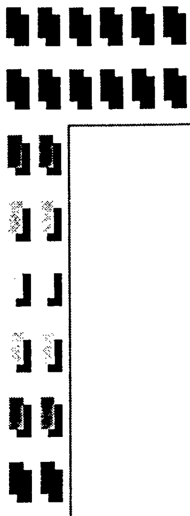
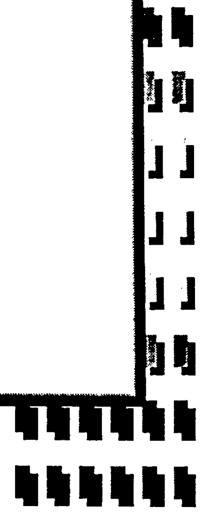


Chapter 3

The Research Approach



3.1 INTRODUCTION

> In recent years many researchers have become increasingly disenchanted with the academic process of 'noise reduction' by suppressing the more disturbing aspects representing the individuality of human cognition in the domain of educational practices. As a consequence, different voices of researchers have been heard within the scientific community suggesting more-or-less scientifically grounded ways to understand and improve educational practices. By paying more attention to the original *voices* of the actors in everyday life they tried to make room for a broader view of the social reality in their research. This has led researchers to break with some of the established conventions of objectivity, reliability and validity. In order to get beneath the surface of everyday activities and institutional structures, new approaches in educational research (have) developed ranging from ethnographic studies, naturalistic inquiry or case studies to more recent enterprises such as action research, biographical analysis and profile studies.
>
> All these approaches aim at changing the nature of pedagogical knowledge by allowing the emotive and often more disturbing qualities of individuals in their culture to penetrate the research process. Therefore, researchers direct their studies with a minimum of interference with the authentic situation in their field of study. To achieve this, the research instruments have been tuned to enable the study of educational practices as closely as possible without destroying the authentic meaning of the people involved. This research perspective adopts new methods of dealing with the everyday world of education ... (Schratz, 1993, 1).

Any treatment or discussion of methodological issues and decisions associated with the conduct of a research study needs to be comprehensive. These processes can also be very tedious and exhausting for those making decisions about the research design and implementation to be adopted in a particular study.

One of the key issues that researchers face in the investigation of a particular topic, question or issue in which they are interested, is the identification of the *essential focus* of the proposed study. This *essential focus* is the object of the study. It needs to be clarified, defined and articulated if the study is to have its own integrity and to maintain its manageability. Once this focus has been established, there is a host of subsidiary decisions that must be made not only about the study's design but also its implementation.

Every research methodology or approach has particular strengths and weaknesses. The goal of any study, therefore, is to maximise the methodological strengths while at the same time minimising the weaknesses both of the approaches and the strategies being used. In quantitative studies for example, verification and validation processes and strategies (Leedy, 1974; Fetterman, 1988; Burns, 1990; Best & Khan, 1993; and others) are used to ensure that rigour, consistency, confidence and reliability will be evident attributes of the selected study. However, these processes and strategies do not apply to studies whose approaches involve deeply embedded interactions and processes with qualitative data.

The *quantitative vs qualitative* debate has raged for some decades as various proponents of positivist, hermeneutic and interpretative paradigms have argued both the advantages and the disadvantges of their approaches. Popkewitz (1984) provided a detailed overview of the various arguments such as those of John Dewey at the turn of the century, Karl Popper in the 1940s and by a number of sociologists such as Carl Becker, Alfred Schultz and Max Weber who, in the 1960s, argued for field-based approaches to particular kinds of social research.

In recent years, researchers such as Anderson (1990), Burns (1990), Eisner (1990), Kvale (1991), and Glesne and Peshkin (1992), amongst others, have extended these debates by publishing research based on experimentation which contained both methodologies and techniques that were untried previously. Kvale's (1991) notion of 'interview as conversation', for example, is but one of these developments. To some extent, these debates have been productive in that they have forced the various supporters of particular schools of methodological approaches to investigate, defend and justify their theoretical positions, procedural tactics and practical stances to a host of controversial issues. In other ways however, the debate has been quite destructive because these embattled individuals have taken defensive positions rather than being more open-minded about the controversies. The debate has evoked an ***either/or*** mentality which, in itself, is not a major problem but which may have led to minimalist positions and outcomes that were not worth defending.

A more open-minded and constructive view of this debate would have been the ***both/and*** position where supporters of both sides of the debate, instead of being divisive, argumentative and doctrinaire, could have taken stances that may have been much more epistemologically

defensible, ontologically consistent, functionally productive and non-dualistic. However, some researchers such as Lincoln and Guba (1985) and Schwandt (1989) view quantitative and qualitative approaches as essentially incompatible while others, such as Anderson (1990), Burns (1990), and Glesne and Peshkin (1992), would view them as potentially complementary approaches.

3.2 NATURE OF A QUALITATIVE STUDY

In quantitative studies, there is a unique relationship between the researcher and the researched who are often referred to as *subjects*. The *subject* - *object* dualism has philosophical and epistemological roots that have provided substantial contributions to the development of paradigmatic perspectives that justify differential research approaches. Many qualitative researchers are, however, very uncomfortable with the term *subject* because of the connotations of meanings such as *acting on* rather than *interacting with* (Glesne & Peshkin, 1992, xi) participants in selected contexts.

The stance taken in this research study is that, while certain research questions and issues need to be answered using specific or particular methodologies and approaches, some questions and research topics need to be investigated using diverse yet complementary methodologies. Consequently, it is the nature and degree of the complexity of the research topic, question or issue that is the determining factor in such decisions rather than either a blind adherence or determination to use a preferred methodology or approach. 'Conventional wisdom has it that the research problem determines the methods chosen' (Glesne and Peshkin, 1992, xii). In other words, some researchers perceive that methodological decisions are secondary in nature to the definition of the main focus, design or thrust of the proposed study. However, this is not always true. Sometimes, in the very act of experiencing life itself, strategies for answering life's questions seem to be developed and then applied to particular investigations or research tasks. Marton and Svensson's work (1981) is an example where the term *phenomenography* was both defined and used not only to refer to research carried out already but also to describe a suggested research program (Svensson, 1994, 10). A more detailed discussion of *phenomenography* is included in Sections 3.3 to 3.7.

It does appear to be the case, however, that some researchers have both a propensity for and an affinity with particular kinds of research. Their research interests, personality, worldview, temperament, values, beliefs, and ways of working, for example, often lead them to work in particular ways that do not necessarily fall into neatly defined categories or predetermined research traditions. Many research approaches and traditions are dynamic and therefore are continually developing new approaches, strategies and tactics.

Glesne and Peshkin (1992, xii) suspect that, in qualitative inquiries, researchers observe what others may ignore; interact with the participants; seek rich, diverse and comprehensive data; pursue the fullest possible meaning of particular phenomena; consider holistic contexts rather than just stratified, random or representative samples, and the like; and are more likely to try to understand the complex array of interrelationships amongst the various sets of data and meaning units. Qualitative work also involves face-to-face interactions as researchers act as either participant or non-participant observers of the phenomenon being investigated. A collaborative or co-operative approach is often an important element of constructivist approaches, although not all qualitative work is necessarily constructivist. Many qualitative studies are based also upon either open questions or divergent inquiries where the researchers endeavour to unravel some of the complexities of the social phenomenon being investigated while attempting to avoid unwarranted and undesirable simplifications. 'Qualitative researchers must be able to tolerate, and perhaps even enjoy, ambiguity in their pursuit of complexity' (Glesne and Peshkin, 1992, xii).

Another key focus of qualitative research work is the notion of *becoming* a qualitative researcher by reading, doing and reflecting. Preferably, these are done simultaneously rather than in sequence. 'Becoming a better researcher captures the dynamic nature of the process' (Glesne and Peshkin, 1992, xiii). It involves the investigation of multiple, socially constructed realities that are both interactive and complex. The resulting constructed meaning is more than the sum of the meanings of the constituent parts because of the understanding which is gained by examining each aspect of the study in relation to all the constituent elements as well as the concept of the whole data set together with its derived meanings.

Consequently, Gerber (1997, 12-13), quoting Taylor (1993, 173), who paraphrased Chinn (1985), stated that the strengths of qualitative research are:

> that it provides methods to challenge the myths of the ultimate truth, objectivity, the perfect method, scientific supremacy, empirical evidence, higher authority and significance. Qualitative methods allow exploration of humans by humans in ways which acknowledge the value of all evidence, the inevitability and worth of subjectivity, the value of a holistic view, the integration of all patterns of knowing, the limitations of empirical evidence in relation to studying humans, the value of ethical justification, aesthetic criticism, and personal introspection and the limitations of the meaning of statistical significance. (Gerber, 1997, 12-13)

It is on the basis of criteria and principles such as those listed by Chinn above that this current study is based. This study is a purely qualitative one. This is because of the nature of the questions being investigated, the approaches used to access and obtain the data, the analytical processes employed in order to develop the categories of description expressed as *conceptions* and the investigation of the interrelationships among the conceptions expressed as *outcome space*. A definition of the study and discussion of the specific qualitative approach used are addressed later in this chapter (see Sections 3.3 to 3.7).

Consequently, qualitative researchers have to deal with experimental dualism in such a manner that it does not lead them either to dichotomous process or to ambiguous outcomes. The process of undertaking quality research of a particular phenomenon necessitates both synthesis and integration if holistic approaches, processes and outcomes are to be attained.

3.3 PHENOMENOGRAPHY: an overview

Qualitative researchers have developed various orientations, approaches and methods to assist in the conduct of their studies. Ethnographers, phenomenologists, phenomenographers, and others have experimented with various research strategies and traditions in their creative attempts to explore questions, issues and contexts with which they are concerned. Many of these investigative pathways have been subjected to rigorous scrutiny from epistemological, ontological and methodological perspectives as congruence has been sought between the theoretical bases and the practical outcomes of particular investigative approaches.

In more practical terms, Pratt (1992) experimented with *conversations*, Lederman (1990) used *focus groups*, Russell (1994) explored the suitability of *synergetic focus group discussions*, Van Rossum and Schenk (1984) investigated the use of *written responses*, Moran (1976) used *drawings* in studies of young children's conceptions of physical attractiveness while Westenam and Wass (1987) used *drawings* in cross-cultural research settings. Consequently, diversification, not only of the research approaches and investigative tools but also of the kinds of data used, is utilised in these studies.

The phenomenographic research *specialisation* (Marton, 1986), or what Svensson (1994) prefers to describe as a research *approach or orientation,* developed out of a research program conducted by Marton, Svensson, Saljo and Dahlgren at the Department of Education and Educational Research in Gothenburg, Sweden from the early 1970s.

Hasselgren and Beach (1997, 2) indicate that:

> The word *phenomenography* has its etymological roots in the Greek *phainomenon* (appearance) and *graphein* (description), rendering phenomenography, a description of appearances. Other roots have been traced to modern phenomenology, founded by Edmund Husserl in his *Logical Investigations* in 1900-01 and developed into a movement by Heidegger, Satre, Merleau-Ponty, Gadamer and Schutz.
>
> According to our research, the term phenomenography first appeared in research texts in 1954 in an article about phenomenology and existential analysis by Ulrich Sonneman (1954), in which Sonneman used the term to distinguish Jasper's psycho-pathological research from other phenomenology, particularly existential phenomenology. (Hasselgren and Beach,1997, 2)

Gerber (1992, 8) viewed phenomenography as:

> ... a research method for mapping the qualitatively different ways in which people experience, perceive, understand or think about various phenomenon (sic) in their world. ... Phenomenographers do not make statements about the world as such, but rather about people's perceptions of the world.
> (Gerber, 1992, 8)

Marton (1994, 7) extended these definitional understandings of phenomenography when he argued that:

> phenomenography aims at a very specific level of description, corresponding to a level of experience believed to be critical as far as capabilities for experiencing certain phenomena in certain ways are concerned. This level has to do with what different phenomena are seen as, what they appear to be, what their potentially differing meanings are, how they are delimited from - and related to - their context, as well as other phenomena, how their parts are delimited and related to each other, as well as the whole; what is figural and what is grounded, what is focused and what is not; from what point of view the phenomenon is seen, and so on. Although experience is dynamic, steadily in flux, this level refers to the anatomy of experience, the anatomy of awareness, through the two dialectically intertwined aspects: the structural and the referential. (Marton, 1994, 7)

There has been some debate about the meaning of phenomenography, even amongst the Gothenburg research group. Some describe it either as a research *specialisation* (Marton, 1986), *or as a method* (Marton, 1992), while others consider it to be either an *interpretative approach* (Sandberg, 1994), *orientation and approach* (Svensson, 1994) or *specialisation* (Marton, 1986).

Hasselgren and Beach (1997) argued that at least:

> five different ways of doing phenomenography can be found amongst the works of Gothenburg phenomenographers: Discursive, Experimental, Naturalistic, Hermeneutic and Phenomenological. (Hasselgren and Beach, 1997, 1)

Phenomenography attempts to provide explanations of what a particular phenomenon looks like as well as how it is seen. An individual's lived experience provides the integrating device between 'the *subject* and the *object* or the *person* and the *phenomenon*' (Marton 1994, 7 - emphasis added). However, as every individual sees a phenomenon differently, phenomenographers attempt to identify the commonalties in description, meaning and interrelationships amongst the varying perceptions that are held by those individuals who have experienced the phenomenon being investigated. These are believed to be best understood at what Marton (1994, 7) calls the '*super-individual level*'. He means here that various individuals, in having different experience and awareness of the phenomenon, have profoundly different relationships with the phenomenon, especially when these are conceived against the differing sets of life experiences and interactions between individuals and the

selected phenomenon. In this sense, phenomenography is neither about the person *per se*, nor about either cognitive or behavioural matters. In Marton's words:

> ... phenomenography is fundamentally non-psychological. Its radical claim is, however, that the level which it aims at capturing is of critical importance when it comes to the question of the people being capable, or not, of experiencing and acting in certain ways, which are seen as more efficient in relation to some given criteria that other ways. (Marton, 1994, 7)

Booth (1994) also described this as:

> Phenomenographic research has tackled questions concerning the variation in ways in which people experience the phenomena they meet in the world around them. The empirical work directly addressing educational issues has, to a large extent, focused on describing different ways in which particular sorts of students understand a phenomenon or experience some aspects of the world, which is central to their education, and setting the results into the educational context of interest. (Booth, 1994, 3)

Individuals can, and do, experience the world in qualitatively different ways. For phenomenographers, these qualitative differences can be researched, identified and expressed as *conceptions*. These are seen as categories of description of the qualitatively different ways in which people experience, perceive, understand and view their world.

While there are variations both in the meanings and the methods of phenomenography amongst the different phenomenographers:

> ... what is common to *phenomenology as a research program* and *phenomenography as a research tool* is the focusing on and describing *conceptions*. I call this common element a *research orientation*. It is characterised by delimitation of an *aim* in relation to a kind of *object*. The *aim* is to describe and the kind of *object* is a conception. (Svensson, 1994, 10)

So what is a *conception* in phenomenographic terms?

Sandberg (1994, 52) took the stance that the phenomenographical view of a *conception* is similar to the phenomenological notion of 'the primacy of lived experience of the world' or the *life-world,* as Husserl (1970/1936) described it, which is the backdrop or context for

describing the concept of a conception. His view was that 'phenomenography signifies the basic meaning structure of individuals' experiences of a specific aspect of their reality' (Sandberg, 1994, 52).

As humans, we have the ability and the responsibility to live with meaning and to make meaning of the world in which we live. Merleau-Ponty (1962/1945, xix) described this as 'we are condemned to meaning'. Consequently, phenomenographic researchers attempt to make meaning of the meaning-making. They are not so interested in the phenomenological view of *what* people perceive in the world as much as *the way* people perceive the world.

Phenomenographers attempt to describe the participants' conceptions of the surrounding world. Svensson (1994) understood this to be:

> first ... the character of delimiting a field or area of research and naming it. The field of research is the field of conceptions. The delimitation of the field and the naming had its background in previously developed descriptions of conceptions. To understand the roots of phenomenography one has to understand the development of the descriptions of conceptions that formed the basis for seeing describing conceptions as a special field of research.... (Svensson, 1994, 12)

Marton (1988) identified three paths of phenomenographic research, namely, (i) qualitative differences, (ii) studies within certain context domains, and (iii) descriptions of how people conceive different aspects of their reality. Svensson has extended these by focusing on the processes by which meanings or conceptions are conceived and developed. Saljo, in a similar manner, has focused his research work on the general frameworks in order to understand how individuals view reality.

Consequently, the nature of phenomenography is grounded in an assumption that:

> ... psychology in the future has to go beyond single individual (sic) and as one of its main tasks, will involve the analysis and description of the distinctly different ways in which human beings relate themselves to various aspects of their world. These relations do not necessarily mirror individual characteristics nor are they reflections of environmental qualities *per se*. Not even a combination of these two kinds of entities described separately can make people-world relations visible. Conceptions of various aspects of the physical

> world are such relations, but so also are ideas about democracy, health and romantic love.
>
> The relations are relations between what is perceived, conceptualised, thought about and the one who is perceiving, conceptualising and thinking. The most fundamental images of our world are always taken for granted and they are mostly not present in individual consciousness, but they are reflected in the way that we organise society, how we build our cities, how we separate or unite Nature and the people-made world, for instance. In the future, psychology will of necessity deal with such culturally sedimented layers of the experience of humankind. (Marton, 1984, 45)

It is not the intention here to provide an exhaustive study of history, roots, developmental pathways or analyses of different approaches to phenomenography. This has been undertaken elsewhere by researchers such as Sandberg (1994) and Hasselgren and Beach (1997).

Discussions of the ontological, epistemological and methodological assumptions, as well as the *neomatic* and *noetic* correlates of the processes of intentionality in relation to the actual constitution of conceptions, are included in Sections 3.4 to 3.6 below.

3.4 SOME ONTOLOGICAL PERSPECTIVES

In research terms, the nature of a particular tradition is closely related to its metaphysical beliefs about the relationships between the nature of reality and the nature of human knowledge gained from experiencing that reality. For example, positivistic paradigms associated with empirical-scientific research traditions have particular sets of assumptions and beliefs about the nature and understanding of, and processes for, investigating existing and new knowledge. Key criteria that are used in these studies include observability, measurability, replicability, reliability, validity and objectivity rather than subjectivity.

Various research traditions have attempted to examine the philosophical, ontological, epistemological and methodological relationships between, firstly, their metaphysical assumptions and developed systems of beliefs and, secondly, their development of empirical research. This is evident, for example, in the dichotomy between the philosophical and empirical sciences. It has become increasingly important for researchers to clarify their assumptions and beliefs because of the shifts in paradigmatic stances in scientific and other

research traditions. This increasing need for clarification has been provoked further by the apparent animosity between researchers holding to the positivistic paradigms loosely related to quantitative studies and those researchers more compatible with the hermeneutic-interpretative traditions of qualitative studies. There is a vast array of metaphysical positions that can be taken at and between *materialism* and *idealism*.

Phenomenography does not, of itself, take a pre-determined position on the materialism-idealism spectrum. In other words, Svensson (1994, 14), for example, indicates that it does 'not have an articulated metaphysical foundation'. While this may or may not be the case, a question might be asked about its implicit metaphysical assumptions. This is quite a difficult question to address in that it is not possible to discern, classify and codify each researcher's presuppositions, assumptions, beliefs and worldview related to the particular study in question. However, it is well known that researchers do bring specific sets of explicit and implicit predetermined and responsive tendencies to their studies (Glesne and Peshkin 1992, 6-7; Kvale 1989, 77-90; and Mishler 1986, vii-x). This is part of the process of being human when involved in and experiencing human activity. The benefit of phenomenographical traditions is that it is possible to bring any range of metaphysical positions to the research task as the phenomenographic research tradition is not based on any one set of metaphysical beliefs. In this respect, the phenomenographical approach is quite open to interpretation from various metaphysical positions. However, it is necessary for researchers to declare their assumptions about the nature of the *objects* of study, the *subjects* of study (or *participants* as Glesne and Peshkin (1992) prefer to call them), and the *processes* of the particular research methodologies selected for the research project.

It is important therefore, that a phenomenographic study declares its assumptions about the particular character, focus and nature of the object(s) or phenomenon being studied. In this study, the term *thinking legally* is used to describe the focus of the study. Because there appears to be no previous use of this term in the research literature, the following assumptions apply to the term:

> Firstly, it is assumed that such a phenomenon, i.e. *thinking legally*, exists in the experience base of all individuals in a selected community. This is because, within the

context of South-eastern Queensland all community members, including the research participants, are subject to the laws of the Parliaments of the State of Queensland and the Commonwealth of Australia as well as being subject to the regulations and by-laws of their local governments. Consequently, almost every aspect of life is subject to either explicit or implicit influences of the law even in the form of cultural rules, mores and traditions.

Secondly, it is assumed that, at some stages in all people's lives, there are personal experiences that require what Sandberg (1997, 1) describes as 'interpretative awareness'. This is, that each individual becomes aware of what Marton (1994) described as 'being aware that they are aware'. This awareness may be implicit initially to a person's worldview, but as one's experiential knowledge base develops, it becomes more explicit, especially through difficult issues and situations in life. Sometimes, through traumatic experiences such as traffic violations, personal or family violence or victimisation by the criminal acts of others, one is forced to translate implicit or tacit understandings to explicit knowledge in very short periods of time. On other occasions and in different situations, this is often more subtle and less deliberate.

A third ontological assumption made in this study is that, because of the participants' willingness to be involved in the study, that they had a commitment to open-ended inquiry as they explored the study's key foci expressed in the contextualising, focusing and research questions. These are dealt with in detail in Sections 3.8.1 to 3.8.3 of this chapter.

Another declared principle is that of values' openness and commitment to truthfulness on behalf of the participants. While is it almost impossible to ensure that participants are open and truthful at all times, a qualitative researcher has to accept that there are few reliable tests which can determine these qualities. Hence, there has to be a climate of trust and commitment to open-ended inquiry.

In the foregoing discussion, the statement of the ontological assumptions of this study is not intended to be exhaustive, but rather serves to illustrate the assumptions that need to be considered in the conduct of a qualitative research study.

3.5 SOME EPISTEMOLOGICAL ASSUMPTIONS

There are various positions that can be taken on the nature and structure of knowledge. Some of these include: constructivism, deconstructionism, reconstructionism, rationalism, empiricism, holism, and the like, as well as dualistic and non-dualistic schemata.

In this research study, the first epistemological assumption relates to the *object,* that is, the participants' lived experiences of the study that has qualities of knowledge. Consequently, the ontological assumptions also become epistemological in a general sense. Svensson (1994) indicated that:

> The assumption about the importance of description is related to an understanding of knowledge as a matter of meaning and similarities and differences in meaning. It is also related to assumptions about the generality of meaning across objects. The less generality of meaning that is assumed the more important becomes description in the individual case. In approaches starting with predetermined categories or variables, generality of meaning is assumed. In phenomenography generality is something that is explored. (Svensson, 1994, 16)

A second assumption relates to description. It is assumed that if one can engage the participants in a description of their life experiences, they will contribute individual meaning to the research questions based on their lived experiences. The meaning given to the outcomes of the open inquiry not only is developmental but also must be tested in the context of the wider arena of participants' collective experiences. It is the shared or common meaning units that are of interest to a phenomenographic researcher. This focusing or reductionism is a basis for the development of common understandings or meanings that are expressed as *conceptions*. This knowledge is essentially the question of making meaning of an aspect of the social and cultural world of the participants.

Thirdly, it is assumed that subjects are able to process their life experiences and draw appropriate cognitive, affective and experiential conclusions to the realities of life which face them. It is assumed also that these conclusions form a base for explicit decisions about both experiential knowledge and personal behaviour in personal, private, public and professional life-settings.

A fourth assumption in this study is that there are well developed categories of meaning which result from each individual's life experiences and that a researcher can assess these meaning units through the use of appropriate research methodologies, probes and strategies. This implies also that there is commonality, consistency and logic expressed in the meanings of parts, wholes and complexes related to each individual's experiences, the total set of each person's experiences as well as the collective totality of the experiences of all the participants.

Fifthly, it is assumed that community experiences enable individuals to process their legal knowledge base of facts, concepts, skills, understandings, processes, feelings, emotions and experiences to such an extent that they are able, with assistance, to discuss not only the specifics but also the integrated understandings of their knowledge with the researcher.

A sixth assumption is that, although the researcher has not participated in the particular life experiences of the participants, the researcher, as a non-participant observer, is able to provide a data collection setting and environment whereby the participants will express both their private and public views about the phenomenon under investigation in believable, useful and productive ways.

Seventhly, it is assumed that when one expresses concepts and generalisations based on personal life experiences, one has been able cognitively to examine the *object* and reflect on its influence in, and impact on, one's life and personal environments.

Eighthly, it is assumed that the participants' conversations are related directly to their knowledge and understandings of the *object* and that these are reliable representations

of the personal truth that they have gained through various ways of knowing. The conceptions are contextually dependent on both human activity which is expressed as life experiences, on one hand, and the world or reality that are external to the individual, on the other. (Svensson, 1994, 14)

Ninthly, it is assumed that a participant has been able to sustain consistent and precise definitional clarity of the conceptions being expressed implicitly throughout the conversation, interview or discussion. However, some variation in the expression of meaning units should be expected as no language is precise enough for an individual to explain a single abstract yet complex idea with a simple sentence.

The tenth assumption made is that the personal knowledge-bases developed by individuals as a result of their life experiences are related to the conceptions being expressed. It is expected that research interviews minimise the likelihood that a participant could tell explicit untruths in a consistent and contentious manner.

Eleventhly, it is assumed that researchers are able to enter the world of the participants by an examination of the conversation being developed so that, as non-participant observers of the *object-subject* relationship, they can both understand and interpret the meaning units being developed. This assumption is very different from that of either the empiricists or the rational constructivists.

Penultimately, it is assumed that there is consistency between the life experience of the phenomenon and the expressed conversation with the researcher. While truth is often uncertain, it is expected that consistent yet developmental personal truth is being expressed as various parts of the reality which is experienced, and that the various parts of the reality are congruent with the meaning of the whole phenomenon being investigated. So as Svensson (1994) proposed:

> It is a fundamental assumption that reality presents itself in human thinking as different related entities having the character of forming units or wholes. What we refer to as knowledge is based on this difference of wholes. This is a sufficient assumption to form the basis

> of the phenomenographic aim of describing conceptions. .... Also, a closely related question is whether or not conceptions vary as to their character or nature. ... Conceptions may be expressed in various forms of action but they are most accessible through language. (Svensson, 1994, 15-16)

Sandberg (1994), in dealing more generally with some of the issues outlined above, indicated that:

> From a phenomenographical standpoint, the only access human beings have to their reality is through the *intentional* character of consciousness. This intentional character means that our consciousness is always directed toward something other than itself. Husserl (1970/1900-1) exemplified the intentional character of our consciousness by saying that 'in perception something is perceived, in imagination something is imagined, in a statement something is stated, in love something is loved, in hate something is hated, in desire something is desired etc.' (p554).
>
> What Husserl argues is that our various modes of consciousness are always related to something that is not conscious itself, but which is intentionally constituted in a particular act of consciousness, such as perceiving or imagining. (Sandberg, 1994, 54)

This intentionality relates not only to one's access to reality but also to how meaning is made from one's lived experiences of the reality. Consequently, if 'conception signifies people's lived experience of the reality, it is intentionally constituted' (Sandberg, 1995, 55). Sandberg elaborated further this in terms of the *noematic correlate of intentionality* that is, the conceived meaning and the *noetic correlate of intentionality* that is, the conceiving act (Sandberg, 1994, 55-58). However, it would be rare for an individual to conceive all of the possible meanings of a particular phenomenon from a particular set of life experiences. But, as Husserl (1970/1900-1, 580) asserted, 'partial intentional conceptions can be constituted into one single unified meaning through one synthesis of a unified experience'. This supports the notion that a phenomenographic conception is able to be constituted from a number of individual acts of experience, each with its own conceived meaning but which in totality articulates both the complex and the comprehensive meaning of the whole.

From this phenomenographical point of view, *thinking legally* originates from the worldviews and life experiences of the participants in this study. This is constituted intentionally by the participants and the researcher has been able to interrogate their partial constitutions in order to identify not only the similarities and but also the differences between the meaning units. This has led to the formation of conceptions that express the commonalities and complexities of categories of description about 'What it means to think legally'.

Finally, it is assumed that there are interrelationships among the intentionally constituted conceptions and that these can be both identified and expressed as an *outcome space*. The various meaning units are deemed to contribute to the overall meaning of the whole phenomenon which is being addressed. Consequently, it is the coalescing of the conceptions that gives rise to the overall meaning of the phenomenon.

3.6 SOME METHODOLOGICAL ISSUES

> The explorative and interpretative character of the (phenomenograhic) data collection and analysis meant a radical shift from the quantitative methodological tradition. This shift was inspired by hermeneutic, ethnographic and phenomenological traditions within a general concern for paradigms and methodological traditions. The reporting of the phenomenographic research results also met questions concerning the character of the method and the rationale behind the research. These questions were raised first mainly from representatives from the dominant traditions of positivist and quantitative research, but later on also from representatives of ethnographic, hermeneutic and phenomenological research traditions. From one side the analytic characteristics of explicating results in the form of categories and relations was appreciated but the explorative and interpretative methods of arriving at the results were questioned. From the other side the explorative and interpretative character of data collection and analysis was accepted but the analytic character was questioned. (Svensson, 1994, 13)

The ontological and epistemological assumptions referred to in Sections 3.4 and 3.5 above provide a set of foundations for the phenomenographic approaches used in the course of this research study. However, there is an additional set of assumptions that relates to this particular methodological approach. Key areas of the methodological approach around which

sets of assumptions have been made relate to: (i) the exploratory nature of the data collection processes and (ii) the contextual character of the treatment and analysis of the data (Svensson, 1994, 18).

The exploratory nature of the data collection processes relates directly to the type of the qualitative investigations being undertaken and the desire to maintain openness rather than closure, in the data collection, analysis and conclusion-drawing phases of this research. Since phenomenography is an interpretative approach, a degree of uncertainty exists typically in the mind of the researcher about the meanings being generated through the discourses that are undertaken with each participant.

Since the character of phenomenographic inquiry is inductive rather than deductive in nature, it is expected that some variation in the use of the research approach will occur. While this may be of some concern in some quarters, the qualitative researcher is confident that delaying premature judgments is actually in the best interests and traditions of the research. Also, as the researcher and participants explore both the breadth and the depth of the phenomenon being investigated, in this study *thinking legally*, they must move towards the participant's *external horizon* of knowledge where conclusions tend to be both more tentative and abstract. *External horizon* is a concept which describes the boundaries, extremities or limits of an individual's knowledge and experience bases. In other words, at one's external horizon, meanings are made rather than found. This applies not just to the constituent parts of the phenomenon but also to what Svensson (1994, 18) refers to as the 'wholes-qualities of the entities'.

In the data analysis processes, similar openness is maintained in the attempt to seek the commonalities of meaning that are induced from the collected data obtained from each individual as well as from the whole cohort of research participants. The inductive processes of identifying and interrelating meaning units in the data is both a cognitive and a meta-cognitive task. Consequently, there has to be an emphasis on rejecting the tendency to make premature judgments about the content, concepts and conceptions included in the data. In a sense, an holistic understanding of each participant's contributions as well as the meanings gained from all the participants' research data must be developed prior to any conclusions

being made. This in one sense might be construed as a clumsy and elongated process. But this is an essential process of indicative research with qualitative data, especially when those data are highly conceptual and abstract, as in the case of *thinking legally* in this research study.

In the conclusion-drawing processes associated with the *conceptions* and *outcome space,* especially in its *structural* and *referential* dimensions, unique combinations are dependent on the researcher, the participants and the study topic. For example, the research data used to form a conception are derived from various participants who have each experienced different aspects of their lived world. No attempt is made either to standardise or to compare these experiences, as it is the participants' perceptions and resulting understandings rather than the experiences themselves which are the object of study. Consequently, as the researcher is attempting to interrelate the various identifiable aspects of each meaning unit into a statement of a conception, the integration of these occurs in the mind of the researcher. So, in an abstract sense, the conceptions developed by the study and the expression of their structural and referential relationships in the form of outcome space are being constructed in the researcher's mind. Not every aspect of each interview contributes to these processes. Indeed, through the processes of phenomenographic interpretation, induction and reduction, unrelated aspects of the data are discarded while interrelated aspects are coalesced. It is the coherence and rigour of the interview protocols, together with strategies for ensuring *process believability,* that provide the phenomenographic researcher with confidence in the data collection processes and trustworthiness of interpretations (Glesne and Peshkin, 1992, 147-148).

A key ingredient in this process of reduction, abstraction and conceptualisation is the *contextual analysis* (Ferris, 1996, 108-111). The analyses of context, together with Svensson's conclusion (1985, 1) that 'since 1970 phenomenographic researchers have taken descriptions of people's conceptions or understandings of certain messages, phenomena or problems as their research focus', ensures that the description of understandings of the phenomenon is central to a research study such as this. The focus here on thinking legally is, therefore, set within the participants' experiences of their lived world so as to identify their 'common sense conceptions in which they explain the physical and social world' (Tesch, 1990, 49).

> A contextual analysis, then, must not only mean an aggregation of specific data with generally given interpretations, but a delimitation of specific data related to each other as aspects of the same phenomena. (Svensson, 1985, 6)

3.7 JUSTIFICATION OF THE PHENOMENOGRAPHICAL APPROACH USED IN THIS STUDY

It is considered appropriate to use the phenomenographic approach in this study because of the similarities in nature, style and purpose with studies which have been performed by Dahlgren and Fallsberg (1991), Ferris (1996), Marton (1981), Marton and Svensson (1979), Saljo (1979), and Sandberg (1994), amongst others, who have used this approach. Marton (1994), for example, proposed that the purposes of phenomenographic research are to discover:

> The way (or different ways) in which we experience - or are aware of - the world around us. At the same time phenomenography does not aim at capturing the full richness of the experience. Quite the contrary: phenomenography aims at a very specific level of description, corresponding to a level of experience believed to be critical as far as our capabilities for experiencing certain phenomena in certain ways is (sic) concerned. (Marton, 1994, 7)

Phenomenographic approaches have been used particularly in education settings in order to identify conceptions of learning in a wide range of contexts (Marton and Saljo, 1984; Gerber, 1991; Beaty, Dall'Alba and Marton, 1993; and Ferris, 1996). Phenomenography has been used successfully to identify the qualitatively different ways in which people experience phenomena within different settings. Consequently, it appears to be a most appropriate tool for researching people's conceptions of thinking legally.

This study focuses on the need to discover the qualitatively different ways in which people experience the phenomenon of thinking legally. These qualitatively different ways are expressed as conceptions which Marton (1994, 7) saw as the internal relations between the subject and the object or the person and the phenomenon. In other words, the object of this study is the phenomenon of thinking legally while the subject of the study is each participant in the research study. Therefore, the study results from the researcher employing qualitative

approaches in order to capture participants' views on what they say they do as they think legally, while both experiencing and interpreting the various aspects of their lived world. Consequently, interpreting participants' accounts of their experiences of thinking legally is an important facet of this study.

It is believed that this phenomenon of thinking legally is both experienced by, and conceived or conceptualised in, a limited number of qualitatively different ways. The task of the phenomenographic researcher is both to discover and to map this range of possible understandings. This study, in pursuing participants' understandings of thinking legally, views the phenomenon as 'a collective, context-based, reflective experience that is similar to studies which have been conducted by other phenomenographic researchers' (Ferris, 1996, 107).

Researchers such as Tesch (1990) have examined a diverse range of research approaches and methods through an analysis of research studies. Phenomenography is one of the approaches and methods that Tesch both examined and mapped. She described it as the type of research in which the patterns of conceptualisation are explored (Tesch, 1990, 63-65).

The research reported here is definitely of a phenomenographic kind rather than being akin to one of the other approaches available to qualitative researchers. The study deals explicitly with both discovering and understanding the experiences of the study's participants. Its main purpose is to explicate what the participants, as a result of their lived experiences, understand *thinking legally* to be.

3.8 THE RESEARCH QUESTIONS AND PILOT STUDY

In phenomenographic studies, there is a key role for a central research question. In some of the classic studies conducted by Marton, Saljo, Svensson, and others, there has usually been a tendency to have only one research question for each study. These research questions are framed as openly as possible to allow the participants to choose their particular focus for their responses as they express understandings of their lived experiences of the selected phenomenon in as open a manner as possible.

Phenomenographic researchers, in conducting their studies, are required to *[bracket]* any of their own preconceived understandings that flow from their own life experiences (Marton 1988b, 193), and must phrase the question in such a way that it reflects the qualitative approach that is being employed in the study. Consequently, the study questions should be well-structured, short, suitable and non-technical questions (Marton, Carlsson and Halasz, 1992, 3).

In the initial phases of this study, the researcher, especially during the literature review stage, attempted to identify potential questions that would encapsulate the *essence* or *focus* of the proposed study. Since the intended study was closely related to the development of a conceptual framework, the intentional search for potential research questions was not only a wide ranging but also an ongoing task.

One of the key problems encountered was the fact that the research question was identified fairly early in the development of the research study proposal. The question was:

Based on your life experience, what does it mean to *think legally?*

This question did not change either in wording or in focus throughout the both pilot and the research study. However, a major problem became apparent during the pilot study. This was that participants needed to be introduced carefully to the research question which was complex and abstract. With all the questions that were trial-tested during the pilot study, it seemed that the participants needed a number of introductory or lead-up questions in order to prepare them for the *research question*.

In the pilot study, twelve questions (see **Appendix A**) were trialled with six different individuals, none of whom was to participate in the formal research study. This was done in order to avoid any potential contamination of the data between the pilot and research studies. In each pilot study data collection episode, varying approaches were used such as open questions, closed questions, inductive question sequences and deductive question sequences, in an attempt to experiment with the research topic, maintain discourse and test appropriate

data collection processes. The term *interview/discussion* is used throughout this thesis to describe the style of the data collection strategies which are discussed in Section 3.9.3 below. At the conclusion of each pilot study interview/discussion, a reflective conference was also held with each participant. This was done in order to encourage participants to make suggestions for improving their potential engagement in both the research question and the conferencing processes.

Many of the strategies and tactics suggested by Mishler (1986), Kvale (1991 & 1992), and others, were used in a manner that characterised a mutual exploration of the research questions in discussion and conference style, rather than as an interrogation of the interviewee by the researcher. Consequently, research procedures had to be put in place to facilitate this style of data collection. These are discussed in Section 3.9 below.

The pilot study investigations and trials led to the adoption of a strategy that rested on the use of three study questions. These were:

3.8.1 The Contextualising Question

The design here was for some interview/discussion time to be spent dealing with worldview issues associated with each individual's assumptions, values, attitudes, philosophy, beliefs, definitions and other issues of a similar nature. The *contextualising question* was:

On the basis of your experience, what is 'right' and what does 'wrong' mean to you?

The pilot study was also an appropriate setting for some experimentation and trialling of interview/discussion techniques and tactics such as introductions; using probing questions; maintaining openness in questioning; bracketing one's own ideas, beliefs and values; ascertaining each participant's *external horizon*; and finally, drawing closure to the interview/discussions.

This *contextualising question* also enabled the participants to focus mentally, emotionally and experientially on both the nature and the style of interaction which was designed to explore the meaning of what was being said rather than just gather information that may have been meaningful to the participant but which may not have been as meaningful to the researcher. This question proved to be also an effective basis for the development of the ideas that were associated with the second of the research questions.

3.8.2 The *Focusing Question*

The pilot study indicated that individuals needed not only assistance but also the opportunity to narrow the focus of their thought patterns during the interview/discussion. This enabled them to be led gradually towards the third study question. In addressing this Focusing Question, it was fundamental that the legal focus of the study should be introduced in such a manner that individuals could relate to their own personal life experiences. Hence, the second study question was:

What types of experiences have you had with the law and legal issues and how have these impacted on your life?

This focusing question proved to be a useful linking device between the first and third questions used for the interview/discussion with each participant. Individuals were able to interact in productive ways with these preliminary questions. They often expressed appreciation for not having to address the research question in their initial interactions or as the only research question in the interview/discussion. The contextualising and focusing questions enabled them to form what they considered to be an appropriate foundation for a discussion of the third research question which represented the main focus of this study.

3.8.3 The *Research Question*

The study was focused around the following research question. The main purpose here was to provide an appropriate stimulus that would enable participants to engage in the

task of both defining and elaborating their understanding of the study topic: *Conceptions of Thinking Legally.* The study had been designed to investigate this focus and the research question had been phrased in a manner which encapsulated the essence of the study. As previously stated, the research question used was:

Based on your life experience, what does it mean to *think legally?*

The phenomenographic approach necessitates the embedding of the research question in the life experience of the participants involved in the interview/discussion. The researcher intends to ascertain the *subject's* view of the *object* being investigated (Marton, 1994). The phenomenographic researcher, as a non-participant observer of the phenomenon being studied, seeks to view the *object* through the lens of the *subjects* in such a manner as to obtain a holistic and non-dualistic understanding of the participants' meaning of the study focus. In this way, the researcher, through appropriate questioning strategies and tactics, can explore the participant's meaning of the phenomenon to the point of their *external horizon*. This external horizon finding process was characterised usually by the participant becoming quiet, repeating ideas that had already been addressed, or saying that there was not much more that they could contribute on that segment of the discussion.

The research question was able to be interrogated by all participants in the study. Being the third question in the series, it became a logical extension of the contextualising and focusing questions.

3.9 THE RESEARCH STUDY PROCEDURES

There are procedures and protocols in every research methodology and approach that need to be understood and used if a study is to maintain its integrity, coherence and rigour (Best & Khan, 1993; Burns, 1990; Fetterman, 1988; Leedy, 1974). The following procedures and protocols have been adopted in this study to implement the regime of phenomenographic study. However, as in most phenomenographic studies, the view is taken that any such regime

is not a strict code of practice, but rather a set of principles and procedures that should be interpreted and adapted for flexible use in the selected study:

3.9.1 Selection of participants

The question of the nature, cohort size, representation, sampling procedures, and the like, of a study sample (the participants in a qualitative study), is a less demanding issue for qualitative researchers. The main issue to which they tend to pay close attention is the potential for accessing rich, varied and quality data that will assist them in answering their research questions or topics. Qualitative researchers tend to be concerned also, especially in phenomenographic terms, with the extent to which the study participants have experienced the phenomenon being investigated.

Some qualitative researchers such as ethnographers and phenomenologists also pay close attention to the issue of whether the researcher is either a participant or a non-participant observer of the research phenomenon. Phenomenographers in the main have taken a research approach which prefers researcher non-participant observation of the context of the phenomenon being investigated. This is because of their primary concern for the perceptions, understandings and conclusions of the experiential knowledge, skills and abilities of others. Phenomenographers are not interested in their own participation or experience of the phenomenon but of others' knowledge and experiences of it. In fact, they attempt to exclude their own experiential knowledge and skills from the research through processes such as *bracketing*. Consequently, in the search for potential participants in this research study, consideration was given to the potential for each participant to have had quality life experience that would lend itself to analysis of, and reflection on, the study questions.

While the researcher has had fifteen years of involvement in Senior Secondary School (Year 11 and 12) Legal Studies Education in South-eastern Queensland, this was not the basis for the selection of this study's participants. While the background knowledge, skills and contacts made in Legal Studies Education were useful, this study was beyond the usual limits of the researcher's contacts, sphere of influence, and information and experience bases.

The study was designed to be wide in scope in the hope of accessing the greatest potential range of concepts and data about the research question. However, a review of the phenomenographic literature suggested the focus should be on the depth and quality of the potential data rather than on the extent of it. The research design therefore proposed that thirty individuals be accessed because of the variation in their life experiences and because of the positions they held in the community of south-eastern Queensland. These research participants included: the Minister for Justice and Attorney General as the representative of political leaders, a Supreme Court judge, chairpersons of the Professional Legal Bodies: the Bar Association and the Queensland Law Society, three law lecturers and two students in Higher Education Institutions, three Year 11 and 12 Legal Studies teachers, two business leaders, four members of the legal profession, a commissioner of the Queensland Law Reform Commission, an education officer of the Legal Aid Commission, three secondary school students, one deputy principal, a dean of students, two principals and two parents. A list of participants involved in this study is included in **Appendix B.**

It should be noted that there was no attempt to use criteria such as normative, representative, average, range, comprehensiveness, stratification, and the like, that are employed generally by researchers using sampling procedures that are more associated with the positivistic/scientific paradigm. In a phenomenographic study, a full range of *conceptions* may be obtained from the very first data collection exercise such as an interview/discussion.

The participants were invited to be involved in the study because of their perceived potential to contribute quality information through the data collection processes. Because of their different life experiences, they also had the potential to exhibit *qualitatively different* perceptions, insights and conclusions about the research questions which represented the focus for this investigation.

Many participants at first expressed surprise at being invited to participate in the study but at the same time displayed enthusiasm for the study. They expressed confidence in

their ability to make quality contributions to the research. All participants consequently volunteered their services, time, expertise and access to their life experiences through their involvement in an interview/discussion focused on the three research study questions.

3.9.2 Format of the Interviews/Discussions and data generation processes

In instigating the participant interview/discussions, the following procedures based on phenomenographic principles were used:

- the potential interviewees were contacted by telephone to explain the nature, procedures, time requirements and other practical issues related to the research study;
- each individual was invited orally to participate in the study;
- the information that had been communicated orally to the participants in the telephone conversation was submitted to them in writing (a sample invitation letter is given **in Appendix C**). These letters were forwarded on the same day that the telephone conversations were held. This was at least three weeks prior to any possible interview/discussion date;
- one week after mailing the letters to the potential participants, another telephone call was made to ascertain the willingness, or otherwise, of the individuals to participate in the research study. On every occasion, the individuals agreed to participate in the study. During this telephone conversation, an interview/discussion appointment time convenient to the participant was made. These appointments were usually within two weeks of the second telephone conversation. On one occasion, a participant invited the researcher to his offices to discuss some of the research approaches being used and to address a range of individual concerns such as anonymity, confidentiality, copyright of the transcripts, access to transcripts and some personal matters, prior to agreeing to participate in the study;
- the *contextualising, focusing and research questions* were communicated to each individual with the invitation letter referred to above. This provided each potential participant with time to develop personal thoughts and possible responses to the study questions. Some individuals came to the interview/discussion with written notes to which they could refer;
- a few days before the planned appointment, the researcher telephoned each participant to confirm both the time and the location of each interview/discussions and to confirm various arrangements such as the possible length of the session. It

was possible for the researcher to answer any questions that the participant might have about the nature or procedures of the planned interview/discussion;

- at the commencement of each interview/discussion, participants were invited to discuss any questions or issues that were of concern to them prior to the commencement of the data gathering session;

- the interview/discussions were implemented in accordance with procedures discussed in Section 3.9.3 below;

- each interview/discussion was recorded in its entirety on cassette tape. This enabled the researcher to focus totally upon the conversation with the participant without being distracted by note-taking. On all occasions the tape recorder worked efficiently although in some of the longer interviews/discussions a short break had to be made in the session to change cassettes;

- towards the end of each interview/discussion, the participants were invited to complete **Activity 4** which was:

  In light of all that we have shared during this session, could you, on this blank sheet of A4 paper, draw a diagram, concept map, flow chart, picture or some other visual, to represent how the main ideas mentioned in this interview/discussion relate to each other?

- following the data gathering session, a draft verbatim transcript of interview was prepared from the tape recorded interview/discussion;

- the draft copy of the respective verbatim transcript was forwarded to each participant for editorial comment and suggested changes;

- twenty-five participants returned written comments and suggested changes to the draft transcripts. The remaining five participants responded by telephone to express their endorsement of the text of their transcripts;

- the final copy of the verbatim transcripts was prepared and the copies were forwarded to those participants who had requested that a copy of the final transcript be forwarded to them; and

- the thirty transcripts were compiled into a supplementary volume to this thesis. Copies of the interview/discussion tape recordings and computer files of the draft and final transcripts have been placed in storage by the researcher. The participants gave the researcher unconditional rights over the text and storage of these transcripts on the condition that, if they were to be used for any commercial purposes such as publication, consent for transcript use for designated purposes be sought from each of the research participants prior to entering into any agreements or otherwise with commercial interests.

3.9.3 The Conduct of the Interviews/Discussions

Mishler (1986), in the *Preface* to his text ***Research Interviewing: Context and Narrative,*** indicated:

> In this book I examine current views and practices of interviewing and conclude that they reflect a restricted conception of the interview process. This view obscures the essence of interviewing - that it is an occasion for two persons speaking to each other - and undercuts the potential and special contribution of interviewing for theoretical understanding of human action and experience. I propose a reformulation of interviewing, one that attempts to redress the problems engendered by the standard approach. At its heart is the proposition that the interview is a form of discourse. (Mishler, 1986, *vii*)

Many forms of interviewing focus on both the questions asked by the interviewer and the answers provided by the interviewee. These are often regarded as analogues of stimulus and response rather that forms of interactional discourse. Researchers have expended a great deal of effort to standardise both their questions and their interview behaviour so that the interviewees are provided with the same stimuli. This has led often to complicated forms of coding and statistical analyses of the data obtained. However, these interviews are not necessarily appropriate in phenomenographic research because of undue emphasis on validity, reliability and sampling:

> The suppression of discourse is accompanied by an equally pervasive disregard for respondents' social and personal contexts of meaning, both in the interview itself, where standardisation overrules the particularities of the individual and setting, and in the modes of interpretive theorizing about responses. Where issues of context are addressed, they are treated as technical problems rather than acknowledged as essential components of meaning-expressing and meaning-understanding. ...
>
> I conclude from the results of these (empirical) studies (of the interview process) that the standard approach to interviewing is demonstrably inappropriate for and inadequate to the study of the central questions in the social and behavioral sciences, namely, how individuals perceive, organise, give meaning to, and express their understandings of themselves, their experiences, and their worlds. (Mishler, 1986, *viii - ix*)

The approach to interviewing, that was designed and implemented in this research study, follows many of Mishler's principles especially those related to: (i) interviews as discourse events; (ii) the discourse as jointly constructed by the interviewer and participants; (iii) analysis and interpretation of the meaning of the discourse is based on a theory of discourse and its associated meaning; and (iv) the meanings generated by the discourse are contextually grounded (Mishler, 1986, *ix*).

The key principles upon which the interviews were designed and implemented were:

(a) the key role of communication with participants;

(b) the generation of open-ended questions as a focus for the discourse;

(c) the submission of these open-ended questions prior to the discussion session;

(d) the conduct of the discussion with the participants in a setting in which they were familiar and comfortable;

(e) openness to any discussion that was focused on or related to the study questions;

(f) the generation of understanding and meaning by both researcher and participant through the discussions;

(g) a willingness to give as much time for each discussion as the participants needed;

(h) encouragement of the participants to own the conversation as much as the researcher; and

(i) a mutual interrogation of the questions by both researcher and participant.

Many of the interview/discussions took place in informal settings such as over a meal at a local restaurant; drinking tea or coffee; or sitting in comfortable lounge chairs. Some of the interactions with participants took place in formal settings such as in their offices. The key criterion here was to ensure that the participants felt settled, confident and comfortable in their setting.

The open-ended nature of the study's questions provided a context that promoted discussion since both researcher and participant were searching for understanding and meaning. There was never a sense that the interview/discussion processes were either

routine or perfunctory. In fact, several participants indicated towards the end of their discussion sessions that 'my head is hurting' or that 'I have really enjoyed our chat. Thanks for inviting me to participate in this research study'.

The shortest interview session lasted fifty-five minutes while the longest continued for two hours and fifty minutes. Most interviews tended to conclude after one and a half to two hours. The focus of the discussion was not on time-length of the interview but on the generation of meaningful dialogue about the three study questions. The phenomenographic approach endeavours to generate discussion to the point where the participant's external horizon is reached. In other words, the participants are involved in discussion and discourse which enables them to contribute all that they know of their experience on the subject being addressed in the study question. Consequently, the interview approach adopted in this study shares characteristics of qualitative research interviews outlined by Kvale (1983, 174). They:

(a) are centred in the interviewee's life-world;
(b) seek to understand the meaning of the phenomenon in the interviewee's life-world;
(c) are qualitative, descriptive, specific and presuppositionless;
(d) are focused on certain themes;
(e) are open to ambiguities and change;
(f) take place in an interpersonal interaction; and
(g) may be a positive experience for the interviewee (Kvale, 1983, 174).

> There are also some things which qualitative interviews clearly are not. They are not an attempt to study the mental processes of the respondent. They are not a framework within which '*people report on the mechanisms of their minds*' (Saljo). Likewise, phenomenographic interviewers do not seek to enter the minds of individuals (metaphorically speaking!), but rather attempt to see how the world appears to them. (Bruce, 1994, 49)

3.9.4 Form of the Transcripts

The verbatim transcripts were prepared in the following form:

I_1: Yes! I think you do still need the people who are concerned with detail but I think really, in the initial stages anyway, you need big picture people to get the initial direction to the solution. Because if you don't really get that, you never get the direction and you never really come up with a solution. You need the initial direction and then if you home in on the details of the problem you are going to be better off. (10)

R: Some people though like to start with the detail, the little pieces of facts and information and build a structure. (10)

I_1: Yea! I guess it is 'How can you get a big picture if it is not made up of the smaller pieces?' That has merit. (10)

The sample used here, for illustrative purposes, is from the first interviewee's interview/discussion, hence the transcript code (**I_1**). The numerical subscripts, [for example $_{(1)}$] in sequential form from 1 - 30, represent each participant in the research study. Hence interviewee number nineteen's code is **I_{19}**. The only variation to this coding system was used in the interview/discussion with three Year 11 and 12 students from a Queensland State secondary school. In this case the **Ss_{12}** code was used in place of the expected **I_{12}** to indicate that multiple students were involved in the one interview/discussion number 12.

The dialogue, in conversational form, was transcribed from the relevant tape recording as verbatim text. The number in brackets at the end of each segment of the interview/discussion [for example (10)] refers to the page number in the collated transcripts. In a similar manner, dialogue by the researcher was coded as **R** with verbatim text together with transcript page reference [for example (10)] included.

In the textual analysis included in Chapter 4, excerpts of the dialogue have been used in their entirety. On other occasions where selections from the text have been made because of their appropriateness and length, the code **[...]** has been used to indicate the beginning and end of a selection.

The diagrammatic presentations, developed by eighteen of the thirty participants as a result of Activity 4, have been used as a complementary data set that has assisted in

the analysis of the transcripts. While it was common for a particular participant to make statements in the interview/discussion that were related to several of the Conceptions A-G developed in this study, the diagrammatic outcomes of Activity 4 (referred to in 3.9.2 above) were in every case related directly to one particular conception. These diagrammatic representations are included in the discussion of each conception in Chapter 4. They were a useful alternate data source that provided a participant-based synthesis of the overall dialogue and conceptual interpretations that were presented in each interview/discussion. The added advantage of Activity 4 was that it enabled participants to present data in another form to that recorded orally in the interview/discussion. In terms of *learning theory* (Butler (1984), Dunn and Dunn (1979)), this provided participants with an additional *style or voice* with which to express their overall ideas without revisiting all the detail that has been obtained orally in the interview/discussion. The participants' transcripts and diagrammatic representations therefore represent the qualitative data base of the study, in conversational discourse form.

3.9.5 Analysis of Transcripts - An Iterative Analysis Approach

In the literature, some of explicit expressions of phenomenographic analysis strategies for verbatim text are those provided by Dahlgren and Fallsberg (1991) and Sandberg (1994). These schemata provide for the following phases to be applied in the sequential analysis of such data.

Figure 3.1: Steps in a Phenomenographic Analysis - Dahlgren and Fallsberg (1991)

1. *Familiarisation*. The researcher, although in most cases also the interviewer, has to read through the protocols carefully, to get acquainted with them in detail. This stage is also necessary for making required completions and corrections.

2. *Condensation*. The most significant statements made by the subject are selected to give a short but representative version of the entire dialogue concerning the phenomenon.

3. *Comparison*. The selected significant dialogue excerpts are compared in order to find sources of variation or agreement.

4. *Grouping*. Answers which appear to be similar are put together.

5. *Articulating*. A preliminary attempt is made to describe the essence of the similarity within each group of answers. (Stages 4 and 5 may be revised several times before the analysis is assessed as satisfactory).

6. *Labelling*. The various categories are denoted by constructing a suitable linguistic expression.

7. *Contrasting*. The obtained categories are compared with regard to similarities and differences.

Sandberg's approach to analysing phenomenographic data is outlined in Figure 3.2.

Figure 3.2: An Approach to Analysing Phenomenographic Data - Sandberg (1994)

Although the intentional analysis is an ongoing, iterative process, it is possible to distinguish five phases:

1) *Becoming familiar with the transcripts.*

2) *The noematic level of the intentional analysis* to identify how the statements were related to the immediate context within the description and to the context of the whole description.

3) *The noetic level of intentional analysis* identifying the focus of attention which results in this meaning being ascribed.

4) *The intentional constitution of the conceptions* to relate the meanings and the focus of attention in order to constitute each conception which is then presented with supporting evidence from the transcripts in the form of a category of description.

5) *Establishing an outcome space of the conceptions* by establishing the structural linkages among the conceptions, and representing these graphically.

(Adapted from Sandberg, 1994, 86-91)

Quantitative researchers, such as Leedy (1974), Fetterman (1988), Burns (1990), and Best and Khan (1993), use terms such as *replication, verification* and *validation* as a basis for their strategies to attest to the truthfulness, honesty, integrity and reliability of the data and analytical processes being used in particular study. These terms, together with their related definitions and meanings, however, appear to be of little relevance in qualitative research.

In order to establish processes for confirming the authenticity, reliability and dependability of their data and analytical approaches, the study proposes that the term of *process believability* be used and defined for these purposes.

Sandberg (1997, 1-19) raised the question: 'Are Phenomenographic results reliable?' in challenging the usefulness of *inter-judge reliability or agreement* because of procedural,

theoretical and methodological inconsistencies associated with objectivist epistemologies. He posed, as a solution to this dilemma, the use of *reliability as interpretative awareness* (Sandberg, 1997, 1). This utilises the epistemology of intentionality which underpins the phenomenographic approach. In this, one acknowledges and explicitly deals with the personal subjectivities in the research processes rather than ignoring them. This concept is related to Kvale's (1991) discussion of the contrasts between *biased subjectivity* and *perspectival subjectivity*. However, there appear to be limitations in Sandberg's approach to this question in that he seems to have either rejected or forgotten to acknowledge the role of reliable protocols and processes in phenomenographic research. In Sandberg's writings, little attention is paid to data acquisition and organisation strategies and tactics that are essential if process believability is to be legitimised.

Marshall and Rossman (1989) suggested that qualitative researchers respond to the traditional social science concern for replicability by:

(a) asserting that qualitative studies by their very nature cannot be replicated because of real world changes;

(b) keeping thorough notes and a researcher's diary which records not only each research design decision but also the rationale behind it, thus allowing others to inspect their procedures, protocols and decisions; and

(c) keeping all collected data in a well-designed retrievable form, making them available readily, either if findings are challenged, or if another researcher wants to reanalyse the data. (Marshall and Rossman, 1989, 148)

In suggesting a means of rectifying this inconsistency identified in Sandberg's work, the notion of *process believability* in this study is understood to be the design and implementation of both the strategies and the tactics to ensure that the qualitative data, analytical tactics and outcomes are authentic, trustworthy and reliable. This notion is also closely related to Kvale's (1991) *perspectival subjectivity,* although this too is somewhat distant from an inclusive perspective of *process reliability*.

Consequently, *process believability* is considered to be a more inclusive concept than those used by Sandberg or Kvale, as it integrates their concepts of reliability as interpretative awareness (Sandberg, 1997) and perspectival subjectivity (Kvale, 1991) in accordance with the Marshall and Rossman (1989) principles.

To illustrate this notion of *process believability*, the researcher designed and implemented the following strategy when undertaking the analysis of the qualitative database generated in this research study:

(a) the text of the interview/discussion had been orally interrogated during its development and recording;

(b) in the preparation of the transcripts, the recording of each interview/discussion was replayed many times to ensure that any idiosyncrasies of both the context (such as laughter, pauses, and phone interruptions) and the text were understood and meaningful in the context of the transcript, and the fullest sense was recorded;

(c) the text of each transcript was prepared in draft form;

(d) the recorded interview/discussion was replayed, the draft transcript text was checked for authenticity and accuracy;

(e) following the return of the edited and authorised version of the draft transcript from each participant, the final version of each transcript was prepared and printed;

(f) once all the transcripts were finalised, the transcripts were read four times and, on each occasion, notations were made of the potential ideas that were, through cognitive and meta-cognitive analysis processes, becoming foci for both the developing meaning units and, subsequently, the conceptions. The researcher attempted to keep his personal theories and prejudices in check as he attempted to interpret the participants' conceptions that were being investigated;

(g) these developing conceptions were drafted and discussed with two independent observers in relation to their reading of the transcripts;

(h) the segments of the each transcript of interview/discussion were then coded on the basis of their ability to represent a key idea contained in the transcripts;

(i) a textual statement of each of the seven identified conceptions was drafted and edited several times;

(j) the formal statements of the conceptions were then finalised, edited and printed;

(k) the transcripts were read again in the light of the codings (intentional interpretations) in order to check their reliability in relation to the final textual statement of each conception;

(l) on the basis of this coding, each of the thirty transcripts, in computer file form, was reformatted so that all statements coded as related to Conception A were copied into a separate computer file. Similar processes were used for Conceptions B-G. This produced a reduced set of collations in which statements from all thirty participants related to Conceptions A - G were in seven separate computer files;

(m) each of these files was then analysed using iterative and reduction processes, similar to that outlined above, in order to produce sub-categories of meaning for each conception. These sub-categories were used as the basis for sequencing the discussion of each conception in the relevant section of Chapter 4; and

(n) once each sub-category had been decided, the transcript excerpts were once again analysed in order to ascertain the key idea being developed. On this criterion, the excerpts in each section of Chapter 4 were sequenced and used as a basis for writing the discussion of each conception.

Marshall and Rossman (1989) support the notion that qualitative researchers should answer concerns that the natural subjectivity of the researcher will shape the research. Ferris (1996, 113) supports this assertion of Marshall and Rossman (1989) of the strengths of qualitative studies as well as gaining some understanding, even sympathy, for the study participants so as to gain entry into their world. However, qualitative researchers, in particular, must provide contemporaneous controls for bias within the interpretations by ensuring that:

(a) a partner plays 'devil's advocate' and questions the researcher's analysis critically;

(b) there is checking and rechecking of the data;

(c) value-free note taking is practised; and

(d) the guidance of previous researchers is followed in order to control the data quality. (Marshall and Rossman, 1989, 147)

Gerber (1993) asserted that:

> ... the analysis of the data is said to maintain this same sense of truthfulness if it obeys a number of hermeneutic rules, namely:
>
> (a) The analysis is oriented toward the phenomenon;
>
> (b) The phenomenon must be described as it appears to the interviewees. The interviewees' own understandings ... must be obtained during the interviews, without the researcher seeking explanations of these understandings;
>
> (c) All aspects of the responses must be given equal importance, i.e. horizontalising the data. The researcher has to elicit a pool of understandings that come from the stakeholders in their own terms, without giving priority to any one response over another...
>
> (d) The data should be then checked for structural features, i.e. for either different conceptions or meanings of a phenomenon.
> (Ferris, 1996, 114)

Consequently, this research study has emphasised that:

> *Process believability* means (i) to investigate, (ii) to check, (iii) to question, (iv) to embed one's self in the study data, (v) to theorise, and (vi) to communicate.

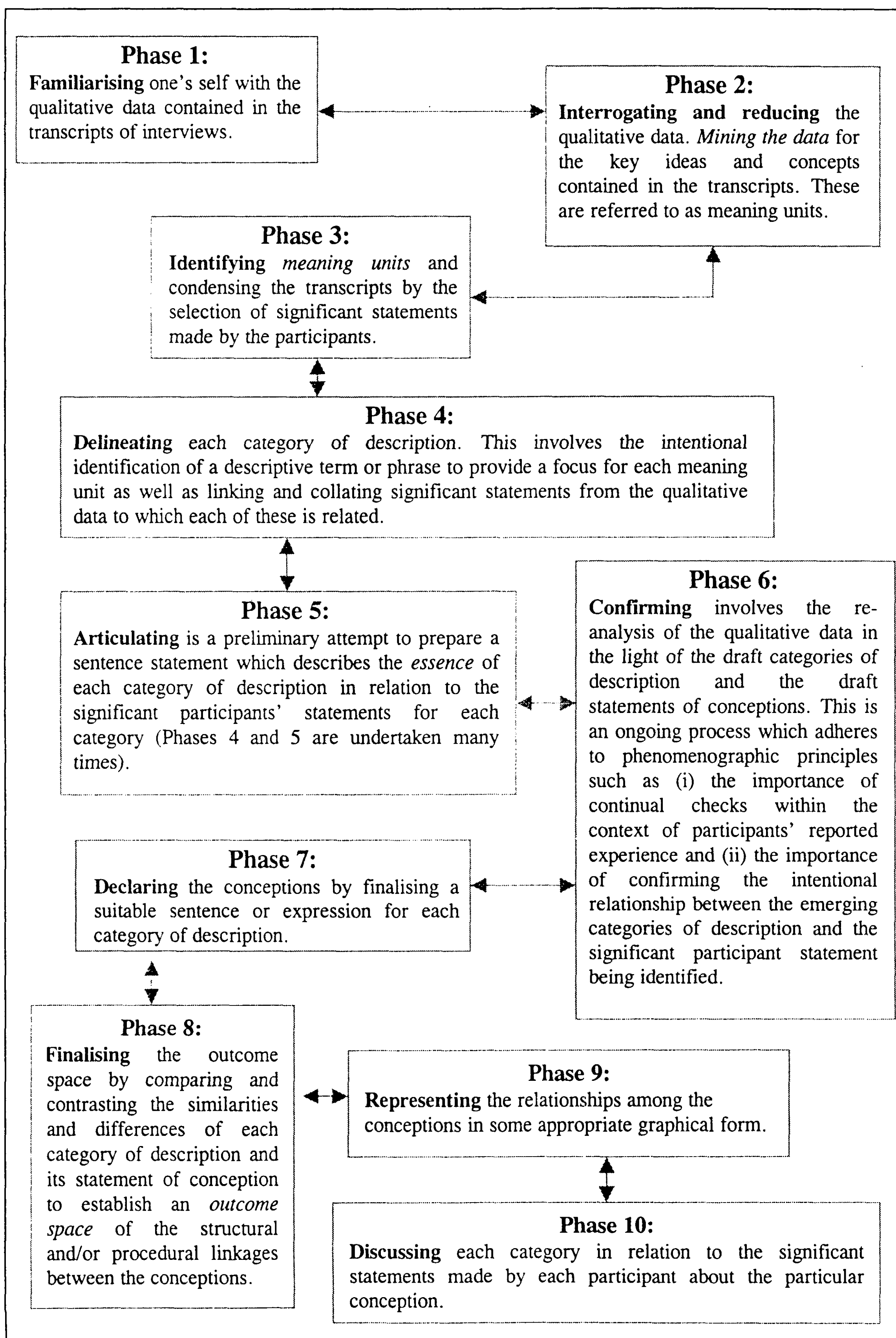
The study has endeavoured to work through processes such as those referred to above as well as relying upon others for both feedback and comment during each stage of the study. This has been achieved through conducting seminars and presenting conference papers (Herschell, 1992, and Herschell, 1995) during the progress of the study as well as obtaining feedback from both experienced researchers and critical friends. The Marshall and Rossman (1989) recommendations for the control of bias in the interpretation of the research data have been implemented. In order to ensure further the believability of the analysis of the data, the hermeneutic rules described above by Gerber (1993) were applied to the analysis process.

Phenomenographic analysis is an ongoing iterative process in which it is possible to identify a web of processes (labelled below as *Phases*) around which the analysis occurs. The analytical process is not linear, as may be implied by the ordering of the following Phases. Rather, it is

a cyclical or spiral process that involves a revisiting of earlier phases in order to confirm and justify the cognitive and meta-cognitive understandings and interpretations that are being developed.

Consequently, the ***Iterative Approach to Phenomenographic Analysis*** adopted in this study is included as Figure 3.3.

Figure 3.3: An Iterative Approach to Phenomenographic Analysis:



Numerous analytical iterations of the qualitative data, contained in the verbatim transcripts of interview, facilitated the interrogation of the *content* and *meaning* of the study data. It is evident, therefore, that particular attention has been given to ensure the *trustworthiness* (Glesne and Peshkin, 1992, 147-148) of the study's data, analysis and outcomes. Consequently, this study is valid phenomenographic research.

In a qualitative study, it is imperative that researchers embed themselves in the data so as explore to the fullest extent possible the *content*, *meaning* units, and *interrelationships* among the various key ideas that are contained not only in each transcript of interview/discussion but also across all of the transcripts. Phenomenographers are interested in the key ideas, called *conceptions*, expressed by the participants as a result of their life experiences. As a collective task, the researcher is attempting to identify both the commonalities and interrelationships between : (i) each participant's conceptions, as well as ensuring that (ii) the conceptions, developed from the total cohort of participants, are focused, formed, framed, and formalised. Consequently, there is a dual process being undertaken as phenomenographic analyses are implemented. The intention is not to focus too intently on the conceptions that are contained in each participant's transcript, but to allow the transcripts to be the vehicle for the development of the overall study's conceptions. The study participants' collective thinking thus enabled the task of developing the overall conceptions to be achieved.

This *process of conception formulation* is one that has not been addressed very explicitly in the literature on this research approach. This process has both *cognitive* and *meta-cognitive* components. Hence, for the purposes of this study, they are termed *tasks*.

3.9.5.1 The Cognitive Task

The cognitive task involved the purposeful analysis of the content contained in this study's database which was represented by both the verbatim transcripts and the diagrammatic representations. The intent here was to identify what each participant had said through the medium of the interview/discussion and diagrammatic representation. The knowledge they contributed was based on both their own personal insights and their life experiences. This knowledge was then articulated through thoughtful discussion with a neutral second-party, the researcher, using this study's

research questions and interview protocols as a focus for this discussion. Each participant received copies of the three research questions at least two weeks prior to the interview/discussion. Consequently, the participants were able to come to the data generation session with a degree of preparation of their personal responses to these questions.

The research questions during the interview/discussion session became focusing devices in order to explore each participant's understandings together with their meanings. These questions were also common devices to assist in the integration of the content being explored, across all of the thirty participant contributions.

As the researcher and the participant mutually developed conversational discourse around the study questions, the participants' cognitive processes were operating to assist them to both phrase and discuss their responses to the questions. It is this mutual exploration of the content and meaning of the study questions that is very important in a phenomenographic study.

A further aspect of this cognitive task related to the analytical processes when the content and meaning which was exhibited in each statement and transcript was interrogated. Familiarisation with the data was necessary for the analytical processes. This then led the researcher to identify, through cognitive processes, meaning units in which each participant and the collective group of research participants provided the key ideas of the study, in this case, **the seven conceptions**. This analytical process is deliberate, focused and conceptual as the researcher raised the level of cognitive demand as the analysis moved towards ever more refined and more complete statements of the conceptions as the *content* coalesced into *concepts* which were transformed into the study *conceptions*. This is illustrated in the following sequence:

This process involves the use of higher order cognitive skills such as those referred to by Bloom (1956) and McKee (1988).

Svensson (1989, 531) addressed similar notions of *concept, conception and conceptualization* and indicated that these were essential elements of phenomenographic work:

> **Concept** refers to an abstract and general meaning or structure, either as it is present in a language or as it is present within the cognitive potential or repertoire of an individual.
>
> **Conception** concerns the experienced meaning of one specific part of the surrounding world, while these conceptions are empirically based generalisations that are seen as representing knowledge of the world.
>
> **Conceptualization** refers to a cognitive activity seen as the point of view of a conception which is constituted by means of that activity. Phenomenographic researchers, studying the conceptions, are primarily interested in some main characteristics of, differences between, and changes in, conceptions. The aim of focusing on conceptualization is to acquire a deeper understanding of those main characteristics, differences and changes. (Svensson, 1989, 531)

Thus, phenomenographers are interested in second-order perspectives which describe not people's experiences of their life world but their interpretation of that experience (Saljo, 1979, 1988, 1993; Marton, 1981, 1986; and Ferris, 1996).

3.9.5.2 The Meta-Cognitive Task

In the implementation of *An Iterative Approach to Phenomenographic Analysis* (see Figure 3.3 above) in this study, meta-cognitive strategies were being applied as the researcher endeavoured, in an as values-free and content-neutral a manner as possible, to identify the meaning units that were expressed by the participants. The phenomenographic strategy of *bracketing* attempts to facilitate this. However, this Iterative Approach does not suggest that the researcher either can or should bracket all previous experience of the subject under investigation (Giorgi, 1990). Rather, in the processes of iterative reduction of the data to identify meaning units, researchers should attempt to place their known theories, values, prejudices and beliefs in the

background in order 'to fully and freshly present to the individuals' conceptions under investigation' (Sandberg, 1997, 13).

The meta-cognitive aspect of this analytical task involved the researcher in strategies which allow the human mind to gestate meta-learnings through natural processes such as higher order cognitive skills, meditation, reflection, divergent and convergent thinking as well as creative and critical thinking (Biggs, 1988 and Biggs, 1991). Key questions such as the following were used in order to assist in the meta-cognitive processes:

(i) What are the participants really trying to say here?
(ii) What meaning units are becoming evident?
(iii) What key ideas seem common in this study? and
(iv) How can researchers best represent the plethora of ideas in the smallest number of conceptions?

These questions, while having a cognitive component, also involve meta-cognition as the cognitive and meta-cognitive exhibit complementary functions. Meta-learnings commonly crystallise subconsciously, when researchers are not consciously searching for conclusions to the questions such as those listed above. These meta-cognitive aspects are sub-conscious, subliminal, and beyond the conscious cognitive control of the individual performing them. However, they are real, productive and should be taken into account in such a study.

These analytic processes involved the formulation of statements that represent, describe and define the key ideas or, in phenomenographic terms, *conceptions* being developed in the research study. As both the cognitive and the meta-cognitive aspects of the data analysis converge, the conceptions begin to take the form of expressions, phrases, and the like, which the researcher composes into sentences. Each *conception*, in sentence form, represents a *meaning unit*. It is the drafting and editing, as well as the numerous cognitive and meta-cognitive iterations with the qualitative data, that enable the conceptions to arise from the

analysis of the qualitative database. This process further supports the contention that *process believability* should play a vital role in the conduct of qualitative studies such as this one.

3.10 ESTABLISHING THE OUTCOME SPACE

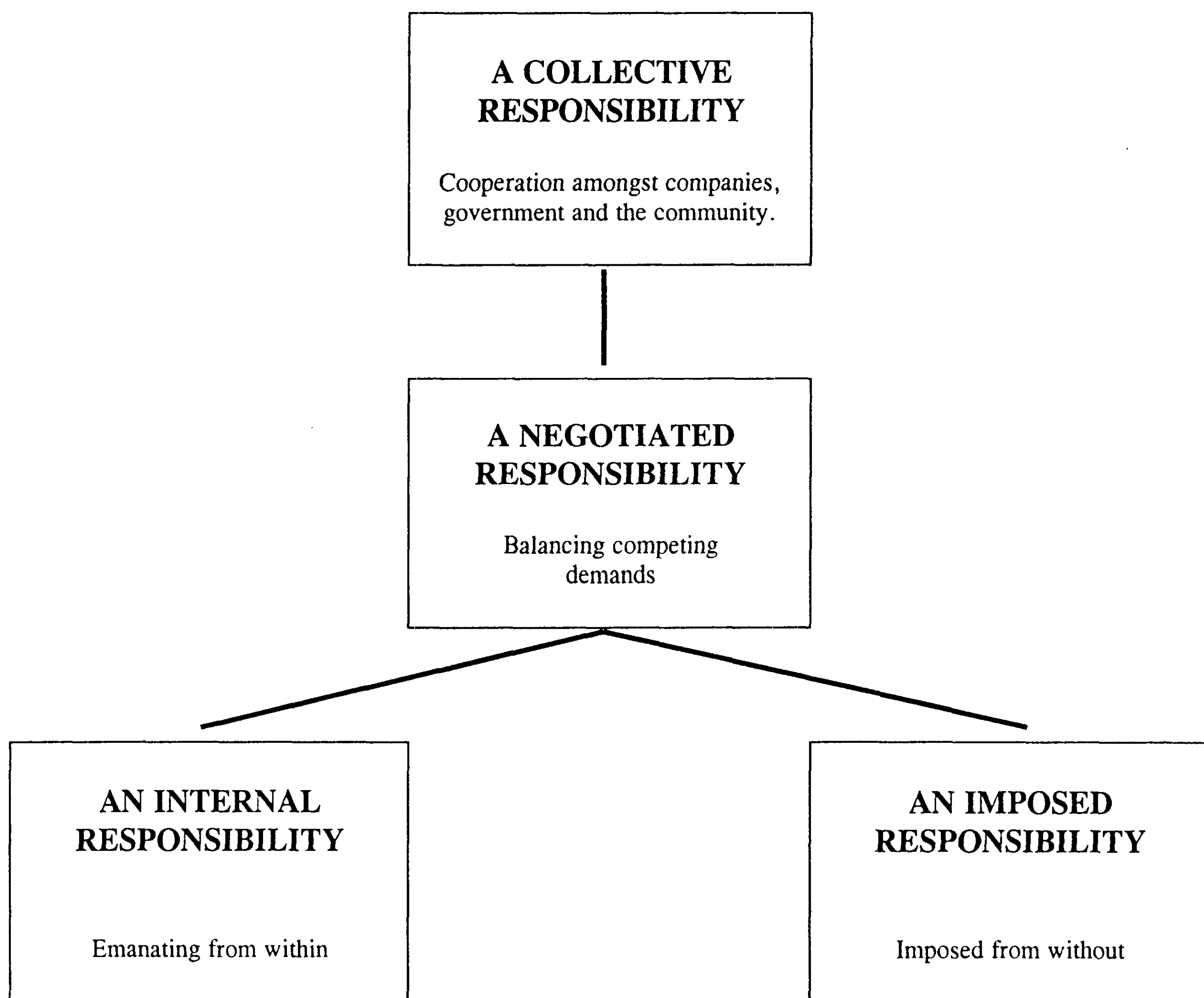
The analysis of the data obtained from conversational discourses with the participants leads naturally to the development of *conceptions* which are verbal statements which both describe and define the identified *meaning units* of this ***thinking legally*** study. These are described, defined and justified in Chapter 4, Sections 4.2 - 4.8. However, another major outcome of a study such as this is the development of understandings of the interrelationships among the various *Conceptions A - G,* so that as well as focusing on the constituent parts of *thinking legally,* one begins to focus on the *pool of meanings* (Tesch, 1990, 118). These meanings form the basis for the development of the structural and referential relationships amongst the *meaning units* identified in, and *conceptions* developed from, the research data. This **outcome space** is a map of this conceptual organisational pattern or structure.

Searches were made for varying interpretations and explanations of the *categories of description* (conceptions) and emerging patterns in the data (*outcome space*) (Marshall and Rossman, 1989, 119). A more critical task, however, was to weigh up the emerging alternative patterns and critically review each in the light of the most coherent, logical, rigorous and '*plausible explanations for both these data and the linkages amongst them*' (Ferris, 1996, 132).

The outcome of the phenomenographic research approach is the mapping of the qualitatively different ways in which the participants experience, conceptualise, perceive, and understand the various aspects of, and phenomena in, the world around them (Marton, 1996). Ballantyne and Gerber (1994, 55) indicate that an outcome space should concentrate on the structural interrelationships of the identified conceptions. In their terms, this represents the visual representation of the mapping of the identified categories of meaning units (*conceptions*). Consequently, this research study has focused on the phenomenon of *thinking legally* in this manner.

Figure 3.4 is an illustration of Ferris's (1996, 133) adaptation of Ballantyne and Gerber's (1994, 55) structural relationships amongst the four conceptions of environmental responsibility.

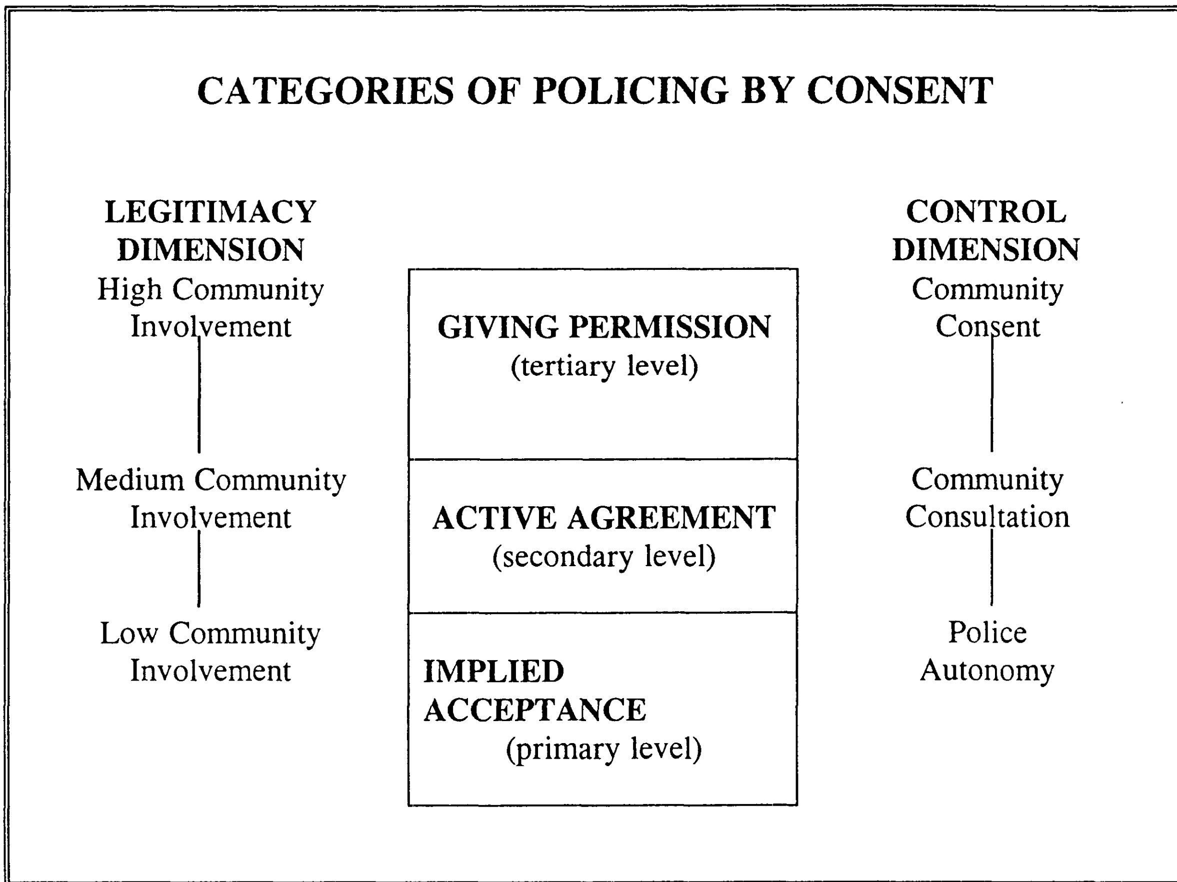
Figure 3.4: The Structural Relationship Amongst the Four Conceptions of Environmental Responsibility.



[adapted by Ferris (1996, 133) from Ballantyne and Gerber (1994:55)]

Figure 3.5 is another rendition of *outcome space* emanating from the work of Dean (1994, 128) in his study of *A Phenomenographic Investigation of Policing By Consent*.

Figure 3.5: Categories of Policing by Consent



[adapted from Dean (1994, 128)]

Researchers, such as Ballantyne and Gerber (1994) and Dean (1994), have developed visual representations or maps of the logical relationships amongst their categories of description and have formed a structure from these categories so as to demonstrate the interrelationships amongst the qualitatively different ways in which their research participants perceived, understood and described the focus of each study.

Consequently, the outcome space in each author's research study is 'a depiction of the logical relations between (sic) the **outcomes** of the research, that is the categories of description' (Bruce, 1993, 8).

In this study, the logical relationships in *outcome space* form are both developed and later discussed in Chapter 5. These relationships are not achieved strictly as a direct result of the analysis of the qualitative data that have been obtained through the interview/discussion. These relationships, expressed in *outcome space* form, represent *third-order* explanations, representations and justifications of the interrelationships. Saljo (1988, 44) and Bruce (1993, 8) view the outcome space as 'a map of the territory in terms of which we can interpret how people conceive of a reality'. The *outcome space* thus represents the conceptual space over which the participants' conceptions tended to range.

The seven conceptions developed through this research study are building blocks for the delineation and development of the outcome space. The outcome space of people's experience of thinking legally declares not only the structural associations between the research participants and their understandings but also the logical relationships among the qualitatively different ways in which they perceive, understand and express these conceptions. The highly complex conceptual task demonstrates, in graphical or diagrammatic form, the interactions that the research participants had with the phenomenon of thinking legally. These relationships have both structural and referential characteristics in that they represent both the linkages between the categories and the interactions among the identified conceptions.

3.11 CHAPTER CONCLUSION

This chapter has sought to provide a brief outline of the methodological approach used in this study. Major topics and issues associated with the phenomenographic approach have been addressed, but no attempt has been made to provide a comprehensive analysis and critique of all that is involved in the phenomenographic approach. That would be the subject of another major piece of writing.

In explaining the methodological procedures, attention has been focused on the structural, worldview and procedural assumptions as well as the research practices that have been taken into account in this study. The focus here has been to provide a guided overview of the research approach adopted so that the methodological approaches and procedural tactics

of the study are explained. The phenomenographic approach enabled the interrogation, through non-participant means, of the life experiences of the thirty participants: their content and meaning, through interactions with and responses to the research questions posed.

Chapter 4 of this thesis provides an analysis of the research study data as well as the descriptions and discussions of the seven *conceptions* of *thinking legally* developed through this phenomenographic research study.