

Legal Education in Europe

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I. Bologna process - summary:

- BA + MA + Ph.D. (min. 3+ approx. 2+3)
- easy comparison
- credits
- mobility (students and staff)
- by-product: cooperation, European dimension

II: Country examples (not intended to be comprehensive !):

Note: Ph.D. is available everywhere

1. UK:

Bristol

- LL.B. Law 3 years, 360 credits
- LL.B. European Legal Studies, 4 years, 490 credits (3rd year is in abroad)
- LL.M.

Cambridge

- BA (“The emphasis is on principle and technique, reasoning and explanation.”) 3 years (Optional year in continental universities.)
- MA (LL.M.) - one year

Oxford

- regular 3 year BA (“ A central aspect of legal education on Oxford, as at other law schools, is learning to make a proper legal argument.”)
- BA in Law with law studies in Europe, 4 years
- BCL (civil law), master program

2. Continental Europe

Helsinki (Finland)

- BA of laws, for state and municipal administration, 120 credits
- MA of laws – basic law degree in Finland 160 credits, 5,5 years as an average
- Licenciate in laws post-graduate, may be equivalent to doctoral degrees

Groningen (The Netherlands)

- Combined BA-MA programs (BA 3 years + MA 1 years)
- Interdisciplinary BA-MA programs (BA 3 years + MA 1 years)
- LL.M. programs

Tilburg (The Netherlands)

5 BA programs 3 years, 180 credits
10 MA programs, 60 credits, 1 year

3. New EU member states

Masaryk (Czech)

- Bc in law, 3 years
- Mgr, 5 years

PPKE (Hungary)

- Combined BA + MA in one framework, 5 years 300 credits
- Post-graduate courses (2 years)

Rijeka (Slovenia)

- 5 years, 300 credits
- Postgraduate specialised studies, 1-2 years

Rzeszów (Poland)

- MA full time (5 years)

4. Eastern Europe

Sofia (St. Kliment Ohrids)

- 5 years is basic

III. Results of CEE Regional Conferences

First Regional Conference of Law Faculties, Novi Sad, 28-30 May 2004

CONCLUSIONS

1. There exist varying models of legal education in the countries of Central and Eastern Europe.
3. The conceptual differences and varying levels of legal education impede professional communication and regional cooperation in the areas of international politics, economics, culture, etc.
4. It is broadly accepted that the process of pan-European integration could be more easily and efficiently implemented if these differences in legal education were to be minimized.
5. Having all of this in mind, the Conference participants have agreed to intensify the process of regional harmonisation of legal education.
7. There should be a gradual implementation of the principles of the Bologna Process, while taking European trends into consideration, as well as all the specificities of legal education.
9. Separate network of law faculties – the Central and Eastern European Law Faculties Network.

Meeting of Law Faculties, Ljubljana 13th – 15th January 2005

Summary (only elements !)

1. In implementing the Bologna process both this experience and tradition and this diversity should be taken into consideration.
2. Bologna declaration is a declaration containing guidelines and goals instead of compulsory rules.
3. Law faculties must be research driven to ensure that teaching is determined by research results.
6. Legal education should promote competences and skills of a general applicability in the delivery of higher education and those with particular reference to legal study.
7. The second cycle courses should build upon and not merely replicate the knowledge and skills developed in the first cycle programmes.
9. The legal curriculum should reflect an informed decision on the minimum core content for any law degree and what should be essentially optional subjects able to be selected by students in terms of their own professional or career aspirations.

Meeting of European Law Faculties, Ljubljana 29th September – 1st October 2005 Conclusions (only elements !)

1. Each Faculty has to define its profile and mission, and within this context, to decide upon priorities between serving the local community, having a wider regional mission or competing upon the global scene.
5. At the undergraduate level the curriculum must deliver a general education providing a sound foundation of basic legal principles and concepts together with the relevant legal method giving the possibility to upgrade this at the graduate level and through further lifelong learning.
6. In building its curriculum each Faculty should ensure that it contains:
 - a) the core legal subjects related to the main disciplines of law,
 - b) the humanistic subjects providing an appreciation of the law's social and cultural contexts in place and time,
 - c) the delivery of the skills (languages, communication, technologies etc.) indispensable for the later academic and professional activities of the students, and
 - d) interdisciplinary subjects which allow the law graduate to cooperate with other non-legal disciplines.
7. A law degree cannot assure absolute mastery of all areas of the law.
10. The commitment to appropriate ethical and moral attitudes and values is a crucial element in the teaching and learning of law.

IV. Conclusions related to legal education in general

Diversity of educational programs, curricula – mostly based on decades or even centuries of traditions of legal education

Conceptual differences – from the emphasis of technique, reasoning and explanation to a sound foundation of basic legal principles and concepts together with the relevant legal method giving the possibility to upgrade this at the graduate level and through further lifelong learning

Mixture of programs:

- BA (LL.B.) + MA (LL.M.),
- BA-MA combined,
- unified MA programs

A consequence is that mobility should not be connected with degrees, but rather with the list of subjects/curricula covered, evaluated on the basis of mutual agreements (optimal) or case-by-case decisions (not favoured)

The mixture and diversity interestingly may serve as a proper basis for joint programs or mobility, due to the fact that there is always a wide variety of curricula elements which are comparable, and also there is a wide variety of added values.

Idea 1: to preserve traditions and values, while minimising differences (it is possible, see the example of CEE faculties cooperation)

Idea 2: mobility, joint programs, mixed arrangements (BA at University 1, MA at University 2, Ph.D. at University 3)

Idea 3: harmonisation of programs, but not unification

Harmonisation should cover:

- theoretical and methodological foundations of law,
- the core legal subjects related to the main disciplines of law,
- comparative and European studies,
- social, economic and cultural contexts, relationships,
- enhancement of skills (languages, communication, technologies etc.)
- it is advisable to continue using English as a common language for international studies and mobility (thus faculties are advised to develop some kind of English courses or curricula)

Beside the above elements, the diversity is an advantage – each faculty may find its special courses which are characteristic for it

V. Women in legal education

I mention only one key element: in CEE countries, mostly new EU member states more than 50 % of students in legal education are women. The experiences are positive – Erasmus programs, Ph.D. programs also reflect the same percentage.