Learning Law. Reflections on a Methodology for the Theoretical Elaboration of Law for Teaching*

El aprendizaje del Derecho. Reflexiones sobre una metodología de elaboración del Derecho para la docencia

Silvia Díez Sastre**
Universidad Autónoma de Madrid, Madrid, Spain
silvia.diez@uam.es | https://orcid.org/0000-0002-3101-0469

◆

Received: June 12, 2024 | Accepted: July 25, 2024 | Published: July 30, 2024

Abstract: Recent neuroscience studies are changing the usual approach to teaching and learning, also at the university level. In this new context, it is key to reflect on the learning of law and identify which are the conditions which improve this process. This article analyzes how the learning of law should be oriented to the student and proposes an elaboration of law from a methodological perspective which is basically topical, different from the (systematic) perspective employed for its scientific (or academic) elaboration.

Keywords: Learning; teaching; law; pedagogy; methodology.

Resumen: Los estudios recientes en el ámbito de la neurociencia están cambiando la forma habitual de acercarse a la enseñanza y el aprendizaje, también en el ámbito universitario. En este nuevo contexto, es necesario reflexionar sobre el aprendizaje del Derecho determinando cuáles son las condiciones que mejoran este proceso. El presente trabajo analiza cómo el aprendizaje del Derecho debe orientarse hacia el estudiante y propone una elaboración del Derecho desde una perspectiva metodológica fundamentalmente tópica, distinta de la (sistemática) empleada para su elaboración científica (o académica).

Palabras clave: Aprendizaje; enseñanza; Derecho; pedagogía; metodología.

* Translated from Spanish into English by Mariano Vitetta.

** Full Professor of Administrative Law, Universidad Autónoma de Madrid, accredited as University Professor on February 2023. Her research lines focus on the law of public contracts, local law, the law of the administrative organization, the administrative justice, and legal methodology.

1. Introduction

When discussing the learning and teaching of law or of any other discipline at the university level, there is a preliminary debate. The issue is the balancing that must be done at the university teaching level between the postulates of pedagogy and good knowledge of the discipline. In Europe, the Bologna process has placed pedagogy at the center so much that at times it may seem that the means have displaced the ultimate goal of teaching. As a reaction, it has been alleged that adult teaching is different from teaching persons of lower age as their learning is different and what is key is the object of knowledge and its mastery by the teacher (Clavero, 2009, p. 215). Neuroscience shows, however, that the conditions for learning-teaching which go beyond the specific discipline are the key to attain better results. For this reason, the teacher's task is necessarily to understand to some extent the learning experiences of their students and to guide teaching activities based on those experiences (Ramsden, 2003, p. XII).

It is possible to learn without teaching, but studies show that teaching is the best way of promoting learning (Ruiz Martín, 2020, p. 9). And learning and teaching processes can be optimized thanks to the progress of studies made for more than two decades from a psychological and neurological point of view (Ruiz Martín, 2020, p. 10). Neuroeducation (Mind, Brain, and Education, MBE) has taken hold at the academic level to mean the projection of scientific progress on the study of the brain in education (Pallares-Domínguez, 2016, p. 942). This does not mean that only practices backed by scientific evidence are appropriate (Ruiz Martín, 2020, p. 296). The Bologna process and the pedagogy boom may persuade about the importance of practicing certain techniques over others due to the simple fact that educational research has especially focused on some of those techniques. However, this situation does not prevent that the best conditions possible have to be created for learning to occur (Ruiz Martín, 2020, p. 9). Teaching has to focus on offering the appropriate context and experiences for that learning to occur (Ruiz Martín, 2020, p. 251).

In this scenario, this study reflects on the way learning occurs in the student's mind or brain, particularly in the field of law and, with special interest, in the field of public law. The focus is, therefore, on the first of the three classic actions in teaching—instruction, feedback, and assessment (Ruiz Martín, 2020, p. 252). The first part discusses the contemporary positions on learning and how teaching must be oriented toward the student. The second part reflects on how law has been taught and on the learning objectives of the law nowadays, especially from the point of view of contents. The purpose is to make a contribution to the open debate on how to teach law adopting a point of view focused on the selection and design of contents. If legal methodology has focused on the scientific

(or academic) approach to law, the time has come to develop a methodology to approach law in teaching.

2. How Does Learning Take Place?

2.1. From Behaviorism to Neuroeducation

Learning psychology has evolved in recent centuries and decades with the purpose of defining the process whereby we learn (in detail, Mir Djawadi, 2018, pp. 40 *et seq.*). Behaviorism is the oldest theory-developed by the beginning of the 19th century. In accordance with it, learning is simply a change of behavior motivated by a stimulus. So incentives, prizes, and punishments have to be used to promote learning, which is revealed by means of external signs or behavior (Eickelberg, 2017, pp. 8-9).

By the middle of the 20th century, this theory was intensely criticized and ended up being replaced by *cognitivism*. Cognitivism is about the internal processes of learning, which is considered a successful information-elaboration process. The information perceived by means of senses is processed and stored thanks to long-term memory. Criticism against this theory has focused on the absence of nuances in each individual's learning processes. For this reason, cognitivism ended up being replaced by constructivism.

Under constructivism, the person who learns is an active individual who assimilates the information received based on their own prior knowledge and experiences, creating their way of perceiving and interpreting reality. The learning process is subjective. That said, the digital age has made way for a new trend—*connectivism*. Learning is not only perceived as knowledge transfer, but as the construction of contexts in the framework of networks. Networks of information sources are created and special attention is paid to collaborative learning and there is a move from the "Know What" to the "Know Where" (Eickelberg, 2017, p. 13).

Each of these theories can explain an important part of the learning process, even if no theory can explain the entire process (Mir Djawadi, 2018, p. 42). What may be deduced from these theories is that learning does not work automatically; it is not like a photocopier. Knowledge is not transferred directly from the teacher to the student; instead, the student has to rebuild knowledge (Kaulbach and Riecke, 2018, p. 61). For this reason, learning is an individual process which is subject to multiple conditioning factors, to be discussed below. I believe that such a view on the individual nature of learning is important when designing activities to be performed by students; that is, the view must condition teaching, even if the social and collective context may contribute to that learning.

The progress made in the study of physiology and the operation of the brain in recent decades, as well as of cognitive psychology and neuropsychology, has allowed for the development of a branch of knowledge, neuroscience, which is combined with other disciplines and attains major epistemological advance (Blakemore & Frith, 2005, p. 31). Cognitive psychology helps to establish a dialogue between brain sciences and education (Blakemore & Frith, 2005, p. 34). Along those lines, learning may be defined as follows:

> Learning is causing change in a person's long-time memory. It may even be more things, but if that change does not take place, there is no learning. (Luri, 2019)

This idea is important in the current debate on teaching and learning. There is no doubt that the development of skills and competences is important for students. But if there is no change in their long-term memories, if students are not able to assimilate and fix in their brains certain fundamental data and concepts, there will be no learning. That is the reason why when one discusses the importance of understanding contents and skills and competences, it should not be forgotten that those processes are empty and with no future projection if there is no learning.

In line with that approach, combining brain studies and education has resulted in so-called "neuroeducation." This discipline is aimed at taking advantage of knowledge on the brain with the purpose of improving learning. Ultimately, the brain is the machine which allows any kind of learning and, at the same time, is the natural mechanism necessarily limiting that learning. So the purpose is to adapt or transform educational strategies to understand people of different ages and diverse needs, improving their learning (Blakemore & Frith, 2005, p. 21). Next, I will briefly discuss some of the certainties provided by neuroeducation during learning, including caution as to neuromyths and a brief introduction of how we learn, which is the basis for the second part of this article.

2.2. Neuromyths on Learning

The growing interest on the progress in educational research has been accompanied by a proliferation of so-called "educational neuromyths" (Ruiz Martín, 2020, p. 295). The concept of neuromyth was coined in medicine to discuss ideas on the brain which lacked scientific foundation. Subsequently, this notion has been transferred to education with the meaning of misunderstandings or misinterpretations of scientific progress related to neuroscience which have spread in means of communication and which are difficult to uproot (Pallarés-Domínguez, 2016, p. 943). There are tens of neuromyths which have been identified so far (Mora, 2019, p. 147). One of the most widely spread neuromyths is, for example, that we only use 10% of our brain capacity (Pallarés-Domínguez, 2016

p. 946; Ruiz Martín, 2020, pp. 304 *et seq.*; Gamo and Trinidad, 2021, pp. 129 *et seq.*). The basic problem faced by these pseudoscientific ideas is that they may create the false belief that our decisions are based on evidence, when that is actually not the case (Ruiz Martín, 2020, pp. 295-296).

At the university learning level, where students are adults, there might be interest in two of the neuromyths which are most widely spread so far. The first one states that persons learn better if the information is adapted to their preferred learning style (visual, auditory, kinesthetic—by means of gestures or movements—or other). The second is focused on the alleged dominance of a brain hemisphere over the other, which helps to explain some of the differences in learning among students (Mora, 2019, p. 154). The remaining neuromyths are usually about infancy learning or the very physiology and operation of the brain, so they are not directly applicable at the university level. For example, this is true of the neuromyth that environments rich in stimuli improve the brains of preschool children; and the existence of critical periods in infancy based on which it is not possible to learn some things, just to put some examples (Pallarés-Domínguez, 2016 pp. 944 *et seq.*; Ruiz Martín, 2020, pp. 296 *et seq.*).

The neuromyth of the *multiple types of learning* entails believing that people's brains may have some learning mechanisms more developed than others. These mechanisms are usually included in the English acronym VAK (Visual, Auditory, Kinesthetic), without prejudice to other modalities. Several scientific studies have come very near to this claim, which, if confirmed, would allow to develop and adapt teaching methods to optimize learning by each student. The result obtained is the verification that there are no learning styles (Ruiz Martín, 2020, p. 297). For example, the grades obtained by a group of students are the same regardless the type of visual or auditory test used (Ruiz Martín, 2020, p. 297). There are of course many circumstances which may help to improve results, but they are not related to different learning mechanisms for which there is a brain predisposition. Below I will discuss that set of conditions which may help to improve learning.

The second important neuromyth has to do with the existence of a dominant brain hemisphere, which conditions people's learning. This neuromyth is based on the *distribution of functions among the two brain hemispheres*. The left hemisphere would be responsible for logical-analytical reasoning and verbal language, and the right hemisphere would be in charge of visual and spatial perception, creativity, and non-verbal language (Ruiz Martín, 2020, p. 306; Forés, 2021, pp. 61 *et seq.*). Studies conducted on the operation of the brain show that the two hemispheres always work together, regardless of the type of person in question—more emotional and creative or more logical and analytic, depending on a conventional difference which does not necessarily correspond with reality (Ruiz Martín,

2020, p. 307). This would mean that there would be no purpose in conducting activities based on that distinction of brain functions.

2.3. How We Learn Throughout Life

Together with the study of neuromyths, which disprove hypotheses spread in society, neuroeducation is making important contributions to understanding how we learn throughout life—a key matter in a university not only aimed at learning by young people, but also by adults. One of the topics in the analysis of learning has been the impossibility that adults' brains changed, which would entail an impairment of their learning capacity and their memory. However, recent studies are showing the flexibility of the adult's brain, which is capable of generating new neurons and connections, at least in certain regions of the hippocampus. There is no age limit to learning, thanks to brain plasticity (Blakemore & Frith, 2005, pp. 32-34, 213). Moreover, learning is based on prior knowledge (Linaza Iglesias, 2002, p. 107); and only previously-acquired knowledge allows to face new problems successfully (Luri, 2019). Adults who have treasured a significant volume of knowledge are capable of incorporating new knowledge effectively. But the learning capacity is directly related to the use of the brain. It is necessary to exercise that learning capacity continuously not to lose it (Blakemore & Frith, 2005, pp. 223 *et seq.*). The theses as to continuing learning throughout life would be, therefore, consistent with the information provided by neuroscience in the field of education.

Once it is determined that we learn throughout life and that our brain is in a condition to perform this process, the question is how we learn. As to the learning process, neuroscience has determined that it is not possible to establish a single way of learning. If we pay attention to how the brain works, we can see that learning is not the same as reading, doing math, or playing an instrument. In fact, there seems to be a clear dissociation between learning facts and learning motor skills (such as riding a bike or playing the piano) (Blakemore & Frith, 2005, p. 247). Likewise, *episodic memory* of an event in our life and *semantic memory*, which allows us to remember names or dates, are located in different parts of the brain (Blakemore & Frith, 2005, p. 253). And working memory is a system which allows to save and manipulate short-term information. It is a mental blackboard which briefly allows to preserve information in the head (Blakemore & Frith, 2005, p. 248).

This is not about making a detailed explanation of the multiple advances made on how we learn. But the point is to account for the main points of consensus that science seems to have reached nowadays. The result might be surprising as it is not innovative. It is largely connected with prior intuitions which one may have on learning. We learn through memorizing, visualizing, imitating, and to learn we need motivation and even surroundings in which some stress is generated. In the world in which we want to renew and innovate

in the forms of learning (Royo, very critically, 2016), it is shown that the human brain learns just like hundreds and thousands of years ago. Contexts may vary, as well as contents, and there may be suitable learning types in certain contexts. But we learn as we have always learned. I believe that this piece of information is key at a time in which the literature on contemporary pedagogy and the institutional momentum in universities fill teachers as well as students with anxiety in terms of our capacity to innovate and renew educational processes and the need to promote and participate in a new way of learning. Next we will analyze the main features of these ways of learning.

2.3.1. Memorization

A traditional way for humans to learn has been "by heart," by repeating the sounds of words, even if the meaning is not known. The oral transmission of songs, poems, and other literary creations has been recurrent in all cultures, based on the brain's capacity to fix things in memory (Blakemore & Frith, 2005, p. 259). Moreover, for decades teaching has relied on this tool, especially for children's learning, as it seems that this kind of learning changes with age, because the capacity to memorize is lost with the passing of years (Blakemore & Frith, 2005, p. 260).

Currently, rote learning has many critics, as it is understood that rote learning poses a significant obstacle to learning and may affect spontaneity or creativity. At the same time, it is undeniable that memory is key to storing valuable information and that it is essential to make students activate and exercise their memory. With no rote retention of words and essential concepts, it is not possible to build knowledge. It is not possible to think and reason in the vacuum. For that reason, repetition and memorization are basic techniques for learning. Learning a new language is the most evident example of how useful memory is (Blakemore & Frith, 2005, pp. 260 *et seq.*).

Memory and the capacity to store information must be exercised with the purpose that knowledge may be invoked at a certain moment and bring it from memory when necessary (Royo, 2016). Studies conducted show that persons with a large memory are not more intelligent or have a different brain structure; they have simply been able to train (Blakemore & Frith, 2005, p. 266). An important difference between the approach to traditional and contemporary memory is that effective and lasting learning must go beyond filling the brain with information; one has to be able to recover that information when necessary (Blakemore & Frith, 2005, p. 263). This requires that memorization takes place within the appropriate conceptual framework and contributing to the creation of connections between the new information acquired and the previously-acquired information, to help in the fixation of knowledge in the medium and long term.

2.3.2. Visualization

Visualization may be a very useful technique to improve learning beyond memorization (Blakemore & Frith, 2005, p. 263). It has been used commonly since the Middle Ages. Now, visualization poses challenges in terms of trying to learn abstract concepts as opposed to concrete concepts. This is why, in many cases, parallelisms have been searched for abstract concepts in images of concrete concepts—in law, one can think of the representation and conceptualization of the State as a person, with an organic structure.

Currently, the possibilities offered by technology to develop images such as conceptual maps or decision trees and infographics may be a very useful supplementary tool to favor visualization with a view to fostering comprehension and memorization. In fact, in a world where images are increasingly important it would seem that visualization is a technique that cannot be left behind in transferring knowledge and in the learning process.

2.3.3. Imitation

Together with memorization and visualization, imitation is a classic learning strategy, not only in humans, but also in animals (Blakemore & Frith, 2005, p. 272). Actually, for a long time imitation has been considered the teacher's main procedure (Linaza Iglesias, 2002, p. 109). Mirror neurons help us perform this imitation activity, because they can reflect that which they see (Blakemore & Frith, 2005, p. 276). As to university learning, imitation may play a key role in learning research methods, which is beyond the scope of this article.

2.4. Context: Motivation and a Stress Point

One of the most important findings in neuroeducation studies is the evidence of the existence of a direct connection between learning and emotions (Velasco, 2023, p. 58). The reason for that connection is the direct impact of emotions on memory. Anybody can concede that the episodes of one's life that have affected emotions are better remembered than neutral emotions (Blakemore & Frith, 2005, p. 301). That is why predisposition, in the sense of the existence of positive or negative motivation, may be an important element which may condition learning. Along that line, rewards systems seem to cause a positive reaction which improves learning (Blakemore & Frith, 2005, p. 310).

As to university teaching, there are doubts with regards to who is responsible for introducing motivation in learning. In particular, the teacher's role is discussed as a motivator for students. It is understood that this task belongs in other teaching levels. At the university level, where students are adults, the teacher's key responsibility should be to master the subject matter, but not to instill motivation in students (Clavero, 2009, pp. 214-215).

I disagree with this approach, however, to the extent that the teacher, as such, and not as a mere researcher, must be able to foster learning among students in the best possible way. It is not enough to know the subject matter inside out—which is an unwaivable requirement indeed. The university teacher must at least avoid to kill any motivation students may have, whether abundant or scarce. This may happen when the teacher does not have the slightest desire to transmit knowledge to the students or, even worse, when the teacher despises the students' capacity to learn and interest. We all know that it is not the same to listen to one teacher's or another's lecture—not only because of what they know, but how they lecture. Public speaking and rhetoric should be the key component of teachers' training and their teaching performance. Likewise, if necessary, social relationships skills should be promoted, with the purpose of attaining a better connection between teacher and students. However, I do not believe that the goal should be attaining the figure of the excellent teacher, which is oftentimes unrealistic. In that ideal, a teacher should always leave a lasting memory in their students through their personal charisma and disruptive practices; this has been described in the literature (for all, Bain, 2011).

Going back to motivation and the way of inducing it, one has to bear in mind that a stress point may be very useful for the student. Stress triggers a situation of uncertainty and activates attention (Bueno, 2021b, p. 120). Neuroscience shows that optimal learning requires a certain level of stress, but, if excessive, the learning process is impaired. So a determination must be made of the appropriate stress doses. The point is, then, to avoid paralyzing chronic stress and to promote stimulating stress (Bueno, 2021b, p. 115, 120). Assessment is a necessary element for learning because it adds the stress level necessary to foster learning. But attention must be paid to the specific situations of excessive stress which may generate the opposite effect in students, i.e., demotivation, panic, and paralysis in study. In those cases, it is necessary to avoid that teachers promote excessive stress and to facilitate at the same time stress control among students by means of visual images, as emotional images affect the body so much as experiencing them in reality (Blakemore & Frith, 2005, pp. 271-272).

Last, it should be added that moderate stress does not seem adequate to update knowledge already consolidated by students (Bueno, 2021b, p. 121). The way of promoting motivation and a stress point will not be the same among young undergraduate and graduate students than in the case of graduate students with years of professional experience.

2.5. Visible Learning

After discussing the ways of learning and their context from the perspective of neuroeducation, it is appropriate to mention a classic difference as to how students become aware of their own learning process. A distinction is typically made between explicit or implicit learning. This means that sometimes we are aware that we are learning, and sometimes we are not (Blakemore & Frith, 2005, p. 239). Teaching is oftentimes aimed at making procedural or implicit knowledge explicit. Actually, effective teaching may depend on knowing how to identify the moment when rules must be made explicit (Blakemore & Frith, 2005, p. 240).

Along these lines, in recent years authors have been discussing so-called "visible learning" (Hattie, 2012). It looks like learning is more effective when the learning process is made visible by the teacher in a deliberate manner (Hattie, 2012, pp. 9 *et seq.*). An interesting aid for visible learning may be the promotion of the use by students of worksheets helping them to record what they have learned and how they have performed during a class.

Regardless of the students becoming aware of their learning, which seems to be suitable in stages before university training, it is to be highlighted that this trend of visible learning is based on some distorting assertions in my view. It is stated that the most important thing for the teacher, beyond what they do, is to have the capacity to measure the impact of what they do (Hattie, 2012, p. 18). It is also asserted, for example, that:

> The apprentice works with content; the teacher works with the apprentice. Nowadays, the apprentice is the center of the classroom and it is more important to create learning situations than "to lecture" or "to teach." (Cassany, 2021, p. 11.)

I believe that this trend can be detrimental to promoting learning at any level, but especially at the university level. Focusing on the teaching activity and on the student as the axis of learning, downplaying the importance of content, of the daily task of the teacher substantively preparing for class, to focus mainly on teaching techniques has led to a loss of interest about what is taught in favor of how it is taught and the resulting obsolescence of contents at the university level. The second element, how it is taught, cannot exist without the first, what is taught. Moreover, how it is taught must be modulated in light of what one wants students to learn.

In that vein, as will be seen below, I believe it is appropriate to reflect on how contents are explained and on the determination of the very contents in the field of law, as the suitability of what is being taught and the intellectual preparation accompanying that process is necessarily more important than the assessment by the teacher of what the teacher has done.

2.6. Students' Conditions

In the analysis of how we learn, studies have been conducted from the point of view of neuroeducation focused on the student's conditions to improve learning. Learning requires attention and attention is present when curiosity is sparked. Neuroscience reveals that the novelty of a task stimulates frontal lobe blood flow; that flow decreases as the activity becomes known (Forés and Hernández, 2021, p. 52). That attention reaches concentration when emotional inhibition mechanisms are included, ignoring other stimuli. When that moment of concentration is reached, the brain establishes links between the new information and prior knowledge, creating new neural connections and improving learning (Forés and Hernández, 2021, p. 53). This situation usually occurs regularly when the student studies, when the student devotes time to the activity of studying (Mir Djawadi, 2018, p. 53).

If we think of the current schedule of any university student, we can see that in practice students do not have a lot of time to study, because their schedules are full of classes of different types (mostly, lectures and seminars). Even if at the institutional level it is promoted that students be at the center of the learning process and that teachers give them that position, the truth is that nothing has changed with respect to traditional programming, focused on several daily sessions of classes. Maybe the opening of more spaces focused on the study and preparation of activities promoting the reflection on complex problems could better attain those institutional objectives than maintaining the classical system of classrooms packed with students for hours.

Continuing with the discussion of the suitable conditions of a student to improve their learning, it must be stated that a series of factors have been identified which make a higher or lower contribution to the success in learning by the student (identified in the literature in a review article by Schneider & Preckel, 2017, p. 18):

(a) Intelligence and prior successes.

(b) Strategies: regular class attendance improves learning.

(c) Motivation.

(d) Personality.

(e) Context.

Of all of them, those which are considered to be the most important ones are prior knowledge, motivation, and self-regulation strategies (Ruiz Martín, 2020, p. 297). Motivation is a key driver in any kind of learning (Ortiz, 2009, p. 173). In turn, the learning or self-regulation strategies used by each student seem to be more directly related to their success than their personality or context and they are easier to change (Schneider & Preckel, 2017, p. 31). Along this line, the strategic approach of the student to learning seems positive

(Schneider & Preckel, 2017, p. 31). The use of metacognitive techniques may be very useful for students. It helps them observe and analyze which understanding gaps they have in their learning and what they have actually understood (Mir Djawadi, 2018, p. 49).

In this process, one must bear in mind the frequent existence of biases in students' perception of their own performance. In that regard, the presence of the Dunning-Kruger effect has recently been analyzed among Spanish students. This bias is that the less skillful individuals tend to overestimate their knowledge, while the most skillful underestimate their capacity. It has a very important impact on students' performance and their learning, but it may also condition in a major way their professional future. That is why it is advisable for students to be aware of this bias, especially those who are less skillful, as this bias prevents them from making progress and improving in their learning process (in detail, Gómez-Puerta et al., 2019, pp. 769 *et seq.*).

In the students' learning process, the use of new technologies must be supplementary; using technologies is not an end by itself. There may of course be tools that help the student to look for information that is essential for the course. In the case of law, it is essential for a student, for example, to master the search of caselaw on databases. However, many of them find that task problematic, not so much because they are not able to use the computer search tool, but because they lack the knowledge of the basic concepts which will help them in that search (for example, choosing jurisdiction and court of competent jurisdiction; knowing numerical search references, such as ECLI, judgment or appeal number; and identifying the key concepts underlying the decisions they want to find).

Moreover, currently, information and communication are continuing, thanks to digital media. Students are constantly assaulted by information "through specific messages which barely leave room for reflection, slowly killing the possibility, the need to think, to understand, even to read" (Lledó, 2018, p. 17). For this reason, it may be interesting to promote reflexive writing by students, which must be ideally made on paper, writing by hand. Writing on paper promotes prior reflection. It demands filtering what will be written more intensely than when a computer keyboard is used (Kaulbach and Riecke, 2018, p. 65). The development of artificial intelligence tools capable of preparing texts—for example, ChatGPT—demands even more prior training in these skills. Only somebody who knows what they want from those tools may use them truly effectively and efficiently in a professional environment.

2.7. Teaching Conditions

As already explained, neuroscience has been making major progress to better explain how we learn. But we still know very little about what happens in the brain when we teach. Teaching is a capacity inherent in the human species, as compared to other species which only have implicit teaching forms that are not very developed (Blakemore & Frith, 2005, p. 255). For teaching to be effective, the student's previous knowledge must be estimated. The teacher must assume what the student knows or should know to improve learning. Also, the teacher must assess the student's degree of interest and how receptive the student is to learn (Blakemore & Frith, 2005, p. 256).

For this, rhetoric, studied since Antiquity, is key. The art of persuasion must be mastered. The capacity to learn is innate and much more automatic than the capacity to teach. So the research on teaching still has a long way to go (Blakemore & Frith, 2005, p. 257). There are, however, some studies showing that students are capable of reproducing around 20% or 30% of the contents of a 90-minute lecture. The theoretical and abstract presentation of contents usually makes it difficult to pay attention without interruption. Moreover, students do not find problems with the presentation of theory, but with its application in practice. So there may be a point in reflecting on the way of lecturing (Mir Djawadi, 2018, pp. 54-55).

Barak Rosenhine, a professor of Educational Psychology at the University of Illinois, drafted ten guidelines to improve teaching tasks focusing on three sources—research on cognitive psychology centered on how the brain acquires and uses information, research on the practices of excellent teachers, and analysis of tools helping students to develop complex cognitive tasks. It is appropriate to briefly discuss these guidelines (Rosenhine, 2012, p. 12):

1. *Start the class by reviewing what was taught the previous session* for 5-8 minutes (Rosenhine, 2012, p. 13). Empirical studies have found that students who participated in these guided reviews by the teacher got better results than those who did not. Thanks to this review, students fix concepts, establish connections in the material learned automatically and with less effort (this collides with the idea that new knowledge and attention must be sparked at the beginning of each session).

Working memory is very limited (as already explained), so insistence by the teacher on essential concepts and important vocabulary is very useful to foster learning among students. During that review, one can revisit explanations of complex concepts or issues regarding which students fail. Students can also take advantage of that moment to make any questions on the course they may have.

2. *Present contents in a segmented manner, allowing students to familiarize with contents before starting the explanation* (Rosenhine, 2012, pp. 13-14). As stated, our working memory is limited, so it is important to present the information in units which may be assimilated by students. Also, the teacher must make sure that students are understanding the course and should re-explain any topics which have not been clear or which are somehow complex. Along these lines, it is good to use examples to illustrate explanations.

3. *Make many questions and check answers by all students* (Rosenhine, 2012, p. 14). Questions help students connect new knowledge with knowledge already acquired, as well as to put that knowledge in practice. After the questions made, the teacher can assess the degree of understanding by students and explain any further, if needed. With the purpose of motivating students, the teacher can encourage them to say the answer to a classmate; to summarize the answer in one or two phrases; to write their answer in a card to be shown afterwards; to raise their hand if they know the answer; to raise their hand if they agree with the answer given by a classmate. These mechanisms foster the participation of students and the teacher may identify how many students know and understand the course.

4. *Offer models to students* (Rosenhine, 2012, p. 15). Research conducted reveals how useful it is for the teacher to offer examples on how to solve problems, showing the specific steps to be followed and explaining what is the purpose of that way of acting.

5. *Guide students' study* (Rosenhine, 2012, p. 16). The presentation of new study material may prove not to be effective if students do not process it appropriately. Research conducted on this processing shows that students need to devote time beyond classes to reformulate, prepare, and summarize the information to retain that information in the long term. When they have used that information and put it in practice, they are able to use that material to solve problems and relate it to the learning of new information. Posing questions, good questions, may help students in this process.

6. *Check that students are learning the materials* (Rosenhine, 2012, p. 16). Regularly checking that students are learning helps detect any possible understanding mistakes. This checking may be done posing questions to the students throughout the class informally. The purpose is not to assess their performance, but to check whether the lecturing is

being useful. To help in this process, it seems advisable to divide the information in the class in small segments, with the purpose of making progressive checks.

7. *Have a high success rate in the practical activities performed in class* (Rosenhine, 2012, p. 17). Studies conducted so far show that it is important that around 80% of students get good results in in-class activities. If that is not the case, it is possible that students are not learning well and that they introduce errors in their activities.

8. *Provide support tools which help to solve complex problems* (Rosenhine, 2012, p. 18). A good practice by teachers is to provide students with tools, such as diagrams or decision trees, which help them when faced with complex problems. Then, as students make progress, they can stop using these tools.

9. *Demand and assess autonomous learning by students,* which entails that students must do activities on their own, autonomously, beyond the class (Rosenhine, 2012, p. 19).

10. *Propose weekly and monthly tasks to students* (Rosenhine, 2012, p. 19), with the purpose of attaining learning in the long term.

Together with these guidelines, it must be said that, just like what happened with students, there seem to be teaching conditions which contribute to attaining better learning (also identified in the literature in a review article by Schneider & Preckel, 2017, p. 18). These conditions can be focused on the following:

(a) Interact socially. On this point, the teacher is key. The teacher must invite students to make questions, as well as open the floor for debate. In connection with this, the teacher must pay attention to their students' mood, which will be decisive in the necessary motivation to promote learning (Ortiz, 2009, p. 175). The questions on the why of things promote learning way better than questions on data (Schneider & Preckel, 2017, p. 24).

(b) Stimulate learning. Conceptual maps may be useful in this task, so that the student may make connections among contents. The search of examples related with students' experience can also be promoted (Schneider & Preckel, 2017, p. 24). To stimulate learning, it seems key that the teacher creates positive motivation, by using positive language with them, avoiding any kind of ironic, sarcastic, or derogatory language. A stressful, tense, threatening environment makes both learning and teaching difficult (Ortiz, 2009, p. 178).

(c) Assess, present, and use technologies. Teachers must use assessment tools introducing major motivation in the learning process and the stress point referred to above. Moreover, it is required that the teacher is responsible for presenting the main contents of the course to a greater or lesser extent. Along those lines, it is worth avoiding that the contents of the course be excessive and that they result in that the student merely stores those contents (Linaza Iglesias, 2002, p. 110). The role of new technologies in these processes is ancillary. A good use of technologies may help the teacher transmit knowledge, prepare it in a visual and graphic way, and make available to students readings whose access may be difficult for each student individually. However, new technologies themselves do not guarantee at all that learning takes place in a better way. Technologies must be a support for the teacher, but continuing harassment with regards to them should be avoided (Royo, 2016).

As to these conditions, I believe the teacher's empathy to students is very important. They value this empathy very positively, helping to improve the learning process. We teachers are increasingly older, but students, at the undergraduate or graduate levels, generally are "forever" young. At times this creates a gap, not only in terms of generations, but also of knowledge. The normal thing is for the teacher to widen their knowledge on the discipline they teach, but students always start at the same point. For this reason, teachers must exercise empathy with students, in terms of what they know or do not know and what they should know, as well as regarding their difficulties to learn certain concepts or contents. The same happens with the perception of the workload imposed on students. Teachers do not always calculate how much doing an activity in class will take. For that purpose, surveying students during the course may be very useful.

3. Learning Law

3.1. Legal Materials

The reflections made so far focus on learning in the abstract, without any reference to a specific discipline. But choosing ways of learning and teaching is directly related to the object of knowledge. As explained, it is not the same to learn a language, to play a sport, or to master an abstract discipline. As will be seen below, the formalized study of law in universities is connected since the 12th century to authoritative texts, which must be interpreted and applied in each specific case (Gordley, 2013, pp. 32 *et seq.*).

If analyzed from a historical perspective, one can see that only since very recent times—in particular, since the 18th century—one's own national law is studied, in the vernacular language, as opposed to the previous tradition which focused on the study of Roman law, as condensed in the *Corpus Iuris Civilis* and canon law (Rayón Ballesteros, 2010, p. 220; Beck Varela, 2012, p. 90). During the Ancient Regime, jurists modeled the legal materials made up by texts, opinions, and topical reasons (Llamosas and Beck Varela, 2021).

To the extent that legal studies are mainly aimed at preparing graduates to practice a legal profession, there is usually a reference to national law (Eisenmann, 2003, p. 60). Only in some graduate studies and, of course, in a doctorate is there room to study other legal traditions and systems. Integration processes, as is the case of the law of the European Union, demand analyzing one's own law based on supranational institutions and the community of Member States affected by that law opens up a very wide field with an intense pedagogical capacity to analyze the same legal problems from different points of view. For that reason, the law cannot be considered only the law of one's own state, neither at undergraduate or graduate levels. It is key to provide students with tools to operate in a context of necessary internationalization. In the case of Spanish law, in addition, there has been a procedure to open up to foreign laws—especially in France, Italy, and Germany—, which must also be reflected in the learning and teaching of law. A wide perspective in selecting legal materials widens the students' view and their relationship with the legal phenomenon, accounting for its social, economic, and cultural relevance.

Moreover, in determining the legal materials which must be studied one has to bear in mind what the status is of the permanent debate about what the law says. Nowadays, the lawmaker does not feel bound by categories created by scholars and European law exceeds national traditions, functionalizing law and its main concepts. So the value of scholarship must be redefined. In addition, courts increasingly introduce new principles and constructions which entail instances of clear legal innovation, beyond the consideration of precedents and cases as sources of law. And it is customary that several soft law instruments appear which entail a key interpretive parameter for legal rules. This means that law has to be taught increasingly considering and transmitting to students that wider and very changing legal material (Pérez Lledó, 2002, p. 201). That piece of information is key when determining what and how much is taught. Next, we will discuss the learning of the law, both from a historical and contemporary perspective.

3.2. How Has Law Been Learned?

The analysis of the evolution of the Western legal methodology accounts for how changes in the preparation and application of the law—which we now frame within applicative and academic methodology (Rodríguez de Santiago, 2016, pp. 11 *et seq.*; Díez Sastre, 2018, pp. 31 *et seq.*)—have usually had a direct impact on the method for teaching and learning the law (Gordley, 2013, pp. 32, 119). Moreover, at the origin of the Western legal tradition, science, legal knowledge, came from the teaching methods used at universities (Berman, 1983, p. 142). So there was an essential relationship between teaching and what we now call research. This correlation between research method and teaching method seems to have been maintained until recently, conditioning the way in which the law is learned. In the following pages there is a brief review of the way in which law has been taught throughout history, with the purpose of deriving useful reflections on how law is learned nowadays.

The development of new technologies and the progress made by neuroscience projected on education which have been mentioned above may give the impression that we are now faced with a blank page as to the way in which teaching and learning take place. However, there is a long tradition of studies, which does not seem to have failed, if one considers the scientific progress made by humanity. So the analysis of the good learning of the law cannot deviate attention from a seemingly simple matter—how has law been learned? If we must design the best way of learning law and, therefore, of teaching it, in my view it is key that we are familiar with the evolution of the Western tradition in law teaching. This way, it can be related to the scientific development of law and to its own formation as a field of knowledge or science. With that purpose, one has to ask which are the reference frameworks and the premises on which the study of the law rests. This could lead to a critical analysis based on the pedagogical power of the method used nowadays and which is able to recognize the virtues of a method used by prior and current generation of jurists. In connection with this, I believe it is important to remember this idea: "Not everything that is novel is necessarily good" (Luri, 2019).

Below I will make a brief review of multiple phases in the elaboration of law, considering teaching methods. The purpose is not at all erudite, nor is it based on a desire for exhaustiveness. Conversely, the purpose is to find, if possible, a line of explanation of the learning of law and its theoretical elaboration for these purposes:

(a) The *ius civile* Roman jurists identified and refined a group of concepts to explain a wide and varied experience, for example, fault, possession, ownership, or purchase. However, they were not interested in the theoretical or abstract definition of these concepts. They used the concepts all the time, testing them in different practice scenarios. To favor the learning of law, they created lists and observed the reality

with the purpose of identifying regularities which would allow them to formulate rules, but not to find abstract principles in the Aristotelian sense (Gordley, 2013, pp. 8-15). Law was not learned in any kind of institution, but accompanying an expert jurist, until in the 2nd century the first public law schools emerged (García Garrido & Eugenio, 1988, p. 41).

(b) With the precedent of the teaching of Roman law, in the first half of the 12th century there was a big legal revolution. The academic law programs take form thanks to the renewed study of the *Corpus Iuris Civilis* and canon law as enshrined in the *Decretum Gratiani* of 1140, which forms the so-called ius commune or utrumque ius (Clavero, 1994, p. 21). The study of this law, in Latin, extends until the 18th century and is connected with a major consistency in the curricula of the law schools (Beck Varela, 2012, pp. 82, 88). From the 12th century onwards, Bologna stood out as the university of reference in legal studies, whose greatest exponents were Irnerius and his disciples. Together with theology and medicine, law is part of the superior disciplines, without prejudice to the introductory importance of the seven liberal arts which made up the *trivium* (grammar, rhetoric, and dialectics) and the *quadrivium* (arithmetic, music, geometry, and astronomy) (Beck Varela, 2012, p. 83). The texts to be studied were fixed in a compulsory schedule, which determined the fragments to be read and the maximum time allotted to each of them (Beck Varela, 2012, p. 88). Additionally, students could choose their teachers (García Garrido & Eugenio, 1988, p. 58).

The method to study legal rules used by glossators is especially interesting (Berman, 1983, pp. 140-141; Gordley, 2013, p. 29). That method may be considered to include the seed of major legal-interpretation rules which will be formally expressed further down the road. In particular, the glossators' method included several phases and was revealed in the lectures given at the university. This method was virtually intact for many centuries (Brockliss, 1999, p. 608). However, we need to highlight the importance of orality in the period before the emergence of the press and how difficult it was for students to access written texts (Beck Varela, 2012, p. 88). The phases in the method were the following:

— *Casus*: summary of the text.

— *Littera*: reading and editing the language of the text, so that students would make any relevant corrections. An exegetical, word-for-word analysis was made (García y García, 1994, p. 446). It was customary for teachers to dictate and for students to take notes (Müller, 1999, p. 367).

— *Glossa*: explanation of the text and its word-for-word interpretation. Those explanations were introduced on the margins of the text and were the so-called glosses, which could be of different types: summaries of the content of the text read (*notabilia*), enunciation of maxims or general rules based on the text read (*brocardica*), and classifications of a concept in different classes or species (*distinctiones*), based on parallelisms and the search for differences.

— *Quaestiones*: questions or similar problems were posed with the purpose of applying the rule and determining its scope.

— *Disputatio*: with the purpose of supplementing the problems that cropped up during the lectures that went unsolved, this session was developed, in which there was a discussion among students or between students and the teacher on a specific matter of law, usually during the afternoons (Beck Varela, 2012, p. 88; Alonso Romero, 2012, p. 404). No real factual scenarios were analyzed (García y García, 1994, p. 452). All students were required to have taken part in several debates to graduate (Müller, 1999, p. 368).

— *Repetitio*: after the implementation of the techniques explained, afternoon sessions were introduced to explain the texts read in the ordinary sessions in more detail (Beck Varela, 2012, p. 88).

The purpose of this method was to solve all the cases proposed by referring to the *Corpus Iuris Civilis*, making connections among all the texts and considering the lawmaker's intent (García y García, 1994, p. 446). It is important to highlight that the purpose never was to encourage rote learning or the accumulation of knowledge. Moreover, teaching was not supposed to involve a systematic and complete exposition of the applicable law. The learning of argumentative materials and techniques that would solve conflicts in accordance with the law was encouraged. The basis was not axioms, but probable opinions which were explained in a dialogue (Alonso Romero, 2010, p. 109; also, 2012, p. 402). As a result of the teachers' work in this direction, handbooks were prepared containing a systematic description of cases, which the canonists subsequently improved (García y García, 1994, p. 453). Moreover, they prepared *summae*, systematic expositions of titles or books, which were monographs discussing a legal institution and *consilia*, reports for specific cases (Clavero, 1994, p. 22).

(c) The work of glossators was subsequently developed by "commentators," who interpreted texts more freely and applied them mostly to the problems that appeared at that time (Clavero, 1994, p. 22). Their method is to analyze legal texts dialectically, under the influence of the recovery of Aristotle's work, even if their method included failures due to lack of philology and history studies, which made

it hard to truly understand the texts (García y García, 1994, p. 447). The main representatives are Italian, Bartolus de Saxoferrato and Baldus de Ubaldis, and that is why this current is called *mos italicus*. In this phase of the development of the law, the importance of authoritative texts solidified; these were legal texts to support the resolution of cases (Gordley, 2013, p. 32). The method focuses on the application of old texts to new problems, using a systematic interpretation which allows to provide the law with some unity by means of the use of the thesis and antithesis characteristic of dialectics (Müller, 1999, p. 366). The main techniques were generalization, distinction, and analogy. No abstract concepts or principles were used, but some order connecting the multiple texts (Gordley, 2013, p. 33). While the gloss had developed in a prior stage, the genre of this activity was the treatise, which addresses a specific topic exhaustively or a comment of a complete collection of laws (García y García, 1994, p. 447). Teaching is kept stable, by means of the same methods. Faced with an uncertain law, the search of solutions by students is promoted, reasoning which are the most convincing ones (Alonso Romero, 2012, p. 403).

(d) A further step in the development of the law takes place thanks to the legal humanists who projected the study of history and philology on the law; there is a reason why the 16th century was the century of study of philology at university (Frijhoff, 1999, p. 46). Its main representative was French, Jacques Cujas, together with the Italian Andreas Alciatus, and that is why this current is known as mos gallicus. They did not believe that Roman law was in force; they just considered it an object of historical and philological research (García y García, 1994, p. 448). The research method changes, as the purpose is now to teach the legal text explaining its meaning in a philological context (Gordley, 2013, p. 119).

(e) In the 16th century, law becomes systematic in its structure, based on general principles. This came about thanks to the work of Francisco de Vitoria's late Scholasticism or the School of Salamanca, which synthesized Roman law and the moral philosophy of Aristotle and Thomas Aquinas within the framework of the Counter-Reformation. (Rayón Ballesteros, 2010, p. 218; Gordley, 2013, p. 21). For the first time, Roman law and canon law are reconstructed based on different legal environments and not based on the commentary of texts. There is a distinction, then, between ownership, unjust enrichment, delicts, and contracts. Each area develops general principles which can explain the law, providing a doctrinal structure to private law (Gordley, 2013, p. 85). The teaching methods were kept stable in this phase, following the structure explained above. The abstract formulation of the law did not displace the scholastic method of

dialectic argumentation based on a projection of the problems which occurred in the reality (Alonso Romero, 2012, p. 408). Even if the press already allowed to access books, it was still commonplace that teachers would read and students would take notes (Müller, 1999, p. 367).

(f) In the subsequent centuries, rationalism, codification, German conceptualism, and positivism exerted a direct influence over teaching methods and the changes in legal materials. By the end of the 17th century, due to the influence of rationalism, law teaching deviated from the Scholastic method and focused on the transmission of brief treatises for memorization. Knowledge is presented theoretically, without any reference to problems, so that the student would receive that knowledge passively (Alonso Romero, 2012, p. 409). Starting in the 18th century, discussion with students at the end of lectures seems to fade away, which coincides with the publication of handbooks to follow the course (Rayón Ballesteros, 2010, p. 221). The purpose is to facilitate students' work and elevate their performance. "Dialectics ended up outside ordinary lectures and restricted to disputes and exercises in academies, while the purpose of ordinary lectures was progressively aimed at the mere transmission of knowledge that the teacher extracted from certain sources and books, and the student had to memorize" (Alonso Romero, 2012, p. 412). In addition, seminars are introduced, which are connected with the new research activity. Lectures (master classes whose parts have been described above in the tradition of glossators) allowed for transferring uncontroversial topics of the discipline to students with no prior knowledge on the topic. Seminars, conversely, allowed the teacher to present their contributions to the development of the discipline to a selected group of disciples (Brockliss, 1999, p. 611).

3.3. Brief Critical Reflection

The evolution in law teaching explained above may lead to several conclusions. The most evident conclusion is that teachers have tended to certain self-complacency and comfort when they have generally thought that no changes in the teaching method were needed, only focusing on periodical reforms in the curricula (for proof of that, *see* Entrena Cuesta, 1987, p. 23). One also has to take into account the importance of the figure of the practicing attorney as the ideal of jurist to be trained at universities (examples appear in Witker, 1975, pp. 79 *et seq.*; also in Peña, 2017, pp. 19 *et seq.*).

At another level, it can be concluded that the more abstract the elaboration of law, lower emphasis will be put on its dialectic learning and the higher tendency there will be to showcase law as a complete system, made up by concepts, categories, institutions, and principles that the student must know, promoting rote learning and losing the educational

aspect (in that sense, on university learning in general, *see* Giner de los Ríos, 2002, p. 27). As to positive law, the study of texts is replaced by the study of the doctrinal constructions which help to know that very same law and give order to it. From "educational" teaching, aimed at the acquisition of skills and the mastery of argumentation, there is a move to "instructive" teaching, aimed at transmitting pre-established solutions, to the mere application of the legislative piece of information. This is how teaching methods based on discussion made way to exposition, with handbooks as support for study (Alonso Romero, 2012, p. 425).

In this evolution there is, of course, the struggle over determining who says the law —but that problem exceeds the purpose of these lines. At times, the result is losing contact with reality. In fact, there is, probably because of this, a gap between theoretical (dogmatic) elaboration of law, which is doctrinal, and its implementation both by the government and by the courts. Students are expected to have an increasing abstraction capacity. A system is presented which has been prepared based on induction and deduction, but that process is rarely shown or explained. The result is directly shown. Maybe this process has forgotten about the purpose of the teaching method, on the one hand, and of the intellectual elaboration of law, on the other.

Currently, just like the press entails a transcendental change in the way of learning with handbooks, followed by the systematic order of law, new technologies mean a change in the way knowledge is transmitted which has an impact on the education of jurists. Complete texts are no longer read and fragmented materials found online are used. In turn, law, increasingly complex and changing, is revealed as a plural universe, in which it is difficult to find guidance. In that context, it is necessary to determine what the orientation of teaching should be. In this respect, I believe we need to insist more on the importance of reading—there is no better way of learning—, as well as on the systematic elements of law, and stop presenting law as a closed and complete system, which has nothing to do with contemporary law—or, likely, with any preexisting law. This leads to the next question regarding the learning of law, which is about both the object and the amount.

3.4. What and How Much Should Be Learned?

At the basis of contemporary debates on teaching innovation, one has to answer what and how much must be learned at law schools, especially at the undergraduate level. There is no doubt that the main purpose of the work done at law schools is to awaken the intellectual curiosity about law, to make the student interested in law (Font i Llovet, 2000, p. 261). But in addition to this general purpose, we need to identify the specific learning objectives in each course. In the case of law, it could be easily agreed that it is not possible to make a complete exposition of the rules in force nowadays (Pérez Lledó, 2002, p. 201).

It is also not desirable to do so. The current rules will not be in force tomorrow. What is important is not to know all the rules, or their content, but to be able to understand their meaning and transcendence in a wider context, that of a complex multi-level legal order, applying the legal techniques established for their interpretation and application.

The Bologna process tried to identify the skills that must be addressed by university degrees. However, the analysis of its application reveals that in most cases long cumulative lists have been made of any kind of learning objectives, many of which are simply declarative knowledge. The legal obligations to determine skills have been complied with, but there has not been a real impact on the curriculum. Skills are about a combination of resources, a specific way of "presenting, reasoning, and acting in light of problems and solutions." This is not, then, a quantitative, but a qualitative issue (Paricio Royo, 2015, pp. 65-66).

At the same time, there is a tendency for teachers to say that they do not have enough time to teach the complete syllabus. This is true regardless of the discipline (for example, in criminal law, Quintero Olivares, 2010, pp. 101 *et seq.*). It seems that there is in the shared world of law teachers of a given discipline a detailed list of contents that every jurist should know, based on tradition and the relevant handbooks. If a student does not receive all the information from that syllabus, the student will not be adequately and sufficiently trained. But we need to question the suitability of what we teach in each course and how much we teach. Is there an unnecessary exposition of a wide gamut of rules in force? Are the main concepts of the discipline adequately explained? Are sufficient examples offered? I believe that in each case answers must be provided.

But for orientation, maybe we could agree on the objectives of a student who wants to learn law: to understand the basic concepts, which are the pieces articulating that branch of knowledge, and which are used in the legal rules; to learn legal language, just like one learns a new language; to analyze the rules and concepts learned critically; and to be able to reason in law, i.e., to search for solutions to problems applying legal logic and sense. In the case of the law, one should prioritize the long list of general and specific skills which are usually included in undergraduate degrees and focus on the most important skills.

3.4.1. Understanding Legal Concepts

The neuroscientific evidence that we learn supporting new knowledge on previously-acquired knowledge must be the basis to decide how new knowledge is instilled in students. This means that the legal concepts of the different disciplines should be taught to students progressively and trying to connect the new concepts with the old ones. This approach is based on the need for students to be able to learn legal theory (Heidebach, 2018, p. 312). The concepts created in the theoretical tradition help the student to understand the

sense of rules. In addition, to the extent that the lawmaker continues operating in that conceptual framework, they will always help the student interpret the sense of future rules.

Learning well-selected concepts and their use in good examples of positive law must be enough to legally structure the thinking of students. One does not have to study obsolete matters—the typical example is emphyteusis—, and also one does not have to study rules which change all the time (Pérez Lledó, 2002, p. 213). If our selection of the contents taught is not careful, it will not be possible to make room for key courses in the future, as could be the case of courses related to digitalization or climate change. Moreover, in this respect, it must be stated that legal concepts should be explained from a transversal perspective, by reference not only to their static definition, but to the underlying legal logics. This is true, for example, of liability issues, which may be transversal in more than one legal discipline (Farnsworth, 2020, p. 14).

At this point, we must make a reference to the problems entailed by bad theory, as it may transfer to students some nominal and scholarly debates and discussions which sometimes have no practical and many times not even (truly) theoretical importance. Students' minds are filled with data of authors and debates which are not always useful, and that is not always helping them to better understand law (Pérez Lledó, 2002, p. 208). It is usually the other way around—this type of information makes it more difficult for them to understand the reality.

> This is the case, for example, of the discussion between the objective and subjective concept of the Administration, when we know that nowadays the concept of Administration has been overcome by that of public sector as a result of an intense Europeanization process. And, also, it is the lawmaker who defines the contours of its scope of application on a case-by-case basis and in light of the purposes. (For all, Esteve Pardo, 2012.)

Abstract thinking has been vilified, and this is something university teachers lament (Quintero Olivares, 2010, p. 29). But maybe the problem lies in the incapacity to show how extremely useful abstract thinking is to solve legal problems and to understand law. The person who already knows the law is able to reason from the abstract to the concrete. But the person who does not know the law finds that operation more difficult. So it is likely that it is easier to learn law based on the concrete and then to elevate to the abstract, to then return to the concrete, than performing the inverse operation. In that respect, it must be highlighted that the discipline is usually taught bottom-down, to then test it with examples. The structure followed is that of legal subsumption, which is believed to be the

purest form of legal reasoning. But that method, which is useful to apply the law, is not a method which has proven to be especially effective in pedagogical terms.

At that level, it could be more effective to proceed the other way around, to show the concrete reality to the student by means of cases (Heidebach, 2018, p. 297) to then check that reality against the abstract construction that tries to explain and comprehend it. That is the only way to explain how legal reasoning takes place. The construction of useful legal theories is necessarily based on the reality they try to order, simplify, explain, not the other way around. In this sense, the inductive method could be very interesting to foster learning from the perspective of neuroscience. Induction is based on cognitive processes which are fundamental for learning, such as metacognition, the incorporation of context, social aspects, and reflectiveness (Bueno, 2021a, p. 70). The wider the neuronal network supporting learning, as it connects more brain areas, the better that knowledge is remembered and the more that knowledge is effectively used. Likewise, the aware recovery of prior knowledge helps implement the new knowledge and favors the possibility of correcting previous mistakes. In addition, induction poses the sensation of challenge, which may be positive to instill a feeling of motivation and reward (Bueno, 2021a, pp. 70-71).

The use of cognitive strategies may help students learn better. This is how techniques can be used to elaborate and reduce the information. The purpose of elaboration techniques is that the student puts the information in a wider context, so as to connect the new information with prior knowledge, expanding the capacity to understand. Reduction techniques have the opposite purpose. They seek to reduce information to the minimum, to the essential content, for better understanding and easier memorization. Both techniques may be used simultaneously. For example, by way of conceptual maps, elaborating the information and placing it in a wider context, but reducing the information to key concepts (Mir Djawadi, 2018, pp. 47-48).

Understanding legal concepts goes way beyond their pure memorization at a given time or their plain memorization, without an own, living, and dynamic meaning allowing to work with that concept to solve legal problems. By the way, I am avoiding to include here the idea of system and of learning of the system as a very purpose of legal learning. I believe that the 19th-century idea of the legal system has conveyed a message of complete consistency between private law and public law which has distorted that public law and prevented it from developing in accordance with the interests it protects and, specifically, the general interest. Moreover, it has transmitted the idea that the discovery of law does not correspond with reality; it is based on the need to elaborate good and solid arguments to find acceptable solutions to complex legal problems.

3.4.2. Learning the Legal Language

The basis to learn the law is to know the legal rules. One can only appreciate the legal relevance of phenomena occurring in the reality if one is aware of their transcendence for the law. This supposes the capacity to know the rules in force and their sense. For that purpose, it is key for the student to learn the legal language. Being part of any of the legal professions requires mastering the language of the law (Salomón Sancho, 2006, p. 5). Legal language must be learned from a practical point of view, but also theoretically. From the first perspective, one must insist on legal collocations. Legal language is essential to write, but also to speak and to be able to express legal ideas with some degree of complexity. In connection with this, it seems essential that students become familiar with legal language by participating in classes with the teacher. For these purposes it may also be interesting to take oral examinations, which require students to express themselves with fluency on the relevant topics. Repetition can be very useful to make students, by imitation and by heart, learn to use legal language appropriately.

Moreover, from the theoretical point of view, it has to be considered that in any language legal language is a language in and of itself, which must be learned and mastered with correctness. Words are especially relevant in law. Students must be sensitive to this relevance, which will be determinant to analyze legal texts, such as a law or a contract, whatever the legal profession they practice in the future.

3.4.3. Reasoning in Law: A Return to Topics?

Learning legal language and legal concepts must be instrumental for the ultimate purpose that must be sought in law schools, i.e., that students learn to reason in law (Palao, 2002, p. 134). In the open debate in the 1950s around law teaching by some law teachers in Spain, there was controversy about the very content of legal studies and their ultimate purpose. Vallet de Goytisolo rightly said that “In law school, the main purpose is to provide future graduates with true legal sense” (1953, p. 153). Afterwards, he considered that such a purpose is better attained studying Roman law instead of contemporary laws, which is something that could be hardly claimed today and which may have to do with the lack of democratic legitimacy of law when the author was writing. But the idea of legal meaning summarizes well something that is hidden behind the idea of understanding the legal logic or learning to think in law and which introduces a basic element of critical thinking in university training.

Empirical studies made on the effectiveness of learning show that the more complex a discipline, the more ineffective rote learning is. Conversely, participation of students in the contribution of reflections and dialogue, providing solutions, better favors the assimilation

of contents (Bueno, 2021a, p. 73). Induction, the promotion of searching for solutions by students, can be a good way of promoting their learning (Finkel, 2000, pp. 82-83). The culture of *legal reasoning* can be very useful in this sense. Legal argumentation is one of the key skills to acquire this legal sense. However, it is the great forgotten element in a conceptual system based on subsumption, which is fed with the French Revolution ideals. Law teaching at law schools remains very formal. It transmits directly and indirectly a vision of law as a complete and closed system, whose solutions must be sought based on a series of technical-legal operations (Pérez Lledó, 2002, p. 205). It is very likely that we teachers of the civil law tradition are very biased due to our way of understanding the law from a researcher point of view. But students have to be trained as jurists, not as law teachers or researchers. Therefore, it is not possible that the way of presenting the discipline is not consistent with what the students need to learn to reason in law. It could be that topics is a better way of inducing the initial learning of the law than the idea of system and concepts.

Until the 18th century, law was taught with books of topics and legal maxims, as explained above. Only the later conceptualization and systematization of the law has led to a different way of understanding law which resulted in considering this branch of knowledge "legal science." But we need to ask whether that theoretical elaboration, which remains useful in my view to understand and explain law, is likewise useful to teach law. Maybe it is easier to understand abstract theoretical constructions based on practical, problem-solving examples. In fact, many of the most recent public-law creations can be considered topics, as is the case of balancing and of the principle of proportionality. They help to solve cases from different points of view. Maybe topics is chiefly useful to help explain and reason in law.

Topics—understood in an Aristotelian sense—indicate where the solution to a problem must be found. They have heuristic value, they help understand the solution to a problem, and to find guidance in the legal system (Díez Sastre, 2020). The lawmaker is no longer submitted to legal theory, just like courts are not, especially the Court of Justice of the European Union. This way, the concepts developed for decades or even centuries no longer have the capacity to explain the law in force nowadays—think, for example, of the extension of the concept of administrative act to the activities of public commercial entities under Spanish public contracting legislation. For that reason, it is possible that the search of the core points of contemporary legal reasoning is better conducted based on the analysis of cases, which help search for the internal logic of that law.

3.5. Multidisciplinary Approach

The discussion so far must necessarily end with a reference to a multidisciplinary approach. The inter- and multidisciplinary approach of the law is a current that started in the United States and has extended nowadays through Europe (Beltrán Pedreira, 2002, p. 176). Law no longer explains itself by self-reference, based on its authority and in an autopoietic manner, from an internal and dogmatic perspective; instead, law must incorporate an external perspective, which is analytical and causal, deriving from other disciplines, such as psychology or economy (Paz-Ares, 2020, p. II). There are increasingly more studies based on an economic, empirical, or behavioral perspective, which entail a better knowledge of all the dimensions of law and which open the door for jurists not only to apply the law, but also to be concerned with the suitability of existing law.

In the middle of the last century, a young García de Enterría sparked a debate on this issue. He remarked that in the 19th century, the typical forms of the liberal jurist had been attorneys and judges, because law was basically aimed at guaranteeing the concurrence of diverse individuals' interests (García de Enterría, 1952, p. 144). But after the move to an interventionist State, offering services to the citizens, law becomes an instrument of social conformation and the State jurist comes to occupy a preeminent place. That transformation of the State and of the law, which affects the type of jurist required by the society at any given time, had not been accompanied, in the eyes of García de Enterría, by a change in the curricula. Even if only 20% of the students became practicing attorneys, the curriculum was still aimed at training mostly attorneys. More private law than administrative law was being taught, insisting on formal constructions created with the classic method and training jurists "without a sense of State" (García de Enterría, 1952, pp. 145-147).

García de Enterría further stated that law schools were thus limited to the courses typical of classic legal academicism which did not exist anymore, waiving the explanation of the reality of the State. And Schools of Political Science are created, leaving administrative law studies orphaned of reality (García de Enterría, 1952, p. 147). The clash between the view of law held by private law scholars—with a basically individual foundation—and public law scholars—focusing on the common good—is also confirmed by Garrido Falla (1952, p. 289).

In the open debate, the dichotomous opposition made by García de Enterría between types of State and types of jurists was questioned (Alonso García, 1964, p. 12) as well as the possible elimination of the necessary separation between society and State. It is considered reductionist to understand that the law of the dogmatic method be pure "logic or aesthetics" or that liberal law must be vilified, as held by García de Enterría (Vallet de Goytisolo, 1953, p. 152; along the same line, Guasp, 1953, pp. 287 *et seq.*).

From the point of view of law teaching and its necessary connection with other disciplines, Alonso García believes that "bizantinism in the study of unused concepts" must be dropped for good (1964, p. 13). And Vallet de Goytisolo recognizes that law schools should make more room for the study of economy and sociology and that a General Part of Law should be created, to study the key institutions for the multiple branches of law, such as personality, capacity, juridical act, subjective right, juridical person, etc. And he also proposed dividing legal studies into two phases (Vallet de Goytisolo, 1953, p. 149, 152):

— Institutions: offering a big picture of the law as a whole.

— *Pandectas*: helping to interpret, research, and react to legal texts, educating the legal sense.

Conversely, Guasp believed that moving the study of certain knowledge to the schools of political sciences and economic sciences is right, as it relieves the law of the burden of teaching tangential problems, focusing on their fundamental topics (Guasp, 1953, p. 293).

Even if the debate would be situated at a moment that seems very distant now, there still is a problem in how modern jurists are trained, who are still being trained following the concepts of classic private law. That is why problems have been identified in connection with the learning of a Europeanized and constitutionalized system of sources, as opposed to the classic sources of the Spanish Civil Code (article 1.1); or the conception of ownership in the civil law, oftentimes without regard for the social function guaranteed in the constitution (article 33.3, 1978 Spanish Constitution).

The key problem today is the major inconsistency between what we expect from the jurist nowadays and the training received. We are teaching with the same categories of the 19th century, but we need a multidisciplinary approach.

> If researchers are not widening the limits of knowledge in their disciplines or if they betray truth to satisfy other objectives (such as amassing wealth or promoting an ideology), then they are not good researchers. If teachers are not transmitting to their students a richer understanding of the truth, as discovered in their discipline, together with the skills and habits that will make them more able to find the truth after graduating, then they will not be good teachers. (Haidt and Lukianoff, 2019.)

The opening of law to other disciplines has been part of the debate about the legal method since the criticism made by Philip Heck's jurisprudence of interests to the jurisprudence of concepts (Díez Sastre, 2018, pp. 76 *et seq.*). Even if the need for a multidisciplinary approach has been recognized to address the complex problems posed by the law nowadays, the training of jurists has not changed. Dual degrees do not seem the solution, as there is no

connection among courses. They are useful for the market, but students end up falling on one side or the other. It does not seem that teachers of other disciplines approach the content to make it useful for law (*see* on this dysfunction, Eisenmann, 2003, p. 91). At the same time, law teachers themselves lack adequate training on non-legal disciplines, unless they have voluntarily trained in them. Universities themselves should promote multidisciplinary work, not only at the research level, but also at the teaching level, with the purpose of progressively expanding the perspective of teachers as well as of students.

4. Conclusion

The analysis of learning, its modalities and contexts, has experienced major progress in recent decades, but their impact on the university environment has mainly focused on the formal dimension of teaching. The Bologna process in European countries has led to reflecting about how to improve the teaching-learning process, enriching in some cases the teaching methodology—how to present contents with novel tools or how to structure the class. However, it seems necessary to advance on what and how much to teach. Curricula are oftentimes based on dogmatic, 19th-century or 20th-century constructions with a purely conceptual or systematic approach, not addressing in many cases contemporary problems or sufficient examples. The dogmatic elaboration of the law with scientific purposes has been considered suitable to foster learning. But students are not sufficiently aware of the legal reality, and they do not have command of the abstraction processes which have led to those contents, so the difficulties in reaching those degrees of abstraction lead to a worse understanding of the discipline. Based on this confirmation, it is appropriate to assess the suitability of a topical approximation to the teaching of law, which improves the initial learning of students and which allows to update that learning with contemporary problems. Based on that, there could be a progressive move toward a panoramic, systematic, and abstract exposition of the multiple theoretical concepts which are part of the discipline.

About the article

Notes on conflict of interest. The author declares not to have any conflict of interest as to the publication of this article.

Contribution in the article. The author assumed all the roles established in Contributor Roles Taxonomy (CRediT).

References

Alonso García, M. (1964). La enseñanza del Derecho. *Arbor*, (59), 5-39.

Alonso Romero, M. P. (2010). La formación de los juristas. In C. Garriga (Ed.), *Historia y Constitución. Trayectos del constitucionalismo hispano* (pp. 107-137). Colegio de México.

Alonso Romero, M. P. (2012). *Salamanca, Escuela de Juristas*. Dykinson.

Bain, K. (2011). *Lo que hacen los mejores profesores universitarios. PUV.*

Beck Varela, L. (2012). La cultura del derecho común (siglos XI-XVIII). In M. Lorente and J. Vallejo (Eds.), *Manual de Historia del Derecho* (pp. 82-100). Tirant Lo Blanch.

Beltrán Pereira, E. (2002). Sobre modas académicas y perspectivas interdisciplinares en las facultades de Derecho. *AFDUAM*, (6), 171-194.

Berman, H. J. (1983). *La formación de la tradición jurídica de Occidente*. Fondo de Cultura Económica.

Blakemore, S.-J. & Frith, U. (2005). Cómo aprende el cerebro. Las claves para la educación. Ariel

Brockliss, L. (1999). Los planes de estudio. In H. de Ridder-Symoens (Ed.), *Historia de la Universidad en Europa: Las Universidades en la Europa Moderna Temprana (1500-1800)* (Vol. 2, pp. 605-667.). UPV.

Bueno, D. (2021a). Todos somos Sócrates: potenciar el conocimiento por inducción. In D. Bueno and A. Forés (eds.), *La práctica educativa con mirada neurocientífica* (pp. 65-73). Horsori.

Bueno, David (2021b). Sacar provecho del estrés (pero con mucho cuidado). In D. Bueno & A. Forés (Eds.), *La práctica educativa con mirada neurocientífica* (pp. 115-122).

Cassany, D. (2021). *El arte de dar clase* (según un lingüista). Anagrama.

Clavero, B. (1994). *Historia del Derecho: Derecho común.* Ediciones Universidad de Salamanca.

Clavero, B. (2009). Reflexión sobre la docencia del Derecho en España. *Cuadernos del Instituto Antonio de Nebrija, 2*(12), 203-216. https://hdl.handle.net/10016/13905

Díez Sastre, S. (2018). *La formación de conceptos en el Derecho público.* Marcial Pons.

Díez Sastre, S. (2020). La tópica como método en el Derecho público. *Revista de Derecho Público: Teoría y Método, 1*, 363-396. https://doi.org/10.37417/RPD/vol_1_2020_31

Eickelberg, J. M. (2017). *Didaktik für Juristen. Wissensvermittlung – Präsentationstechnik – Rhetorik*. Vahlen, Helbing & Lichtenhahn.

Eisenmann, C. (2003). El problema de la naturaleza y de los fines de la enseñanza del Derecho (1953). *Anuario de la Facultad de Derecho de la Universidad Autónoma de Madrid (2002)* (pp. 57-92).

Entrena Cuesta, R. (1987). Derecho Administrativo. In J. J. Ferreiro, J. Miquel, S. Mir, P. Salvador Coderch (Eds.), *La enseñanza del Derecho en España* (pp. 19-25). Tecnos.

Esteve Pardo, José (2012). La extensión del Derecho público. Una reacción necesaria. *Revista de Administración Pública,* (189), 11-40. https://recyt.fecyt.es/index.php/RAP/article/view/40379

Farnsworth, W. (2020). *El analista jurídico.* Aranzadi.

Finkel, D. (2000). *Dar clase con la boca cerrada.* Universidad de Valencia.

Font i Llovet, T. (2000). Enseñanza, aprendizaje y educación en el Derecho administrativo. *RAP,* (153), 251-265. https://dialnet.unirioja.es/servlet/articulo?codigo=17509

Forés, A. (2021). Dos hemisferios, dos mentes. In A. Forés et al., *Neuromitos en educación. El aprendizaje desde la neurociencia* (13th ed.) (pp. 61-72). Plataforma.

Forés, A. and Hernández, T. (2021). Rutinas y asombros. ¿Aprendemos solo de la novedad? In A. Forés et al., *Neuromitos en educación. El aprendizaje desde la neurociencia* (13th ed.) (pp. 49-60). Plataforma.

Frijhoff, W. (1999). Modelos. In H. de Ridder-Symoens (ed.), *Historia de la Universidad en Europa: Las Universidades en la Europa Moderna Temprana (1500-1800)* (Vol. 2, pp. 45-112). UPV.

Gamo, J. R. and Trinidad, C. (2021). ¿Utilizamos solo el 10% de nuestro cerebro? In A. Forés et al., *Neuromitos en educación. El aprendizaje desde la neurociencia* (13th ed.) (pp. 129-141). Plataforma.

García de Enterría Martínez-Carande, E. (1952). Reflexiones sobre los estudios de Derecho. *Revista de Educación*, 2(5), 143-148.

García Garrido, M J. & Eugenio, F. (1988). *Estudios de Derecho y Formación de Juristas.* Dykinson.

García y García, A. (1994). Las facultades de leyes. In H. de Ridder-Symoens (Ed.), *Historia de la Universidad en Europa: Las Universidades en la Edad Media* (Vol. 1, pp. 433-466). UPV.

Garrido Falla, F. (1953). Una polémica sobre la enseñanza del Derecho. *RAP,* (10), pp. 283-290.

Giner de los Ríos, F. (2002). Sobre la reorganización de los estudios de facultad (1889). *AFDUAM,* (6), 27-45.

Gómez-Puerta, M. et al. (2019). Identificación de la presencia de sesgo cognitivo derivado del efecto de Dunning-Kruger en estudiantes universitarios. In R. Roig-Vila (Ed.), *Memòries del Programa de Xarxes-I3CE de qualitat, innovació i investigación en docència universitària, Convocatoria 2018-19* (pp. 767-782). Institut de Ciénvies de l'Educació de la Universitat d'Alacant.

Correa, J. (2013). *The Jurists. A Critical History.* Oxford University Press.

Guasp, J. (1953). Nuevas reflexiones sobre los estudios de Derecho. *Revista de Educación,* (8), 287-294.

Haidt, J. and Lukianoff, G. (2019). *La transformación de la mente moderna. Cómo las buenas intenciones y las malas ideas están condenando a una generación al fracaso.* Deusto.

Hattie, J. (2012). *Visible Learning for Teachers. Maximizing Impact on Learning.* New York.

Heidebach, M. (2018). Das Potenzial der Fallbasierten Methode. *ZDRW,* 5(4), 297-335. https://doi.org/10.5771/2196-7261-2018-4-297

Kaulbach, A-M. and Riecke, P. (2018). Reflexives Schreiben als Methode juristischen Lernens. In J. Griebel (Ed.), *Vom juristischen Lernen* (pp. 61-73). Nomos.

Linaza Iglesias, J. L. (2002). Cambios en la concepción de la educación. *AFDUAM,* (6), 105-114.

Llamosas, E. F. and Beck Varela, L. (2021). La dimensión constituyente de los saberes en la Monarquía católica. In C. Garriga and J. Vallejo (Eds.), *Historia Constituyente de España. Volumen I, Parte I: La Monarquía Católica, 1707-1808*.

Lledó, E. (2018). *Sobre la educación. La necesidad de la Literatura y la vigencia de la Filosofía.* Taurus.

Luri, G. (2019). *La escuela no es un parque de atracciones. Una defensa del conocimiento poderoso.* Ariel.

Mir Djawadi, M. (2018). Einige Gedanken zur Neuaustarierung des Verhältnisses von Präsenzveranstaltung und Selbststudium. In J. Griebel (Ed.), *Vom juristischen Lernen* (pp. 37-59). *Nomos.*

Mora, F. (2019). *Neuroeducación*. Alianza.

Müller, R. A. (1999). Educación estudiantil, vida estudiantil. In H. de Ridder-Symoens (Ed.), *Historia de la Universidad en Europa: Las Universidades en la Europa Moderna Temprana (1500-1800)* (Vol. 2, pp. 347-377). UPV.

Ortiz, T. (2009). *Neurociencia y educación.* Alianza.

Palao Taboada, C. (2002). La enseñanza del Derecho en la universidad: presente y futuro. *AFDUAM,* (6), 127-139.

Pallarés-Domínguez, D. (2016). Neuroeducación en diálogo: neuromitos en el proceso de enseñanza-aprendizaje y en la educación moral. *Pensamiento, 72*(273 extra), 941-958. https://doi.org/10.14422/pen.v72.i273.y2016.010

Paricio Royo, J. (2015). Diseño por competencias ¿era esto lo que necesitábamos? *Revista de docencia universitaria, 13*(1), 47-70. https://doi.org/10.4995/redu.2020.13205

Paz-Ares, C. (2020). Prólogo. In W. Farnsworth, *El analista jurídico* (pp. I-VI). Aranzadi.

Peña, C. (2017). *Globalización y enseñanza del Derecho*. Fontamara.

Pérez Lledó, J. A. (2002). Teoría y práctica de la enseñanza del Derecho. *AFDUAM,* (6), 197-268.

Quintero Olivares, G. (2010). *La enseñanza del Derecho en la encrucijada. Derecho académico, docencia universitaria y mundo profesional.* Cuadernos Civitas, Thomson Reuters.

Ramsden, P. (2003). *Learning to Teach in Higher Education* (2nd ed.). Routledge.

Rayón Ballesteros, M. C. (2010). Aproximación a la historia de la enseñanza del Derecho en nuestro país. *Anuario Jurídico y Económico Escurialense,* (43), 215-236. https://publicaciones.rcumariacristina.net/AJEE/article/view/11

Rodríguez de Santiago, J. M. (2016). *Metodología del Derecho administrativo.* Marcial Pons.

Rosenhine, B. (2012). Principles of Instruction. Research-Based Strategies That All Teachers Should Know. *American Educator, 36*(1), 12-39. https://eric.ed.gov/?id=EJ971753

Royo, A. (2016). *Contra la nueva educación. Por una enseñanza basada en el conocimiento*. Plataforma.

Ruiz Martín, H. (2020). *¿Cómo aprendemos? Una aproximación científica al aprendizaje y la enseñanza.* ISTF; Graó.

Salomón Sancho, L. (2006). La formación del jurista europeo en la Sociedad del conocimiento. *Revista de Universidad y Sociedad del Conocimiento, 3*(1), pp. 1-8. http://dx.doi.org/10.7238/rusc.v3i1.268

Schneider, M. & Preckel, F. (2017). Variables associated with Achievement in Higher Education: A Systematic Review of Meta-Analysis. *Psychological Bulletin, 143*(6), 565-600. https://doi.org/10.1037/bul0000098

Vallet de Goytisolo, J. (1953). Juristas libres, juristas de Estado y los estudios de Derecho. *Revista de Educación, 3*(7), 149-154.

Velasco Caballero, F. (2023). Psicología para el Derecho administrativo. *Revista de Derecho Público: Teoría y Método, 1*(7), 41-82. https://doi.org/10.37417/rpd/vol_7_2023_1229

Witker, J. (1975). *La enseñanza del Derecho. Crítica metodológica.* Editora Nacional.