

The ethical lawyer of the future: challenges and opportunities for fostering reflection on broader societal context in a law school

24 June 2026

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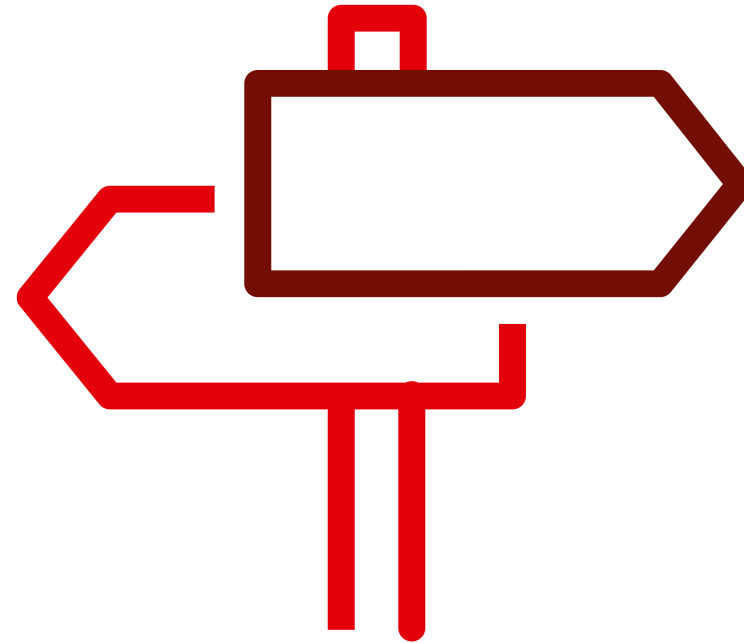
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- a. Reflection on the Role of Law in Society
- b. Legitimacy Boundaries and Neutrality
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OVERVIEW

RELEVANCE AND LITERATURE

Tension in legal education: technical/doctrinal reasoning / law's societal context.

- Research on legal socialisation suggests students may become more formalistic and **detached from questions of justice and inequality**.
- **Experiential learning** and **critical reflection** may strengthen students' awareness of law's ethical and societal dimensions.
- There is still limited empirical research on how critical reflection is actually conceptualised and enacted within law curricula

Literature

- Reflective practice & experiential learning: *Dewey, Schön, Kolb, Moon*
- Critical reflection & pedagogy: *Mezirow, Brookfield, Freire, Giroux*
- Legal education & professional identity: *Sullivan, Hamilton, Rhode, Leering*
- Hidden curriculum & socialisation: *Mertz; Kortleven & Holvast*
- Clinical & narrative approaches: *Charon*; clinical legal education scholarship

RESEARCH QUESTION:

*HOW IS REFLECTION ON THE SOCIETAL CONTEXT OF THE LAW
CONCEPTUALIZED, LEGITIMIZED AND ENACTED WITHIN THE LAW CURRICULUM
AT RU, AND WHAT IS THE ROLE OF EXPERIENTIAL LEARNING IN THESE
PROCESSES?*

Methodology

- **Mixed-methods study** (literature review + qualitative empirical research) within TLC Voucher project (2025–2027)
- **Data Collection:** Semi-structured interviews at Radboud University, Faculty of Law (n = 40)
 - o Students (n = 20):
 - Stratified variation across study years (LLM/LLB) and specialisations
 - o Staff (n = 20):
 - Law Clinic instructors + randomly selected including educational support, lecturers, programme coordinators
- Semi-structured guide allows **comparison across groups** while enabling in-depth responses
- **Single-institution case study** allows to compare traditional courses, clinics/skills training, and curriculum/assessment governance to identify both course-level (micro) and program-level (meso) barriers.

MAIN OBSERVATIONS (SO FAR)

REFLECTION ON THE ROLE OF LAW IN SOCIETY

- Most participants agree that **reflection on the role of law** in society should be integrated in legal curricula and see **critical reflection** as a crucial skill that teachers and graduates should have
- Many participants find that some topics or disciplines are more suitable to introduce reflection (e.g. human rights course vs private law)
- Some (but not all) participants find that a certain level of doctrinal knowledge is a pre-requisite to engage in meaningful reflection

Benefits	Barriers
- Engagement - Empathy - Question fairness of the law - Better connect the law in the books with the law in action (societal context)	- Curriculum design - Time pressure - Exam orientation - Institutional factors

MAIN OBSERVATIONS (SO FAR)

LEGITIMACY BOUNDARIES AND NEUTRALITY

- The perceived **boundary** between 'legitimate' reflection and inappropriate or irrelevant statements depends on:
 - (1) The perceived **quality** of the argument
 - (2) (For some) whether the statement is **linked back to doctrine**
 - (3) Whether the statement appears supported by **empirical data**
 - (4) The use of '**scientific**' or '**academic**' language
- Diverging opinions as to whether statements triggering **emotional responses**/ causing discomfort are inappropriate
- Participants find that some **topics are more 'risky'** to discuss in a classroom, but most agree that they should still be addressed
- Disagreement as to how to address risky topics, and the **role the teacher**.
- Different views as to (a) how **neutrality** is defined, and (b) whether teachers should be politically neutral.

MAIN OBSERVATIONS (SO FAR)

NEUTRALITY: SOME EXAMPLES

Q1: How do you understand neutrality in legal education?

A1: You can't be neutral. I find it really difficult to define it in the abstract.

A2: Neutrality, I think, for me, is to allow for many perspectives.

A3: Focus on the law as in the text of the law, but leave like the moral or the societal arguments that can be made to reform a law in a certain way [...] up to politics

A4: I think neutrality is not forcing students to choose a certain side in a conflict or pushing people to a certain opinion about whatever you are talking about.

Q2: Do you think a good teacher should be politically neutral?

A1: I think so, yes. I feel like with students, it could either make all of your other teachings worthless because your political view is showing too much. Or it could do the opposite. And because we have the same political view, I might adopt all of your opinions and not make any of my own.

A2: I don't think so because I'm not neutral myself [...] I don't hide what my opinions are. I just want to make sure that students who have different opinions, that their opinions are valid too. So I don't try to dominate with my own opinions.

A3: It's kind of inevitable that you show a bit of yourself. But I think it's important for a lecturer to stay neutral

A4: I don't think there is a neutral teaching method. Neutrality itself is a political choice and a fairly sticky, difficult, difficult to define, difficult to maintain, political choice

A5: Since I just started teaching, I try to be as neutral as possible because it feels the safest, so to say. But, I do not really know yet if that's... What you should be as a good tutor

MAIN OBSERVATIONS (SO FAR)

EXPERIENTIAL LEARNING

- Most participants find **experiential learning** to be an added value to doctrinal courses
- Many participants find experiential learning practices to better connect law school with future professional experiences

Benefits	Barriers
- Soft skills - Collaboration in groups - Accountability - Professional identity formation - Knowledge is internalized and processed $\neq$ doctrinal courses	- Curriculum design - Time pressure

**THANK YOU :)
QUESTIONS?**



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