



Tuning Middle East and North Africa T-MEDA

Fourth General Meeting

Valletta, 27 September - 01 October 2015

TASK 2 - SUBJECT AREA REPORT (REFERENCE POINTS)

TASK DESCRIPTION

Second draft subject area report (content)

1. Introduction

- Presentation of the countries involved in the SAG
- Presentation of the Members/Universities

2. Definition of generic competences: a thematic perspective

- Brief analysis of the generic competences from subject area perspective.
- Description of the process followed at the beginning to define a proposal for generic competences from the SAG perspective.
- Highlight some particular aspects considered and/or not considered in the final agreed list of generic competences for MEDA

3. Identification of subject specific competences

- Presentation of the subject specific competences agreed in the group.
- Explanation of the process followed to achieve the list of subject specific competences.
- Institutional/national/subregional/continental/international references which SAG took into account to achieve the list of subject specific competences.

4. Consultation and reflection

- Presentation of analysis of the results of generic competences survey (in relation to SAG perspective).
- Presentation of analysis of the results of subject specific competences survey
- Interpretation of the results.

5. Meta – profile

- Description of the process followed by the SAG to agreed a meta- profile.
- Presentation of the meta –profile as a graphic.
- Explanation of the main components/elements of the Meta – profile and how it is linked to the previous steps (generic and subject specific competences agreed).

6. Contrast of Meta – profile at regional level

- Explanation of the process followed to contrast the meta – profile with real profiles at university level. (Institutional reports should be mentioned but not included as part of this section)
- Identifying main differences and coincidences (focusing on those elements that differ).
- Analysis of these differences and coincidences.
- Analyzing the weight of the different dominant elements
- Potential changes in the original proposal of meta –profiles after the contrast exercise.

LAW

Subject Area Group - LAW Second Draft of the Reference Points T-MEDA Project

I. Introduction

The Tuning Project relating to the Middle East and North Africa ("T-MEDA") lead by the University of Deusto involves a subject area group for law ("Law SAG") besides other groups of tourism, architecture, and nursing. The Law SAG includes 15 partner universities from the Middle East and North Africa. In line with the methodology and objectives of "tuning",¹ the Law SAG aims to:

- Identify and analyse similarities and differences between the law programmes of the Partner Universities;
- Produce a competence-centered meta-profile for law based on the information shared and experience exchanged by and between the Partner Universities through the tuning project;
- Develop a degree profile and review its implementation at one of the Partner universities for one academic year during the period of the T-Meda Project.
- Generate a report describing the process followed, the results reached, and lessons learned so that the achievements of the T-Meda Project may be an international reference for developing models of teaching, learning and assessment in law programmes.

The following subsections introduce the partners, the relevance of the tuning methodology for them, and the similarities and disparities among their law programmes.

1. The Partners

The partner universities represented in the Law SAG are (in the alphabetical order):

- University of Algeria 1 (Algeria), represented by Madjid Kaci.
- Arab International University (Syria) represented by Maher Kabakibi.
- Beirut Arab University (Lebanon) represented by Abdullah Abdulkarim Abdullah.
- Cairo University (Egypt) represented by Ahmed Weshahi.
- Hashemite University (Jordan) represented by Mutasim Al Qudah.
- Holy Spirit University of Kaslik (Lebanon) represented by Darina Saliba.
- Islamic University of Gaza (Palestine) represented by Basem S. M. Boshnaq.

¹ An introduction to the Tuning Academy and its activities can be found at:
<http://tuningacademy.org/tuning-academy/?lang=en>

- University of Jendouba (Tunisia) represented by Saoussen Krechen EP Khalfallah.
- University Mohammed First (Morocco) represented by Yahya Haloui.
- University of Moulay Ismail (Morocco) represented by Mohamed Benjelloun.
- University of Mouloud Mammeri de Tizi Ouzou (Algeria) represented by Houria Yessad.
- University of Omar Al Mukhtar (Libya) represented by Esam F Husain Alhain.
- Palestinian Ahilyeh University College (Palestine) represented by Sana Totah.
- University of Tunis (Tunisia) represented by Nouredine Kridis and Mohamed Ali Benzina.
- Yarmouk University (Jordan) represented by Mohammad Bashayreh.

The Law SAG also comprises four experts from European universities: Prof. Andrea Gattini, Università Degli Studi Di Padova; Dr. Maria Luisa Sanchez Barrueco, Universidad de Deusto; Prof. Jenneke Bosch-Boesjes, Rijksuniversiteit Groningen; Dr. Andrey Kuvshunov, London School of Economics and Political Sciences.

2. The Relevance of the Tuning Methodology for the Partner Universities

Considerable steps have been taken, or are underway, towards reforming higher education in the countries of the Partner Universities. These steps come in furtherance of strategic plans approved at the national level in each country.² This stems from the fact that higher education plays a vital role in the development of human resources, which is a core capital of these countries.

In the context of such national policies, faculties of law of the Partner Universities have been reviewing their programmes. They have adopted explicit statements of their respective missions and objectives. In several countries, standards for accreditation at the national level are applied or planned for implementation. In Lebanon, Partner Universities are also in the process of applying for international accreditation from international competent agencies. Further, the tuning methodology paves the way for greater opportunities of cooperation among the Partner Universities and their counterparts in other countries.

The T-Meda Project has, therefore, come at the right time. The tuning methodology can foster the efforts of Partner Universities towards improving transparent programmes with defined competences and learning outcomes. The degree profile that will be designed through the project will be a bench mark for the revision of existing programmes at Partner Universities or establishing new ones based on competences.

² For example, the national strategy for higher education in Jordan can be accessed at www.mohe.gov.jo/Portals/0/2011-2013.pdf

Competence-based law programmes may even afford graduates a chance to practice law in a country other than the country of study with lesser additional requirements. In fact, several schools of law in the United States and Europe have designed courses to expose students to different legal systems so that it might become easier for graduates to practice law in different jurisdictions.³ It is believed that competence-based legal education could, too, place graduates in a better position to receive professional certification in other countries. Indeed, in furtherance of the goals of the Bologna Declaration 19 June 1999,⁴ the tuning methodology serves the internationalisation of legal education through facilitating student mobility between comparable and mutually equivalent law programmes.

3. A General Overview of the Law Programmes at Partner Universities

3.1. General Similarities

Twelve partner universities offer bachelor's programmes in law with common features. These programmes cover themes of the main branches of law: civil law, commercial law, administrative law, constitutional law, criminal law, public international law, private international law, civil procedure, criminal procedure, family law, and evidence.

A general perception lies behind these law programmes; namely, that faculty of laws graduate potential academics or lawyers committed to the dissemination of legal knowledge and raising awareness of the importance of the rule of law. This general perception has led to knowledge-focused programme. The courses and methods of teaching are not tailored to professional practice. Even if a programme comprises courses targeting the development of students' practical skills, such courses tend to be few and do not change the general identity of the programme.

Some of these law programmes are structured following a semester-based credit-modular system (comprising 110 Cr. H. as in Omar Al Mukhtar University, Libya to 141 Cr. H. at Yarmouk University, Jordan); others follow a yearly non-modular system. Arabic is the language of instruction of the law programmes in most of these twelve programmes. While Cairo University offers a law programme instructed in Arabic, it is represented in the project with a

³ Joan Mahoney, 'The Internationalisation of Legal Education' 2 Amsterdam F. L. 43 (2009-2010).

⁴ Information about the Bologna Declaration and process can be found at <http://www.ehea.info/article-details.aspx?ArticleId=5> (last visited on 18 April 2015).

special programme instructed in English. With few exceptions, other programmes contain modules in a foreign language: English or French.

It is worth noting that the Islamic University of Gaza offers a programme in "Shariah and Law" where law modules make 78 credited hours out of 148 credits. Law programmes in other Partner Universities comprise Shariah courses of family law; family law courses at the University of Holy Spirit in Keslik are based on Canon law.

Also, the discussions among the Law SAG revealed that the intended learning outcomes of these programmes are the same at the Partner Universities teaching law. Thus, graduates are expected to have specialized knowledge of the principles and rules of law and to be able to apply them in practical situations. However, graduates will need to improve their skills through further professional certification to integrate into professional legal practice. Indeed, in all the countries represented in the Law SAG, the legal profession, including a judicial career, depends on professional certification programmes administered by professional associations or faculty of laws, while candidates to judicial jobs are trained by special entities, like a judicial institute.

3.2. "Hidden Discrepancies" Reinforce the Justification for "Tuning"

Interestingly, while the law programmes at Partner Universities have the above common features, including similar course titles, it has turned out that courses which are apparently similar in terms of name and credit weight are in fact different in respect of the level of their content. At one Partner University a course may be designed for first year students, while it is taught at a more advanced level to students at the third or fourth years of study. Consequently, such courses cannot, in fact, be equivalent to each other.

The fact that apparent similarities between courses do not guarantee the same content or level of knowledge accentuates the relevance of competence-based courses. In other words, comparing courses in terms of targeted competences and intended learning outcomes can be more reliable when it comes to determining equivalence between courses. It follows that one can plausibly assume that academic recognition and student exchange projects should be facilitated by competence-based courses more than they could otherwise be.

3.3. Partner Universities with no Law Programmes

Three partner universities, however, do not share the above features. The University of Tunis, Tunisia, is represented with a programme focused on human rights; it does not cover the

common courses relating to the main branches of law; graduates are not generally qualified to pursue professional certification.

Further, the Hashemite University, Jordan, does not offer a bachelor's programme in law. It has a programme in accounting and commercial law that aims to graduate accountants with sufficient knowledge of commercial law tailored to their accounting profession.

The International Arab University, Syria, does not have a law programme, either. However, insights can be gathered from the law bachelor's programme of the University of Damascus, assuming that it reflects the national regulatory requirements of such a programme in Syria.

In light of this review of the existing law programmes at Partner Universities, the members of the Law SAG have discussed and produced a list of generic competences and a list of specific competences for a law programme. Following a consultation process, the Law SAG has developed a meta-profile for a law programme. The following subsections describe that process and explain the resulting competences.

II. Generic Competences – A Thematic Perspective

1. Exploring Generic Competences

The Law SAG has considered generic competences that a law student should develop as an educated person and a responsible member of society. Generic competences are here perceived as skills, attitudes, and abilities that can help improve specific competences for law. For instance, basic and general thinking and analytical skills and the ability to make logical decisions are required generally in managing day-to-day affairs; at the same time, these skills underpin the professional work of a lawyer in the treatment of legal materials and questions and the application of the law to a given set of facts.

Also, as a member of society, interacting with and serving others, a university graduate is expected to have developed communication skills, sense of commitment and dedication, and the ability to act ethically.

Thus, the list of generic competences initially proposed by the Law SAG contained thinking skills, organizational skills, communication skills, and social and ethical responsibilities.

The initial list of generic competences was then discussed among the four subject areas. As a result of this discussion, the following generic competences have been adopted:

- Empower others.
- Sense of dedication.
- The preservation of cultural heritage and values.
- Organizational skills.
- Work autonomously.
- Respect for diversity and multiculturalism.
- The protection and preservation of the environment.
- Search for information from a variety of sources.
- Skills in the use of information and communication technologies.
- Communicate in a second language.
- Health and safety procedures.
- Initiative.
- Lead effectively.
- Be flexible and adapt to different situations.
- Assertive.
- Human rights.
- Self-motivated.
- Apply knowledge in practical situations.
- Work in an interdisciplinary team.
- Make logical decisions.
- Be innovative and creative.
- Act ethically with social responsibility.
- Maintain quality of work.
- Identify and resolve problems.
- Maintain continuous education.
- Communicate orally and in writing with different audiences.
- Have critical thinking, analysis and synthesis.
- Manage time effectively.

2. The Process by which the List of Generic Competences Has Been Produced

In their first meeting at the Dead Sea, Jordan, in May 2014, the members of the Law SAG mapped a number of the law programmes offered at partner universities. It has been agreed

that the existing law programmes share common features and are based on similar perspectives. Thus, all the relevant countries are civil law countries and a law degree is a necessary but not sufficient requirement for professional legal practice.

The Law SAG, aided by four experts from European universities, conducted a brainstorming exercise to reach to a general concept of generic competences and a common view as to the role of a lawyer. Numerous general competences were suggested. The members then considered the generic competences proposed in previous tuning projects in Africa, Latin America, Europe, Russia, and the United States. It was found that much of the suggested competences in these projects matched or approximated the generic competences which were mentioned during the mapping of some law programmes in partner universities and the brain storming exercise.

Some generic competences were regarded as closely relevant for a law programme. These include thinking and communication skills, and ethical responsibilities. Other generic competences were considered and deemed irrelevant for a law programme. For example, the commitment for health and safety procedures was found not to be relevant for a law programme – no specific competence was thought to be based on such a general competence.

The Law SAG did not consider a few generic competences, which have subsequently been incorporated in the final list of generic competences produced by the four SAGs in the T-MEDA Project. These competences include: being assertive and the ability to empower others.

Conversely, in substance, the final list of generic competences did not leave out generic competences proposed by the Law SAG. In terms of form and phrasing, some competences have been merged or re-worded.

III. Formulating a List of Specific Competences for a Law Programme

1. Identifying Specific Competences for Law Programmes

The Law SAG has also produced a list of nineteen specific competences for a law programme. These specific competences can be categorized as follows:

- a. the level and scope of legal knowledge:*

- Knowledge of, and ability to, interpret and apply the general principles of law and the legal system.
- Knowledge of, and ability to, interpret and apply legal texts and principles of the national and international legal system in specific cases.
- Critical awareness of philosophical, political, social, economic, historical, personal and psychological phenomena and taking them into consideration in the creation, interpretation and application of law.
- Understanding the principles and process of alternative dispute resolution means in resolving disputes.

b. thinking, reasoning and research skills:

- Good capacity for legal reasoning and argumentation, and understanding different points of view and articulating them in order to propose reasonable solutions.
- Capacity to analyse complex legal materials and to summarise their arguments precisely.
- Capacity for critical analysis of the legal system.
- Capacity to take appropriate legal action in different venues.
- Capacity to determine the information required to formulate a legal opinion.
- Capacity to apply scientific research criteria in the course of professional activity.
- Capacity to use necessary electronic legal resources in the course of conducting a legal practice.
- Capacity to contribute to the creation of new legal solutions and institutions in general and particular cases.

c. communicating in clear and accurate legal language:

- Capacity for good written and oral expression, in fluent technical language, using precise, clear legal terms.
- Sufficient knowledge of a foreign language to be able to work efficiently in the legal field.
- professional ethics:

- Capacity to act faithfully, diligently and transparently in defending the interests of persons represented.
- Awareness of the ethical dimension of the legal professions and of the social responsibility of law graduates, and acting accordingly.

d. Commitment.

- Commitment to justice and fairness in all situations in which the law graduate is involved.
- Commitment to human rights, democratic governance and the rule of law.
- Capacity to provide legal expertise as a member of a legal team or an interdisciplinary team.

2. Description of the Process of Identifying Specific Competences for Law

The members of the Law SAG reached an agreement on the above-listed specific competences through identifying the competences that associate directly with the general intended outcome of a programme of law as set out earlier in subsection 'II.4.' It is self-evident that realizing that general outcome requires the development of thinking skills, communication skills, and commitment to utilize legal knowledge to serve the interests of clients but also the community at large.

In addition to those specific competences that can be directly inferred from the definition of the general outcome of a law programme, the Law SAG has critically reviewed and discussed lists of specific competences for law programmes identified in previous tuning projects. In particular, it was felt that the list of specific competences produced by the 'tuning Europe' project most closely reflected the relevant specific competences from the perspective of the participating members. Yet, some competences have been merged; others left out as redundant.

Further, the Law SAG took into consideration the prospects for legal career in the countries of the Partner Universities and the Middle East and North Africa in general. Two facts merit to be examined here. First, most of the countries represented in the Law SAG, like Egypt, Jordan, Lebanon, Palestine, and Syria, constitute a source of educated work-force employed in other

countries of constant economic development and, consequently, increasing demand for workers and professionals.

The second fact bearing on the prospects of legal careers is that most of the countries represented in the Law SAG also set and implement plans to enhance the domestic private sector and to attract foreign investments. These plans involve significant changes in the role of the private sector and the needs and objectives that underlie legislative reform in respect of various sectors. To mention just one example illustrating such changes and reforms, most of the relevant countries have introduced competition laws during the past ten years, marking the shift from state monopoly of several utilities to privatization and free market policies.

The combined effect of the aforesaid two facts is two-fold. The domestic market is set for increasing competition, new forms of legal relationships (e.g., private-public partnerships), and even a new paradigm of the making and implementation of law (e.g., the introduction of autonomous regulatory bodies vested with wide discretionary powers to set regulations and rules).

Besides, while lawyers are expected to cope with these changes, they should also be able to work in new mediums comprising international members whether at the domestic level or through working in other countries.

These prospective developments, which have indeed started in some countries, have informed the specific competences for law. For instance, the list of the specific competences includes communicating in a second language, working in interdisciplinary teams, and knowledge of the international legal system.

Moreover, the rapidity of economic and technological developments accentuates the nature of the law as an ever-changing and ever-developing field of knowledge. Any programme of law is not expected to teach all new legal issues, types of relationships, and responsibilities triggered by such developments. Rather, a good programme of law is that which trains students to self-learning. Hence, the specific competences relating to: "Capacity to apply scientific research criteria in the course of professional activity" and "Capacity to use necessary electronic legal resources in the course of conducting a legal practice," which further the generic competences of continuous education and research skills.

IV. Consultations and Reflections

As part of the tuning methodology, a survey has been conducted to assess and verify the proposed lists of generic and subject specific competences. The questionnaire requested respondents to rate each generic and specific competence, separately, in terms of both importance and achievement, using a scale from 1 (indicating lowest rating) through 4 (indicating highest rating). The respondents were also asked to rank five generic competences and five specific competences as the most important ones in descending order.

The members of the Law SAG circulated a questionnaire in their respective countries and localities. The total number of responding stakeholders in law programmes was 587 respondents in respect of the generic competences, distributed as follows: 121 academics, 104 employers,⁵ 234 students, and 124 graduates. As far as the specific competences are concerned, there were 454 respondents, comprising 101 academics, 82 employers, 166 students, 105 graduates.

1. Results Relating to the Generic Competences

The results of the survey regarding the list of generic competences have validated the original list. Not only do the results endorse the importance of the generic competences, but also the analysis of these results shows a general consensus among different groups of stakeholders. Indeed, the results generated from the area of law ("SAG level") with the results of the respondents in the whole survey ("the Project level") are mutually supportive. The validation of the generic competences can be demonstrated in terms of the rating of importance and ranking according to the results of the survey.

1.1. The rating of the importance of the generic competences

All generic competences were rated as being higher than 2. Since the questionnaire used a scale of importance ascending from 1 to 4, the results indicate that all the generic competences are important. Yet, differences exist when it comes to determining which generic competences are most important. The SAG Law agreed that the rate of 3 can be used as a delimiting line to indicate the most important competences. This is because less generic competences were rated below 3.

⁵ Employers include legal practitioners, judges, relevant NGOs, and heads of legal departments at private and governmental entities.

At the Project level, all the generic competences, except for two, were rated higher than "3". Only the competence of "working autonomously" and "empowering others" were rated below "3."⁶ In harmony with this result, all respondents at the SAG level rated working autonomously and empowering others below 3. However, graduates at the SAG level also rated the following generic competences below 3: respect for multiculturalism, to be flexible, thinking skills, sense of dedication, ability to work in a legal and interdisciplinary team.

1.2. The ranking of most important generic competences

The questionnaire asked the respondents to list top five generic competences in terms of importance. The analysis of these lists was as follows. The competence that ranked first in a list was assigned five points; the second 4 points, the third 3 points, the fourth 2 points, the fifth 1 point. Then, the mean of the points gained by each generic competence was calculated, and the competences were put in ascending order according to the mean of the points reflecting the ranking.

To determine which generic competences ranked as most important ones, the Law SAG has decided that the top five generic competences are those which attained the highest mean. Thus, different groups of stakeholders were deemed to concur as to the level of importance of a generic competence if this competence has a high mean, since this reveals that it has been chosen by respondents with relatively high ranking among the five top generic competences.

According to this approach, the following generic competences have appeared among the top five competences according to each group of respondents at the Project level and the SAG level:

- (a) managing time effectively.
- (b) Have critical thinking, analysis and synthesis.
- (c) Identify and resolve problems.
- (d) Maintain continuous education.
- (e) Communicate orally and in writing with different audiences.
- (f) Assertive.
- (g) Maintain quality of work.

⁶ Academics from all subjects rated only working autonomously below 3; employers, students, and graduates, rated "working autonomously" and "empowering others" below 3 on the scale of importance ascending from 1 to 4.

(h) Act ethically with social responsibility.

Among the above competences, the first three competences (a, b, c) appeared among the top five generic competences according to each individual group of stakeholders whether at the Project level or the SAG level. The rest of the above competences (i.e., d, e, f, g, h) had advanced ranking in some of but not all the lists of ranking according to different groups of stakeholders.

1.3. The rating of the level of achievement of the generic competences

The results of the survey point out to the fact that all stakeholders think that the generic competences are not achieved to a satisfactory level. The rate of achievement was invariably below 3 for each generic competence according to each group of consulted stakeholders. (The low rating of achievement will be considered in subsection 3 below.)

2. Results Relating to the Specific Competences from the Perspective of Stakeholders from the Law Area

2.1. The validation of the list of specific competences for a law programme

The survey relating to the specific competences for a law programme has validated the list of specific competences produced by the Law SAG. All the specific competences were rated important; the lowest mean of the rating of a specific competence is 3.02 on the scale of importance ascending from 1 to 4.

Furthermore, the analysis of the results of the survey in respect of the subject specific competences revealed generally high correlation between the views of different groups of stakeholders. And the following specific competences were less important (while they have still attained a rate of importance higher than 3):

- Critical awareness of philosophical, political, social, economic, historical, personal and psychological phenomena and taking them into consideration in the creation, interpretation and application of law.

- Understanding the principles and process of alternative dispute resolution means in resolving disputes.

- Capacity for critical analysis of the legal system.

At the other end of the scale, the following specific competences were rated among the most important competences based on the correlation factor:

- Knowledge of, and ability to, interpret and apply the general principles of law and the legal system.
- Knowledge of, and ability to, interpret and apply legal texts and principles of the national and international legal system in specific cases.
- Commitment to justice and fairness in all situations in which the law graduate is involved.
- Awareness of the ethical dimension of the legal professions and of the social responsibility of law graduates, and acting accordingly.
- Good capacity for legal reasoning and argumentation, and understanding different points of view and articulating them in order to propose reasonable solutions.
- Capacity for good written and oral expression, in fluent technical language, using precise, clear legal terms.
- Capacity to act faithfully, diligently and transparently in defending the interests of persons represented.

2.2. The ranking of most important specific competences

As with the ranking of generic competences explained in subsection 1.2 above, respondents were asked to list five top specific competences. The Law SAG has taken the same approach described above to determine the most important specific competences. Thus, the following specific competences have been chosen by the respondents as most important:

- (a) Knowledge of, and ability to, interpret and apply the general principles of law and the legal system.
- (b) Capacity to act faithfully, diligently and transparently in defending the interests of persons represented.
- (c) Commitment to justice and fairness in all situations in which the law graduate is involved.
- (d) Knowledge of, and ability to, interpret and apply legal texts and principles of the national and international legal system in specific cases.
- (e) Awareness of the ethical dimension of the legal professions and of the social responsibility of law graduates, and acting accordingly.

- (f) Good capacity for legal reasoning and argumentation, and understanding different points of view and articulating them [...].
- (g) Capacity to provide legal expertise as a member of a legal team or an interdisciplinary team.
- (h) Capacity for good written and oral expression, in fluent technical language, using precise, clear legal terms.
- (i) Sufficient knowledge of a foreign language to be able to work efficiently in the legal field.

The first three specific competences mentioned above (a, b, c) are deemed to be the most important ones, since they have appeared among top five competences chosen by each group of stakeholders in the area of law. The other six competences mentioned above variably appeared in the ranking lists produced by the respondents.

2.3. The rating of the level achievement

As with the generic competences, respondents rated the level of achievement of the specific competences as relatively low. While all groups of respondents were unsatisfied with the level of achievement, the reasons behind the low rating of achievement may differ from one group of respondents to another. This will be discussed in the next section.

3. Interpretation of the Results

Based on the discussions within the Law SAG, the following observations can be made to interpret the results of the survey in respect of the importance and level of achievement of the competences.

3.1. Observations regarding the overall agreement on the importance of most of the generic and specific competences

The appreciation by the respondents of the importance of the vast majority of the generic and specific competences indicates a general awareness of the need for practice-tailored legal education. This is underlined by the fact that generic competences relating to thinking and communication skills were rated among the highest important competences. And the importance of these skills harmonizes with the high level of importance assigned to specific competences involving legal research, thinking, reasoning and communication.

Indeed, the aspects of the legal profession have been implicitly recognized through the rating of important competences. Thus, the Law SAG noticed that the most important specific

competences belong to three main categories: knowledge of law, thinking and reasoning, and professional ethics and commitment.⁷

The high rates of unemployment in several countries in North Africa and the Middle East may explain the overall concurrence among academics, students and graduates, on the one hand, and the employers, on the other, regarding the significance of skills and competences in legal education. In response to unemployment, universities seek to adapt their academic programmes to the needs of the market with a view to increasing the "employability" or competitiveness of their graduates at the regional and international levels.

On the other hand, marginal discrepancies between the competences might be due to misunderstanding of certain competences as worded in the questionnaire. The possibility of misunderstanding stems from the apparent inconsistency in the rating of some inter-related or mutually-supplementing competences. For instance, the specific competences relating to the awareness of philosophical and other phenomena underpinning the law and the understanding of alternative means of dispute resolution were rated as less important although they can be regarded as particular aspects of the knowledge of the law, which was rated as most important. Since most of the competences have been palpably rated as important, misunderstanding is resolved in favor of the importance of the relevant competences. If misunderstanding could interpret such inconsistencies, it can be safely concluded that all competences have been endorsed as important.

3.2. Observations regarding the low rating of the level of achievement

While the respondents to the questionnaire concurred generally on the importance of the generic and specific competences (with discrepancies in the order of importance), they have also demonstrated a common view that these competences are not achieved to a satisfactory level by existing law programmes – Not a single competence was rated 3 or higher. At first hunch, this result might not be surprising since existing programmes are not, admittedly, competence-based in the first place. However, other factors may have contributed to the low rating of achievement of competences.

⁷ It is worth noting that some competences (generic: commitment, human rights; specific: human rights and rule of law, proposing new legal systems and solutions) were rated by some stakeholders as more important than analytical skills and applying knowledge in practical situations. This might echo current local needs in the Middle East and North Africa amid political instability or the requirements of a transition to democracy or, in some cases, the needs of transitional justice.

First, it is not uncommon that a gap may exist between the expectations and needs of employers and the way faculties of law define their mission or objective and design law programmes.⁸ The market may have high expectations from a law programme. By contrast, when designing a law programme, academics may assume that employers will provide recent graduates with training and continuous development.

A second factor may be that the skills taught through existing law programmes do not match the exact needs of employers. For instance, in respect of communicating in writing, students may be taught how to draft a statement of case but not contracts, whereas employers may expect students to be trained to various forms of legal writing.

Thirdly, the employers' assessment of the level of achievement may point out to the lack of sufficient connection between universities and employers: Employers might not be consulted when programmes are revised. Consequently, academics may focus on skills other than those needed for the market. Hence, while a law programme may comprise certain skills these skills might simply be irrelevant for the market.

V. Elaboration of the Meta-Profile for Law

1. Description of the Process

At the second general meeting held in Bilbao, Spain, 28 September to 3 October, 2014, the Law SAG has developed a meta-profile for a law programme based on its review and discussion of the results of the consultation process. Thus, the generic competences were first reviewed, and a final list of generic competences from the perspective of the Law SAG has been prepared. This involved omitting some generic competences, merging others, and retaining a number of the original proposed competences.

In determining the final list of the generic competences, the Law SAG took into account:

⁸ The gap between the expectations of employers and the way law programmes are designed has been recognized and addressed in other regions. For example: Alexa Z. Chew and Katie Rose Guest Pryal, 'Bridging the Gap between Law School and Law Practice' presented at the University of North Carolina School of Law 25th Annual Festival of Legal Learning, 13-14 February, 2015, available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2575185 (last visited on 10 April, 2015); James E. Moliterno, 'The Future of Legal Education Reform' 40 Pepperdine L. Rev. 423 (2013) at 427; also, on Australia see: <http://www.liv.asn.au/Mobile/Home/PresidentsBlog/BlogPost.aspx?blogpostid=347534> (last visited on 10 April, 2015); and for a general study on the gap between academic programs and employers' expectations in South Africa see: Hanlie Griesel and Ben Parker, Graduate Attributes: A Baseline Study on South African Graduates from the Perspective of Employers (2009) Higher Education South Africa and South African Qualification Authority, at http://www.saqa.org.za/docs/genpubs/2009/graduate_attributes.pdf (last visited on 5 April, 2015).

- Consensus among stakeholders (high correlation), which indicates that the relevant generic competences should be retained.
- Ranking by stakeholders as a controlling factor in respect of some competences that were given varying weight by stakeholders. The Law SAG found that the ranking of competences by respondents indicated priority among important competences and was not meant to underestimate those competences which were not ranked among top 5 competences.
- Judgment of the Law SAG, especially in case of (apparent) inconsistencies in the results of the consultation process. (The interpretation of the results in the previous section explains examples of such inconsistencies.)

A similar approach was taken to reviewing the specific competences. However, the Law SAG decided to keep the original list of specific competences without any omission. Indeed, each of the specific competences tended to be rated high by three separate groups of the stakeholders out of four groups, albeit different groups in respect of this or that competence. While the original list of specific competences has been retained, the Law SAG agreed on the following twenty generic competences (out of the original 28 proposed competences):

- (1) Maintain continuous education
- (2) Make logical decisions
- (3) Lead effectively
- (4) Be innovative and creative
- (5) Be flexible and adapt to different situation
- (6) Initiative
- (7) Self-motivated
- (8) Assertive
- (9) Have critical thinking, analysis and synthesis
- (10) Identify and resolve problems
- (11) Apply knowledge in practical situations
- (12) Manage time effectively
- (13) Communicate orally and in writing with different audiences.
- (14) Work in an interdisciplinary team and autonomously.
- (15) Communicate in a second language

(16) Search for information from a variety of sources, using information and communication technologies.

(17) Organisational skills, especially time management

(18) Act ethically with a sense of dedication and social responsibility

(19) Awareness and attentiveness for community interests, including environment, values, respect for diversity and multiculturalism.

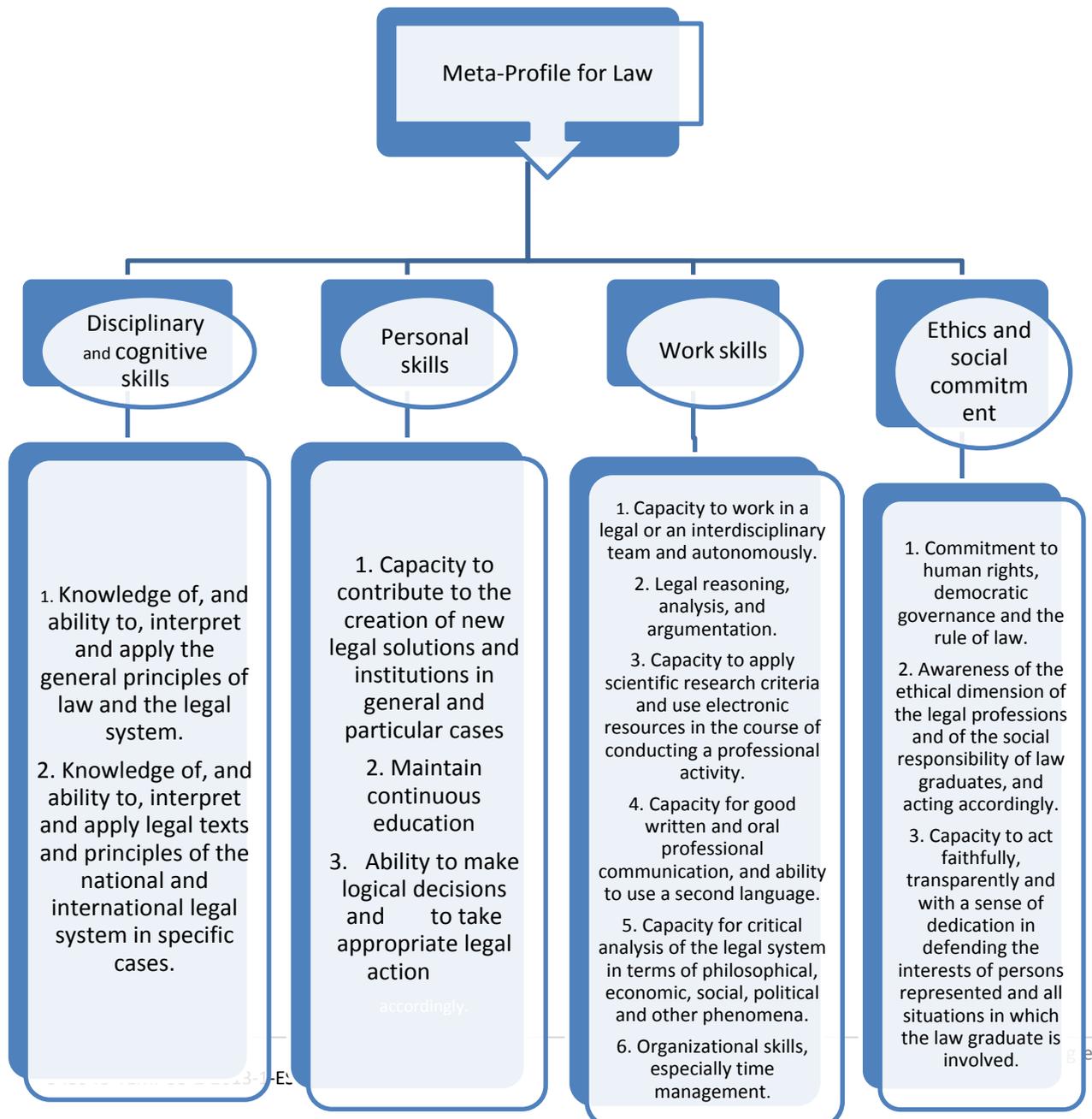
(20) Human rights

2. Presentation of the Meta-Profile for a Law Programme

The Law SAG has synthesized the generic and specific competences. AS a result, fifteen competences were identified to form the meta-profile for a law programme. As the next graphic shows, these competences belong to four main categories.



The four synthesized categories are broken down as follows:



The components of the meta-profile and their characterization under four main categories link with the original generic and specific competences. The meta-profile is meant to encompass the essential competences validated by the survey of the generic and specific competences. The following table shows the links between each component of the meta-profile and its roots in the generic competences (as revised by the Law SAG in the third general meeting held in Spain) and the specific competences:

Revised Generic Competences	Specific Competences	Key Competence	Main Category
Apply knowledge in practical situations	<ul style="list-style-type: none"> - Knowledge of, and ability to, interpret and apply the general principles of law and the legal system. - Knowledge of, and ability to, interpret and apply legal texts and principles of the national and international legal system in specific cases. 	<ul style="list-style-type: none"> - Knowledge of, and ability to, interpret and apply the general principles of law and the legal system. - Knowledge of, and ability to, interpret and apply legal texts and principles of the national and international legal system in specific cases. 	Disciplinary and cognitive skills
<ul style="list-style-type: none"> - Be innovative and creative. - Be flexible and adapt to different situation. - Initiative. - Self-motivated. - Assertive. 	Capacity to contribute to the creation of new legal solutions and institutions in general and particular cases.	Capacity to contribute to the creation of new legal solutions and institutions in general and particular cases.	Personal skills

<ul style="list-style-type: none"> - Search for information from a variety of sources, using information and communication technologies. - Maintain continuous education 	<p>Capacity to use necessary electronic legal resources in the course of conducting a legal practice.</p>	<ul style="list-style-type: none"> - Maintain continuous education. 	
<p>Make logical decisions.</p>	<p>Capacity to take appropriate legal action in different venues.</p> <p>Capacity to determine the information required to formulate a legal opinion.</p> <p>Understanding the principles and process of alternative dispute resolution means in resolving disputes.</p>	<ul style="list-style-type: none"> - Ability to make logical decisions and to take appropriate legal action. 	
<p>Lead effectively.</p>	<p>Capacity to provide legal expertise as a member of a legal team or an interdisciplinary team.</p>	<ul style="list-style-type: none"> - Capacity to work in a legal or an interdisciplinary team and autonomously. 	<p>Work skills</p>
<ul style="list-style-type: none"> - Have critical 	<p>Good capacity for legal</p>	<ul style="list-style-type: none"> - Legal reasoning, 	

<p>thinking, analysis and synthesis.</p> <ul style="list-style-type: none"> - Identify and resolve problems. 	<p>reasoning and argumentation, and understanding different points of view and articulating them in order to propose reasonable solutions.</p> <p>Capacity to analyse complex legal materials and to summarise their arguments precisely.</p> <p>Capacity for critical analysis of the legal system.</p>	<p>analysis, and argumentation.</p>	
<p>Make logical decisions.</p>	<p>Capacity to apply scientific research criteria in the course of professional activity.</p>	<ul style="list-style-type: none"> - Capacity to apply scientific research criteria and use electronic resources in the course of conducting a professional activity. 	
<ul style="list-style-type: none"> - Communicate orally and in writing with different audiences. - Communicate in a second language. 	<p>Capacity for good written and oral expression, in fluent technical language, using precise, clear legal terms.</p> <p>Sufficient knowledge of a foreign language to be able to work efficiently in the</p>	<ul style="list-style-type: none"> - Capacity for good written and oral professional communication, and ability to use a second language 	

	legal field.		
Have critical thinking, analysis and synthesis.	Critical awareness of philosophical, political, social, economic, historical, personal and psychological phenomena and taking them into consideration in the creation, interpretation and application of law.	Capacity for critical analysis of the legal system in terms of philosophical, economic, social, political and other phenomena.	
- Time management. - Lead effectively.	Dedication Capacity to apply scientific research criteria in the course of professional activity.	- Organizational skills, especially time management	
- Human rights.	- Commitment to justice and fairness in all situations in which the law graduate is involved. - Commitment to human rights, democratic governance and the rule of law.	Commitment to human rights, democratic governance and the rule of law	Commitment
- Awareness and attentiveness for community interests, including environment,	- Awareness of the ethical dimension of the legal professions and of the social responsibility of law graduates, and acting accordingly.	- Awareness of the ethical dimension of the legal professions and of the social responsibility of	

values, respect for diversity and multiculturalism.		law graduates, and acting accordingly.	
- Act ethically with a sense of dedication and social responsibility.	- Awareness of the ethical dimension of the legal professions and of the social responsibility of law graduates, and acting accordingly.	- Capacity to act faithfully, diligently and transparently in defending the interests of persons represented.	

3. An Explanation of the Main Components of the Meta-Profile for Law

The results discussed thus far suggest that the way existing law programmes are designed does not match the expectations of the employers. Recognizing that recruitment of recent graduates is a good indication of the quality of the learning outcomes of an academic programme, the Law SAG found that a meta-profile for law should address the skills and values (the combination of which makes competences) expected by the employers (i.e., those rated as important) in addition to the role of law graduates in the society in general.

To elaborate, the Law SAG considered the role of lawyers in society, taking into account the expectations of the employers as inferred from the results of the survey. Thus, while realizing that existing programmes of law are knowledge-based as opposed to competence-based education, the Law SAG decided to formulate a general outcome of programme of law that is tailored towards professional practice.

It is appreciated that, in recognising the need for meeting the market expectations of professional skills, the Law SAG gathers evidence for the validity of this approach, not only from the results of the survey in the T-Meda Project, but also from a widely held view that

professional skills should be integrated in legal education.⁹ An underlying justification for this approach may be that the faculties of law should teach students what they need - not what academics think better.¹⁰ Obviously, students ultimately look forward to practicing law in one form or another.

The members of the group discussed the facets of the legal profession. It turned out that a common conception of the legal profession and the role of lawyers exists within the Law SAG. Thus, the legal profession is perceived to involve:

- Dispute resolution and providing quality legal representation in litigation or alternative means of dispute resolutions, including arbitration and mediation;
- Legal consulting and drafting, taking into account serving the interests of clients and helping them achieve their goals in accordance with the law;
- Commitment to justice and the promotion of the rule of law;
- Policy making and contributing to legislative policy and drafting;
- Contribution to the public awareness of legal issues and rights.

To fulfill the role of a lawyer, a law graduate should be acquainted with legal knowledge and good ability to apply it in a professional and ethical manner to serve the interests of persons represented and the community. This general definition of a law graduate conforms to the mission of Partner Universities from the perspective of the faculties of law. It is also consistent with the perception of the role of a lawyer as demonstrated by the results of the analysis of the survey conducted through the consultation process.

Thinking and analytical skills are essential for the legal practice. Students should be trained to analyse factual situations to identify problems. They are also expected to be able to interpret legal texts. Beyond the analysis of factual situations and identifying problems, students should have the ability to provide solutions. Hence, problem solving is an additional essential skill recognized in the meta-profile. The ability to take appropriate legal action demonstrates the outcome of analysing the facts, identifying the problem, and providing a solution.

Ethical and social responsibility was emphasized by the results of the analysis of the outcome of the consultation process. Therefore, generic and specific competences involving ethics,

⁹ On this view, see: Denise Platfoot Lacey, 'Embedding Professionalism into Legal Education' 18 J. L. Bus. & Ethics 41 (2012); Ian Holloway, 'The Evolved Context of Legal Education' 76 Saskatchewan L. Rev. 133 (2013).

¹⁰ Cf David R. Barnhizer, 'The Purposes and Methods of American Legal Education' 36 J. Legal Prof. 1 (2011-2012) at pp. 5-8.

social responsibility and commitment to public concerns and issues have been synthesized in one category as "ethics and social commitment." Graduates should have developed a sense of commitment; commitment to fairness and justice, the promotion of the rule of law, and the improvement of legal institutions in the society.

Further, graduates should develop interactive and personal skills. These skills are vital for a lawyer to be able to deliver competent legal representation, managing client relationships, and to negotiate on behalf and for the interest of clients. Pertinent competences have been grouped in a category of "personal skills." The relevance of Self-learning or maintaining continuous education for the legal practice is accentuated by the fact that law is ever-changing and the knowledge acquired during academic studies will not remain relevant in practice for ever. As one commentator has put it: "No Layer knows all the law that would be useful to know. Lawyers should have a base-line level of knowledge of the core legal subjects; beyond that every lawyer must know how to learn what is needed to serve his or her clients."¹¹

It is noted that while some competences were not much emphasized by stakeholders, such as working in an interdisciplinary team or autonomously and sense of dedication, the Law SAG highlighted them in the meta-profile. This is because they are consistent with other important competences relating to work and commitment. Indeed, the skills and values embodied in the other competences cannot be plausibly fulfilled without sufficient organisational and work skills.

Further, in determining the components of the meta-profile, the Law SAG took into account prospective developments linked with globalization and the trend of liberalizing the market, while taking into account community needs. This underpins competences like second language, knowledge of international legal systems, and work in interdisciplinary teams.

VI. Designing Law Degree Profile

Designing a degree profile for law has been based on a review of the meta-profile developed by the Law SAG. This review took the form of contrasting the meta-profile with existing law programmes of Partner Universities.

¹¹ James E. Moliterno, 'The Future of Legal Education Reform' 40 *Pepperdine L. Rev.* 423 (2013) at 431.

In light of the review of the meta-profile, the Law SAG has embarked on designing a law degree profile, a task that was carried out during the third general meeting held in Nicosia, Cyprus, in February 2015. A degree profile aims to explain the key competences contained in the meta-profile; determine the courses to be taught; and associate each course with the appropriate key competence and effective learning outcomes.

1. Contrasting the Meta-Profile with Existing Law Programmes

Members of the Law SAG have reported, individually, a general comparison between the profiles of their respective law programmes and the meta-profile for law.

The conclusions reached in these reports point out to the fact that their law programmes converge with the meta-profile in respect of various competences. However, competences are recognized implicitly – existing programmes lack sufficient transparency in presenting the pertinent competences, objectives, and learning outcomes. Further, discrepancies exist in terms of certain competences not being defined in the existing profiles or the lack of specific definition of the competence-based objectives of each module.

Therefore, it has been generally commented by reporters that the meta-profile for law can be benefited from in improving existing description of certain courses and that it can also contribute to the development of relevant quality assurance measures relating to the definition and measurement of intended learning outcomes.

2. Finalizing Key Competences

Key competences have been incorporated into the degree profile virtually as stated in the meta-profile. However, the Law SAG has identified the levels of progress of a number of the competences. A modified list of key competences has been produced as a reference for the degree profile; thus:

1. Knowledge of, and ability to, interpret and apply the general principles of law and the legal system.
2. Knowledge of, and ability to, interpret and apply legal texts and principles of the national and international legal system in specific cases.

For the purposes of key competences 1 and 2, "knowledge" means the outcome of the assimilation of information, facts, principles, theories and practices related

- 3a. Capacity to contribute to the creation of new legal solutions and institutions in general (simple cases).
- 3b. Capacity to contribute to the creation of new legal solutions and institutions in particular (advanced) cases.

- 4. Maintain continuous education.

- 5a. Ability to make logical decisions.
- 5b. Ability to take appropriate legal action.

- 6. Capacity to work in a legal or an interdisciplinary team and autonomously.

- 7a. Basic legal reasoning and analysis.
- 7b. argumentation in advanced cases.

- 8. Capacity to apply scientific research criteria and use electronic resources in the course of conducting a professional activity.

- 9a. Capacity for good written and oral communication.
- 9aa. Capacity for good written and oral professional communication.
- 9b. ability to use a second language.

- 10. Capacity for critical analysis of the legal system in terms of philosophical, economic, social, political and other phenomena.

- 11. Organizational skills, especially time management.

12. Commitment to human rights, democratic governance and the rule of law.
13. Awareness of the ethical dimension of the legal professions and of the social responsibility of law graduates, and acting accordingly.
14. Capacity to act faithfully, transparently and with a sense of dedication in defending the interests of persons represented and all situations in which the law graduate is involved.

Key competences from 3 to 14 comprise skills. They involve applying and using knowledge.

These competences are to be realized through teaching relevant courses.

3. Courses

The Law SAG has identified the core subject areas of legal knowledge. In doing so, the Law SAG has drawn on the existing law programmes of Partner Universities. The common core subject areas are thus:

- Civil law
- Commercial law
- Constitutional law
- Administrative law
- Criminal law
- Civil procedure, including evidence and execution
- Criminal procedure
- Labour law
- Public international law
- Private international law

In addition to the above areas of legal knowledge, the achievement of the key competences requires 'supportive offerings' to be included in the degree profile. Such offerings include:

- A second language
- Legal method
- Legal exercises

- Comparative law
- History of law
- Philosophy of law

4. Effective Learning Outcomes

Learning outcomes can be defined as statements of what a learner knows, understands and is able to do upon completion of a learning process. An effective learning outcome should be precise, practical, and assessable; it is the proof that a student is able to use and apply knowledge in practical situations.

To write effective learning outcomes, the Law SAG has:

- organised the courses per year level;
- associated each course with the appropriate competences (or level of competence);
- drafted learning outcomes that are capable of measuring the competences associated with each course.

With the courses contained in the degree profile, the programme can be implemented in the span of four academic years (eight semesters). Cairo University has been chosen to carry out experimental implementation of the degree profile, wholly or in part, during the life of the T-Meda Project.

The result of this exercise has been the following plan of study (**Annex 1**), comprising courses with competences and effective learning outcomes associated with each. The courses have been classified at the academic year level. However, the plan of study sets guidelines for the line of progression of learning, which can be modified by the implementing university pursuant to its own regulations and academic system.