THE SECOND DRAFT

ARTICLE

The Power of Ritual in Classroom Teaching

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Each year growing up, my family did the same thing for Thanksgiving. We'd invite a group of families over to our house, everyone would bring the same set of dishes (candied sweet potatoes!), we'd have a Kids Table and a Grown-Ups Table (Kids Table was always more fun), and then, after dinner, we'd play games.

Without fail, these were group games, played in a large circle with ten, sometimes up to twenty people. One game that we played for years was called "The Animal Game." In this game, each person in the circle was assigned a particular animal and had to make a sign of the animal with their hands while the group clapped and tapped their knees in rhythm. If you failed to notice it was your turn to sign your animal—or if you messed up your sign!—you got sent to the end of the circle. The goal of the game was to advance to the first chair and become the King Elephant.

It's hard to overstate how much fun we had playing this ridiculous game. I have vivid memories of adults looking extraordinarily foolish while haplessly trying to make the sign of an anteater (for some reason, the adults were far worse at this game than the kids). There was something exciting about joining together, as a whole group, for the sole purpose of doing something fun and silly.

But perhaps more fundamentally, the Animal Game was powerful because it was part of a ritual: a set of behaviors given special meaning and set apart from

ordinary life,[1] often performed in the same way each time.[2] Our family gathered for Thanksgiving on the same day each year, like millions of others. We invited the same groups of people. We ate the same food. We played the same (absurd) group games, year after year. And these are some of the most cherished memories of my childhood.

Humans need rituals. And we create them everywhere. Rituals can be personal: yoga or meditation each morning; coffee on the back porch; journaling or reading before sleep. They can also be collective, and often carry cultural significance: baby showers; *quinceañeras*; wedding ceremonies; and funerals. Many hold religious meaning: baptisms; bar and bat mitzvahs; First Communion; the hajj. Rituals provide our lives with structure and meaning, enhanced by the presence of community.[3]

Classrooms, too, can—and should—be places of ritual. In many ways, taking a class *already is* a ritual: the same group of students show up at the same time each week to learn about the same subject from the same professor—a structured group behavior, set apart from the ordinary life of "the real world," often performed in the same way each time.

But the ritual doesn't have to start and end with the bare fact of students showing up in the classroom each week. Instead, professors should strive to employ rituals of their own in the ways they teach and manage their classes. These rituals could include the same weekly set of classroom exercises; a predictable and fun habit of starting and ending class each week; or a routine of interactive polling or feedback, as explained in the examples below.

Why use ritual? As research shows, classroom rituals can help foster a sense of community and belonging between students and the teacher, which in turn engages students and helps them learn better.[4] Rituals can reinforce your expectations and reduce student anxiety, since students generally know what to expect

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[1] Fran Mullis & Suzanne F. Fincher, *using rituals to define the school community*, 30 Elementary Sch. Guidance & Counseling 243, 244 (1996).

[2] "Ritual," Britannica Dictionary, https://www.britannica.com/dictionary/ritual (last visited Sept. 28, 2024).

[3] Christian Smith, Moral, Believing Animals: Human Personhood and Culture 63–64 (2003) ("Rituals are collective practices that serve to bind individuals together into a community, providing a shared sense of meaning and purpose.").

[4] Anthony Perry, *Student Engagement, No Learning Without It*, 13 Creative Educ. 1312, 1314 (2022); Kathy Dyer, *Research Proof Points: Better Student Engagement Improves Student Learning*, NWEA (Sept. 17, 2015), https://www.nwea.org/blog/2015/research-proof-points-better-student-engagement-improves-student-learning/. *See also* Matthew R. Kay, Not Light,

when they arrive in class each day. And rituals can help provide structure to your class, which can assist professors in lesson planning by breaking down the class into smaller, easier-to-plan-for chunks.

Of course, not all law school rituals are positive. Many students dread the ritual interrogation that many professors employ when using the Socratic method.[5] Students—and some professors—often detest the ritual of all-or-nothing final exams that take place at the end of the semester.[6] But just because most law schools feature these unpleasant rituals does not mean that rituals themselves should be avoided.

Rather, as my Thanksgiving Day memories attest, rituals can help build community and engage people in shared experiences. What follows are suggestions for rituals you might consider employing in your classroom. Some of these rituals—like various forms of low-threshold engagement—I employ every class. Others I "mix and match" depending on the goals of my class that day, and the amount of time I have available. But I use and reuse these segments often enough that students become familiar with them. In short, I return to them frequently enough to make them rituals.

1. "Branded" Classroom Segments.

I teach my legal writing class in two-hour chunks, once a week. Two hours is a long time for a law student to sit still and learn. So I break up my class with what I call "branded" segments—short periods of class where students undertake certain exercises that I "brand" with unique names. I employ these named segments on a regular basis throughout the year, with the goal of giving students a familiar in-class ritual that they enjoy and that helps them learn. Below is a sampling.

But Fire: How to Lead Meaningful Race Conversations in the Classroom 45–47 (2018) (noting how rituals such as "weekly circles" can help build trust and cohesion in the classroom).

[5] *See* Peter Goodrich, *Mos Americanus or Common Law in Partibus Infidelium*, 60 Vill. L. Rev. 521, 536 (2015) ("The rituals of the J.D. curriculum, and the competitive terrors of the Socratic classroom, are rhetorical peculiarities, though they are hardly the inventions of U.S. law.").

[6] *See* Ruth Colker, *Extra Time as an Accommodation*, 69 U. Pitt. L. Rev. 413, 415 (2008) ("The traditional law school exam format may not accurately measure a student's knowledge or potential, leading to dissatisfaction among both students and faculty.").

"Do Now" activities. Just as they sound, "Do Now" activities are short exercises that students do immediately upon arriving in the classroom.[7] They usually consist of two to three questions that relate to the reading or something we discussed in the last class. Sometimes they include poorly phrased sentences that need to be rewritten in plain language, or incorrect citations that need to be reformatted correctly. The point of these exercises is to immediately immerse students in the content of the class, and to provide me with real-time feedback on how well the students are grasping the material. If two-thirds of the class get a question wrong, for example, I know right away that I need to spend more time on that issue in class.[8]

"Plain language in the wild." This exercise is a regular feature of my legal writing class. In it, I distribute real-world examples of good legal writing and unpack them with my students. Examples include snippets of briefs, complaints, objective memoranda, and sections of Supreme Court opinions (I often use excerpts from Justices Kagan, Gorsuch, and Roberts). The goal of the exercise is to give students exposure to actual legal documents while reinforcing the principles of plain language and clear writing that we use in class. These segments usually last 10–15 minutes.

"Plain language lightning round." This segment, branded with Carmen Sandiego-style graphics, uses before-and-after examples to teach students principles of plain language. On my PowerPoint slides, I place on the left side of the screen a "before" example of poorly phrased writing—legalese, jargon, passive voice, etc. Then I ask students to rephrase the sentence, and when they get the answer, I display it on the right side of the screen, so they can see how to improve their writing on a small scale. This is a fun, brief classroom ritual that I repeat regularly throughout the year.

Legal "Hot Takes." I usually start off class with this segment by highlighting any ways that legal writing has made news in the last week or so. I might highlight, for example, legal memos that have generated recent controversy,[9] or cautionary

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[7] *See generally* Patty Kohler-Evans, *How to Get Wet without Plunging In: Creative Ways to Start Class*, The Teaching Professor, 2006.

[8] Professors may vary their approaches to grading and providing feedback on these Do Now activities. Mine are ungraded, and I usually have my students pass their answer sheets to my Teaching Assistants, who track the questions and answers on a spreadsheet. I go over the answers immediately in class and then move on to other issues, but later discuss with my TAs which questions were more challenging for students and might therefore need more review in class.

[9] *See, e.g.*, Michael S. Schmidt & Maggie Haberman, *The Lawyer Behind the Memo on How Trump Could Stay in Office*, N.Y Times (Oct. 2, 2021) https://www.nytimes.com/2021/10/02/us/politics/john-eastman-trump-memo.html (discussing the so-

tales of legal gaffes.[10] These segments aim to reinforce course principles emphasizing the importance of clear legal writing and sound ethics.

2. Low-threshold Engagement Exercises.

In addition to the above branded classroom segments, students may also benefit from what I call "low-threshold" engagement exercises, typically towards the beginning of class. The point of low-threshold engagement is to involve students early in a low-pressure way, in order to draw them in and encourage them to continue to participate throughout class. These exercises can also be humanizing and help build community within the classroom.

Interactive polling. Using programs like Poll Everywhere, I often use interactive polling as a classroom ritual, putting questions on the screen and having students respond anonymously by using their phones.[11] I use polling for check-ins ("How are you feeling today?"), feedback on exercises ("Name one thing you learned from your feedback on the Closed Memo"), and just-for-fun quizzes that reinforce learning ("Which citation is in the correct format?"). These polling exercises get every student participating in a non-threatening way, provide levity in the classroom, and help provide me with feedback on how students are doing and what principles may need more discussion in class that day. They can also be used as actual in-class trivia-style competitions, with prizes.

Rose and thorn. These exercises may only be feasible with smaller class sizes. In my seminar class of 15 students, I use a weekly ritual of personal check-ins to build community in the classroom. I ask students to go around the circle and say their "rose"—something positive that happened to them in the last 24 hours—and "thorn"—something negative.12 Some students enjoy adding a "bud"—something they are hopeful about or looking forward to. These comments can be deep and profound (I got engaged, I lost my grandmother recently) or light-hearted and

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called "Eastman Memo," a memo written by Trump attorney John Eastman arguing that Trump had a constitutional basis for overthrowing the results of the 2020 election).

[10] *See, e.g.*, Benjamin Weiser & Nate Schweber, *The ChatGPT Lawyer Explains Himself*, N.Y. Times (June 8, 2023) https://www.nytimes.com/2023/06/08/nyregion/lawyer-chatgpt-sanctions.html (highlighting a lawyer's ill-fated use of ChatGPT to write his legal brief, ultimately resulting in sanctions). Prof. Heidi Brown has written how judicial "benchslaps" can be used as teaching tools. *See* Heidi K. Brown, *Converting Benchslaps to Backslaps*, 11 Legal Communication & Rhetoric: JALWD 109 (2014).

[11] Others have suggested using classroom polling and similar exercises in the legal writing classroom. *See* Robin A. Boyle, *Should Laptops be Banned? Providing a Robust Classroom Learning Experience Within Limits*, 20 Perspectives: Teaching Legal Res. & Writing 8 (2011).

[12] There are downsides to this exercise, of course: students might feel anxious sharing personal information in front of their classmates. To mitigate this, I always stress that sharing is optional, and students are welcome to "pass."

low-key (I made delicious soup last night, I got stuck on the subway this morning). Typically, they stay light-hearted towards the beginning of the semester, but as the students get to know each other—and as I appropriately show them a level of depth and vulnerability with my own contributions—answers often do get more profound. While rose-and-thorn-type exercises do consume class time, I've found they are an invaluable ritual for building community and providing students an outlet to share what they're experiencing.

3. Conclusion

At times I wish I could reenact the "Animal Game"—that staple of Haile family Thanksgivings—in my legal writing classroom. But that silly pastime nonetheless provides inspiration for my teaching, where I can work to create shared rituals that engage students, create community, reduce student anxiety, and make learning more fun. Consider employing some of the above examples—tailored to your own style—or create your own rituals. Your students will thank you.