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#Myopathlaw: understanding access to the legal profession through a ricoeurian analysis

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ABSTRACT

We investigated the narratives of enablers and barriers to entry into law communicated through 650 UK tweets posted under the twitter hashtag #myopathlaw in 2018. Law students, solicitors, barristers and legal academics used this hashtag for sharing their personal paths to a legal career. We use Ricoeur's theory of dialogues between the archaeology (past) and the teleology (future) of the self. This has previously been applied to legal ethics, but never before to understanding access to the legal profession. Our findings show that tweeters had a strong narrative of agency and ability to succeed against adversity – perhaps underplaying structural barriers. Notable through its absence is the reference to structural barriers, such as class, school, and university type and the converse individual narratives of perseverance. We find that poor or discouraging careers advice had been a significant barrier. We conclude with recommendations for schools, universities and the legal profession around diversifying the narratives used to showcase legal careers and suggest that universities engaging in training for careers advisors may further widen participation.

KEYWORDS

Social mobility; pathway to law; solicitor; widening participation; twitter

Introduction

Enhancing social mobility and redressing under-representation of certain groups has been a strong policy theme in the UK for decades. However, within the legal profession, there is clear evidence of inequality in the lack of social and ethnic diverse representation at all stages, from trainees (John 2018) to judges where two-thirds attended private school (The Sutton Trust 2015; Social Mobility Commission 2019, 5) with 'more than 60% of City law firms' trainees privately educated, compared to 7% of the total population' (John 2018).

In the present article, we investigate the barriers and enablers that individuals themselves identified in entering the legal profession. While our initial motivation was to consider barriers in the light of socio-economic position,

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we kept an open mind as to scope of the self-reported barriers. Indeed, a key finding from the study is the limitation of socio-economic position in the self-conceptualisation of barriers. These identifications were made through the brief retelling of life stories on twitter in response to the hashtag #mypathtolaw, a tweet introduced by Channon in January 2018 (Cassens Weiss 2018). Drawing on 650 UK first tweets sent in response using this hashtag, we investigate how individuals reveal barriers they have faced and how they mitigated these in accessing the legal profession and arrive at suggestions for both theory and practice emerging from their narratives.

Literature review

Policy context

Socio-economic disadvantage continues to impact access to higher education and thus access to professions requiring degrees. Disadvantaged students are under-represented among high-achieving students at primary and secondary school, among those progressing to university and significantly underrepresented at selective universities. They are more likely to drop out and if they graduate, they earn less than their more privileged peers (Chowdry et al. 2012; Reay, Crozier, and Clayton 2009; Social Mobility Commission 2019). In terms of ethnicity, the legal profession is actually relatively diverse in terms of the overall profile. However, fine-grained analyses show that there is some ethnic segmentation in terms of areas of practice and seniority, gender follows a similar pattern (Mountford-Zimdars 2011).

In the light of this general pattern, it is perhaps unsurprising to note that entry to and progression within the legal profession is not as representative of society as it could be. As the Legal Services Board noted: 'Entering the profession remains difficult and expensive. Individuals from lower socioeconomic groups face great financial barriers as the training stages to the profession are costly' (Sullivan 2010, 17). There is still much to be done to ensure that the legal profession is truly equal and accessible to all (Solicitors Regulation Authority 2022).

Research has found evidence of bias against 'non-white professionals and those drawn from lower socio-economic groups' (Sommerlad et al. 2010, 6), of recruitment into many large firms and barristers' chambers being made from a 'limited list of preferred universities from which they shortlist applicants' (Webley et al. 2016) and that career progression 'notably among large corporate and regional mid-tier firms, remains markedly lower for them compared to white men' (Tomlinson et al. 2019, 1063).

Theoretical context

Theoretical foundations for understanding socioeconomic differentials in access to higher education and access to the professions traditionally build on two systems: cultural and rational theory. Cultural and social theories draw on capitals (social, cultural, economic) and the concept of habitus introduced by the French sociologist Bourdieu (e.g. Bourdieu 1973). This body of work highlights the mechanisms of how education has reproductive tendencies due to its hidden rules, curricula, and assumptions (e.g. see Reay, Crozier, and Clayton 2009) and creates different senses of belonging and not belonging (e.g. Araujo et al. 2014). For example, students from educationally well-resourced backgrounds may have an advantage at University with their ethno-knowledge: as, '(they) naturally bring with them a bank of knowledge, an understanding of etiquette and self-confidence that they belong within a university and will successfully manage it' (Hughes 2015, 307). Additionally, aspiring law students from widening participation backgrounds may lack professional role models in their lives (Balan 2009).

Second, rational action theories (e.g. Breen and Goldthorpe 1997; Breen, van de Werfhorst, and Meier 2014) explaining how (bounded) (Simon 2000) rational individual choices create differential progressions and outcomes for individual students.

Both, cultural and rational choice models have been used for decades to support widening participation (WP) activities with regard to higher education and the professions, such as the Sutton Trust's 'Pathway to Law' Scheme. However, WP practitioners and academics have reached a plateau of theoretical knowledge of why differential access and progression persist (Harrison 2018). Expanding the theoretical repertoire used for framing policy interventions and academic debates would allow novel theory-underpinned approaches to practice.

In the present paper, we employ a Ricoeurian lens for the analysis of the life narratives that individuals chose to retell in response to the original tweet #mypathtolaw. Ricoeur's theory of social justice has previously been tied to legal ethics (Pieniżek 2016) and higher education (Watts 2006). Yet as far as we have been able to research, this is the first systematic attempt to apply Ricoeur's (1970, 1984, 85, 88) theories on self-identity and narrative to understanding access to the legal profession, or indeed higher education. We use Ricoeur to investigate perception of barriers to their own legal career through the short tweeted life narratives of the individuals themselves.

Tweets are micro narratives of individual's lives attempting to summarise the most significant factors, barriers and enablers, in their attempt to enter the legal profession. The role of narrative in self-understanding has been championed by Ricoeur (1983, '85) in his extensive philosophical and

hermeneutical work. Retelling an individual's life story may be more effective in revealing perceived barriers through **what** is retold, through what is left unsaid and through **how** it is retold:

'Self-understanding is an interpretation; interpretation of the self in turn, finds in narrative . . . a privileged form of mediation; the latter borrows from history as well as from fiction, making a life story a fictional history or, if one prefers, a historical fiction' (1992, 114, see also Ricoeur 1983, 246).

Narratives have been criticised for not being externally verified (Fenstermacher 1994, 11), yet the embellishment or omission in narratives are also their key strength. These, Ricoeur argues, reveal how narrators wish to be portrayed: victor, victim, helper etc.; in turn revealing underlying values. Narrative fiction thus reveals as much that is significant as mere factual accounts. This is recognised by psychologists who argue that 'it is through narrative that we create and recreate selfhood' (Bruner 2002, 13). In social research, Connelly and Clandinin observe that 'humans are story telling organisms who, individually and socially, lead storied lives' (1990, 2).

Our research focuses as much on the barriers and enablers in law as well as revealing views held by individuals. A Ricoeurian analytical lens is thus useful and this application builds on a successful application to understanding identity formation of Religious Education teachers in the UK (Flanagan 2021).

Key narratives from the literature

The initial literature review on the state of access to and progression within the legal profession identified three significant narratives: a 'deficit narrative', a barrier narrative and a narrative of enablement. These narratives intertwine and examination of each illuminates the other.

The deficit narrative

The deficit narrative derives from the narrative of a 'deficit model' that implies internal deficiency within the individual or group as a rationale for lack of success. The 'deficit model' highlighted in research of legal firms by the Sutton Trust which identified that social exclusivity in law was attributed to 'presentation at interview . . . (23%) . . . lack of pre-university educational attainment (18%), and lack of understanding of the profession and business (16%)' (The Sutton Trust 2015).

'Deficit models' have been employed and subsequently critiqued in literature and research in Special Educational Needs (SEN) (Barnes and Mercer 1996; Runswick-Cole 2011), race equality (Buras 1999) and social inequality (Harrison 2018) in examining variation from a perceived 'norm'.

The challenge for educators, employers and society is to ascertain if variation from a perceived norm hinders performance/ability at the task/role. Unconscious bias plays a leading role in deficit discourses.

In other disciplines the ‘deficit model’ has been superseded by an assets model: the social model in SEN (Barnes, Oliver, and Barton 2002) and a value model in education and race equality literature, which recognises and celebrates diversity (Buras 1999, 83). An asset discourse in law would focus on the merits of, for example, women representing women in domestic violence cases or understanding social justice from the perspective of someone who has experienced disadvantages.

The barrier narrative

A second narrative is one of barriers, external obstructions placed in the way of individuals to prevent their success. This might be due to identification based on ‘values, norms, ideals, models and heroes, in which the person or community recognises itself’ (Ricoeur 1992, 122). Norms portrayed in the narratives of media, society, educational and commercial establishments may present barriers to those who deviate from those norms. As an individual approaches the legal profession they may face barriers with lack of recognition of self within the values, norms and ideals of the legal community.

The narratives of enablement

Ricoeur developed the concept of a dialogue between an archaeology and teleology of self in response to reading Freud’s work where individuals were seen as ‘at the mercy of childhood’ which constantly dragged people back (Ricoeur 1970, 468). In contrast, Ricoeur argued that the ‘archaeology of self’ – analysing what is held subconsciously due to values, norms and past experiences – is complemented by a teleology of the self: the new goals for their lives that enables them to choose the impact they allow their past to have on their future hopes and dreams. Moreover, deep self-understanding occurs within the dialogue between the archaeology and the teleology of the self (1970, 525). This dialogue can be traced as individuals narrate their journey into the legal profession. Their positive hopes can be seen in the tweets as can the significant impact in transforming potentially damaging past experiences to move forwards to confound personal and societal expectations.

To summarise our approach, we employ this Ricoeurian framework of the dialogue between the archaeology and the teleology of the self in the present paper to understand the narratives of lawyers concerning how they accessed the legal profession. Which archaeological and teleological

enablers and barriers played a role, and how did their interplay ultimately allow these individuals to become lawyers? How can understanding individuals' narratives challenge narratives of a 'norm', address unconscious bias, challenge stereotypes, remove barriers and encourage enablers?

Methodology

We use the life narratives represented on Twitter and secured ethical approval from the University of Exeter. Twitter is a member of the social media family which allows people to understand their own, and others' (Kim, and Monroy-Hernández 2016), experiences in a dynamic dialogue. Twitter offers previously unmined data for research: 'social media offers a set of textual resources, which have been largely neglected by socio-legal scholars but which have significant purchase in thinking about the translations of legality in everyday life' (Cowan and Carr 2016, 417). We used the tweets that were freely available in the public domain. We followed the ethical protocol for using tweets developed by UCL (Gold n.d) and employed 'a more reflexive ethical approach' recommended by Williams, Burnap, and Sloan (2017, 1149): 'considering user's expectations' and 'the effect of context collapse and the functioning of algorithms' (p1150). This project is in line with user expectations as they purposefully responded to a tweet about their path to law. Context collapse does not occur, as the purpose of this research is aligned with the context of the original tweet. We have also not used any algorithms in accessing the tweets. Twitter facilitates access to stories from across the legal profession and from those who wish to enter and enables previously unheard voices to enter the public domain. This enhances understanding of the lived experience of the participants and the meaning they make of those experiences (Seidman 2013).

We used the brief retelling of their life narratives on twitter in response to the hashtag #mypathtolaw that was introduced on twitter in January 2018 by one of the authors of this paper (see also Weiss 2016). The initial tweet on the 9th of January 2018 was motivated by highlighting how legal careers are possible from disadvantaged socio-economic backgrounds. The tweet was instantly shared and responded to nationally and internationally including by key figures in the legal profession such as Bar Council, Law Society, the Secret barrister, a number of university law schools and firms. We focused on all the 650 first UK tweets of personal stories that were shared between the 9th of January and the 8th of February 2018. Where tweeters had posted more than one tweet, we only used the first one, we also excluded retweets and comments that did not contain narratives and subsequently deleted tweets.

We initially began to observe reoccurring patterns after having analysed just over 300 tweets. We revisited theoretical saturation after a further 100 tweets. While we found that no new themes had emerged, we discovered that it added an additional angle to represent not only the qualitative findings from the narratives but also quantitative counts of the frequencies of themes discussed. We thus decided to analyse all 650 tweets representing a full census of all first tweets during this time period.

Using MaxQDA, we analysed tweets, for commonalities, differences and relationships (Gibson and Brown 2009) as they concerned individuals' self-perception of experiences of barriers and enablers in entering the legal profession. This was followed by thematic coding, descriptive, topic and analytic coding (Richards and Morse 2007), to identify categories and gather material by topic, allowing the researchers to develop relationships between themes (Braun and Clarke 2006).

Limitations

Life stories are abbreviated to the 140 characters allowed by Twitter in 2018. Considering omissions and using one's knowledge of the social world are thus as important as what is being said. For example, only 16 tweets mention being the first lawyer in their family but 124 tweets mention being the first in their family to obtain a degree. Ergo, the actual numbers of first time lawyers in families will be much greater than 16. Furthermore, after an initial flurry of new insights the rate of these levels out. The nature of twitter is that unless new questions are posed similar data is received/tweeted. We did not undertake clarifications of points through follow-up interviews.

Findings: key narratives from the tweets

Analysing the tweets enabled a discovery of the narrative identity and intersectionalities in their entry to the legal profession (see Anthias 2012) with a wealth of axes of inequality. From the thematic analysis of the tweets key themes resonated throughout the data – barriers, deficits, and enablers. Sub-themes included single-parent family, money, careers advice, family support, background, inspiration, motivation, and education.

Broadly speaking, tweeters chose to narrate their #mypathtolaw drawing on their own life circumstances during their upbringing – referencing social, economic, ethnic, regional and educational – contexts. [Table 1](#) summarises these aspects mentioned in the tweets. Furthermore, tweeters mentioned a range of aspects of their adult lives that impacted their #mypathtolaw. These factors included life events such as divorce as well as influences (people, organisations and events). These are listed in [Table 2](#).

Table 1. Social, economic, ethnic, regional and educational contexts referenced in #mypathtolaw (total count = 650).

Birth Family social/cultural/ regional context	Count	Educational experiences	Count
Socio-economic status	51	State school (including comprehensive, local school etc)	216
Working class	22	Grammar school	8
Council estate	35	Private school	20
Farming background	12	Any mentioning of first generation	153
Northern background	16	First generation A-levels	7
London	5	First generation university	124
UK devolved regions (Scotland, Wales)	8	First lawyer in family	16
Irish*not NI/Republic differentiate	12	University provider	193
Gender (woman)	2	Filex Route No university	14 (cilex 46)
Immigration background	26	Oxbridge	28
Refugee	4	Non – Oxbridge	5
Black	1	Former polytechnic	12
Religion (Jewish)	1	Open university/distance learning	13
Further individual birth aspects of birth family context		Degree class	30
		Late starter to university	21
Single parent family	34	Dropped out of uni	9
Care leaver	5	Left school early	40
Large family	5		
Parental bereavement	22		
Divorce	6	Non-Russell group	2
Parental illness	6	Russell group	2

Table 2. Adult-life events, financial consideration and influencers mentioned in #mypathtolaw (total count = 650).

Financial consideration	Count	Influencer (events)	Count
Loans	3	Injustice	25
Grants	33	Repossession	1
Scholarship	56	Work experience (women's shelter/NHS rape crisis)	3
Windfall (Gameshow, inheritance)	4	Work experience (legal unpaid)	89
Working while studying	156	Work paralegal	6
Self-funded	16		70
No tuition fees	3	Luck	23
personal life history and events		Influencers (People & organisations)	
Married Young	11	Teachers (school)	21
Abuse	3	Tutors/lecturers (HE)	5
		Family	64
Divorce	8	Friends	12
Young children	45	Career advisors	49
Single-parent	17	Boss	5
		Legal firms	64

Striking presences and absences in these tables are: first, relatively low total counts are recorded in each code in comparison to the overall number of tweets. The character limit may play a role but it also demonstrates that different individuals focused on different aspects as the most significant factors for their narrative. Quantitative analysis and comparison of tweet data is problematic in that missing data do not signify lack of that component, as noted above in terms of becoming the first lawyer in the family.

The tables also show a significant lack of structural factors that quantitative sociologists would traditionally use to model entry into the legal profession such as private school, socio-economic status, and attendance of a Russell Group University. This demonstrates the fact that these sociological categories are not necessarily the ones that individuals choose as the most significant in telling their own narratives. For example, private school attendance carries a lifelong earning premium (Britton et al. 2016) and acts as an enabler in accessing networks, yet only 20 tweeters or equivalent to 3% chose to mention it in their tweets.

The lack of mentioning structural factors may indicate that tweeters who attended state-schools and had less traditional #mypathtolaw might have been disproportionately attracted to tweet and share their own stories (Van der Mortel 2008). Indeed, one tweeter provided a 'standard' route:

#mypathtolaw - A levels, law degree, LPC, training contract. In the interests of balance. (tweet 496)

Secondly, many of the tweeters (62.5%) chose not to reference their secondary school education at all.

Similarly, while educational researchers might wish to talk about the impact of having attended a Russell Group institutions versus post-1992 institutions, tweeters used 'Oxbridge' and 'non-Oxbridge' as well as 'former polytechnics' as their reference points. 33 tweets mentioned (non) Oxbridge and only 4 mentioned Russell group and non-Russell group.

Striking is the absence of categories sociologists of occupation and education would have expected in the data, including ethnicity (2 mentions), religion (3 mentions with only one identifying their religion), gender and sex and only 3 mentions of sexuality.

In contrast, factors were present in the tweets that are not usually captured in quantitative modelling of occupational outcomes or social mobility. Tweeters choose to narrate their background in terms of single parent, bereavement, parental illness (including mental health) and farming background.

Table 2 allows looking at the narratives told and omitted by mapping the adult life-events and financial considerations and influencers mentioned in the tweets.

Regarding finances, tweeters highlighted combining work and study (n = 156) but also scholarships (n = 56). Family and legal firms were key influencers (each n = 64) followed by careers' advisors (n = 49), though the latter was usually negative. Work experiences in the legal profession was important (n = 89) with paralegal work mentioned specifically (n = 70). Perhaps noteworthy are the 25 respondents who specifically mentioned being motivated by having experienced or seen injustices. Finally, when tweeters choose to refer to their adult family context, mentions were young

children (n = 45), single-parent status (n = 17), marrying young (n = 11) and divorce (n = 8). Perhaps surprising was the narrative around luck which emerged from the data explicitly in 23 cases.

Compared to the overall number of 650 tweets, the lack of an overarching narrative and the relatively low frequency of counts regarding particular themes is striking. This highlights the individual nature of the tweets but may also be indicative of the social structural categories social scientists expect to find in their data not being naturally volunteered by respondents.

The further analysis in this article will explore how tweeters framed these aspects of personal context, events and circumstances as either enablers or barriers in their #Mypathtolaw.

Archaeology of the self

Deficits/barriers

Deficit narratives were evident through many of the tweets with negative narratives (n = 75) from others citing their 'deficits': 'secretarial type', 'attitude', 'not the right sort', told to 'get married', 'not bright enough', 'careers advisor laughed', 'unrealistic to become a barrister', 'wouldn't you rather join the army like your Dad?', 'discouraged at every step'. Many of these comments were from teachers or the school's careers advice service (n = 49).

Watched 'Crown court' as a lad ... thought I'd never do it as had a v bad stammer, teacher said I'd be 'stupid' to try. I thought, 'Fxxx ya then!!' Missed deadline for Law School so did Bar after going to a Poly ... one Chambers said 'We don't take your type' ... (tweet 109)

216 mentioned state school education, with 9 referring to their comprehensive school as having a 'bad' reputation. 7 referenced a 'poor' or 'average' university provider. 70 referred to poor qualifications. 124 referred to being the first in their family to attend higher education.

Direct discrimination was recorded in 14 of the tweets. For example, one tweet recorded discrimination against their name, which possibly indicated their ethnicity.

Working class parents. Council Estate until age 7. Northerner with no links to the profession. Comprehensive school and non-Oxbridge unis albeit a RG for PG. Told to change surname to get a commercial and chancery pupillage. LLB, LLM with distinction and lots of work experience. (tweet 4)

Another recorded class discrimination:

State schools, inspired by VI form trip to L'pool Uni, first in family to go to Uni, 2:1 degree but struggled to get TC [Training Contract] ('who does your father work for?'), paralegal to pay for LPC, got TC, had some great jobs, now a partner. (tweet 39)

Negative narratives additionally came from the individuals themselves as they cited deficits: lack of contacts (n = 28), poor qualifications (n = 70), early school leavers (n = 40), no opportunity for internships, etc. Some expressed an ‘imposter syndrome’ (7 explicitly referenced the term) which may well inhibit their presentation and performance at interview, key factors cited by law firms (The Sutton Trust 2015). Thus, these negative narratives may have become self-fulfilling prophecies.

509 references were made to ‘barriers’ to a career in the legal profession of which 75 refer to negative narratives, such as lack of money (46), having young children (45), illness (33), lack of contacts (28), single parent (17) and rejections (13).

One tweet contained a narrative of fear which was perhaps in response to negative narratives. Yet with the lack of data, conclusions are challenging to draw.

#mypathtolaw – very dull. A Levels -> Year off to make doubling glazing (scared to go to uni) -> Univeristy (Manc/r) -> year off to make double glazing (scared to go to Chester!) -> Law school -> Law #ShouldaGotaProperJob (tweet 211)

Another tweet mentions that the individual ‘took the plunge’: they overcame suspicion of the legal profession to attempt a career in law.

State school. No graduates or lawers in family. Durham Uni. Deeply suspiciuos of Bar culture. Inspired by Gareth Williams, QC. Took the plunge. Pupil in London. Headed North. Still suspicious. Doing ok. #MyPathtoLaw (tweet 65)

Advantages/enablers

Within individuals’ archaeology of self many identified enablers to their #mypathtolaw, such as family support:

#mypathtolaw comprehensive in shit town. Ignored careers advice to eb a legla secretary. AMAZING parents #LLB @uniofeastanglia #LLM @Queens_Belfast BVC then pupillage and tenancy at amazingly supportive @5PaperBuildings #hardwork#YouCanDoIt #followyourdreams (tweet 44)

Shorthands of disadvantage used by researchers – such as being working class or socio-economically disadvantaged – are not necessarily a shorthand for disadvantage used by tweeters as narrated here by one who shows her working-class background as an enabler:

‘Went to girls’ grammar. At 14, careers advisor who didn’t know me hinted not clever enough to study law. Ignored her. Sat entrance exam for Oxford and gained a place. First in black working class family to go to uni. Family support and encouraging teachers were key.’ (tweet 512)

Many different enablers to a career in law were identified by the individuals, such as financial: prizes (7), grants (33), game show wins (2), scholarships (55), support from legal firms (64), or personal: family (64), friends (12), and teacher/tutor support (26).

One tweet retold of a background that although financially poor was rich in support:

'Single parent family to small Welsh valley town with standard Comp education decided I was going to be a lawyer aged 10! Amazing parents practice papers determination & hard work got me through University 2:1 LLB@UWELaw & now an associate with @wardssolicitors.' (Tweet 166)

Teleology of self

Individual's teleology of self is apparent in many tweets, often in response to previously identified barriers, and it proved determining for their perseverance. Inspiration and motivation were two dominant themes as enablers to a career in the legal profession alongside characteristics, such as being resilient, having 'attitude', 'prove them wrong', 'show them'. Motivators included experience of injustice, repossession, family hardship, and refugee status.

In terms of individual's teleology clear themes of 'assisting future students' and 'promoting access to justice for all' emerged. One individual had become an access to law ambassador, another suggested that an organisation should be established to support those from similar backgrounds, referring to others like themselves from poor socio-economic backgrounds. Another wanted to bridge the gap for fellow 'non-privileged' students.

Dialogue between the archaeology and teleology

In this context, the dialogue between the archaeology and teleology of self (Ricoeur 1970) is self-selected, self-perceived and self-interpreted and reveals significant aspects of identity. This dialogue is apparent in many of the coded themes. For example, for some individual's their own struggles and eventual success has led them to want to assist others so that their #mypathtolaw would be easier to navigate.

#mypathtolaw state school in special measures. Told wouldn't get grades for @lawssheffield. Worked hard to prove wrong. Self funded LPC. Paralegal @irwinmitchell then secured TC to start in August. Want to help others achieve their potential too. #AnythingIsPossible (tweet 107)

A further theme emerged in individual inspiration for entering the legal profession: injustice (n = 34). Past experience of hate crime, victim support, working with refugees in Africa, grassroots politics, house repossession, advocacy, injury in the work place, etc. led to individuals expressing a teleology of promoting access to justice for all.

Working class migrant parents, comp school, went to work after 'A' Levels & witnessed discrimination in the workplace, wanted to make a change, self funded LLB and LPC using loans, made contacts where I could. Landed my TC, now employment & discrimination specialist. #Myopathtolaw. (tweet 43)

A minor theme of 'privilege' thread through both the archaeology and teleology of self. Whilst most tweeters identified as being from 'non-privileged' backgrounds, a few noted their 'privileged' background but provided a corollary stating that their #myopathtolaw had still been tough. They wished to stress that privilege did not equate to guaranteed success.

#Myopathtolaw privately educated, grade A student, took me 8 years' worth of rejection after rejection to land a training contract. Don't give up! (tweet 76)

An implied narrative emerged of diminishing these individuals' hard work because they happened to have a supportive or 'privileged' background. Additionally, there was a danger of ignoring barriers that these individuals may face, such as gender stereotyping and low expectations:

#myopathtolaw Sat on Father's knee listening to him + my uncle (HHJ) talking law Headmistress said I was so thick to marry rich wouldn't be able to find my way behind a reception TA; PA; WPC (for a bet); army wife; Mature Student (3 children U3); BVC; Call; HCA + now Barrister. (tweet 171)

However, one individual tweeted that 'If you are born with it, you should give back'. The outcome of dialogue between their archaeology of self, great opportunity, and their teleology of self was a need to contribute back to society.

Examples exist of an enabler to #myopathtolaw being experience of the legal profession, through working in a legal office (in accord with Furgang 2017) or experiencing the legal process as a victim. Links were evident for individuals who narrated many barriers in their #myopathtolaw but who had experience of the legal profession – prison (1), victim of crime (3), unpaid work (6), articled clerk (8), legal secretary (11), work experience (36), paralegal (70).

'State school, raised by mum with mental health issues, got a job as an office junior at a firm of solicitors and was encouraged to take up law by Linda Ling. Initially went to Uni part time, but swapped to Cilex. Want to protect the vulnerable and help others.' (tweet 4)

Born to teenage parents, told at school I'd struggle to be a lawyer as I didn't have the right background, started as office junior, found @CILExLawyers –now owner @TheFamilyLawCo Trustee@ ExeterCAB and mentor for @BEEP_UK #mypathtolaw#workhard# believeinyourslef#insoireothers (Tweet 14)

#mypathtolaw Grew up on the wrong side of the law, childhood defined by weekend visits to prison. Wanted to make better choices and that my life could be different. Went Uni, got scholarship to do Bar, called 2002. MA (2003) PhD (2008) ☺#staymotivated#ignorethenaysayers (tweet157)

A further key theme was that of a goal to prove others wrong. These included teachers, careers advisors, head teachers, family members, ex-boyfriends, schools and society:

So #mypathtolaw involved an ex-boyfriend telling me I wasn't clever enough to study law at uni. Applied simply to prove him wrong, loved it and here I am ☺ (tweet 5/4 117)

#mypathtolaw council kid, at 14 told by Headmistress wasn't good enough for Uni and should do manual work, left school 16 – 1 O'level – carpentry, labouring. FE Access course, external LLB (UoL), LLM (Distinction) Bham, PhD p/t scholarship, now Uni Lecturer. Headmistress was wrong. (tweet 145)

Negative experience leads to the future goal for some of becoming a positive influence on others:

Getting fired (thank you that employer), evening law classes to show my then girlfriend I had a plan (I didn't), a solicitor who found being patronised by (some) barristers irritating as feck, more law classes to become a barrister who doesn't do that. #mypathtolaw (tweet 137)

Many of the tweets reflected the desire to have a positive influence on others as they contained advice and encouragement to others, such as 'keep going', 'work hard', 'don't give up', etc..

#mypathtolaw was smooth –state comp, Russell Group uni, sponsored before TC, admitted at 24, now Dir. of legal for a major publisher. But when I recruit, I spend time understanding other, more winding paths, so please never let yours stop you from applying. (tweet 90)

Resolved narratives

Some tweeters retold stories containing resolved narratives even within the limitations of twitter. Some stories are of success that confounded expectations in a circular form:

#mypathtolaw average pupil in comprehensive, HND Dundee College ddi well but rejected from @lawstrath for LLB, criminal firm paralegal (fun & scary), UG at RGU, LLM Dundee, PhD Glasgow, Heriot Watt job, lecturing @lawstrath later becoming Head of School where not wanted as UG! (tweet 128)

One tweet in particular juxtaposed the past and present revealing changes in their family's socio-economic circumstances in only two generations:

Working class family, first to go to uni, grandad used to work as a car park attendant for @sheffielduni. Studied Law @christs_college, then masters and now PhD @law-sheffield. Fingers crossed for an academic career, still makes me smile when I walk across car park! #mypathtolaw (tweet 62)

Another tweet juxtaposed poverty and wealth- their guiding teleology became evident with the revelation that 'success' for that individual was seen as employment for a profitable firm.

#mypathtolaw Similar to me: left school; farm labourer; snooker table maker; band follower; roadie; work + OpenUniveristy; work +p/t LLB @TrentUni; BVC @LawNLS; work - now head of legal for £700m turnover company (tweet 160)

Individuals identified barriers such as being a single parent, growing up on a council estate, discouragement from teachers, illness, etc., and yet they succeeded in their chosen career path. 156 tweets mentioned working while studying. Yet even in this sample of life narratives the tweets revealed that despite hard work and resolve to overcome some barriers remain, in particular that of finance:

#mypathtolaw good exams English Lit BA Career publishing. Want to do worthwhile when on Mat leave. OU law degree with twin babies and working ft. Can't afford LPC. Citizens Advice IDVA. Would still like to be a solicitor but won't ever be able to afford it. (tweet 18)

Financial support was important – 33 tweets mention grants explicitly as enabling them to enter the legal profession, 3 mention 'no tuition fees' as aiding their path and 63 mention scholarships, awards, and prizes. One tweeter commented on these structural factor rather than their own #mypathtolaw:

'Wow, the #mypathtolaw is super inspiring . . . thanks to all who have shared. Struck by the importance of the welfare state (council housing, student grants etc) for many from 'non-trad' backgrounds. Fear the current lack of this =less diversity in the future'(Tweet 54)

Discussion and conclusion

The present article set out to use a Ricoeurian analysis of the dialogue between an archaeology and teleology of the self to illuminate narratives of career entry to the legal profession through using replies to the twitter hashtag #Myopathlaw.

The key contributions to knowledge from the article concern both theory development and an evidence-base for practice interventions.

Regarding theory developments, this is the first analysis using Ricoeur's dialogue between the archaeological (backward facing) and teleological (forward facing) narratives. We analysed the personal stories as individuals had chosen to tell. This focus on individual stories rather than pre-imposing sociological categories shows that individuals choose to talk about themselves and barriers and enablers in different terms from the categories used in quantitative sociology. Here, an array of 'predictors' for career entries and educational trajectories – including social class, poverty measures like free-school meals, postcode data and gender are used as standard. It is striking that our tweeters choose to focus on different narratives. For example, gender was only mentioned explicitly in two tweets. However, being a single parent was mentioned as a barrier that needed to be overcome. We know that the majority of single parents are female but gender as a category is most notable by its absence. In addition, references were made to losing a parent and experiences or exposure to mental illness, categories seldom part of social mobility survey research.

Striking also was the tweeters focus on enablers and their personal characteristics that had allowed them to be successful, such as resilience, a strong character or a strong internal motivation for wishing to become a lawyer, such as a sense of injustice. While the sociological literature focuses more on barriers than enablers (Sullivan 2010; Sommerlad et al. 2010), our tweeters focused on their individual drive to succeed.

This ties in with recent sociological work arguing that to further enhance our understanding of successes in upward mobility research must focus more on personality traits (Friedman and Laurison 2019) as structural factors are insufficient for understanding success. Overall, it may indeed be the tweeters focus on individual characteristics and traits that has allowed them to successfully become lawyers when others with similar backgrounds may have failed.

The theoretical contribution of the article can thus be summarised as an invitation for quantitative sociological research to reconsider some of the categories they deem important for studying career entries and social mobility to include more personal factors, such as parental health and support, which do not always neatly align along class categories. Second, the way individuals referred to structural barriers as something they could

overcome through their individual traits needs to be understood within the context of the rise of the meritocratic paradigm within neo-liberal thinking where individuals are expected to achieve as highly as their ability and effort permits without regard for structural disadvantages. This is clearly the dominant discourse among our tweeters and means tweeters implicitly, whether consciously or not, may buy into the logic and structure of social inequalities that ultimately risks continuing to reproduce those very inequalities. Replacing the deficit narrative with a 'narrative of grit' may appeal to those for whom 'hard work always wins' but it also problematises the individual rather than examining systems. Here, we have to be mindful of the self-selection bias within our data of tweeters who usually were successful in pursuing a career in law and we do not hear the voices of those who were unsuccessful. This may underplay the structural 'deficits' which are impossible to overcome no matter how much 'grit' the individual possessed (Tefera, Hernandez Saca, and Lester 2019).

In terms of contribution to policy and practice, the tweets reveal an encouraging picture of the ability of many to overcome barriers to their entry into a legal career through support from family, or personal resilience and perseverance, or the financial and emotional support of legal firms or teachers. Examination of these factors may aid in devising systems to encourage and actively promote widening participation into the legal profession. The support that was provided was not exclusively financial but also encompassed emotional or psychological support.

Our analysis echoed key barriers to career entry identified by The Sutton Trust (2015): of lack of pre-university educational attainment, lack of understanding of the profession and business and presentation at interview. In particular, the tweets showed that career advice had generally been a barrier rather than an enabler regarding their journeys into law.

Some tweeters were actually motivated by poor advice to 'prove them wrong' and succeed against the odds. While one has to be mindful that the career advice these tweeters experienced will have often been a decade or more ago, this is clearly a policy issue universities can address in their outreach and schools and colleges can address in their advice practices. A greater degree of support and preparation for law as a career choice would have benefitted many of our tweeters (see e.g. Donnelly's 2015) who were lacking a realistic overview of what is required to be a lawyer. It might be that career advisors themselves require greater training of progress to law to be able to give the most useful advice. Changing the narratives about who can be successful in law rather than pitching law as an inaccessible profession is another way forward. Instead of encouraging individuals to self-eliminate from consideration for a legal career a wider dispersal of these narratives may further facilitate the opening of the legal profession to those from all backgrounds. Moreover, we found little, if any, evidence of the

employment of an ‘assets model’ in supporting career advice and employing such a focus in guidance work may lead to young people having a more positive experience of careers work.

Advice from teachers and sometimes law-firms, proved to be a strong enabler where it was positive and an impactful barrier when it was negative: tweeters remembered both encouraging and discouraging words from many years ago as having had the power to change their paths. The impact lesson here is that everyone engaging in conversations about future career aspirations must not under-estimate the huge impact their words could have. A ‘throw-away’ comment like – ‘oh, you can’t do it’ – will find its way into an individual’s psyche and self-identity for many years and impact on their decisions. This is a point at which to be mindful that in the present study, participants have succeeded despite such hurts. However, this is not a representative study of everyone with some potential to become a lawyer and it is likely that many of the negative ‘can’t do’ comments have found their ways into the self-identity of people who have given up dreams and aspirations because of such discouragement.

A final practice implication is that the finances of becoming a lawyer really do matter very much. Narratives of financial struggles and how they are overcome featured strongly in the tweets. To recapitulate, three tweeters saw their #mypathtolaw enabled by winning a game-show! Relying on this sort of luck is clearly not a sustainable policy model for widening access to the legal profession. Scholarships from Inns also featured but as those come relatively late in the legal training process, they cannot fix financial barriers to entry on their own. Thus, earlier financial support for aspiring lawyers is crucial to widen access. The reduction in fees through the Solicitors Qualification Exam (SQE)¹ in September 2021 has reduced costs of qualifying. Moreover, legal degree apprenticeships are perhaps the single most potential step-change in removing financial barriers to qualification – although early evidence suggests that this route has initially been disproportionately popular with more advantaged students (Casey and Wakeling 2020). Furthermore, many of our tweeters had succeeded in education while being in employment. Universities can support students working through timetabling of classes to allow part-time work alongside studies and loans or on campus work programmes.

Our research has highlighted clear catalysts for overcoming socially constructed barriers: reframing the deficit narrative. The role that reinforcers or reframers of the deficit narrative play in enabling individuals to overcome potential barriers, in their #mypathtolaw, is key, whether teachers, career advisors, parents, or employers.

Often programmes to support social mobility ‘aim to break down the barriers’ (Legal Social Mobility Partnership, LSMP cited by Aspiring Solicitors 2016). Our work suggests that a focus could be on reframing

narratives and replacing the deficit model with an assets model earlier in supporting individuals' thinking about their career options. Greater support from legal firms through mentoring and scholarships combined with greater support from schools in careers advice, preparation for interviews, and work experience placements may significantly aid individuals to overcome barriers in their entry into the legal profession. The #mypathtolaw has already contributed in changing the narratives of entry into the legal profession, in celebrating diverse routes and in providing inspiration for future lawyers from 'non-standard' backgrounds. Continued recounting and celebrating of these narratives to pupils and students may enable more individuals to begin their own #mypathtolaw.

Note

1. Not yet finalised but changes to be made to the previous SRA by Kaplan <https://www.prospects.ac.uk/jobs-and-work-experience/job-sectors/law-sector/solicitors-qualifying-examination-sqe>.

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