not believe these to be completely true and valid. However, they are not

completely baseless either. At TKL, most of the income (and subsequently the cases they take) are for car accidents.

At Taylor King, I worked most often with records. This placed me in a small cubicle with the comfort of documents, all of which needed to be checked if they needed to be scanned. I would scan through files upon files of documents that had been in storage, as the law requires law firms to keep all documents pertaining to a case for at least seven years following its closure. I would check the documents I had to see if they were already digitally scanned, and if so I would shred them. If not, I would then scan them in, and then shred them. I know at this point everyone in the world is jealous of me as I seem to be doing the most creative, challenging, and exciting job in the world. However, I was paid and them seemed ardent on making sure I was paid well, so how much complaining can I truly do?

While I may not have learned too much by the actual tasks I was performing, I still was able to gain some bearing on how law works. Because I was working with case files, I was able to see all recorded discussion and evidence of a case, and got to understand correspondence between counsel, between counsel and judges, etc. In fact, I was encouraged by the attorneys in the office to read over the cases as I filed them. While I found this unusual, as that is fairly confidential information, after reading over the cases I found how useful it could be. One piece of a case that I remember was a handwritten letter from a woman who TKL helped. She wrote a letter to them to appeal for their help after she was injured and had no way of paying her medical bills. She pleaded that she did not want to seek legal help, but her insurance company would not pay and the person who hit her in the car accident that she was in would not pay out from their insurance either. TKL took her case and was able to quickly get her the money she was owed for her medical treatment. At the end of the case file was another small, handwritten letter thanking

TKL for everything they did. She said in that letter about how she was afraid to reach out to a lawyer because she always assumed they would be no help, when in fact that turned out to be the opposite. It was letters like this that stuck with me, as it showed the real good that even personal injury law firms do.

However, not all of my experiences followed this positive line of thinking. Since I was interested in law school, I was encouraged by my direct boss (the COO) to talk with other lawyers about their experiences. Several of them were incredibly nice and seemed to derive real value from their work. This would be the attorneys that would help to make sure that people like the woman I have mentioned before felt safe and happy with coming to them and genuinely wanted to find them aid. However, it did seem that several attorneys were more pleased with the monetary value that can be derived from personal injury law. As it is a percentage-based operation, and some cases are very straightforward, the amount of cases that are taken in is encouraged to be maximized for maximum profitability. This is just the nature of capitalism. However, this seemed to have led to an attitude among some attorneys that the bottom line and the financials were more important. This is not inherently bad either, as money is very helpful especially for someone who spent as much time in school as they did. However, there are also lawyers at the firm that will consistently cut their fee so that their client receives the full amount that they are owed. This just shows the diversity of opinion that the lawyers at TKL have about the nature of their job, which is present in almost every profession.

Applying the Experience

While my internship at TKL was not as enlightening as I hoped, it did ultimately give me quite a bit of insight into the legal profession as well as how injustice is fought in general. While

some may argue that personal injury law does not necessarily fit inside the confines of ‘fighting injustice’, I would disagree with them. It is not always the reformation of societal organizations that constitutes social justice. It is not always the work of Mandel and Tambo, or the advocacy of immigration lawyers for better treatment of refugees, or the work of nonprofits that are impacting change at large levels. These no doubt constitute social justice, but perhaps we should redefine what it means to help someone and to seek justice.

TKL helped me to realize that even sects of law that are often considered to be “ambulance chasers” could make a real impact on the community. Often it is not the systemic victimization of the poor within our system or the extreme cost of our medical system that wears on individuals. It is the physical bills that arrive in the mail that have to be paid by the 1st. This does not reduce the importance of systemic issues, but instead it shows those who are fighting for justice that you have to come to someone else’s level to meet their needs. Much like my experience in tutoring, once it is clear that the immediate goals of the tutee (in this case the client) are met, only then can you begin to push for broader and bigger change within the system. This immediate need is what TKL helps to combat in their work. I am not saying that they do not want to combat systemic issues; Taylor King was very active in fighting tort reform measures in Arkansas in 2018 that would have limited damages that an individual can receive from a corporation. Instead, justice should be viewed as something that is more personal, in addition to the justice that is thought of when we think of systemic injustices and social justice.

In my original social justice manifesto, which I wrote eons ago in my freshman year, I defined social justice. I defined social justice as “fighting for a selfless societal cause even when you do not have the support of other people.” In this paper, I argued that justice itself can be isolating and difficult to understand by those on the outside. In addition, I qualified social justice

as mandating a “selfless cause”. I argued that when you have self-interest in a cause, it does not necessarily end up being societally beneficial, just more beneficial to your own personal needs and desires. I would still mostly agree with this definition that I outlined in my paper, although I would perhaps add caveats to a few sections after my work at TKL.

Taylor King Law is a not a nonprofit, and they do in fact have a personal interest in doing the best for their client. They get a share of whatever they win for their client, as they do want to make money in the business they do. According to my prior definition, this would not fit within the framework for social justice under my definition. I would perhaps alter my definition of social justice as “making a selfless impact”, instead of just requiring the work to be strictly selfless. This would show that sometimes people do great work in social justice without even realizing that they are. Take TKL. There are attorneys there that derive true value through their work but there are also attorneys there would rather quantify their work in dollar signs. Neither of these are inherently bad or good, but both are fundamentally making the same good impact on their clients lives and fighting against the injustices that their clients may face.

I also would perhaps remove the qualifies “societal” from my definition of social justice. While I understand what I was arguing, that justice occurs mostly on a broad scale and that is how true change is accomplished, I think I may disagree with that assessment now. The justice that matters to a struggling parent is not the one that is happening in Washington DC in legislation passing through Congress. It is the impact that is made on their own lives, which is incredibly more visible to individuals than all of the behind the scenes justice. Both are important in making sure that justice is done, not just the active change being done to large systems.

Conclusion

As my time as a social justice major comes to an end, I am reminiscing on the education that I have received during my time here during both my classes and my broadening experiences. The lessons I learned through my volunteerism with the Academic Success Center and through the Ouachita Student Foundation taught me both the value of helping others and seeking justice on a personal level, as opposed to the societal justice I had thought of before. I learned through my classes the importance of law, and how ultimately the legal profession is the art of helping people while using fancy language. I am grateful for my experience as a student in the social justice program and believe that I had an individual experience that has allowed me to grow in a way that I believe is unique to the route I took to my definitions of justice and the experiences I have experienced.

At Taylor King Law, I learned how to re-evaluate my prior definitions of justice, as I saw how it worked on a level that I did not typically think of as being “social justice.” I am grateful for this experience, even if most of the time I was deciding which documents should be shredded and which should be kept. I learned quite a bit through my experience at TKL on how various individuals perceive the justice that they are carrying out. While all do not see what they do as “social justice”, I would argue it is social justice nonetheless. They are actively making an impact on other people’s lives that are not necessarily societal or large scale. Instead, they are fighting for causes that they may not completely find the justice based value, but I argue it is there nonetheless. While justice is always a net good for society, it is not always apparent to those undertaking it. I argue that law, even personal injury law, falls into this category as it should be defending those who need defending the most. My internship only strengthened my opinion and reassured me that law is the best route for me to take if I want to help accomplish

justice in the world. While I may never be a Mandela or Tambo, I would settle for helping someone help to make rent for the month if that is what justice is desperately needed.