



## **GOOD PRACTICES IN STUDENT ENGAGEMENT WITH SOCIETY**

### **LEGAL CLINIC FOR SOCIAL JUSTICE IN THE UNIVERSITY OF THE BASQUE COUNTRY**

Fostering Student Engagement through AI-driven Qualitative Quality Assurance Practices  
*A Project Developed by:*



**UNIVERSITY  
OF TWENTE.**



**MCAST**



Co-funded by the  
Erasmus+ Programme  
of the European Union



**Project:** Fostering Student Engagement through AI-driven Qualitative Quality Assurance Practices

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### **Suggested Reference**

Barrère Unzueta, M., Goizueta Vértiz, J., and Irigoien Domínguez, A. (2022). Legal Clinic for Social Justice in the University of the Basque Country. <https://doi.org/10.5281/zenodo.5914328>

**Document Reference:** Legal Clinic for Social Justice in the University of the Basque Country

**Document Version:** 2021

**Project Reference:** 2020-1-LV01-KA203-077578

**Disclaimer:** This project has been funded with support from the European Union. This document and all its content reflect the views only of the author, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

## GENERAL INFORMATION

**Title:** Legal Clinic for Social Justice in the University of the Basque Country

**Organization:** Faculty of Law at the University of the Basque Country

**Country:** Spain

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**One-liner – essence of the case study:** The Legal Clinic for Social Justice promotes a laboratory for legal scholars and criminologists who are aware of their social function through clinical pedagogy using service learning.

**Short Summary:** The Legal Clinic for Social Justice in the University of the Basque Country (UPV-EHU) (hereinafter LCSJ or legal clinic) is a space for transforming the classical pedagogical system used in legal and criminological studies. It is proposed as a laboratory for reflection on the theory and practice of law and criminology, with the aim of identifying anti-discrimination legal strategies through which students can become aware of their important roles in achieving a more egalitarian society. The activity of the LCSJ consists of two parts: a) training in critical thinking and b) providing a legal-criminological response to specific cases of social injustice framed in discrimination and / or structural violence.

## INTRODUCTION AND OVERVIEW

### Short description

The LCSJ is part of the Faculty of Law at the University of the Basque Country, which is a public university in the Basque university system. The Faculty of Law, which has facilities at two campuses (Gipuzkoa and Bizkaia), is a centre for first-level university studies and is recognized in the fields of law and criminology. Its undergraduate and postgraduate academic offerings conform to the requirements of the European higher education space. At the bachelor's degree level, in addition to degrees in law and criminology, a double degree in business administration and law is offered. The Faculty of Law also has a wide range of postgraduate courses, including a Master of Law and an International Master in Legal Sociology (which is taught in English). Furthermore, this course of study can be completed with an extensive range of degrees and doctorate programs.

Since the new curricula were implemented during the 2010-2011 academic year, the number of graduates has reached nearly 2,000. Throughout these past ten years, approximately 1,600 final bachelor's degree theses (hereinafter FBDTs) and hundreds of final master's degree theses (hereinafter FMDTs) and PhDs have been defended.

The teaching program is complemented by a varied network of agreements with Spanish and foreign universities that allow students to take part in exchange programs at European and American universities. During the academic year prior to the pandemic (2019-2020), there were more than one hundred students who travelled to some extent within the framework of the different programs in which the Faculty is involved.

### Background Information

The LCSJ arose in a context in which an excessively theoretical basis prevails for legal and criminological studies. Specifically, legal studies are based on an encyclopaedic knowledge of legal contents, and there is an absence of interdisciplinarity and teaching methods in which the transmission of knowledge rests on the master class; essentially, memorization is the learning objective. No importance is given to teaching professional skills and values in support of the idea of social transformation. In this context, those who complete law studies mostly take on a technical and functional professional model that does not question the status quo and therefore does not link their profession to the possibility of contributing to a fairer society.

Changing this approach requires thinking about legal teachings as a combination of theory and practice and employing a legal scholarship model that is not only linked to professional ethics or deontology (García Pascual, 2013), but also to a critical function, with Cardinaux and Palombo indicating (2007: 133) that the law (and those who operate within it) fulfils a critical function when it reveals power relations, when it produces equality where discrimination reigns and when it establishes subjects of law where previously there were only individuals who expected beneficence.

The model outlined here pertains, in general terms, to clinical legal education (Bryant et al, 2014), which is a global movement (Blázquez Martín y García Añón, 2013) and which, in brief, implies teaching and acquiring legal skills and abilities in a reflective environment of social injustice (García Añón, 2013). Training based on experience and on providing a legal service to those who most need it are the bases of the alternative clinical legal scholar model.

The promotion of this new model requires the conviction of the teaching staff of the Faculty of Law, which is largely anchored in inertia and methodological conservatism, as well as the firm support and commitment of university authorities.

## Aims and Motivations

The primary objectives of the LCSJ are the following ([Regulations of the Legal Clinic for Social Justice](#)):

- a) Bringing law school students into contact with cases in which individuals and groups are living in serious situations of injustice caused by isolated power systems (sex-gender, class, race / ethnicity, disability, nationality, orientation and sexual identity, etc.) or by their intersection.
- b) Generating instruments for the analysis and legal channelling of cases (rights engineering and criminological proposals) combining the lessons learned during the studies with experiences from social agents and NGOs involved in social activism.
- c) Proposing reforms in legal and criminological teachings that allow for the transversality of reflection on power systems.
- d) Contributing to the work performed by public powers in relation to social justice policies, and suggesting possible areas for intervention or improvement.

Law clinic students reflect the result of service learning in their [Final degree projects](#), as well as in the curricular internships that are required to complete their training. The

service learning methodology is focused on the cases presented by social agents and NGOs. These cases are the object of the FBDT and FMDT performed by the students, and their results are directed towards the same social agents that presented the cases to be studied by the legal clinic. In this way, the work carried out by the clinic students becomes an instrument of transformation towards a fairer society.

The participation of social agents and NGOs in the LCSJ is essential because they contribute to the university's approach to social needs and they help to socialize knowledge. In addition, social agents also benefit from the training and tools offered by the LCSJ through seminars and workshops.

## Stakeholders

The LCSJ was created with the purpose of offering a space of transformative work in the field of equality and non-discrimination law in which professors, students and administration and services staff could develop learning processes in collaboration with social agents and NGOs.

**Students.** After a previously established selection process ([criteria for the student selection](#)), students become part of the training itinerary of the legal clinic. Through their training itinerary, the students come in contact with the teaching staff, the social agents and the protagonists of the cases (the people who are victims of discrimination). In this way, students acquire specific skills (knowing how to interview people, extract relevant information, describe facts, develop empathy, listening skills, etc.) and complex skills (for example, they become aware of the complexity of the cases and design anti-discrimination strategies). The training for the students culminates in the creation of their FBDT and FMDT and curricular practices.

**Teaching, administration and services staff.** Teachers from very diverse disciplines participate in the legal clinic, making it possible to supervise the cases addressed by the students from an interdisciplinary perspective. The learning process in which administration and services staff also takes part is conceived as a horizontal learning community to which each individual contributes from their own context, knowledge and experience ([Structure of the Legal Clinic for Social Justice](#)).

**Social agents, NGOs, law firms and other organizations.** Work in the legal clinic is characterized by the [prominence given to social agents and social activism](#). There are mostly social agents, NGOs and law firms to provide the cases

that will be analysed each academic year by the students, both individually and collaboratively. In fact, every month, there are open seminars in which, as a horizontal learning community, students, teachers, social agents and the administration and services staff will participate.

## IMPLEMENTATION

### Inputs

The LCSJ was launched after its associated regulation was approved by the governing council of the university on June 2, 2016 (Official Gazette of the Basque Country of June 22, 2016). The primary human resources held by the university are, on the one hand, a group of professors and administration and services staff of the Faculty of Law, who have been involved since the legal clinic was created in the 2016-2017 academic year; and on the other hand, the students who, year after year, have participated in the training offered by the legal clinic.

For material resources, the LCSJ has an *ad hoc* space in the Faculty of Law where the seminars and training workshops are held.

For financial resources, the LCSJ has been provided with support by the University of the Basque Country through two projects granted by the Educational Advisory Service. The first was an Institutional Project for Educational Innovation granted by the Vice-Rector's Office for Innovation, Social Commitment and Cultural Action for 2017-2020, for a total amount of 23,139.22 €. The second project has just been awarded within the framework of the Educational Innovation Projects for 2021-2022, for 3,000 €.

### Strategies and Activities

The LCSJ was initially led by its two current directors (the chief director and deputy director). In the phase prior to its start-up, the directors held meetings with political, social and institutional authorities as well as with strategic agents at the local and regional level (the mayor of the city, the ombudsman at the regional level, the bar association, law firms engaged in the defence of human rights, etc.). Meetings were also held with heads of legal clinics from other Spanish universities.

The public presentation of the LCSJ took place at the Faculty of Law. This event was attended by university authorities and more than fifty representatives of academic, professional and social entities ([Press 1](#), [Press 2](#), [Press 3](#), and [Press 4](#)).

Once the structure was begun, and in order to strengthen it, the directors organized a workshop entitled "The Transformation of Legal and Criminological Teachings from Clinics for Social Justice" that took place at the International Institute of Legal Sociology at Oñati on May 25 and 26, 2017.



## Coordination with the Target Groups

The coordination process for the proper functioning of the LCSJ is developed at various levels and through different teams.

The primary coordinating team of the LCSJ is its board, chaired by the directors of the legal clinic, who convene the group and ensure that it is coordinated effectively. The board meets at least twice per academic year. During the first of these meetings, the annual calendar of activities is approved and it is determined which member of the board will be responsible for them.

Coordination takes place at three different levels:

- 1) Regarding the organization of the permanent *seminar on critical thinking*. The seminar is held every month of the academic year, and it revolves around expert presentation on the topics of the cases chosen by the students as the basis of their FBDTs and FMDTs.
- 2) Regarding the collaboration between the *social agents* and NGOs (Red Eraberean) with the legal clinic, periodic meetings are held within the framework of the signed collaboration agreement to address discrimination and social exclusion and promote diversity, tolerance and social justice, as addressed between the general administration of the Autonomous Basque Community (to which the Eraberean network of social agents and NGOs belongs) and the LCSJ.
- 3) Regarding the FBDT and FMDT defences by the *students*, the coordination in this case requires the naming of specific commissions and the establishment of convenient dates and places for public presentations of the FBDTs and FMDTs.

## Deliverable Outputs

The deliverable outputs since the creation of the Legal Clinic for Social Justice are many and varied. Some of the most relevant are as follows:

- \* Twenty open seminars with invited speakers.
- \* The public defence of 12 FBDTs and 25 FMDTs by the clinic students.
- \* Curricular internships by clinic students in prominent NGOs such as SOS Racism and Red Cross.

- \* Paper presentations at various conferences on pedagogical innovation.
- \* Attendance at the annual meetings of Spanish legal clinics.
- \* Participation in the European network for clinical legal education.
- \* Participation in the joint actions of 10 legal clinics for the draft and subsequent publication of the Basic Legal Guide against Covid-19 (Basic Legal Guide against Covid-19).

## Intangible Outputs

The LCSJ has generated a wide range of intangible outputs for all the actors and stakeholders involved in the clinic, especially the students, and also for the Faculty and the university in general.

Concerning the intangible outputs in general, we would mention the following:

- Increased critical knowledge in the fields of law and criminology;
- Strengthened connection between the Faculty and the university and the local social stakeholders (NGOs and others)
- Horizontally transferred specialized knowledge (university-students-social stakeholders)
- Placement of the law faculty and the university as actors for social change

With regards to the intangible outputs generated by and for the actors involved in the legal clinic, we would mention

- Socially aware and engaged students and future law and criminology professionals;
- Experiences with local antidiscrimination and social stakeholders (NGOs and others) thanks to involvement in the legal clinic.
- Knowledge of local situations regarding discrimination
- Revision and improvement of the curriculum teaching subjects: professors involved in the legal clinic increase their social engagement and critical thinking and translate that knowledge to the subject they teach within the degrees of law, criminology, and law and business.
- Team building between professors and administration staff, students, and local social stakeholders
- Space to meet and get to know other local social stakeholders

The students contribute to the diverse intangible outputs in meaningful ways. They are central to the actions of the legal clinic, and their active involvement is an essential part of this organization. The students provide constant feedback on some of the

activities the legal clinic develops: in the collective follow-up meetings with professors and other students with regards to their FBDT and FMDT, and through the evaluations and anonymous impact surveys. They also contribute to the exchange of knowledge between the university and the social stakeholders, creating, transferring and receiving social justice-related knowledge.

## EVALUATION AND IMPACT

### Strategical Initiatives for Evaluation & Monitoring

The legal clinic has developed two primary tools for evaluating and monitoring its actions and impact:

1. Anonymous surveys: two different surveys have been created:
  - a) A survey after each training session (all actors): the legal clinic offers different training/teaching sessions on diverse aspects of critical thinking in law and criminology. All the participants (students, members of NGOs, professors, etc.) are encouraged to answer a short survey about the specific session, evaluating the content, the utility, the trainer, etc. and asking for specific feedback on the content, forms and other actions that they would like to develop in the legal clinic.
  - b) A final survey about their experience with the legal clinic (students): a survey to evaluate and provide feedback with the aim of improving the future activities and day-to-day management of the legal clinic.
2. Follow-up meetings, professors-students: meetings in which the students in the clinic and their professors (including the directors of the legal clinic) meet to follow up on the development of their FBDTs and FMĐTs.

Other evaluating and monitoring tools are ad hoc meetings with social stakeholder representatives and the directors of the legal clinic, in which the ongoing actions and future actions are discussed so that both the legal clinic and the social stakeholders can benefit from the clinic.

The follow-up meetings have been performed since the establishment of the legal clinic, but the surveys have only been implemented since 2019. These surveys are anonymous, encouraging the students and other actors to respond freely, and they have enhanced the participation and feedback provided to the legal clinic and thus have enabled the board of the clinic to improve its activities and better achieve its objectives. The different strategies were selected by the board of the legal clinic, which is composed of the directors, some professors, student representatives, administrative staff representative and researcher representatives.

### Impacts of the Outputs

The outcomes mentioned here have affected the multiple actors differently through engagement in the legal clinic.

With respect to students, the outcomes have impacted the development of their critical thinking, which has enabled them to review and think differently about the role of law in our society and the traditional studies of law and criminology. This outcome has broader implications, because it influences the way they envisage their future professional career and the ways in which they will carry out their professional actions, to be more socially engaged and aware of the power and subordination dynamics in society. Compared to students who do not engage in the legal clinic, it has also impacted their acquired knowledge, because legal clinic students receive training in sociology research tools and other skills (e.g., interview techniques, how to engage with victims, etc.). Some of the past students of the legal clinic have continued to be involved in the clinic as professionals, which impacts the connection between students and professionals of the Faculty.

Regarding professors, researchers and administrative staff, there have been various outcomes: the professors have reviewed and improved the curriculum teaching subjects they oversee following their engagement in the legal clinic, and they have increased their social engagement and critical thinking and translated that knowledge to the subjects they teach in the degrees of law, criminology, and law and business. Researchers involved in the legal clinic have also been able to acquire new critical thinking knowledge, impacting the approaches to and contents of their research. Similarly, the administrative staff has also been impacted as they have been able to become closer to local social stakeholders and students.

About social stakeholders, the outcomes have impacted the transfer of knowledge (horizontally), because these stakeholders have been able to communicate about local situations of discrimination, and they also receive training and education from experts about diverse subjects relevant to their work, as NGOs or other organizations. Students have worked on the cases and subjects proposed by social stakeholders, which has impacted their activities and notably served to improve their actions, so it has had an impact on the social reality and perspective of the legal clinic.

## Defining Major Success Factors

Some of the identified success factors are 1) collaboration between different actors (professors, students, staff, social stakeholders such as local NGOs); 2) efforts towards creating horizontal relationships and horizontal knowledge transfer; 3) a spirit of continuous improvement and seeking feedback; and 4) dynamism and openness in the legal clinic toward developing new initiatives, actions, collaborations etc.

## Lessons Learned

Some of the lessons could be described as follows:

-A need for further institutional and structural recognition: efforts have been and are being made to strengthen the institutional and structural placement of the legal clinic in the Faculty and also over the institutional panorama of the university. The volunteer work performed by the actors involved in the clinic, especially by the professors, must be better recognized institutionally.

-There are power relations between the collectives involved in the legal clinic, for example, between professors and students. Mindful of these power relations, the legal clinic has developed specific dynamics to try to create horizontal spaces.

Following those lessons, some of the opportunities to be explored are the improved placement of the legal clinic within the university and beyond and the community-based creation of all the actors involved in the legal clinic, sustainably and over time. The engagement of past students when they become professionals in the legal clinic is another factor for further improvement and development.

## SUPPORTIVE AND INFLUENCING ASPECTS

### Identifying the major Strengths and Weaknesses

#### **Major Strengths of the LCSJ:**

- \* The legal clinic has transformational potential to set up a legal scholarship model that combines the mastery of technical skills with a commitment to a fairer society.
- \* The training provided through the permanent seminar and other complementary courses allow the students to acquire complex skills that are useful for their professional development.
- \* The Faculty has opened to society and is helping to solve situations of discrimination in its nearby social environment.
- \* It is part of a network of legal clinics of other Spanish and European universities.

#### **Major Weaknesses of the LCSJ:**

- \* Short- or medium-term difficulties in including the clinical work in the curricula of the Faculty degrees.
- \* Low financial and administrative support for the optimal management of the work carried out by the legal clinic.
- \* Lack of recognition of the efforts of people involved in the legal clinic at the institutional level.

### Further Challenges

There are two primary challenges that the LCSJ must face to continue moving forward:

- 1) To insert the clinical training into the curriculum as one more subject in the degrees taught at the Faculty of Law;
- 2) To obtain sufficient resources to develop activities and functions that are foreseen within the legal clinic project but that have not been addressed due to the lack of said resources (e.g., street law programs and direct advice to people in contexts of social vulnerability).

## FURTHER INFORMATION

### Sustainability Factors

The primary factor that supports the sustainability of the LCSJ lies in the work of a group of people, primarily professors but also researchers and the administrative and services staff of the Faculty, who are committed to the transforming potential of legal and criminological studies to achieve a society free from discrimination. That is, the LCSJ is sustainable due to the involvement of the Faculty with the social function that the university must fulfil.

### Transferability

The results of the work and of the different projects performed within the framework of the LCSJ are made public through the clinic's website. Likewise, all the activities developed throughout the year are included in the annual report, which, after being approved by the board of the clinic, is sent to the university. In keeping with the principle of total transparency, this report is also published on the clinic's website.

### Awards and Recognition

The LCSJ received the “Gehitu de Plata” (silver prize) in 2017 for its extensive work in support of the rights of a local LGTBI + collective and for the constant support of the clinic for a more equitable society. The award ceremony took place on May 17, 2018 with the Genito Mayor of Donostia-San Sebastián, the President of Gehitu and the Deputy Director of the Legal Clinic for Social Justice in attendance. Gehitu is one of the most important NGOs for Gay, Lesbian, Trans, Bisexual and Intersex people in the Basque Country. The Basque government recognized it as a public NGO in 2006; the Donostia-San Sebastián City Council awarded it with the Medal of Citizen Merit in 2004; and the Provincial Council of Gipuzkoa awarded it with the Human Rights Award in 2009.

In addition, clinic student Ane García's FBDT was given an [award at the Second UPV Student Congress](#). This award recognizes research on sustainable development and commitment to the Sustainable Development Goals of the United Nations 2030 Agenda.



## Links

[Web Faculty](#)

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**Project Number: 2020-1-LV01-KA203-077578**

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