

ELFA RESOLUTION ON

LEGAL EDUCATION AND PROFESSIONAL LIFE: ADAPTING TO CURRENT CHALLENGES

The European Law Faculties Association (ELFA) uniting over two hundred law faculties from Europe, assembled at its Annual General Meeting in Madrid, on the ninth and tenth of March 2012

*Considering that through the successive declarations and documents that have shaped and guided the process of implementing the European Higher Education Area it is evident that one of the sought after principles is to attain a more solid and coherent integration of universities into their social, economic and professional environment;

*Taking into account that the Declaration of Bologna underscored as one of its priorities for the European educational system to increase competitiveness and the capacity to provide employment;

*Reaffirming its commitment to serve as a forum for the expression of opinions of European law faculties at the European level and to facilitate the transmission of ideas and positions common to all the European institutions competent in the areas of education and spreading and applying knowledge in the legal field,

has adopted the following Resolution:

1. ELFA shares the belief that in order to respond to the demands of current society, law faculties should multiply their efforts to overcome the wide gap that, in some countries, has traditionally existed between the content of legal teaching and the training needed to be able to adequately carry out legal professions, meaning that this specific training must be acquired, at times almost completely, after concluding university studies.

2. In this sense, ELFA understands that to guarantee that future professionals can face the challenges presented by entering the legal workforce in the best manner possible it is essential to give legal education also a practical dimension and a greater flexibility and to include in study programmes and teaching methodology aspects, ever more necessary, oriented toward general common competencies such as effective oral and written communication, speaking other languages, a working knowledge of new technologies, teamwork and the ability to adapt to multidisciplinary fields of activity. These skills are of importance not only for future legal practitioners, but also for law graduates, whatever their future line of work, and will also facilitate access to internships and the labour market in other Member States, promoting thereby the economic interpenetration that the European Treaties set out to achieve.

3. ELFA would like to emphasise that the efforts of universities and faculties of law to encourage and facilitate this greater proximity to the satisfaction of the demands of the professional world, should not be detrimental to preserving and defending their identity, independence, the carrying out of the social and cultural functions that they have been entrusted, and in particular the long-standing identity of the study of law as an academic discipline.

4. Therefore, ELFA considers the fundamental principle contained in the Bologna Declaration still absolutely valid, which defines the university as an autonomous institution that with a critical spirit produces and transmits knowledge through teaching and research and to be able to fulfil this mission, complete moral and scientific freedom from any external power or interest are required.

5. Consequently, ELFA firmly believes that the necessary narrowing of the gap, at times wide, existing between the educational approach of the European institutions of higher learning where future legal professionals are trained and the reality that they will encounter upon entering professional practice should not lead to an excessive subordination to the interests and demands of employers, stakeholders and corporations that act on this stage, nor should they fall into the risk of commercializing their objectives, functioning or study offerings.

6. In short, ELFA supports and adopts as its own aim that legal education and professional life converge in two closely related elements of the same equation, but without forgetting that law faculties cannot become mere factories for future legal professionals immediately apt for practice, and that the function of law faculties is not only to produce excellent professionals but also to produce graduates who understand the impact of law on the daily life of citizens and the interaction between legal professionals and society. Such graduates are active, creative, cultured and seriously committed to solving the complex challenges posed by the current world and society. The academic study of law promotes the intellectual and critical analysis of law, not the mere knowledge of a set of legal provisions.