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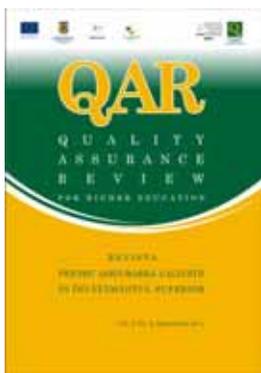


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Internationalising the Romanian Law School Curriculum

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Internationalising the Romanian Law School Curriculum

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Abstract: *This paper aims to explore the emerging forms of internationalisation in legal education according to the current mutations of tertiary education. Today we are witnessing an unstoppable transformation in the Romanian tertiary education that challenges the accuracy of the content of legal education in the context of the international agenda. For the Romanian Law School, it is very important to guarantee the labour market demands and that students acquire the skills and competencies of European citizens. However, the curricula of most law schools continue to focus on a domestic agenda, preserving the status quo in legal education. As internationalisation covers a complete range of forms, it also includes the internationalisation of the academic programs content by incorporating an international element into the law school curriculum and research. Therefore, the process of internationalizing the law school curriculum can focus on different legal systems including a comparative approach in studies or on the international paradigm in the academic agenda.*

Keywords: *legal education, internationalisation of the academic programs, curriculum.*

Rezumat: *Obiectul acestei lucrări este explorarea formelor emergente ale internaționalizării învățământului juridic românesc conform mutațiilor actuale ale învățământului superior. În prezent suntem martorii unei evoluții fără precedent în ceea ce privește educația superioară, lucru care problematizează agenda școlii de drept din România. Pentru învățământul juridic superior românesc este foarte important să garanteze absolvenților săi dobândirea unor competențe demne de statutul de cetățean european. Cu toate acestea, învățământul juridic românesc continuă să se bazeze pe o perspectivă locală, menținând status quo-ul. Pentru că internaționalizarea acoperă o gamă variată de forme, ea se referă și la internaționalizarea conținutului programului de studii prin integrarea unui element internațional în curriculum și cercetare. Astfel, procesul de internaționalizarea a învățământului juridic adoptă forme variate de la accentul pus pe o abordare comparativă a studiului dreptului, la internaționalizarea paradigmei agendei academice.*

Cuvinte cheie: *învățământ juridic superior, internaționalizarea programelor de studii, curriculum.*

1. Introduction

Our study tries to focus on the practical approach to the current aspect of internationalising higher education: how do we make students and law students, in particular, to be globally aware when we are in the situation of focusing on the local aspect of education? This question rises in the context of the growing economic influence and the competitive challenge that Laws Schools must address by providing a legal education that is better suited to the demands of the post-modern society.

Although previous studies have addressed the problem of an international curriculum, legal education is less likely approached in this practical way. This can be attributed to the national agenda of tertiary education, but also to the conservatory nature of the law school curriculum design. As a consequence, we will stress here the relevant aspects concerning the Romanian law school curriculum

by assessing the rationale of the major tertiary education policy in the process of internationalization. This process indicates the new interconnected dynamics between people and institutions, where the aspect of globalization stands as a catalyst. The concept of internationalizing the Romanian law school is often viewed as an unrealistic objective, because it is a truth generally acknowledged that a good practitioner of law must know the national legal frame and the national practice in order to succeed.

With respect to the importance of the national law, we must not, nevertheless, diminish the relevance of international frame in the construction of legal competencies.¹ On one hand, if we the focus on the countable aspect of a good practitioner, we will find that most law graduates will be more likely to work in a paralegal activity or not practice law at all. On the other hand, the internationalization of the curricula no longer plays an unimportant role, being the driving force of major reforms in higher education. The critics of the international policy will not find it relevant that the curriculum is internationally focused, mainly because they tend to have a traditional view on this field of study.

By examining the first aspect, we must provide arguments supporting the idea that not all law students will become practitioners. Let us begin with an example: the US Law Schools have the highest rate of law graduates (after Germany) who report doing full-time legal work (i.e. 80%²), while the Romanian Law School has less such graduate (i.e. 30% of law graduates find employability in their field). Some critics argue that increasing the international aspect in legal training is not relevant because legal norms reflect only the “Space–Time Matrix” of a single social structure and it is difficult to overcome the cultural relativism of a legal system. Undoubtedly, the legal system is determined by the evolution of political, economical, social and cultural life of every country.³ But, on the other hand, the adepts of the so-called “cultural relativism” seem to forget an unquestionable principle: cultures are not static; they manifest themselves dynamically in time, and have shown, in the past decades, an increase in their emphasis in contemporary society.⁴ In other words, one just has to point out the fact that globalization is about shifting forms of human contact in order to grant the relevance of an international content in the curriculum.

Secondly, cultural diversity has never been an obstacle to the formation of a universal set of rules of non-derogable fundamental rights, such as “jus cogens” in the international law.⁵ They are based on the theory of the natural law, considered universal and eternal, such as the principle of equality, the provision of basic human rights, of principles like “audiatur et altera pars”⁶, as well as the principle of legality in criminal law and the principle according to which “no one may benefit from a wrong he or she has done”.⁷

The assessment of law as an international science finds its corollary in the international aspect of legal training. It is also a way to overcome the local agenda and design, a curriculum that is student centred: integrating an international aspect in the curriculum.

The point of departure in our study is represented by the exhaustive processes of globalization, referring to the intensification and rapidity of movement and migration of people, and economic and cultural capital across national boundaries. Due to the social context of dramatic global transformations, we must acknowledge concepts such as the internationalization of the curriculum in legal training⁸.

¹ Pinar, William F, “*International handbook of Curriculum. Research theories*”, London, Lawrence Erlbaum Associates, 2003, p. 16.

² According to the National Association for Law Placement (NALP) 88.2 percent of all law school graduates are employed in full-time legal jobs within nine months of graduation. <http://www.nalp.org/uploads/NatlSummaryChartClassof09.pdf>.

³ Diaconu, Ion, “*Human Rights*”, Bucharest, Romanian Institute for Human Rights, 1993, p.4.

⁴ Faure, Michael, “*Globalization and Private Law*”, Edward Elgar, 2010, p. 23

⁵ Jus cogens are the norms that holds the highest hierarchical position among other legal norms and principles, and therefore are non-derogable. Granting and respecting the human rights has become an indissoluble condition of performing the state of law, its admission as a democratic state on international level.

⁶ Aulis Aarnio, “*Essays On The Doctrinal Study Of Law*”, Springer, 2011, p. 35: “Article 6 of European Convention for the Protection of Human Rights and Fundamental Freedoms (1950) assures the right to a fair trial as a minimum guarantee to ensure that fair and clear procedures exist. we must guarantee the right of every person to be heard, before any individual measure which would affect him or her adversely is taken.”

⁷ Sienho Yee, Morin, Jacques-Yvan, “*Multiculturalism and International Law*”, Boston, Martinus Nijhoff Publishers, 2009, p. 483.

⁸ Grossman, Claudio, “*Building the World Community Through Legal Education*”, “*The Internationalization of Law and Legal Education*”, Comparative Perspectives On Law And Justice, Jus Gentium, 2007, Spinger, p. 29–30.

The nature of contemporary life calls into question both the content and the methodology of legal education. On a general point of view, the globalization process shapes both private and public law and the financial markets have a considerable influence on the legal frame.

In addition to the economic aspect of globalisation, we should highlight the process of harmonization that is specific to the legal system of European States. A lot of attention was paid to these specific problems in the years of the European Union enlargement and the Romanian integration to the European Union legal frame. Therefore, we appreciate that the comparative legal methodology set then, preceding the Romanian entry into the European Union, was characterized by the proliferation of those points of contact between local, European and international legal systems. As a consequence, it is difficult to maintain the curriculum in isolation and to focus on the state law, when the interaction between the European law and the Romanian law has an important undertaking. In this context of the convergence of internal and international regulations, the Romanian legal education must accommodate globalisation⁹, by implementing the notion of a comprehensive transnational legal system rather than the national Romanian system. Beyond the nowadays more pronounced tendency of using the word “international”, as a phenomenon, we must underline that it is reasonable to refer to the mutual relations between law, as a legal system, and law, as a science. The idea that there is a strict rule according to which law must be approached at the state level underlines the integration of the internal agenda in the doctrinal study of law.

In spite of the exhaustive definitions of the internationalization of higher education, we intend to emphasise the internationalization of the Law school curriculum, as the process of designing and implementing an international perspective in all types of programs or courses. For those who integrated the international aspect in the study of law, the main implication is that courses include more substantive materials of public and private international law and comparative law. As internationalisation covers a complete range of forms, it also includes the internationalisation of academic programs content, by incorporating an international element into law school curriculum, research and service. According to this view, we must envisage the development of a “universal” globally accepted curriculum framework. Apart from being viewed as a legal process, the internationalisation of law should be seen as connected to a social process of globalisation in society and the world at large.

The internationalised curriculum focuses on an international content incorporated in higher education programs, but it is also about the way in which the respective content is taught, learned and assessed, and how students are supported within these processes. It is not only about being international or global in outlook; it is about being intercultural and inclusive. From such a point of view, one may state that the curriculum serves several functions: a political function, legitimating the intercultural content; a programmatic function, producing an international and comparative content through curriculum guidelines; and a practical function, framing and supporting the acquisition of transferable skills. Internationalisation is a conscious process, a set of policies by which institutions foster global learning and it is becoming a major policy with joint-degree programs and branch campuses abroad. For a faculty board, the international activities are a way of promoting the faculty by establishing joint degree programs or international links stimulating and implementing the internationalization of the curriculum.¹⁰

2. Context

Because of the historical connection between Romanian Law Schools and the examinations for the entry to legal professions, the law school curricula have traditionally seen their goals in terms of subject coverage and assessing graduates into well trained jurists. The need to cover these demands

⁹ OCDE, “*Internationalisation and quality assurance*”, Paris, 1999, p.19.

¹⁰ J.W. Fulbright said: “The essence of intercultural education is the acquisition of empathy – the ability to see the world as others see it, and to allow for the possibility that others may see something we have failed to see or may see it more accurately. The simple purpose of the exchange programs ... is to erode the culturally rooted mistrust that sets nations against one another. The exchange program is not a panacea but an avenue of hope” http://www.fulbright.org.br/docs/relatorio2005_baixa_english2.pdf, p.4.

has constituted the rationale of the “core” curriculum for legal training and not only. But, in contrast to legal training, the rate of students entering legal professions has dropped in recent years. Moreover, after 1990, the context of the exponential increase in the number of students entering the Law School has major effects, such as the disorientation of the curriculum, as programs and courses were adjusted in order to appeal to a wider range of interests and experience. This disorientation is reflected into the vocational courses that altered the students’ outcomes. In order to respond to this trend, the law schools implemented curriculum reforms by providing programs that address the diverse interests of students that ended in non transferable skills for graduates.

The pressures of massification and of the universal access described above appear to militate against the thorough approach of learning and providing the ability to apply fundamental principles of law and legal reasoning, in different contexts. Global pressures on Romanian Higher Education and legal services require students the ability to understand and apply fundamental principles of law and legal reasoning at international, regional and trans-national levels. Essentially, these skills enable students to act as active subjects in international transactions, liaising between differing legal systems and jurisdictions. Over the last years, the impact of globalisation on the delivery of legal services and the process of harmonization of the legal framework according to the European one require the development of an international curriculum for legal education. Despite the numerous changes in international law over the past century, the curricula of Romanian law schools continue to focus on a domestic agenda. For the Romanian law school, it is very important to guarantee the requirements that students acquire the skills and competences of European citizens. Moreover, in this approach, the curriculum should be a pedagogical device that has a clear purpose, i.e. the transmission of a common culture and common standards of citizenship.¹¹

Therefore, if we aim at obtaining quality, as a benchmark for legal training, which demands a student-centred approach, we must focus on the needs of global market and local community development. This can be done via curriculum design and it is necessary that we establish the correlation with globalisation and legal training.

3. The Internationalisation of the Curriculum: A Janus-faced Concept

The assertion of the indispensability of the international aspect in legal training creates a battle between international and local approaches.¹²

The internationalisation of the curriculum can be conceptualized as the dichotomy between cosmopolitan/local, national/international, homogenizing/diversified, complex/simple, or traditional/modern.¹³ Curriculum, as an international content, emerges from cultural globalization but reveals the tension between global culture and the resistance of the traditional local pattern. The international content of the legal curriculum is shaped both by the local and global agenda.¹⁴

¹¹ In 1997, the UK Dearing Report (the National Committee of Inquiry into Higher Education) also discerned ‘four main purposes of higher education’: to inspire and enable individuals to develop their capabilities to the highest potential levels throughout life, so that they grow intellectually, are well-equipped for work, can contribute effectively to society and achieve personal fulfilment;

- to increase knowledge and understanding for their own sake and to foster their application to the benefit of the economy and society;
- to serve the needs of an adaptable, sustainable, knowledge-based economy at local, regional and national levels;
- to play a major role in shaping a democratic, civilised, inclusive society.

¹² OECD, “*Quality and Internationalisation in Higher Education*”, Paris, 1999, p.14. According to the Organisation for Economic Development and Cooperation study from the 1999 there are nine types of internationalised curricula:

- 1) curricula with an international subject;
- 2) curricula in which the traditional subject area is broadened by an internationally comparative approach;
- 3) curricula that prepare students for definite international professions;
- 4) curricula in foreign languages or linguistic that explicitly address cross-cultural communication issues and provides training in intercultural skills;
- 5) interdisciplinary programs such as region an darea studies covering more than one country;
- 6) curricula leading to internationally recognised professional qualifications;
- 7) curricula leading to joint our double degree;
- 8) curricula of which compulsory parts are offered at institutions abroad staffed by local lecturers;
- 9) curricula in which the content is especially designed for foreign students.

¹³ Pinar, William F. ,Erlbaum, Lawrence, “*International handbook of Curriculum Research theories*”, London, Associates, 2003, p. 568.

¹⁴ Idem p. 570

A key component of internationalizing the law school curriculum, as stated before, involves the process of infusing an international element in this field. If we consider internationalisation as a policy in the tertiary education, we must assess the impact of international goals in the same way as we assess a public policy.¹⁵ In order to implement internationalisation as a public policy, we have to first establish the goals of the stakeholders: university board, professors, students, community (such as employers, administrators) and other institutional actors in the legal field (courts, political authorities and bars). These stakeholders are the driving force for the rapid growth of international programs, their contributions influencing the promotion of foreign language education. The intention in such curricula is to increase the significance of our education.¹⁶

The goal of the international law curriculum is not to underline that students have acquired increasingly specialized knowledge, but rather to allow them to understand the idea of law¹⁷. However, is an internationalised curriculum in accordance with the outcome of legal training? Although the knowledge of law is essential to becoming a jurist, it is not enough for becoming a lawyer or judge or to occupy other legal positions because they also require other professional skills. In most law schools, as any student may confess, this issue is emphasized. From the first year of study, a professor would give a lecture that stresses the difference between the student's expectations and outcomes. He or she will convey the message that students came to the Law School in order to learn and memorize legal rules; however, although they memorize all the legal rules, they will still be an ineffectual lawyer because the most important achievement is to learn how to apply legal rules and solve problems. This view on education is consistent with the dominant conceptualization of legal education, which consistently identifies "thinking like a lawyer" as a major goal of legal education.

The curriculum in most law schools consists of standard "core courses", including torts, contracts, property, civil procedure, criminal law and constitutional law. Even if it is a basis course, international law is not considered a core course in terms of coverage. It is vital that we adapt legal pedagogy that reflects the global nature of today's legal reality by rejecting the traditional focus on an autonomous domestic system. Naturally, law courses focus on law but because time is limited, professors tend to lose touch with the context where law is applied. The law becomes the end, not the means to one or more ends, and the academic approach distances itself from the real world. As it has been mentioned above, some law schools stress the importance of the local judicial system rather than the guiding principles of law or the ability to act at an international level, expanding their outlook. Others say that, due to the flourishing of the international law, it is difficult to find an area that is not influenced by the international aspect.

In recent years, all major Romanian universities established that internationalisation is an important object in their long term strategies.¹⁸ Nevertheless, most law schools do not consider the internationalisation of the curriculum to be a priority. There are law schools that remain substantially unchanged, focusing deliberately on a limited curriculum in terms of subject coverage by the territorial boundaries of the State. A particular aspect is given by the fact that there are still no questions on any

¹⁵ Reichert, S., Wachter, B. "The Globalization of Education and Training: Recommendations For a Coherent Response of the European Union" Brussels: European Commission, 2000, internationalization is defined as "...a conscious process, a set of policies by which institutions foster global learning; a way to control globalization and mitigate its negative effects."

¹⁶ Newman, J., "The Idea of a University", New York, Holt, Rinehart and Winston, 1960, p. 127: "the more the powers of each individual are concentrated in one employment, the greater the skill and quickness will he naturally display in performing it. But, whilst he thus contributes more effectually to the accumulation of national wealth, he becomes himself more and more degraded as a rational being. In proportion as his sphere of action is narrowed his mental powers and habits become contracted; and he resembles a subordinate part of some powerful machinery, useful in its place, but insignificant and worthless out of it".

¹⁷ The Carnegie Foundation has now published the results of its latest study of legal education in the United States. That study "involved a comprehensive look at teaching and learning in American and Canadian law schools today. Intensive field work was conducted at a cross-section of 16 law schools during the 1999–2000 academic year Carnegie Foundation for the Advancement of Teaching, Program Areas, Legal Education Study, available online.

¹⁸ Internationalisation Strategy for higher educations is generally developed with six themes in Romanian Universities:

- internationalising learning, teaching and research;
- enhancing the international student experience;
- enhancing the international experience of home students;
- developing and fostering international partnerships and alliances;
- developing staff capability for internationalisation;
- effectively recruiting international students.

bar examination concerning international law, no mandatory international law courses, and, generally, no exposure to the practical aspect of international law.

Recently, a considerable body of literature has accumulated, advocating that legal education should combine legal theory with law practice skills. Rather than simply “filling the bag with some international bits”, it is suggested that our aim should be to prepare students “to live and work in a multicultural society through greater understanding and respect for other cultures”.¹⁹ We need to take into account the fact that the object of the internationalisation of curriculum is not really to teach law in the same way that domestic law is taught. Legal education must cast back the connection between doctrine and practice. No such connection exists between non-domestic law and practice without developing partnerships with foreign institutions. Despite the apparent lack of practical opportunities, we can find a significant number of solutions for applying that knowledge. This application component, in law schools, can be provided by simulations, which represent a teaching method that enhances the student’s appreciation of, and skills relating to, fact-gathering. In many law schools, for example, simulations have become identified with the moot court.

In order to benefit from the international context, law students can participate in international competitions, such as the annual René Cassin Human Rights Moot Court competition²⁰, the Jean Pictet Moot Court, and the Red Cross Competition on Humanitarian Law, the Human Rights Moot Court Competition or the Moot Meeting for the European Parliament. All these competitions provide the opportunity for students to develop oral argumentation skills, to learn to work with a cross-cultural legal team and enable them to develop friendships with law students from other parts of the world. Moreover, law schools must connect themselves with the outside world and reconstruct their academic agendas, in order to work with actors in the international communities, such as multinational NGOs. By experimenting with new and innovative forms of education, the curriculum must break down barriers between Romanian and European students, between faculty and students, between domestic and international law, between outgoing and incoming mobility rates, between local and global levels and referring to justice as a result of one’s jurisdiction.

The globalising aspect of our culture is more visible in the context of the trade of services, capitals and intercultural exchanges. Given the background of the social dimension, new outcomes must be considered, emerging from the multicultural world. In the widening shape of the international cooperation, the internationalisation of the curriculum is focused on the professional outcomes that can be used to adapt in a new context. It is vital that we adapt legal pedagogy that reflects the global nature of today’s legal reality, by rejecting the traditional focus on an autonomous domestic system. It should integrate skills that enable students to communicate effectively across cultures and multiple perspectives on the disciplines that have traditionally characterized the “content” approach to internationalising the curriculum.

Professor Larry Cata Backer, an adept of the academic field-free zone, addressed the problem of internationalising the Law School Curriculum, mirroring more than one possible model.²¹ In his study “*Internationalizing the American Law School Curriculum*”, he claims that, in order to internationally approach the curriculum, the first step which should be made is to establish a group of professors that can involve the international content in the syllabus. For this purpose, one solution would be that a professor from the first year volunteers to incorporate the international paradigm in the academic agenda. This requirement should be made also to professors from the 2nd, 3rd and 4th years of study. They would commit to integrate global perspectives into their courses. After running the drill for one year, the interest of students for programs in this field will increase. Therefore, the

¹⁹ De Vita, G. “*Rethinking the Internationalisation Agenda in Higher Education*”, Journal of Further and Higher Education, Vol.27(4), 2003.

²⁰ Each year, over sixty teams from all over the world compete, debating human rights law issues. Teams must submit written legal memoranda before beginning the oral argument phase of the competition. The competition is named after René Cassin, the 1968 Nobel Peace Prize Award winner who helped found UNESCO and was the president of the U.N. Commission on the Rights of Man.

²¹ Klabbbers, Jan, “*The Internationalization of Law and Legal Education*”, Comparative Perspectives On Law And Justice, Jus Gentium, 2007, Springer, Larry Cata Backer Chapter 5: “*Internationalizing the American Law School Curriculum*” p. 65–67.

faculty will have global elements and perspectives introduced in up to two of the five core courses, focusing on cross-cultural education. More than half of the Romanian Law Schools chose this method in order to incorporate international and comparative perspectives in their teaching, scholarship and public services, in a significant way. This year, they offer more than 15 master degree programs focused on international, European or comparative law studies.²²

Another example of a possible model is to provide a home for international and comparative law programs within the School of Law. The law school can create an administrative device that serves as an institutional base on which all international and transnational programs can be developed, offered and assessed, all to serve the education and research mission of the law school (research centre). Consequently, we may suggest that this strategy represents its strong commitment to foster activities gravitating around international law schools throughout the world. Such examples can be seen at the University of Bucharest, where an International Human Rights Law Clinic (IHRLC)²³ is established, or at “Nicolae Titulescu” University, which has a Humanitarian Law Centre, which focuses on moot court competitions and offers an unprecedented opportunity for students. The internationalisation of the university curriculum can be accomplished by providing transnational programs, i.e. partnerships, inviting foreign teachers, establishing academic collaborations, in order to become part of a wider international network where high quality research, teaching and learning become the main goals of the academic environment. In literature we encounter the notion of “internationalisation at home”²⁴, where a program is taught in an international language, with an international staff and it is providing a double degree. In consequence of this progress, the Romanian law school can establish partnerships and double / joint degrees: rather than sending its students out into the world, it attempts to bring knowledge of the world to its students, reaffirming the cooperation in joint degree programs and in promoting competences that obliges the University to respect the educational process and its outcomes.

A great opportunity for students is represented by their exposure to the “authentic” foreign element brought to them without the financial costs of studying abroad, and by the acquirement of intercultural skills and knowledge. The motivations on an institutional level for internationalizing the curriculum are related to the added value, this programs being highly competitive. The process of internationalising Legal Training at home started with programs such as “College Juridique”²⁵, and continued with more and more joint programs. Certainly, in the future, more double degree programs will be established, after overcoming the difficulties of recognizing the double-diploma, as diplomas are awarded by partner institutions, in accordance with their individual practices and procedures. Currently, this form of internationalisation has an increasing significance and more law courses are co-taught with full-time foreign Law professors. These courses touch every part of the curriculum, including business law, criminal law, international arbitration, international and comparative law, European law. Such an accomplishment has been achieved by establishing a double degree programme providing its participants with both a Romanian MA degree in Law and the French “Maitrise en Droit”.²⁶

Another way of internationalizing the curriculum is by focusing on the different types of legal systems that (co)exist around the world. This requires more than an understanding of the substance of law, but also an understanding of the legal culture, whether it is common law, civil law, religious law or customary law. Special courses examining these various traditions, either apart or in comparison, and study abroad opportunities in countries with different legal traditions, give students the opportunity

²² See Anexa I.

²³ Centre dealing with transnational, international, and comparative law; is probably the most comprehensive in the country.

²⁴ Knight, J., “*Internationalization remodeled: Definition, approaches and rationales*” *Journal of Studies in International Education*, 8(1), 2004, p. 5–31.

²⁵ College Juridique offers a joint degree program, students obtain the Romanian law diploma of Bucharest University and Maitrise en Droit from Paris Sorbonne I.

²⁶ One of these joint degrees programs is “Action publique, gouvernance et administration européenne”, a MA program established between Ovidius University and Université Lille 2 Droit et Santé, France.

to put the peculiarities of their own legal system into perspective. Students who have the ability to pursue conversations about law in a variety of ways have, by definition, the intellectual tools, as well as the flexibility in their approach, which will allow them to address themselves to a wide range of tasks, adapting their knowledge to new conditions.

4. Conclusions

In a globalising world, jurists will need to be educated in such a way as to make it easy to move across jurisdictions, across specializations and to find employment opportunities in the multicultural contemporary society. These developments are likely to have a greater effect on the infusion of the international content into the curriculum. With respect to the traditional curriculum design, we must aim to overcome the simplistic conception of curriculum that refers only to content, by engaging a polymorphic system where pedagogy and values are basic components. Law schools that fail to conform their educational mission to contemporary (legal) realities and to the global influences of legal actors – such as foreign merchants, nongovernmental organizations, economic entities and other users of legal services – will find themselves playing a limited role in the future of law development and legal activities on the global labour market. As a result, Romanian Legal Education should aim at infusing transferable skills, which can be fairly general in nature²⁷. A major development must focus on the basic parameters for legal competencies, corresponding to labour market demands. As a result, the lawyer who knows the Romanian criminal code by heart but not much else will have a hard time surviving professionally and might be better off having an understanding of the principles underlying the criminal code rather than the details of that code itself. This might make it easier for him/her to move abroad, or to get the chance to practice abroad. Internationalisation can pull the law school curricula from its confinement and can facilitate the international or internationalised knowledge system. Legal education, in other words, should focus on general principles and on a broad understanding rather than, as it is so often the case, on detailed rules and memorization.

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²⁷ Backer, Larry Cata, “*Internationalizing the American Law School Curriculum*”, “*The Internationalization of Law and Legal Education*”, *Comparative Perspectives On Law And Justice, Jus Gentium*, 2007, Spinger, p. 85– 87.

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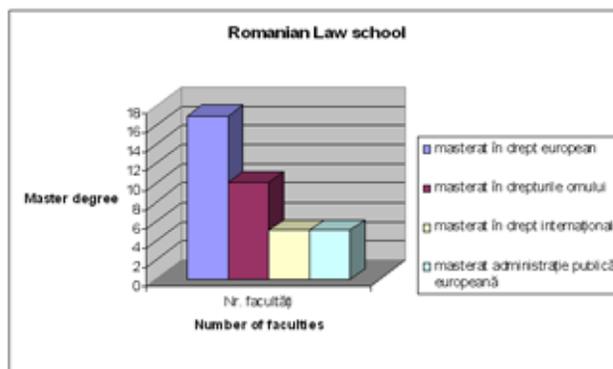
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Appendix 1²⁸



²⁸ The data presented here covers the Romanian Master Degree programs that offer an international curriculum, focusing on International, European or Comparative Law and Administrative sciences.