INTERVENTION PROJECT IN THE CLASSROOMS OF THE FACULTY OF LAW IN ORDER TO GUARANTEE THE ACQUISITION OF LEGAL BASIC COMPETENCES: THE FINAL DEGREE PROJECT AS AN EXCUSE AND INSTRUMENT

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Abstract

In the following lines, we are explaining a Teaching Innovation Project that is being implemented in the Faculty of Law of the University of the Basque Country sponsored by its Vice-Rector for Innovation, Social Commitment and Cultural Action. Specifically, 16 teachers, from many other subjects, have devised an intervention plan in the classroom to verify, first of all, whether it is true that students are not sufficiently prepared to elaborate and defend the Final Degree Project (FDP) and, secondly, to overcome the obstacles that may appear in its development. Being the FDP the element that brings together the most important competencies of the future jurist, the teaching team understands as essential the intervention in the classroom. The experience drinks of the postulates of active and autonomous learning.

Keywords: competences, Final Degree Project, Intervention project, active learning, autonomous learning

1 INTRODUCTION

Within the framework of the European Higher Education Area [1] in the Faculty of Law of the University of the Basque Country-Euskal Herriko Unibertsitatea [2], more than five years after the full development of Law Degree, the faculty has had occasion to note the advantages and weaknesses of the new Curriculum. In our efforts to implement successfully new forms and methods of teaching and learning appropriate to current demands, in the context of cooperative learning 16 faculty teachers, in charge of all the subjects that make up the curriculum, are immersed in the implementation of a project of educational innovation or intervention in the classroom that is focused on, what in our opinion is, in general, a weakness of our Degree, and, in particular, of the teaching-learning method that we are implementing: students reach the last year of Law Degree without the necessary skills and competences to carry out and defend the Final Degree Project (FDP) [3].

The FDP represents the culmination of Law Degree and its overcoming is the best evidence of the acquisition of the skills required to the jurist. Effectively, the FDP, integrated in the fourth module of Law Degree ("Specialization, Research and Practice of Law"), seeks to establish generic and transversal competences of the degree [4], among which are included: (1) capacity to critical analysis, interrelation and integration of legal knowledge; (2) oral and written communication; (3) capacity for synthesis and exposure, using of argumentation and critical reasoning techniques and (4) management of own learning process towards an integral and respectful formation with democratic values.

Faced with the posed problem -that we read as a challenge-, the mentioned group of teachers, made up of people with more and less experience in educational innovation, have joined forces to: (1) verify objectively the issue, delving into its causes; (2) design a program or plan of action, covering all the subjects of Law Degree, based on active and autonomous learning; (3) implement it and (4) evaluate it, all guided by the noble intention to improve the learning of law students in the acquisition of basic skills of the degree.

2 GENESIS OF THE INTERVENTION PROJECT IN THE CLASSROOM

The primary origin of the educational innovation project that we are implementing since last school year (2018-2019) is settled in many conversations -formal and informal - among the professors members of the group in recent years, and the subsequent individual and group reflections, both
before and after. All members of the team have carried out tasks of direction and evaluation of FDP. Our experience of more than 5 years in the matter, leads us to understand that "the memory, study, report or original opinion linked to any of the subjects developed in the Degree" (Article 1 Regulation of Law Faculty for the development and defense of FDP) that the student must pass to complete Law Degree has become for many students a very hard process to overcome. Despite the fact that the 16 teachers who participate in the innovation project maintain that in the teaching-learning of the subjects we teach, we work more or less directly the competences that are linked to the FDP ((1) critical analysis, interrelation and integration capacity of legal knowledge, (2) oral and written communication, (3) capacity for synthesis and exposure, using argumentation and critical reasoning techniques and (4) management of own learning process towards an integral and respectful formation with democratic values), when we meet face to face with the student whose FDP we have to supervise, we notice that they have real difficulties to get over it. We perceive many troubles: they have serious and hard problems in order to choose and determine the specific topic of their FDP -something difficult to understand when they have already completed all the subjects of the Degree-; they are not, in general, skilled searching information, showing real difficulties to articulate and manage the bibliography (almost their only resource is google!); they have big problems to synthesize and build a systematic, coherent and critical argument, as well as to present it, both written and orally; and in all this process, they look for a father or mother who approves each one of their decisions and opinions (where is the management of the own learning process that is supposed for this moment of the Degree?). Without a doubt, all of them are competences that, at the end of the FDP, they must obtain but that it seems that they have not previously acquired.

3 OBJECTIVES OF THE INTERVENTION PROJECT IN THE CLASSROOM

In last instance, as its inferred from its title ("Multidisciplinary Intervention in Law Degree to encourage active and autonomous learning aimed at the preparation of the Final Degree Project"), the educational innovation project that we are describing looks for the realization of a coordinated work among professors of the different subjects of Law Degree of our University in order to promote the active and autonomous learning of students that allows them to overcome successfully their FDP and guarantee the obtaining of competences linked to legal studies. We clarify and nuance this main objective.

1 The main goal is to ensure that students acquire the skills linked to the FDP of Law Degree, as a culminating activity of their legal studies. Thus, the student who is about to finish law studies must sufficiently demonstrate the following abilities: (1) critical analysis, interrelation and integration of legal knowledge; (2) oral and written communication; (3) synthesis and exposition, with the use of argumentation and critical reasoning techniques and (4) management of the own learning process towards an integral and respectful formation with the democratic values.

2 In order to obtain the mentioned main goal, the team of teachers involved understands that it is essential to detect and overcome the obstacles that currently exist in the process of preparing the FDP in Law Degree. In order to achieve that, the project requires an examination of current practice, prioritizing the analysis of the process of preparation and defense of the FDP by the student. While we look at it, and to be able to do it properly, we also understand as important to look to the approach of the FDP made by the University of the Basque Country, in general, and the Faculty of Law, in particular, as well as to the work of direction and evaluation that the teaching staff plays.

3 The pedagogical axis of the intervention is the active and autonomous learning of students. Teachers who are part of the project must encourage it before the completion of FDP, so that students can demonstrate it when they have to write it, overcoming it successfully. We conceive the realization and overcoming of the FDP as the best evidence that the student has acquired the competences corresponding to active and autonomous learning.

4 PEOPLE INVOLVED IN THE INTERVENTION PROJECT IN THE CLASSROOM

We understand as one of the strengths of our project the people involved in it. With maximalist desire, we want to improve the elaboration and defense of the FDP in all the students of the Faculty of Law of the University of the Basque Country, especially, about the one that studies in the Section of Bizkaia.
Thus, we are working with approximately 600 students, of the four courses that make up the Law Degree.

As we have pointed out, we are 16 teachers -10 women and 6 men - involved in the project, one for each subject of Law Degree (Theory of Law, Roman Law, History of Law, Administrative Law, Civil Law, Constitutional Law, Law of the EU, Public International Law, Tax Law, Criminal Law, Procedural Law, Private International Law, Commercial Law and Labor and Social Security Law).

However, this strength also presents weaknesses, related to the two groups of people involved. Regarding the students, the time of implementation of the project (two school years), means that we work at the same time, in all the subjects and with all the students, without being able, therefore, to act on everyone with the complete intervention plan and neither we cannot value with all the results (in short, the improvement in FDP elaboration process). In this sense, as we will point out in the space of conclusions, the teaching team warns about the need to extend the duration of the project for a true and real evaluation of it. In relation to teachers, the intervention of such a large number of teachers (almost 20% of the Faculty of Law participates) involves natural problems (personal incidents -leave due to illness - changes in subjects ...). As we will also underline in conclusions, this tare could be overcome if, in addition to specific professors, the different Departments of the Faculty of Law were linked to the project.

5 METHODOLOGY: INSPIRING PEDAGOGICAL SOURCES

The main aim of the project of intervention in the classroom, the improvement in the elaboration of the PDF and in its defense as a way of verifying the knowledge of the basic competences of the jurist, drinks especially from two pedagogical sources: active learning and autonomous learning.

In the framework of active learning [5], we understand it is essential to use strategies in our teaching that actively involve the students, so that they obtain a deeper understanding of the contents, which allows them to develop a critical thinking and problem solving skills (analysis, synthesis, argumentation and defense), while we motivate them, and encourage the interaction and work with their peers. We understand, in that direction, that it is necessary to resignify the role of the students and ours: it is important that students become the motor of their learning, while we act as their guides. We must also configure a new concept of workplace, linking it not only with the classroom but also with the space outside it (extracurricular area). Both spaces intervene in learning process: students must receive in classroom, from teachers’ hand, some elements in order to build (better, complete) later their learning. Specifically, in our action plan, we propose to work in classroom (especially in practical classes) basic skills linked to the FDP (research, analysis, synthesis ...), without prejudice the fact that for they full control and dominance the complementary work outside the classroom is necessary.

In the same way, totally linked, it becomes important what is called autonomous learning, self-learning or self-directed study [6]. It is necessary to work with students and their ability to detect deficits in their own knowledge and overcome them through a critical reflection and the choice of the best performance in this regard.

In addition, and responding to the demands of the European Higher Education Area, the activities developed also drink from cooperative learning [7], problem-based learning [8] and the case method [9].

6 ACTION PLAN

6.1 Verification of the problem

Looking for the improvement in the elaboration and defense of the FDP by students of Law Degree, the first action of the intervention project has been the verification of the problem: do law students feel little or not prepared to face the FDP? If we want to prepare an action plan, in this regard, it is important to base it. It is essential that the group mainly affected (students) confirms its need. Obviously, teachers, as we have related in previous lines, clearly saw the need, fact that leads us to think about the teaching innovation project and to request the pertinent help from the competent Vice-Rector of our University. In spite of this, the opinion of students, as the active agent of teaching-learning process, is crucial. To collect it, the 16 members of the teaching team were divided in four groups. Each group prepared a survey and then, in a joint meeting, we discussed all the proposals.
and agreed on a final questionnaire. We agreed to ask students the following questions, allowing them to respond openly:

1. What is the Final Degree Project (FDP)?
2. Do you know regulations governing FDP in Law Faculty?
3. What is your goal with the elaboration of the FDP? What do you plan to learn?
4. On what topic do you want to elaborate the FDP?
5. What methodology will you follow to elaborate your FDP?
6. What is the role of the supervisor of FDP?
7. What are the sources for developing a PDF in legal sciences?
8. Do you know how to quote? Who has taught you?
9. Do you see yourself prepared for the defense of your FDP?
10. What do you consider the FDP: one more subject of Law Degree or the culmination of all of them?

We also agreed to pass the survey at least, each professor to 10 students, always from the group in which we were going to implement the intervention project in the classroom. Finally, we have obtained a sample of 180 students, which represents 30% of the total of the Faculty.

Each teacher has presented an assessment of their surveys and in a meeting of the whole team we have drawn the following conclusions:

1. Our hypothesis has been confirmed. Students feel themselves little or nothing ready to prepare and defend their FDP.
2. Everyone knows what the FDP is, qualifying it the majority as a researching work. They do not know, however, their regulatory norms neither the requirements it must fulfill.
3. Students do not link the FDP with the basic competences of Law Degree. Most do not see any utility to it. The opinion that the FDP is the last obstacle to finish the race is widespread.
4. 90% of respondents do not know the topic of their FDP. They do not point out the specific area of law in which they would like to investigate.
5. Students do not know the methodology to elaborate the FDP and understand that supervisor of the FDP is the one that sets the guidelines for its realization. Our students do not know the sources to elaborate an FDP and 60% do not know how to cite. Those who know how to cite say they have learned it in previous works done in the Law Degree.

Therefore, the aforementioned data come to corroborate the need for the action plan that we propose in the framework of the intervention project in the classroom.

6.2 Coordinated activities program

6.2.1 In general

The following three meetings of the involved teaching team were aimed to obtain an agreement about a series of activities in order to work the basic skills of the Degree that are essential to prepare and defend the FDP.

First, in a meeting, we agreed on the basic lines of action:

1. We understand as essential to consciously work in each and every one of the subjects the basic competences of the jurist, understanding as a teacher's task to explicitly explain the importance of each of them for the work of the jurist, linking them, in addition, with the FDP.
2. We conform to drink from active and autonomous learning in order to work with the students on basic competences, understanding that in the official practical classes some guidelines should be given so that the students deepen in the questions outside of it.
3. We coincide to work by courses the different competences were going develop, something that leads the teachers in charge of the subjects of the same course to prepare together an action plan.
4 We agreed that the activities or dynamics proposed to the students had to be complicated according to the courses.

5 Conscious of the difficulty of evaluating the project as a whole, we accord to evaluate the experience by subjects and courses.

Later, gathered by courses, the teachers agreed on the activities -in general- to be carried out in each one of them.

Thus, professors of first course (Theory of Law, Roman Law and History of Law) agreed to program tasks of synthesis and schematization of sentences and basic legal texts, present and past, in groups and individually. Then, obviously, each teacher would prepare the task that best suits the content of his subject.

Professors of the second course (Introduction to Procedural Law, Administrative Law, Public International Law and Constitutional Law) agreed to prepare dynamics in practical classes aimed to students write, in groups, legal texts related to current controversial issues (judicial independence, deficit and public services, forgotten wars, constitutional modification ...) and defend them in a public debate. The subject of legal texts and subsequent debates would be marked by the scope of each of the subjects.

On the other hand, the teachers of the third course agreed that in the practical classes of their subjects (Civil Procedural Law, Criminal Procedural Law, Criminal Law, Labor Law and Private International Law) the students should configure writings of diverse positions and judicial texts, in group and individually. All of them will be followed by public, individual and group defenses, and the ensuing debates.

Finally, in the fourth school-year, specifically in its first semester, before elaborating the FDP in the second, in the course of the last subjects of the curriculum (Financial Law, Civil Law IV and Commercial Law), as agreed their teachers, students will do brief researching works and they will defend it publically on issues not studied in the classroom, but directly related to them, on issues raised by the students themselves. It is intended that these activities are very similar to the FDP that will be carried out immediately.

6.2.2 A concrete example of planning and implementation: Financial Law II (fourth school year of Double Business Administration- Law Grade)

As the lack of space prevents us from explaining the 16 activities programmed in a coordinated manner, we have chosen to explain specifically one. It is the corresponding to the subject of the fourth school-year Financial Law II. We expose it because its implementation has already finished. The file that the teacher in charge has had to fill is copied. It is the same one that the other teachers have had or are filling in (do not forget that at this moment the educational innovation project is still being implemented)

A. Design of the activity

1 General lines: The activity, designed to promote the active and autonomous learning of students and to improve the preparation of the FDP, consisted on the preparation and defense of a collective report by the students of the subject Financial Law II (School of Economics, Spanish and Basque groups) in relation to a research topic related to it. Specifically, students were asked to develop a report about the critical issues of some of the taxes that, due to the absence of time, were not going to be explained in the classroom. The report consisted of the writing by each group (formed by four or five students) of a text with an extension of less than 30 pages in which the relevant legal problems posed by the scholars, the applicable regulations, and jurisprudence should be explained from both, a theoretical and a practical point of view. After the writing of the report, each group had to proceed to its oral defense, arranging for it a maximum of 15 minutes. The criteria for drafting and for the defense were the same as those used for the preparation of the PDFs in Law Faculty.

2 Planning / Time (total of 36 working hours)
   ○ Introduction to research tools provided by the University: explanation of the tools provided by the university in the search of different sources (bibliography, databases, jurisprudence…), bibliographic managers, how to cite… Time: 2 hours of work with the people in charge of the library together with the teacher.
Delivery of the issue: Assignment of the tax that should be studied and explanation of the activity by the teacher. Time: 1 hour of work with the teacher.

Team work: After the first step of delivery, reading and explanation of the activity by the teacher, a period of four weeks was given for the students to carry out the task of identifying the problems, as well as searching for bibliography and jurisprudence that would guide them in the delimitation of the problem and its solutions. Time: 8 hours of autonomous work.

Preliminary report: In this preliminary report, each team picked up the legally relevant problems posed by the studied tax, as well as the different alternatives existing after assessing the regulations, jurisprudence and doctrine. Time: 11 hours of autonomous work.

Work sessions with the teacher. The preliminary reports were reviewed by the teacher, highlighting possible improvements to the report, contrasting different points of view and exchanging information and arguments about the tax. The teacher also reviewed the way to cite doctrine and jurisprudence, and formulated questions triggered to try to channel the preparation of the report by the students. Time: 2 hours of work by each team with the teacher.

Final report: After the conclusion of the working sessions with the teacher, each group made a final report which showed the assimilation capacity of the current regulation, the arguments, opinions and information provided by the doctrine, the jurisprudence and the teacher. Time: 11 hours of autonomous work.

Oral defense of the report before the teacher. Time: 2 hours of preparation of the defense and execution of the defense.

3 Competences of the FDP with which the activity is linked:
- Capacity of critical analysis, interrelation and integration of legal knowledge.
- Oral and written communication.
- Ability of synthesis and exposure, with the use of argumentation and critical reasoning techniques.
- Management of own learning process towards an integral and respectful formation with the democratic values.
- Teamwork.

4 Results/objectives and expected difficulties:
The results/objectives foreseen with the proposed activity were the following.
1. The students select, use and apply correctly the regulations related to the assigned tax and the jurisprudence and doctrine on it.
2. The specific legal problems that arise in the tax in question are identified.
3. Students are able to write a complex legal report using appropriate arguments and language.
4. Doctrine, jurisprudence and other sources are cited properly.
5. Students have managed to work as a team.
6. Clear, synthetic and ordered oral exposure capacity is demonstrated.

The foreseen difficulties were, fundamentally, the need to specify the methodology that the students had to use to make the report, the need to adequately quote the doctrine, to correctly reflect the used jurisprudence, to write the ideas and arguments and to present the report in a clear and synthetic way.

B. Implementation:
The implementation of the activity was carried out during the first semester of the course 2018/2019 in the subject Financial Law II, a compulsory subject of the fourth school year of the Double Degree in Business Administration and Law that is taught in the School of Economics. It is a compulsory subject of 8 ECTS credits distributed in 5.6 credits of Master Classes and 2.4 credits of Classroom Practices, and which has as its object the study of the the legal regime of the financial activity of public entities; its inspiring principles; basic tax concepts for the understanding of the main tributary figures; procedures for the application of taxes and the appeals and claims against the acts of the Treasury;
tax infractions and their consequences; and, finally, the different figures that complete the Spanish tax universe (divided into direct and indirect taxes). Specifically, the implementation began on September 25th, 2018 and ended on December 10th, 2018.

In the first class day with the students of the subject "Financial Law II" the teacher informed about the main contents of the planned activity. The first session of the experience was held on September 25th, 2018, long before the study of the main tax figures in a classroom practice in the library and the computer room. This activity consisted in the presentation of the tools provided by the university in the search of different sources (bibliography, databases, jurisprudence...), bibliographic managers, how to cite...

In second place, the 1st of October the teams of students were assigned with different issues, each of them with a tax that would not be explained by the teacher in a Master Class, specifying the calendar of activities, the competences to be acquired and expected results.

After the first step of delivery, reading and explanation of the activity by the teacher, a period of four weeks (until de 29th of October) was given to students to carry out the task of identifying the problems, as well as searching the bibliography and jurisprudence that will guide them in their delimitation and their solutions. Next, it was proposed to prepare a report that would reflect the legally relevant problems posed by the tax, as well as the different alternatives that exist after assessing the regulations, jurisprudence and. This preliminary report was delivered to the teacher on November 19th, 2018.

During the last week of November 2018 the working sessions of the students with the teacher were celebrated. The delivery of the final report took place on December 7th, 2018 and the oral defenses on December 10th, 2018.

Students presented, initially, certain misgivings towards this methodology, due to its novel nature. Doubts were raised about how to approach the making of a report, how to cite correctly, how to reflect the different positions around the same question, how to incorporate the used jurisprudence and how to expose orally the previously drafted. After the preliminary report and the appropriate explanations about these aspects provided during the sessions with the teacher, these doubts and initial misgivings disappeared, showing a greater interest in the implementation of the activity.

The implementation of the proposed activity evidenced an improvement of students in the capacities of critical analysis and oral and written communication, as well as in the management of their own learning process and teamwork.

7 RESULTS

Although the intervention project in the classroom continues implementing (only 6 teachers have finished their specific activity), it is possible to analyze its results. We do it in the following lines.

First of all, we are happy to say that the intervention project has shown its need. Student’s surveys, confirming our starting hypothesis and basis of the teaching innovation project, have shown that students are very lost when facing the FDP. Students find themselves little or nothing ready to prepare and defend their FDP. Although everyone knows of their existence, they do not know, however, their regulatory norms or the requirements that must be fulfill. We find very serious that students do not associate the FDP with the basic competences of Law Degree and that they do not see any use for it. Questioned on the subject, the lack of maturity of our students also arises (when the FDP intends, among others, that student manages their own learning process towards an integral formation and respectful of democratic values): they do not know the methodology to follow; they understand that supervisor has to mark all the guidelines for its realization (as if he/she were a father or a mother!) and they do not know the topic around which they would like to investigate.

Secondly, we understand the most optimal result of this project, the coordination work carried out among the 16 members (and the same number of subjects) of the teaching team. For the first time in the history of our faculty, a large number of teachers have grouped to alleviate what we believe is one of the main defects of the new curricula: the lack of preparation of students to elaborate and defend their FDP. In order to achieve this goal, we have worked in groups and subgroups sharing concerns, interests and aspirations. We read as a great merit of the project the planning of dynamics by course in order to work on the basic competences of the jurist. Specially should be noted that coordination has not meant a loss of autonomy or independence of each of the teachers involved: we have
organized ourselves in the way of working on the basic competences respecting the peculiarities of each course and subject.

In third place, and paying attention to the great protagonist of the teaching-learning process (the student), the different activities and dynamics implemented have ensured that the student does not approach the FDP as a last isolated obstacle of the jurist's basic competences. We have achieved -as the students have made it known to us - that they identify the work of the jurists and the competences that this requires with the FDP, perceiving this as an authentic practice of future professional work. We especially appreciate the positive evaluations made by the fourth-year students, who are the ones who must immediately configure and defend their FDP.

Finally, as we have stated before, we are aware that the duration of the innovation project (two school years) and its global nature (implementation at the same time in all courses and subjects) prevent its exact final evaluation. Undoubtedly, it would be more appropriate to check the completion and defense of the FDP of the student who has completed the four courses and has been prepared through our action plan in all subjects. Therefore, as we pointed out before, we do not rule out prolonging our educational innovation project.

8 CONCLUSIONS

The teaching innovation project that we have described and that we continue implementing (second semester of the 2018/2019 academic year) has taught many things to the teaching team involved. As required by a critical pedagogical activity, open to debate and improvement, we list them briefly:

1. It is important that teachers meet and organize to face the problems we notice in the teaching-learning process. Union makes force. Also at the University. The project that we have related has its origin in the concern informally shown in different spaces and moments and thanks to the Vice-Rectorate of Innovation, Social Commitment and Cultural Action of our University it has become a formal project of teaching innovation. Our intervention has taught us that the organized work of teachers can contribute to improve our individual work.

2. University student is and must be an active agent in his learning process. As we have done on this occasion, it is important to listen to him and organize improvement actions based on his concerns, needs and wishes.

3. The FDP is a good instrument to work on the basic competences of the jurist, anticipating his/her future professional work. It is, especially, an instrument that serves to mature in the teaching-learning process.

4. Active and autonomous learning is an excellent methodology to work in classroom and outside of it the basic skills of the degree. Obviously, the preparation of tasks and dynamics is essential for this purpose.

ACKNOWLEDGEMENTS

We would like to thank, in the first place, to Vice-Rectorate of Innovation, Social Commitment and Cultural Action of the University of the Basque Country, and especially, to its Educational Advisory Service, the financing of the teaching innovation project that we have related ("Multidisciplinary intervention" in Law Degree to encourage active and autonomous learning aimed at the preparation of the Final Degree Project ").

We also want to remember the 14 professors (in addition of those who have reported the experience) who have intervened in the innovation project, coordinating their teaching, through an active and autonomous learning which consciously works on the basic competences of the jurist (in order to the subjects involved): Arantza Campos (Theory of Law), Esperanza Osaba (Roman Law), Javier García (History of Law), Goizeder Otazua (Introduction to Procedural Law), Maite Uriarte (Administrative Law), Iñigo Iruretagoiena (Law of the European Union and Public International Law), Esteban Arlucea (Constitutional Law), Miren Josune Pérez (Civil Procedural Law), Katixa Etxebarria (Criminal Procedure Law), Enara Garro (Criminal Law), Enea Ispizua (Labor and Social Security Law), Irene Ayala (Private International Law), Gorka Galicia (Civil Law) and José Manuel Martín (Commercial Law).
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[9] With its origin in Harvard University, this pedagogical method has spread throughout the world, being very suitable for the practical analysis of Law. For all, in application to a specific subject (Roman Law), López Güeto, A., “El método del caso aplicado a la enseñanza del derecho romano”, *Docencia y Derecho*, no. 12, 2018.