



ELFA's resolutions on Doctoral Studies

Quality – Diversity – International Cooperation

1° Maintaining very high quality requirements in Doctoral studies should remain the primary concern. With the first two cycles of the new study curricula (Bachelor/Master) well under way, ELFA is conscious of the implications that the Bologna reform may have for doctoral studies in law, as the third stage of legal education. In the EU Commission scheme and the Bologna resolutions, doctoral studies may become a more common conclusion to the study path of a typical law student on the Continent, while in the traditional approach to legal education they were the exception rather than the rule, mainly intended for those selected students who wished and were deemed potentially apt to pursue a career in academia or through scientific research. In charting the new realities of the doctoral studies, States and institutions should maintain the idea that doctoral studies remain grounded in the pursuit of quality and excellence as the pinnacle of organised legal education. Quality should not be sacrificed in the name of perceived formal achievements.

2° A need to ensure diversity. The Bologna reform may affect the content of the doctoral studies (e.g. the respective roles of courses and research work or the structure and nature of the thesis) as well as the organisation of the study programmes (eg. fixing the duration of the cycle, the length of a thesis or the requirement for interdisciplinary work. Given the **very** different perceptions of doctoral studies across Europe, within the Civil Law systems, but also between Civil and Common Law *mentalités*, it is of tremendous importance that at this stage of education, the proposals which might be made ensure a large diversity, enabling students to choose the best solution for their needs across Europe. It would therefore be wrong in ELFA's understanding to implement uniformity in terms of fostering Doctoral *schools* all across Europe.

3° Helping the emergence of international cooperation for doctoral studies as the main goal to ensure the rise of a European Legal Community. Some of the changes fostered by the reform (such as joint degrees and international cooperation) not only lead to an improvement of quality, but ensure this emerging or achievement of a more European Legal Community and, as a matter of consequence, a more European Scholarship. After the success of Erasmus/Socrates, a substantial financial help for international cooperation in the field of doctoral studies should be granted (fellowships and institution help).

4° PhD in Law can also be open to transdisciplinary research. As an organised third cycle the doctoral studies should not be limited to disciplines of positive law. They should also allow individual candidates interested in general legal disciplines, like legal

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theory, legal history, or transdisciplinary works. The members of ELFA should also endeavour to elaborate a common approach towards the admission of non-lawyers to doctoral studies in law.