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The art of the possible: designing a small-scale transnational learning experience for law students in Denpasar, Indonesia, and London, UK

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Abstract

The article reports on the design phase of a small-scale transnational learning experience, bringing together 20 law students from Udayana University, Indonesia and The City Law School, London, UK. We reflect on how our backgrounds and previous experience as educators; the scope and scale of available resources; practical matters, especially time zones; and ethical considerations all fed into the design of the learning experience. Our conclusion is that attention is needed to all these design-constraining or enabling elements, both those which apply to any kind of learning experience and those which are the choice of the educators who do the designing. Our hope is that well-designed transnational legal education will enhance the learning experiences of a generation of students who are living in an interconnected world, within which they will eventually make their careers.

Keywords: Legal education, Widening participation, Cultural diversity, Student evaluation of teaching.

Introduction

Today's lawyers work in an interconnected world. Legal education has long been conceptualised as not wholly contained within a single jurisdiction.¹

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¹ For an accessible history see, for example, Rogelio Pérez-Perdomo, *Legal Education in the Western World: A Cultural and Comparative History* (Stanford University Press 2024).

Global legal education takes many forms: international and comparative law courses;² student and staff exchanges;³ and international moot competitions⁴ are just a few better-known examples. This article reports on the design⁵ stages of a small-scale transnational learning experience involving students and staff in Udayana University, Denpasar, Indonesia and The City Law School, London, UK. We use the term ‘transnational’⁶ rather than ‘global’⁷ for this learning experience, mainly because it involves students in only two jurisdictions.⁸

² See, for example, the empirical analysis in Ryan Scoville and Mark Berlin, ‘Who Studies International Law? Explaining Cross-National Variation in Compulsory International Legal Education’ (2019) 30 *European Journal of International Law* 481; Andreas R. Ziegler, ‘How global should legal education be?’ (2020) 1(1) *European Journal of Legal Education* 49.

³ See, for example, discussion of the ERASMUS programme in Cherry James, ‘Enhancing the QLD: internationalisation and employability: the benefits of Erasmus Intensive Programmes’ (2013) 47 (1) *The Law Teacher* 64; of ERASMUS and the North American Consortium on Legal Education, in Jan Klabbers and Mortimer Sellers (eds), *The Internationalization of Law and Legal Education* (Springer Netherlands 2008); of the ISEP programme in Bas Coebergh, ‘The ISEP Exchange: a valuable experience’ (1991-1992) 1 *Tilburg Foreign Law Review* 91.

⁴ For information on just two examples: the Philip C. Jessup Public International Law Moot Court Competition and the Helga Pedersen Moot Court Competition see ILSA, ‘Who We Are’ (*International Law Students Association*, 29 June 2018) <<https://www.ilsa.org/who-we-are/>> accessed 26 March 2024; and ELSA, ‘ELSA - The European Law Students’ Association | History’ (ELSA no date) <<https://elsa.org/about/history>> accessed 26 March 2024.

⁵ We are using the ordinary meaning of the word ‘design’, although we are influenced by ‘design thinking’, which makes ‘teachers the designers of learning, while a student perspective guides the process’, see Anette Alén, ‘Designing Higher Education: Lessons for Law Schools’ (2024) 5 (1) *European Journal of Legal Education* 3, and the citations therein.

⁶ See, seminally, Philip C. Jessup, *Transnational Law* (Yale University Press, 1956).

⁷ This is not the place for a discursus on the meanings of ‘transnational law’, or its relations with ‘global law’, ‘international law’ and ‘comparative law’. See, for example, Roger Cotterell, ‘What is Transnational Law?’ (2012) 37 *Law & Social Inquiry* 500; Peer Zumbansen, ‘Piercing the Legal Veil: Commercial Arbitration and Transnational Law’ (2002) 8 *European Law Journal* 400; Graf-Peter Calliess, ‘The Making of Transnational Contract Law’ (2007) 14 *Indiana Journal of Global Legal Studies* 469.

⁸ For discussion of ‘transnational legal education’, see, for example, Fiona Cownie (ed), *The Law School: Global Issues, Local Questions* (Ashgate/Dartmouth 1999); Sébastien Lebel-Grenier, ‘What Is a Transnational Legal Education?’ (2006) 56 *Journal of Legal Education* 190; Larry Catá Backer, ‘Global Law in American Law Schools: Prospects and Difficulties of Incorporating a Transnational Element in Legal Education’ [2007] <https://papers.ssrn.com/Sol3/papers.cfm?abstract_id=969870> accessed 19 February 2024; Jan Klabbers and Mortimer Sellers (eds), *The Internationalization of Law and Legal Education* (Springer Netherlands 2008); William van Caenegem and Mary Hiscock, *The Internationalisation of Legal Education: The Future Practice of Law* (Edward Elgar Publishing 2014); Julian R. Davis, *Transnational Legal Education: The Impact of Joint Degree Programmes* (Oxford University Press, 2024).

As the learning experience is rolled out in 2024-25, we will be gathering data on our own perceptions and those of the students, through questionnaires, focus groups and by participant observation.⁹ That research project focuses on the broad question of what are the enablers of and barriers to transnational legal education of this type, in a contemporary UK higher education context. At a later stage, we will therefore be able to report on the outcomes and effects of the transnational learning experience, and broader lessons learned. This early publication from the project reflects only on the lessons learned at this earlier design stage. What factors influenced, enabled or constrained the design of the learning experience, and in what ways?

The Learning Experience

The learning experience on which we report is formally entitled *Gender Equality and Law: Transnational learning and co-producing research with students from Udayana University and City, University of London*. The main aims of the experience lie in developing the skills of the 20 participating students, and others involved, strengthening their legal knowledge, legal reasoning and research skills. Students will develop knowledge of gender equality and law, in at least three jurisdictions: international law, Indonesian law, and the law of England and Wales. At the same time students will develop considerable transferable skills, including practical skills like collaboration across different time zones; working in diverse teams; and communication, linguistic and intercultural skills. The experience thus offers students assistance with routes into employment, including in the (globally connected) legal profession¹⁰ or higher education sector.

In terms of people, the experience is small scale. It involves ten students from the Law Faculty at Udayana University (approximate total student numbers 1500) and ten from The City Law School (approximate total student numbers 2700). Udayana University offers LLB, LLM, Master of Notary (professional formation) and PhD programmes. The City Law School offers LLB, Graduate Entry LLB, Graduate Diploma in Law, LLM, Bar Vocational Course and Solicitors Practice Programme (professional formation) and PhD programmes.

⁹ The research project has been approved by the Research Ethics Committee of The City Law School, ETH2324-0692.

¹⁰ See, for example, the two-volume socio-legal study of the legal profession across the globe, Richard Abel, Hilary Sommerlad, Ole Hammerslev, Ulrike Schultz *Lawyers in 21st Century Societies* (Hart, 2020 and 2022).

Both law schools thus offer both undergraduate and postgraduate academic and professional formation legal education. In addition to the PI (Haidari), Fellow in Transnational Legal Education, and Co-PI (Hervey), a professor of law, who are both based in The City Law School, core staff include the project partner (Widiatedja), then an associate professor (now a professor) in the Faculty of Law, Udayana University. The project is supported by a project assistant (Howarth, then Nkegbe), a recent graduate of the City Law School's professional stage legal education programme/PhD student. Both institutions are also providing in-kind support from colleagues with expertise in education and technology, learning design, administration, and financial management.

The project is supported by an Advisory Board. The Board was chosen to reflect a range of expertise and career stages, and includes a US-based law professor with a long track record of legal education in the global South and experiential legal education (Rosenbaum¹¹); a law professor with experience of gender equality law in the global South, based in Egypt (Moussa¹²); and three UK-based scholars, at different career stages, with experience of gender equality law, interdisciplinarity, intersectionality, and the global South (Corsi,¹³ Jasper,¹⁴ Yong¹⁵). One (Jasper) has previously worked in the legal sector in Indonesia and speaks Bahasa. Most Board members are women, with

¹¹ Publications include Mohammad Q. Shah and Stephen Rosenbaum, 'Development Disrupted: The Case of Afghanistan Taliban 2.0 and Lessons Learned About Foreign Aid Management', (2023) 32 *Washington International Law Journal* 207; Stephen Rosenbaum, 'A Rationale and Roadmap for Paralegal Clinics: Advocating for Disabled Children and Youth' in Asha Bajpai, David W. Tushaus & Mandava Rama Krishna Prasad, eds, *Human Rights & Legal Services for Children & Youth: Global Perspectives* (Springer, 2023); Bruce Lasky, Wendy Morrish and Stephen Rosenbaum, 'The Global Path of Myanmar University Community Teaching Programmes: Strategies, Models and Influences' in *Street Law and Public Legal Education: A collection of best practices from around the world in honour of Ed O'Brien* (Juta & Co, 2019); Stephen Rosenbaum, 'A New Day: Prime Time to Advance Afghan Clinical Education', (2016) 3(1) *Asian Journal of Legal Education* 1; Stephen Rosenbaum, *Experimental Legal Education in a Globalized World: The Middle East & Beyond* (Cambridge Scholars Publishing, 2016).

¹² Publications include Jasmine Moussa, *Competing Fundamentalisms and Egyptian Women's Family Rights* (Brill, 2011).

¹³ Publications include Jessica Corsi, 'Legal justifications for gender parity on the bench of the International Court of Justice: An argument for evolutive interpretation of Article 9 of the ICJ Statute' (2021) 34(4) *Leiden Journal of International Law* 977.

¹⁴ Publications include David Cohen, and others, 'Gender norms in a context of legal pluralism: Impacts on the health of women and girls in Ethiopia' (2024) 19 (1) *Global Public Health*, 2326016.

¹⁵ Publications include Adrienne Yong, 'A gendered EU settlement scheme: intersectional oppression of immigrant women in a post-Brexit Britain' (2023) 32(5) *Social & Legal Studies* 756.

the exception of Rosenbaum. The Board's role is to provide advice and to act as a sounding board, and in some instances to assist with the delivery of the educational experience. For example, some Board members assisted with student recruitment, and it is expected that some will deliver mini-lectures on topics within their expertise.

The content of the learning experience will be as follows. Students will physically meet in two jurisdictionally based groups, in the Law Faculty of Udayana University and The City Law School, for four three-hour interactive workshops, linked electronically. Workshops will take place in October and November 2024, and two in March 2025. These workshops will adopt a blended or hybrid learning approach, with in-person and online elements, crafted to demonstrate the creation of safe and inclusive online learning environments.¹⁶ The workshop design involves active learning models, with activities such as 'think pair share',¹⁷ small group discussions, and other experiential learning.¹⁸ Mini lectures (on gender equality) will provide a springboard for student response and further investigation. The design is inspired by inclusive educational psychology, in particular the 'How People Learn' framework.¹⁹ Compared to passive learning, these kinds of experiential learning are highly effective in creating deep and lasting understandings.

¹⁶ For an evaluation of a hybrid legal learning programme, see, for example, Shuai Wang, Rebecca Griffiths, Claire Christensen, et al, 'An evaluation of a first-of-its-kind hybrid law degree program' (2022) 34 *Journal of Computing in Higher Education* 517; see also the special issue of the *Syracuse Law Review* (2020), edited by Nina Cohen.

¹⁷ Mahmoud Kaddoura, 'Think Pair Share: A Teaching Learning Strategy to Enhance Students' Critical Thinking' (2013) 36(4) *Educational Research Quarterly*, 3; Dian Apriyanti, Mutiara Ayu, 'Think-Pair-Share: Engaging Students in Speaking Activities in Classroom' (2020) 1(1) *Journal of English Language Teaching and Learning* 13.

¹⁸ David Kolb, *Experiential Learning* (2nd ed, Pearson, 2015); David Kolb, *The Process of Experiential Learning* (Routledge, 1993); Graham Gibbs, *Learning by doing: a guide to learning and teaching methods* (FEU, 1988); and in the context of legal education, for example, Deborah Maranville, 'Infusing Passion and Context into the Traditional Law Curriculum Through Experiential Learning' (2001) 51 (1) *Journal of Legal Education* 51; Richard Grimes and Anne-Lise Sibony, *Experiential learning: Just for 'common lawyers' – really?* (Routledge 2017); Anida Mahmood, Haswira Hashim, Zeti Zakuan, 'Utilizing Experiential Learning Methods to Teach Substantive Law Courses to Undergraduate Students' (2024) 11(1) *Asian Journal of Legal Education* 97.

¹⁹ John D. Bransford, Ann L. Brown, and Rodney R. Cocking, (eds), *How People Learn: Brain, Mind, Experience, and School* (Expanded edition, National Academy Press 2004) <<https://www.csun.edu/~SB4310/How%20People%20Learn.pdf>> accessed 4 October 2024).

The workshops will support the formation of six small research groups, each with three or four students, with both jurisdictions represented in each group. The group formation will be driven ‘bottom up’ by the students’ shared interests in the broad field of gender equality and law. Each research group will be supported to work asynchronously²⁰ to create a short piece of legal research.²¹ These outputs will be peer reviewed (by the Advisory Board) and published in The City Law School’s open access Working Papers series or the City Law Review blog.²²

Factors influencing the design of the learning experience: description and discussion

Four key and overlapping factors played an important role in influencing the design of this learning experience. These are, first, the PI and Co-PI’s previous experiences, both educationally and as higher education professionals, in several different jurisdictions in both the ‘global North’ and ‘global South’. Second, the scope and scale of available resourcing for a transnational legal educational experience based in The City Law School performance affected what was possible – rather than what could only be dreamed of – in terms of the design. Similarly, practical matters such as available technology and the time zone difference between the participating institutions provides a third factor constraining design. Finally, several ethical concerns drove features of the design: these include power imbalances, unequal access to resources, and student (and staff) wellbeing.

Background and previous experience

The PI and Co-PI both brought different experiences to the project, reflecting their different backgrounds and life courses. They also brought some shared experiences. These affected the design of the project in several important ways.

²⁰ On asynchronous legal learning, see, for example, Victoria Sutton, ‘Asynchronous, E-Learning in Legal Education: A Comparative Study with the Traditional Classroom’ (2020) 70 *Syracuse Law Review* 143.

²¹ On legal learning through legal research, see, for example, K. Tong, ‘Engaging Students in Legal Research: A Problem-based Learning Approach’, (2017) 25(3) *Australian Law Librarian* 102.

²² City St George’s University of London, ‘City Research Online - Browse by Year Where Schools and Departments Is “CLS Working Paper Series”’ (*City St George’s University of London*, 2025) <<https://openaccess.city.ac.uk/view/divisions/LLREPS/>> ; The City Law Review <<https://www.thecitylawreview.co.uk/blog>> accessed 4 October 2024.

The PI (Haidari) has over ten years of higher education teaching experience in law, mostly in Afghanistan. He was instrumental in bringing new teaching methods to his institution in Afghanistan, and held a national role in legal curriculum development across the whole country, moving legal education in Afghanistan from a traditional to a more experiential approach. He ran gender-based workshops for women academic staff, supported by international donors, including on the Afghan law on Elimination of Violence Against Women 2014. He led, coordinated and ran many experiential legal education programmes, such as Street Law, moot courts, legal advocacy and programmes engaging with violence against women. These programmes enabled law students to support gender-equality based social justice through raising awareness of legal rights to equality among school children, community leaders, vulnerable women and children; to take on internships which led to employment in Afghan legal institutions and international organisations; and to exchange their expertise with other universities in Afghanistan.

In 2014, Haidari was the Northern Afghanistan coordinator for ‘World in Conversation’, an online dialogue exchange programme facilitated by Penn State University, USA and funded by NATO. ‘World in Conversation’ connected NATO member country university students with Afghan students online to exchange views on contemporary legal and political topics. ‘World in Conversation’ is simply students talking together online;²³ this project develops the idea so that students are enabled to collaborate in legal research online.

Many of these projects were financed by the United Nations and the USA. Haidari’s formative training leading to these roles included an LLM in Asian Law from the University of Washington and short-form training on student-centred learning in the University of Technology, Malaysia. Since his evacuation to the UK in 2021, forced by the Taliban seizing power, and his receipt of a Council for At-Risk Academics (CARA) Fellowship, Haidari rapidly developed competence in English legal education.

These experiences reinforced the PI’s commitment to experiential legal education, of various types, especially in the context of gender equality. The success of the many projects in which he was involved in the global South gave

²³ See Mikaela Zimmerman, *Bridging the Gap: Utilizing Socratic Inquiry Facilitation in Cross-Cultural Communication and Conflict Exploration* (West Virginia University Thesis series, 2019) <<https://www.proquest.com/docview/2401442375?fromopenview=true&pq-origsite=gscholar&sourcecype=Dissertations%20&%20Theses>> accessed 4 October 2024.

Haidari confidence to pursue an experiential legal education experience with a country like Indonesia, where such models of legal education are relatively uncommon.²⁴ At the same time, Haidari has personally experienced legal education in the global North (USA and UK), both as a student and as a member of academic staff.

The Co-PI also has experience in curriculum design involving experiential learning, although only in the context of UK and European law schools. Hervey has over 30 years' experience of legal education, beginning her teaching career while a PhD student in a Russell Group university. She brought a deep understanding of the contemporary UK legal education landscape – including funding opportunities – which was crucial to the design of the project, as well as its practical execution. She has also taught in many European jurisdictions, where experiential legal education has emerged more recently. She led a significant curriculum review at the University of Sheffield, involving co-production with a large team including many students.²⁵ She has particular expertise in collaborative research with students, having co-authored over 20

²⁴ Antarin Prasanthi and Daryono 'The Indonesia Legal Education: Advancing Law Students' Understanding to Real Legal Issues' (2023) 2(2) *The Indonesian Journal of Socio-Legal Studies*; Ija Suntana and Tedi Priatna, 'Four obstacles to the quality of constitutional law learning in Indonesia' (2023) 9(1) *Helyion* e12824 <[https://www.cell.com/helyion/fulltext/S2405-8440\(23\)00031-2](https://www.cell.com/helyion/fulltext/S2405-8440(23)00031-2)> accessed 4 October 2024; Adriaan Bedner, and Jacqueline Vel, 'Legal Education in Indonesia' (2021) 1 (1) *The Indonesian Journal of Socio-Legal Studies* article 6, <<https://scholarhub.ui.ac.id/ijsls/vol1/iss1/6>> accessed 4 October 2024; Sulistyowati Irianto, 'Legal Education for The Future of Indonesia: a Critical Assessment,' (2021) 1(1) *The Indonesian Journal of Socio-Legal Studies* article 1 <<https://scholarhub.ui.ac.id/ijsls/vol1/iss1/1>> accessed 4 October 2024; Otong Rosadi and Awaludin Marwan, 'Transformation of Legal Education in Indonesia Based on Social Justice' (2020) 13 *Journal of Politics and Law* 143.

²⁵ James Cairns, Tamara Hervey, Oliver Johnson, 'Neither "bolt-on" nor "built-in": Benefits and challenges of developing an integrated skills curriculum through a partnership model' (2018) 13 *Journal of Learning Development in Higher Education* 1.

publications with students, since 2005,²⁶ ranging from first year undergraduates²⁷ to PhD students,²⁸ both in the UK and elsewhere.

The strength of connection in the PI and Co-PI's shared experiences and mutual respect of the PI and Co-PI contributed to the design of the learning experience, as both are committed to continual professional formation and ongoing active learning themselves; neither is keen on 'sage on the stage' models of learning; and each seeks to enhance their understandings of the other's backgrounds and therefore potentially hidden assumptions about gender equality and law, as well as legal education. The model of active learning, with students as partners in their own education, and collaborative learning of the whole project team, came 'naturally' to the project leads, because of their shared previous experiences.

All learners involved in the project have experienced the COVID-19 global pandemic as (young) adult learners. The impact of the pandemic on legal education globally can only be summarised briefly here.²⁹ Features of this shared experience critical to the project design include practical experience of synchronous online connection for the purposes of learning, and use of online tools to support asynchronous collaboration.

Scope and scale of available funding

The educational experience is funded by three sources: in-kind contribution from the partner institutions (consisting in staff time and expertise); the British

²⁶ Tamara Hervey and Hari Black, 'The European Union and the governance of stem cell research' (2005) 12 *Maastricht Journal of European and Comparative Law* 3.

²⁷ Tamara Hervey, with Maddy Reeves, Hannah Rodgers, Ben Riding and Tom Roberts, 'Annotation of Case C-303/06 *Coleman v Attridge Law and Steve Law*' (2009) 31 *Journal of Social Welfare and Family Law* 309.

²⁸ See, for example, Rob Cryer, Tamara Hervey, Bal Sokhi-Bulley, with Alexandra Bohm, *Research Methodologies in EU and International Law* (Hart Publishing, 2011); Gordan Bache and Tamara Hervey, 'Incentivising Innovation or Supporting Other Interests? European Regulation of Orphan Medicinal Products: *CSL Behring GmbH v European Commission and another* (2011) 19 (1) *Medical Law Review* 123; Tamara Hervey and Tawhida Ahmed, 'The European Union and Cultural Diversity: A Missed Opportunity?' (2004) 2 *European Yearbook of Minority Issues* 43.

²⁹ See further, for example, Sjoerd Claessens, 'The Impact of a Global Pandemic on the Uneasy Relation between PBL and Lectures in a Law Curriculum' (2022) 3(1) *European Journal of Legal Education* 3; Timothy Casey, 'Reflections on Legal Education in the Aftermath of a Pandemic' (2021) 28 *Clinical Law Review* 85; Rebecca Gladwin-Geoghegan and Christina Thompson, 'Legacy of Lockdown: Exploring the Opportunities for Development in Legal Education as a Consequence of the COVID-19 Pandemic' (2021) 3(1) *Journal of Ethics and Legal Technologies*.

Council's *Going Global* partnerships scheme, on gender equality partnerships; and an Overseas Development Agency block grant given to City St George's University of London. The overall funds are very modest: £25000 from the British Council and £10000 from the Overseas Development Agency, making a total of £35000.

The initial project design flowed from the availability of British Council funding for partnerships on gender equality. The previous expertise of the project team meant that we were able to offer a focus on gender equality and law. Partnerships were required to be with Higher Education institutions in one of eleven named countries: Brazil, Egypt, Indonesia, Jordan, Kenya, Myanmar, Nigeria, Pakistan, South Africa, Ukraine and Vietnam. The PI's networks, formed during his LLM in the University of Washington, included Widiatedja, who enthusiastically embraced an initial approach to collaborate on this project. Access to funding was in practice reliant on pre-existing relationships: one of the criteria for assessment of funding applications was the connections between the UK and partner institution. The British Council's confidence in the City St George's team, and the credibility of our promise to deliver the learning through the partnership was greatly enhanced by the fact that Haidari and Widiatedja had already collaborated and remained in touch. The choice of institutions was thus driven by both funding availability and existing networks, rather than anything else intrinsic to the project design.

The Overseas Development Agency funding was allocated following an internal competition. The fact that the project already had British Council support was influential here. The availability of Overseas Development Agency funding allowed the expansion of the project to four more students from each partner institution, and supported Rosenbaum's visit to London, crucial for securing the greatest possible benefit to the project from his long-standing expertise in experiential legal education involving institutions in both the global South and North. Rosenbaum is also working with Udayana University in academic year 2024-25, setting up a Disability Rights clinic. Rosenbaum will therefore offer a very useful 'global North person on the ground' insight and potentially playing a problem-solving role should problems arise. This latter did not arise by design, but is a happy coincidence.

The available funding envelope obviously precluded a physical student exchange experience. Making a virtue out of a necessity, the experience was designed so that students would learn together online, both synchronously and

asynchronously. The majority of the funding is for the students' time. This was an essential design feature for both PI and Co-PI: as we discuss below, we take the view that unpaid internships are profoundly excluding of those students who cannot afford to take them up. The ethical and the practical aspects of the design thus align in this regard.

The overall available funding envelope constrained both the number of students who could participate, and the time each would spend in the learning experience. If funding had allowed, we could have designed a larger scale project, either with more jurisdictions, or with more students (and academic staff) or both. This, however, would have necessitated the formation of smaller learning communities (see further below) within the overall project. In that sense, this type of pedagogical approach is not readily scalable.

The bulk of the student time (40 hours) is to be spent learning through the supported collaborative research activities. This design feature flows from a conviction that law students – even undergraduates – can be highly effective legal researchers, given the right amount of time and support. Dissemination activities in Indonesia will include the making of radio podcasts: this will widen the dissemination impact of the research outputs and to some extent compensates for them being hosted on City Law School's website. There is also an ethical component to this design feature: to the extent possible, the project seeks to treat all students the same, and not to further privilege the already-privileged students based in the global North.

Funding was also deployed to support a staff visit. Originally this was planned for the project partner Widiatedja to visit London, to collaborate in person on the workshop design and to enhance his understanding of experiential legal learning. Difficulties in securing a visa precluded such a visit,³⁰ but instead funds were used for the PI to visit Udayana University. The benefit of this deviation from the original design is that Haidari was able to support the recruitment of the Udayana students in person, strengthening the use of an equality-aware process, discussed further below.

³⁰ On the UK's immigration policy, see, for example, Colin Yeo, *Welcome to Britain: Fixing Our Broken Immigration System* (Biteback Publishing 2022); Melanie Griffiths and Colin Yeo 'The UK's hostile environment: Deputising immigration control' (2021) 41(4) *Critical Social Policy* 521.

Practical matters, especially time zones

Denpasar, Bali, Indonesia, the location of Udayana University, is seven hours ahead of London. This means that the window of time during which both places are in normal working hours is small. First thing in the working day in London (09:00-11:00) is already beyond the end of the normal working day in Bali, Indonesia (16:00-18:00).³¹ This time zone difference drove the design of the educational experience in two important ways. First, the synchronous learning (blended or hybrid learning workshops) will take place in only twelve of the 52 (UK students) and 58 (Indonesian students – the extra six hours being for making the radio podcasts) hours of learning taking place overall. The workshops will be at breakfast time for the London students: students will be asked to arrive at 07:30 for an 08:00 start. For the Udayana students, workshops will be at the end of the working day, and students will be asked to stay later than might be their normal habit.

The remaining hours are designed for asynchronous learning. These form the greatest part of the students' time commitment to the learning experience. We envisage that this design feature may be one of the more tricky aspects to manage for the project participants (both students and academic staff). The project design thus involves Haidari, Hervey, Widiatedja and Howarth/Nkegbe supporting students to learn how to collaborate to produce legal research using online spaces for asynchronous working. Members of the Advisory Board may also assist, where their specific expertise in gender equality and law is pertinent. We also expect to develop our own capacities to support student learning and research being undertaken in this way. To some extent, these pedagogical skills were already formed through our shared experience of continuing to educate law students and to produce collaborative research during the COVID-19 pandemic,³² but they will be enhanced through this project.

Second, the design of blended or hybrid learning and online asynchronous learning through collaborative research were driven by the practicalities flowing from institutional constraints concerning technology. Initial trial online meetings in summer 2024 suggested that Zoom, rather than Microsoft

³¹ See 24TimeZones.com, 'London Time to Bali Time Conversion' (24TimeZones.com, 2025) <<https://24timezones.com/difference/london/indonesia-bali>> accessed 4 October 2024.

³² See above n 29.

Teams, would be a more robust, and user-friendly, platform within which to host the learning experience. However, despite repeated efforts, no solution was found to the problem that the Udayana University students have no access to the institutional Zoom account. At the same time, Google Docs was the project team's preferred technological solution to the collaborative production of legal research:³³ it is very commonly used in the global South,³⁴ and indeed elsewhere, and is highly user friendly, also supporting OSCOLA footnote referencing reasonably well.³⁵ However, City St George's University of London prohibits the use of Google Docs and other Google platforms by staff. The combination of these institutional constraints means that the workshops and collaborative research spaces will be hosted through Microsoft Teams and OpenDocument:³⁶ a sub-optimal design feature resulting from institutional inflexibilities.

Ethics

Several ethical constraints affected the design of the learning experience. We have already mentioned one above: the learning experience takes the contractual form of a *paid* internship. The consequence of designing the internship in this way is to blur further the distinction between teacher/learner,

³³ See, for example, Ryan Weber, 'Five new ways to reach your goals faster with G Suite' (*Google*, 19 October 2016) <<https://blog.google/products/g-suite/five-new-ways-reach-your-goals-faster-g-suite/>> accessed 4 October 2024.

³⁴ Michael Kwet, 'Digital Colonialism Is Threatening the Global South' (*Al Jazeera*, 13 March 2019) <<https://www.aljazeera.com/opinions/2019/3/13/digital-colonialism-is-threatening-the-global-south>> accessed 4 October 2024.

³⁵ Although not through its citation feature, which only supports MLA, APA and Chicago Author-Date, see Google, 'Add Citations and a Bibliography - Computer - Google Docs Editors Help' (*Google*, 2025) <<https://support.google.com/docs/answer/10090962?hl=en-GB&co=GENIE.Platform%3DDesktop>> accessed 4 October 2024.

³⁶ ISO, *ISO/IEC 26300-1:2015* (ISO 2015) <<https://www.iso.org/standard/66363.html>> accessed 4 October 2024.

or even producer/consumer,³⁷ to also create a ‘quasi-employment’ relationship, where the students will be brought into our research practices. The ethical implications of this blurring of relational boundaries is something we will explore in future research.

The project team shares a strong conviction that offering unpaid internship opportunities is an indirectly discriminatory practice, further disadvantaging students who are not in a position to take up an unpaid role because they must also undertake paid work alongside their studies. Those students are more likely to be members of already underprivileged groups. We also believe strongly that research into discrimination and disadvantage should not rely on the unrecompensed experience of the disadvantaged group.³⁸ It would have been possible to design a learning experience for a larger group within the funding envelope if we had offered unpaid places: we decided not to do so for ethical reasons.

Student wellbeing³⁹ affected two design elements of the project. First, students attending the workshops will be offered a refreshment (breakfast for the London students; a kind of afternoon tea for the Udayana students). This is to

³⁷ See, for example, on the ‘marketisation’ or ‘consumerisation’ of higher education, Mike Molesworth, Richard Scullion and Elizabeth Nixon, (eds) *The marketisation of higher education and the student as consumer* (Routledge, 2010); Roger Brown and Helen Carasso, *Everything for sale? The marketisation of UK Higher Education* (Routledge 2013); Stefan Collini, *Speaking of Universities* (Verso 2017); Frank Furedi, *What’s Happened to the University? A Sociological Exploration of Its Infantilisation* (Routledge 2017); David Goodhart, *The Road To Somewhere: The Populist Revolt and the Future of Politics* (Hurst 2017) 154–67; Les Back, *Academic Diary: Or Why Higher Education Still Matters* (Goldsmiths Press 2016); and in the specific context of law, Margaret Thornton, *Privatising the Public University: The Case of Law* (Routledge 2012); Margaret Thornton and Lucinda Shannon, “‘Selling the Dream’: Law School Branding and the Illusion of Choice” (2013) 23 *Legal Education Review* 249; Margaret Thornton, ‘Legal Education in the Corporate University’ (2014) 10 *Annual Review of Law and Social Science* 19.

³⁸ See, for example, Alessandra Tanesini ‘Ignorance, arrogance and privilege: vice epistemology and the epistemology of ignorance’ in Ian Kidd, Quassim Cassam, and Heather Battaly (eds), *Vice Epistemology* (Routledge 2021); Reni Eddo-Lodge, *Why I’m No Longer Talking To White People about Race* (Bloomsbury 2017); Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (OUP 2007); Peggy McIntosh, *White privilege: Unpacking the invisible knapsack* <<https://admin.artsci.washington.edu/sites/adming/files/unpacking-invisible-knapsack.pdf>> accessed 24 October 2024.

³⁹ On the ethics of wellbeing among law students, see, for example, Graham Ferris, ‘Law-students’ wellbeing and vulnerability’ (2021) 56(1) *The Law Teacher* 5; Nigel Duncan, Rachel Field, and Caroline Strevens, ‘Ethical imperatives for legal educators to promote law student wellbeing’ (2020) 23 (1-2) *Legal Ethics* 65.

offset the expectation to work during hours outside the normal working day. This is consistent with a move towards a greater differentiation between work time and non-work time, despite the contemporary possibility of employee virtual presence at all times.⁴⁰ By acknowledging the student interns' holistic identities, not just as producers of (legal) knowledge but also as embodied beings,⁴¹ we are modelling good practice as quasi-employers. Second, although the learning experience spans October 2024-June 2025, the project is designed so that there is no expectation that students should work on the project during their examination periods. This is to reduce stress levels flowing from over-burdening students with many competing obligations at the same time.

A more tricky ethical dimension is how to manage power imbalances within the learning experience. As a piece of co-learning, the aim is to design the experience so that students are supported to learn – through their research endeavours – alongside both each other and the academic staff involved in the project.⁴² Such power imbalances will flow from multiple and over-lapping dimensions: the different ages and levels of experience of participants; different linguistic capabilities; protected characteristics such as gender, race, religion or disability;⁴³ and social class identities, social capacity/networks and

⁴⁰ There is a considerable literature on work-life boundary management and technology, both before and after the COVID-19 pandemic. For a review, see, for example, Xi Wen Chan, Sudong Shang, Paul Brough et al, 'Work, life and COVID-19: a rapid review and practical recommendations for the post-pandemic workplace' (2023) 61(2) *Asia-Pacific Journal of Human Resources* 257.

⁴¹ See, for example, Julian Webb, 'The Body in (E)motion: Thinking through Embodiment in Legal Education' in Caroline Maughan and Paul Maharg, (eds), *Affect and Legal Education: Emotion in Learning and Teaching the Law* (Routledge, 2011).

⁴² Much of the literature on experiential learning and students as partners at least touches on these ethical dimensions on such pedagogical designs. For a few examples drawing out some implications further, see, for example, SpearIt (sic) and Stephanie Ledesma, 'Experiential Education as Critical Pedagogy: Enhancing the Law School Experience' (2014) 38 *Nova Law Review* 249, and the review article Na'ila Nasir, Carol Lee, and Maxine McKinney de Royston, 'Rethinking Learning: What the Interdisciplinary Science Tells Us' (2021) 50(8) *Educational Researcher* 557.

⁴³ UN Convention on the Elimination of Discrimination Against Women 1979; Convention on the Elimination of all forms of Racial Discrimination 1969; Convention on the Rights of Persons with Disabilities 2006; Constitution of Indonesia 1945, Article 27; The UK Equality Act 2010, section 4.

wealth.⁴⁴ Student recruitment in both institutions followed an equality-aware and ethically robust process, based on the same assessment criteria. The criteria for selection included academic abilities, written communication skills, experience of experiential and online learning, understanding of the global South, and experience or awareness of gender (in)equality and intersectionality. Applicants were scored on these criteria first on their written applications to determine a shortlist of candidates who were interviewed, and then also on their interview performance.

Application of these criteria resulted in recruitment of 19 women and one man. Despite the predominance of ‘traditional’ legal pedagogy in Indonesia,⁴⁵ many of the Udayana students have already experienced active learning, for example through participating in international mooted competitions,⁴⁶ or joining the Disability Law clinic set up by Rosenbaum. The London students were more familiar with curricular experiential learning through their undergraduate or post-graduate degree programmes. The Udayana students reported experiences of inequality in their families, classrooms, the legal profession, and society more generally. A few London students also reported family inequalities, as well as inequality in the legal profession and society. In contrast to the Udayana students, no London students raised gender inequality in educational settings. Many London students talked of experiences and understanding of

⁴⁴ See, for example, The Social Mobility Commission, *State of the Nation 2023: People and Places* (HM Government 2023) <<https://www.gov.uk/government/publications/state-of-the-nation-2023-people-and-places>> accessed 6 October 2024; The Sutton Trust, Jack Britton, Elaine Drayton, and Laura van der Erve, *Universities and Social Mobility* (The Sutton Trust, 2021) <<https://www.suttontrust.com/our-research/universities-and-social-mobility/>> accessed 6 October 2024; Tina McKee, Rachel Anne Nir, Jill Alexander, et al ‘The Fairness Project: the role of legal educators as catalysts for change: Engaging in difficult dialogues on the impact of diversity barriers to entry and progression in the legal profession, (2021) 55(3) *The Law Teacher* 283; Eleanor Rowan and Steven Vaughan, ‘“Fitting In” and “Opting Out”: Exploring How Law Students Self-Select Law Firm Employers’ (2018) 52 *The Law Teacher* 216; Louise Ashley and Laura Empson, ‘Differentiation and Discrimination: Understanding Social Class and Social Exclusion in Leading Law Firms’ (2013) 66 *Human Relations* 219; Wolfgang Lehmann, ‘Extra-credential Experiences and Social Closure: Working Class Students at University’ (2012) 38 *British Educational Research Journal* 203; Andrew Francis and Hilary Sommerlad, ‘Access to Legal Work Experience and Its Role in the (Re)production of Legal Professional Identity’ (2009) 16 *International Journal of the Legal Profession* 63.

⁴⁵ See above, n 24.

⁴⁶ On the relations between mooted and other experiential legal learning see, for example, Nathan Moore, ‘Using Mooting to Develop Advocacy Skills and Substantive Law Knowledge in Non-traditional Law Students’, (2018) 52(2) *The Law Teacher* 190.

intersectional disadvantage.⁴⁷ The one male student recruited had experience in an international NGO in the global South; had experienced disadvantage on another protected characteristic (race); and was aware of gender dynamics in groups and professional settings and how to behave as an ally to women.⁴⁸

The workshop design is strongly influenced by the need to manage power imbalances and foster a sense of equality among all learners. Obviously, it is not possible to eradicate differences, but instead the aim – inspired by the ‘How People Learn’ pedagogical model and other experiential and outcomes-based learning models⁴⁹ – is to engage learners within an initial zone of minimised discomfort, so as to allow every learner to contribute to their full potential to a group effort. Our design takes into account that all students are likely to experience some initial (and perhaps ongoing) discomfort when joining the learning experience, as it is different from their previous educational settings.

In practice, this means a workshop design first in the jurisdictional and physical rooms, with icebreakers; then in one to one electronic breakout rooms between the two jurisdictions; then introducing each other to the whole group in a Microsoft Teams meeting with all participants. The groups will each be on one screen, so the room layout has an important ethical dimension too. There will be a need to ensure that voices closer to the microphone or camera do not dominate; that where people sit does not imply higher status; and to seek to ensure that ‘sage on the stage’ effects from lecturing⁵⁰ are minimised. Being able to access specialist assistance (in kind) from City St George’s University of London’s Learning Enhancement and Development team has been – and will continue to be – critical to the practical design here.

⁴⁷ On intersectionality, see Kimberle Crenshaw, ‘Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics’ (1989) 1 *University of Chicago Law Forum* 139.

⁴⁸ For an example of a study of allyship in a law school, see Rangita de Silva de Alwis, ‘Addressing Allyship in a Time of a “Thousand Papercuts”’ (2021) 19 *Hastings Race and Poverty Law Journal* 63.

⁴⁹ See above n 19.

⁵⁰ On lecturing in (legal) education, see, for example, Sjoerd Claessens ‘The Impact of a Global Pandemic on the Uneasy Relation between PBL and Lectures in a Law Curriculum’ (2022) 3(1) *European Journal of Legal Education* 3; Donald Bligh, *What’s the Use of Lectures?* (Jossey Bass Publishers 2000); Norm Friesen, ‘A Brief History of the Lecture: A Multi-Media Analysis’, (2014) 24 *MedienPädagogik* 136; Norm Friesen, ‘The Lecture as a Transmedial Pedagogical Form’, (2011) 40(3) *Educational Researcher* 95.

These initial design features seek to foster a sense of belonging in the project team as a whole, and to create a situation in which students are enabled to talk with each other, raise questions, and engage academic staff, towards a shared aim of learning through the production of legal research.⁵¹ The small size of the research teams (three or four students), and the fact that each team must include students from both jurisdictions, is also designed to support collaboration where everyone's contribution is valued and valuable. This type of learning through student/staff partnership can be highly effective,⁵² but the ethical dimensions of the inevitably unequal relationships need attention. We have already used the interviews to raise awareness of group power dynamics, and we will be attentive to these as the project progresses, particularly by drawing attention to good practice among the participants.

Conclusions and future research

The above account shows that many factors influenced the design of the learning experience *Gender Equality and Law: Transnational learning and co-producing research with students from Udayana University and City, University of London*. Some are critical to the very existence of the project: without them, the project simply would not have been viable. Such factors include the previous experiences and networks of the PI. Without the LLM in Washington, Haidari would not have met Widiatedja or Rosenbaum, and the project could not have happened. Another such factor is the availability of modest funding. It is highly unlikely that a UK-based law school would support such a project entirely from its own funds, given the highly constrained financial circumstances of the sector;⁵³ it would probably be impossible for a law school in Indonesia.

⁵¹ These design components are very much inspired by the 'How People Learn' approach, above n 19.

⁵² See, for example, Mick Healey, Abbi Flint and Kathy Harrington, *Engagement through partnership: students as partners in learning and teaching in higher education*, (Higher Education Academy, 2014) <https://www.heacademy.ac.uk/system/files/resources/engagement_through_partnership.pdf> accessed 4 October 2024; Claire Dickerson, Joy Jarvis and Lewis Stockwell, 'Staff-student collaboration: student learning from working together to enhance educational practice in higher education' (2016) 21(3) *Teaching in Higher Education* 249.

⁵³ See, for example, Benjamin Laker, 'The Hidden Dangers Of Cost-Cutting In UK Universities' (Forbes, 2 September 2024) <<https://www.forbes.com/sites/benjaminlaker/2024/09/02/the-hidden-dangers-of-cost-cutting-in-uk-universities/>> accessed 6 October 2024.

These types of constraints on project design apply to all pedagogical interventions. Some are hard-wired institutionally: availability of resources and technologies, as well as permitted uses of free-to-access technologies, are candidate examples. Others are serendipitous: the people we meet in our professional lives as educators and learners affect the resources we are able to secure and the projects we are able to carry out.

Others factors that affected the project design are more specific to this learning experience. This is especially the case for those design factors concerning ethics and experiential learning. They flow from the pedagogical convictions of the PI and Co-PI. These are a matter of pedagogical choice, rather than being essential factors to the project's existence.

The success – or otherwise – of the project in terms of its stated pedagogical aims is yet to be assessed, and is a matter of ongoing research. We will be gathering data from the students before their learning experience begins, during the experience, and at its conclusion. Analysis of these will give some short-term indication of what enables transnational legal learning of this type, in this context.

But of course, the real success of such a project could only be measured longitudinally.⁵⁴ Our project models and provides an experience that shows the student participants a glimpse of a possible future in which they are enabled to collaborate globally in whatever (legal) (education) career they find themselves.⁵⁵ A fundamental measure of success would be if students who would not otherwise have 'met' were able to sustain a professional relationship into their post-higher education employment and experiences, just as the project team have done. Perhaps two or more of the students in our project will run a similar project in the future?

⁵⁴ Longitudinal studies of higher education are rare. See, for example, Charles Robert Pace, *They Went to College: A study of 951 university students* (University of Minnesota Press, 1941); J U Overall and Herbert Marsh, 'Students' Evaluations of Instruction: A Longitudinal Study of their Stability' (1980) 72 (3) *Journal of Educational Psychology* 321.

⁵⁵ On legal education to enable students' understanding of future 'possible selves', potentially overcoming disadvantage, see Andrew Francis, 'Legal education, social mobility, and employability: possible selves, curriculum intervention, and the role of legal work experience', (2015) 42(2) *Journal of Law and Society* 173; and, more generally, see Michael Tomlinson, 'Investing in the Self: Structure, Agency and Identity in Graduates' Employability' (2010) 4 *Education, Knowledge and Economy* 73.