

# Tuning

Middle East and  
North Africa

**Reference Points  
for the Design and  
Delivery of Degree  
Programmes in  
Law**

Mohammad H. Bashayreh (ed.)





Reference Points  
for the Design and Delivery  
of Degree Programmes  
in Law



Tuning Middle East and North Africa

# Reference Points for the Design and Delivery of Degree Programmes in Law

**Mohammad Hussein Bashayreh (editor)**

Authors:

Mohammad Hussein Bashayreh, Darina Saliba Abi Chedid,  
Abdullah Abdulkarim Abdullah, Maher Kabakibi, Nouredine Kridis,  
Sana Totah, Mutasim Alqudah, Houria Yessad, Yahya Haloui,  
Madjid Kaci, Esam F. Husain Alhain, Ahmed Weshahi,  
Basem S. M. Boshnaq, Mohamed Benjelloun, Anas Lamchichi,  
Khaled Chiat, Mohamed Rafat Mahmoud, Jenneke Bosh-Boesjes,  
Maria Luisa Sanchez Barrueco, Andrea Gattini, Andrey Kuvshunov

2016  
University of Deusto  
Bilbao

## **Reference Points for the Design and Delivery of Degree Programmes in Law**

Reference Points are non-prescriptive indicators and general recommendations that aim to support the design, delivery and articulation of degree programmes in Law. Subject area group including experts from Middle East, North Africa and Europe has developed this document in consultation with different stakeholders (academics, employers, students and graduates). This publication has been prepared within Tuning Middle East and North Africa project 543948-TEMPUS-1-2013-1-ES-TEMPUS-JPCR.

This project has been funded with support from the European Commission. This publication reflects the views only of the author, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

Editor: Mohammad Hussein Bashayreh

Authors: Mohammad Hussein Bashayreh, Darina Saliba Abi Chedid, Abdullah Abdulkarim Abdullah, Maher Kabakibi, Noureddine Kridis, Sana Totah, Mutasim Alqudah, Houria Yessad, Yahya Haloui, Madjid Kaci, Esam F. Husain Alhain, Ahmed Weshahi, Basem S. M. Boshnaq, Mohamed Benjelloun, Anas Lamchichi, Khaled Chiat, Mohamed Rafat Mahmoud, Jenneke Bosh-Boesjes, Maria Luisa Sanchez Barrueco, Andrea Gattini, Andrey Kuvshunov

© Tuning

Although all material that has been developed as part of the Tuning project and is owned by its formal participants, other Higher Education Institutions are free to test and use the material after publication, provided that the source is acknowledged.

No part of this publication, including the cover design, may be reproduced, stored or transmitted in any form or by any means, whether electronic, chemical, mechanical, optical, by recording or photocopying, without prior permission of the publisher.

Cover design: Fotocomposición IPAR, S.Coop. (Bilbao)

© Deusto University Press  
Apartado 1 - 48080 Bilbao  
e-mail: publicaciones@deusto.es

ISBN: 978-84-16982-04-2  
National book catalogue No.: BI - 243-2017

Printed in Spain

# Content

<b>General Introduction</b>	<b>9</b>
<b>I. Introduction</b>	<b>15</b>
1. The Partners	16
2. The Relevance of the Tuning Methodology for the Partner Universities	17
3. A General Overview of the Law Programmes at Partner Universities	18
3.1. General Similarities	18
3.2. "Hidden Discrepancies" Reinforce the Justification for "Tuning"	19
3.3. Partner Universities with no Law Programmes	20
<b>II. Generic Competences – A Thematic Perspective</b>	<b>21</b>
1. Exploring Generic Competences	21
2. The Process by which the List of Generic Competences Has Been Produced	23
<b>III. Formulating a List of Specific Competences for a Law Programme</b>	<b>25</b>
1. Identifying Specific Competences for Law Programmes	25
2. Description of the Process of Identifying Specific Competences for Law	27
<b>IV. Consultations and Reflections</b>	<b>29</b>
1. Results Relating to the Generic Competences	29
1.1. The rating of the importance of the generic competences	30
1.2. The ranking of most important generic competences	30
1.3. The rating of the level of achievement of the generic competences	31

2.	Results Relating to the Specific Competences from the Perspective of Stakeholders from the Law Area	32
2.1.	The validation of the list of specific competences for a law programme	32
2.2.	The ranking of most important specific competences	33
2.3.	The rating of the level achievement	34
3.	Interpretation of the Results	34
3.1.	Observations regarding the overall agreement on the importance of most of the generic and specific competences	34
3.2.	Observations regarding the low rating of the level of achievement	35
<b>V. Elaboration of the Meta-Profile for Law</b>		<b>37</b>
1.	Description of the Process	37
2.	Presentation of the Meta-Profile for a Law Programme	39
3.	An Explanation of the Main Components of the Meta-Profile for Law	43
<b>VI. Designing Law Degree Profile</b>		<b>47</b>
1.	Contrasting the Meta-Profile with Existing Law Programmes	47
2.	Finalizing Key Competences	48
3.	Courses	50
4.	Effective Learning Outcomes	51
<b>VII. Student Workload</b>		<b>67</b>

# General Introduction

---

The convergence of national educational systems within the EU is an important milestone in the global development of modern higher education in the 21<sup>st</sup> century. The day when the Bologna Declaration was signed (19 June 1999), is considered the official starting point of the harmonization process of higher education systems within Europe, a process whose end aim consists in the creation of the European Higher Education Area (EHEA).

Signing the Bologna Declaration has led to a series of reforms in the educational systems of the majority of European countries. For higher education institutions (HEIs) these reforms consist in tuning basic teaching programmes in terms of both the structure and the outcomes of degrees. A prominent role should be given to the graduate and degree profiles so that they meet the needs of both the labour market and society, as well as to the specific tasks an academic community has to solve. Therefore, it is particularly important to express all the various educational levels in terms of competences and learning outcomes.

## The contribution of universities to the Bologna Process and Tuning

---

Tuning started as a project in 2000, initiated by higher education institutions and their academics, and strongly supported morally and financially by the European Commission. Over time Tuning has moved beyond the EU and gradually transformed itself into a global methodological system covering educational sectors in many regions of the world.

It is well known that the Tuning Project has been developed within the broader context of continuous reforms of European higher education systems, when society at large has been undergoing rapid changes. The name Tuning was chosen for the project to reflect the idea that universities do not look for uniformity in their degree programmes or any sort of unified, prescriptive or definitive European curricula but simply for points of reference, convergence and common understanding. The protection of the rich diversity of European education has been paramount in the Tuning Project from the very start and the project in no way seeks to restrict the independence of academic and subject specialists, or undermine local and national academic authority.

Tuning project to link the political objectives of the Bologna Process and at a later stage the Lisbon Strategy to the higher educational sector. Over time, Tuning has developed into a Process, an approach to (re-) design, develop, implement, evaluate and enhance quality first, second and third cycle degree programmes. The Tuning Project and its methodology constitute one of the academic tools for creating the EHEA. The need for compatible, comparable and competitive higher education in Europe reflects the students' requirements. The more student mobility, the more demand for reliable and objective information on the degrees offered by different HEIs. Apart from this, employers both within and outside Europe require reliable information on qualifications awarded and on what these qualifications mean in practice and in the labour market context. Therefore, the process of creating national qualification frameworks is inseparable from the EHEA development process.

Tuning aims to meet the needs of educational institutions and structures and to offer a concrete methodology to implement the competence based approach at the level of higher education institutions and subject areas. Tuning proposes a methodology to (re-) design, develop, implement and evaluate study programmes for each of the higher education cycles. Furthermore, Tuning serves as a platform for developing reference points at subject area level. These are relevant to making study programmes comparable, compatible and transparent. The agreed-upon reference points for subject areas and their degree programmes are expressed in terms of competences and learning outcomes.

Tuning in general has emerged from the understanding that the Bologna Process is about universities, their students, academic and

non-academic staff. It is they, with all their knowledge and experience, who should be deciding upon higher education innovation strategies. Tuning is a university-driven project and movement, which came into being as a reaction of HEIs to new challenges and new opportunities that emerged within the process of European integration and the creation of the EHEA.

## Tuning in Middle East and North Africa

---

The Tuning methodology as a universal tool for modernizing curricula in the context of achieving professional competences has gone beyond the borders of the EU and has acquired international significance. Universities in different countries and continents in expanding cooperation have increasingly resorted to using it to build joint programmes involving academic mobility, integrated education, introduction of a credit system, the exchange of educational modules and the mutual recognition of qualifications.

Middle East and North Africa Universities are also mastering the principles of the Tuning methodology through incorporating generic and subject specific competence descriptions into educational planning at the level of full degrees and individual degree components.

The Tuning Middle East and North Africa (T-MEDA) project has been designed as an independent university-driven project with contributions of university staff members from different countries. The T-MEDA project reflects the idea that universities do not look for the harmonisation of their degree programmes or any sort of unified, prescriptive or definitive curricula; but, simply for points of convergence and common understanding. The protection of the rich diversity of education has been paramount in the Tuning project from the very start and the

Tuning Middle East and North Africa project in no way seeks to restrict the independence of academic and subject specialists, or damage local and national academic authorities. The objectives are completely different. Tuning looks for common reference points. The Reference points are non-prescriptive indicators that aim to support the articulation of degree programmes.

The Tuning Middle East and North Africa project (TEMPUS, 2013-2016) has brought together:

## *8 EU universities:*

University of Deusto, the project coordinator (Spain), University of Groningen (Netherlands), London School of Economics and Political Sciences (United Kingdom), Aristotle University of Thessaloniki (Greece), University of Angers (France), University of Padova (Italy), University of Malta (Malta), University of Cyprus (Cyprus);

## *22 Universities from Middle East and North Africa:*

Mouloud Mammeri University of Tizi-Ouzou and University of Algiers (Algeria), University Mohammed First and University Moulay Ismail (Morocco), Cairo University and Suez Canal University (Egypt), Palestine Ahliyah University College and Islamic University of Gaza (Occupied Palestinian Territory), International University for Science and Technology and Arab International University (Syria), Yarmouk University, Jordan University of Science and Technology and Hashemite University (Jordan), University of Monastir, University of Jendouba and University of Tunis (Tunisia), Modern University for Business and Science, Holy Spirit University of Kaslik, University of Balamand, and Beirut Arab University (Lebanon), Libyan International Medical University and Omar Al-Mukhtar University (Libya).

Project also includes three social partners: Association of Arab Universities, the project co-coordinator (Jordan), Directorate General of Higher Education (Lebanon), and The Syrian Consulting Bureau for Development and Investment (Syria).

The project tries to institutionalise the use of the Tuning methodology in the practice of higher education institutions in Middle East and North Africa through building of a framework of comparable, compatible and transparent programmes of studies. Its aim is to apply the Tuning methodology in universities and develop reference points in four subject areas - Architecture, Law, Nursing and Tourism. The development, implementation, monitor and improvement of degree programmes for the first cycle in mentioned areas are among the main results of the project. The project is specially designed to promote regional and international cooperation between Middle East, North Africa and EU universities.

This book contains the key general findings of the Subject Area Group within the Tuning Middle East and North Africa project. These reflect in synthesis the consensus reached by the group members and international experts on the subject area. We hope and believe that the material contained in this book will be very useful for all higher education institutions wishing to implement the competence based approach, and that it will help them to find and use the most suitable tools for adapting or creating higher education programmes in order to respond to the needs of today's society.

The publication of the Reference Points became a reality due to collective work of Subject Area Group and project teams at participating European, Middle East and North Africa universities, their academic and administrative personnel to whom we would like to express our sincere gratitude. We stress our deep appreciation to all European, Middle East and North Africa experts who have made a significant contribution to the development of reference points for the design and delivery of degree programmes in various subject areas.

We hope that readers will find this book both useful and interesting.

***Pablo Beneitone,***

Director of the Tuning Academy,  
University of Deusto (Spain)

***Ivan Dyukarev,***

Project Manager, Tuning Academy,  
University of Deusto (Spain)



# 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”,<sup>1</sup> 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.

---

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

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.
- 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 partner universities: Prof. Dr. Andrea Gattini, Università Degli Studi Di Padova; Dr. Maria Luisa Sanchez Barrueco, Universidad de Deusto; Prof. Dr. 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.<sup>2</sup> 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

---

<sup>2</sup> For example, the national strategy for higher education in Jordan can be accessed at [www.mohe.gov.jo/Portals/0/2011-2013.pdf](http://www.mohe.gov.jo/Portals/0/2011-2013.pdf)

programmes at Partner Universities or establishing new ones based on competences.

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.<sup>3</sup> 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,<sup>4</sup> 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

---

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

<sup>4</sup> 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).

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 Almkhtar 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 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 not restricted to Shari'ah.

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 faculties of law, 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 reworded.

# 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 the 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 an interdisciplinary team, 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,<sup>5</sup> 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

---

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

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.

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.”<sup>6</sup> 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.

---

<sup>6</sup> 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.

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.
- 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.<sup>7</sup>

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

---

<sup>7</sup> 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.

in the order of importance ), they have also demonstrated a common view that these competences were 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.

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.<sup>8</sup> 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.

---

<sup>8</sup> 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 25<sup>th</sup> Annual Festival of Legal Learning, 13-14 February, 2015, available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2575185](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](http://www.saqa.org.za/docs/genpubs/2009/graduate_attributes.pdf) (last visited on 5 April, 2015).

# 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:

- 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 in 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):

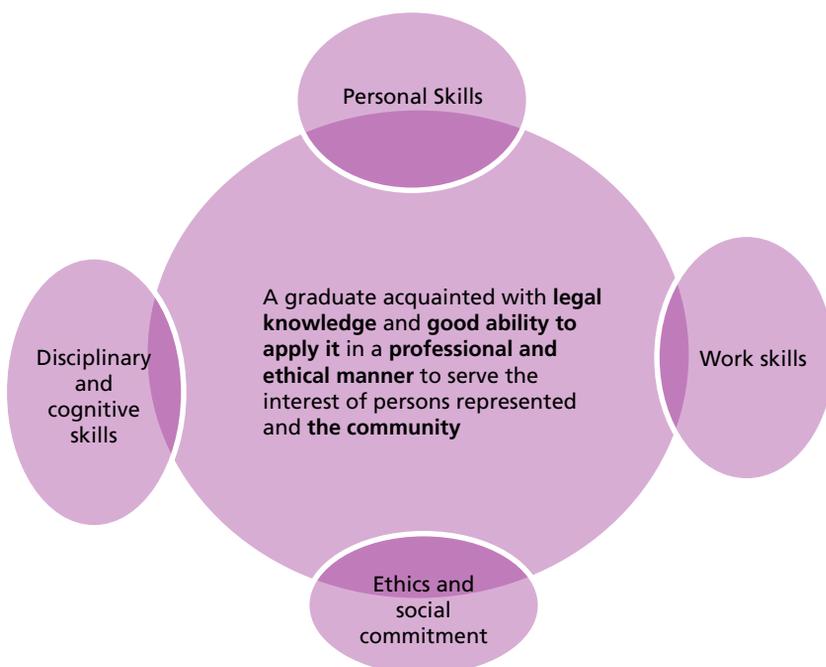
1. Maintain continuous education.
2. Make logical decisions.
3. Lead effectively.
4. Be innovative and creative.
5. Be flexible and adapt to different situation.
6. Initiative.
7. Self-motivated.
8. Assertive.
9. Have critical thinking, analysis and synthesis.
10. Identify and resolve problems.
11. Apply 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.

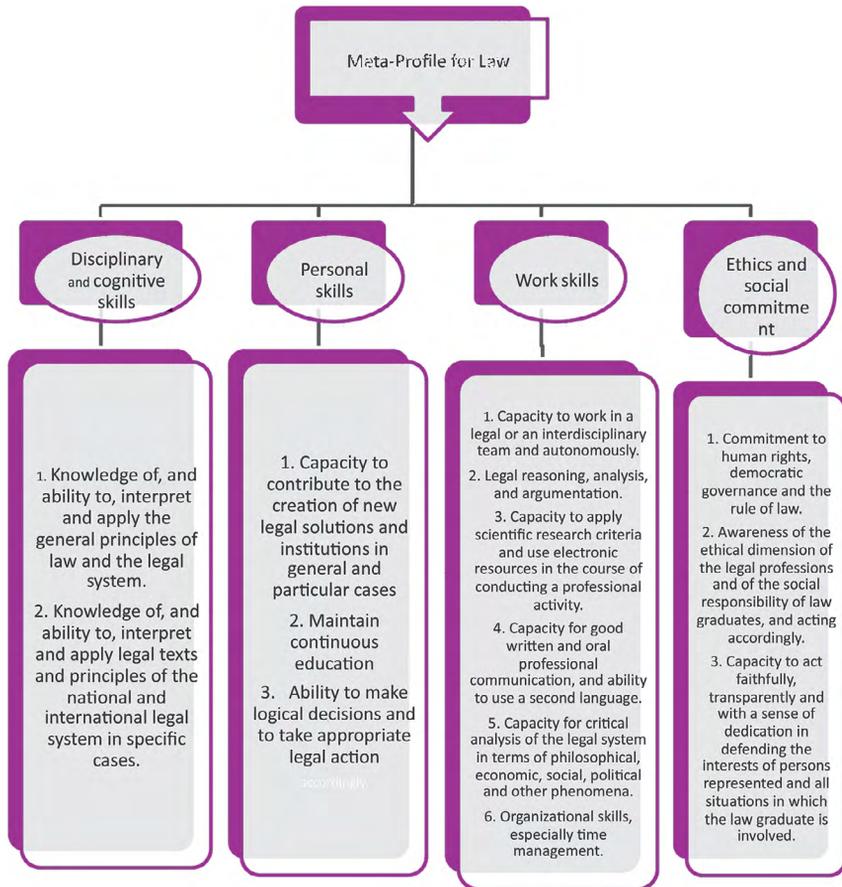
## 2. Presentation of the Meta-Profile for a Law Programme

---

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"> <li>• Knowledge of, and ability to, interpret and apply the general principles of law and the legal system.</li> <li>• Knowledge of, and ability to, interpret and apply legal texts and principles of the national and international legal system in specific cases.</li> </ul>	<p>Knowledge of, and ability to, interpret and apply the general principles of law and the legal system.</p> <p>Knowledge of, and ability to, interpret and apply legal texts and principles of the national and international legal system in specific cases.</p>	Disciplinary and cognitive skills
<ul style="list-style-type: none"> <li>• Be innovative and creative.</li> <li>• Be flexible and adapt to different situation.</li> <li>• Initiative.</li> <li>• Self-motivated.</li> <li>• Assertive.</li> </ul>	<ul style="list-style-type: none"> <li>• Capacity to contribute to the creation of new legal solutions and institutions in general and particular cases.</li> </ul>	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"> <li>• Search for information from a variety of sources, using information and communication technologies.</li> <li>• Maintain continuous education</li> </ul>	<ul style="list-style-type: none"> <li>• Capacity to use necessary electronic legal resources in the course of conducting a legal practice.</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain continuous education.</li> </ul>	
Make logical decisions.	<ul style="list-style-type: none"> <li>• Capacity to take appropriate legal action in different venues.</li> <li>• Capacity to determine the information required to formulate a legal opinion.</li> <li>• Understanding the principles and process of alternative dispute resolution means in resolving disputes.</li> </ul>	<ul style="list-style-type: none"> <li>• Ability to make logical decisions and to take appropriate legal action.</li> </ul>	

Revised Generic Competences	Specific Competences	Key Competence	Main Category
Lead effectively.	<ul style="list-style-type: none"> <li>Capacity to provide legal expertise as a member of a legal team or an interdisciplinary team.</li> </ul>	<ul style="list-style-type: none"> <li>Capacity to work in a legal or an interdisciplinary team and autonomously.</li> </ul>	Work skills
<ul style="list-style-type: none"> <li>Have critical thinking, analysis and synthesis.</li> <li>Identify and resolve problems.</li> </ul>	<ul style="list-style-type: none"> <li>Good capacity for legal reasoning and argumentation, and understanding different points of view and articulating them in order to propose reasonable solutions.</li> <li>Capacity to analyse complex legal materials and to summarise their arguments precisely.</li> <li>Capacity for critical analysis of the legal system.</li> </ul>	<ul style="list-style-type: none"> <li>Legal reasoning, analysis, and argumentation.</li> </ul>	
Make logical decisions.	<ul style="list-style-type: none"> <li>Capacity to apply scientific research criteria in the course of professional activity.</li> </ul>	<ul style="list-style-type: none"> <li>Capacity to apply scientific research criteria and use electronic resources in the course of conducting a professional activity.</li> </ul>	
<ul style="list-style-type: none"> <li>Communicate orally and in writing with different audiences.</li> <li>Communicate in a second language.</li> </ul>	<ul style="list-style-type: none"> <li>Capacity for good written and oral expression, in fluent technical language, using precise, clear legal terms.</li> <li>Sufficient knowledge of a foreign language to be able to work efficiently in the legal field.</li> </ul>	<ul style="list-style-type: none"> <li>Capacity for good written and oral professional communication, and ability to use a second language</li> </ul>	
Have critical thinking, analysis and synthesis.	<ul style="list-style-type: none"> <li>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.</li> </ul>	Capacity for critical analysis of the legal system in terms of philosophical, economic, social, political and other phenomena.	
<ul style="list-style-type: none"> <li>Time management.</li> <li>Lead effectively.</li> </ul>	<ul style="list-style-type: none"> <li>Dedication</li> <li>Capacity to apply scientific research criteria in the course of professional activity.</li> </ul>	<ul style="list-style-type: none"> <li>Organizational skills, especially time management</li> </ul>	

Revised Generic Competences	Specific Competences	Key Competence	Main Category
<ul style="list-style-type: none"> <li>Human rights.</li> </ul>	<ul style="list-style-type: none"> <li>Commitment to justice and fairness in all situations in which the law graduate is involved.</li> <li>Commitment to human rights, democratic governance and the rule of law.</li> </ul>	Commitment to human rights, democratic governance and the rule of law	Commitment
<ul style="list-style-type: none"> <li>Awareness and attentiveness for community interests, including environment, values, respect for diversity and multiculturalism.</li> </ul>	<ul style="list-style-type: none"> <li>Awareness of the ethical dimension of the legal professions and of the social responsibility of law graduates, and acting accordingly.</li> </ul>	<ul style="list-style-type: none"> <li>Awareness of the ethical dimension of the legal professions and of the social responsibility of law graduates, and acting accordingly.</li> </ul>	
<ul style="list-style-type: none"> <li>Act ethically with a sense of dedication and social responsibility.</li> </ul>	<ul style="list-style-type: none"> <li>Awareness of the ethical dimension of the legal professions and of the social responsibility of law graduates, and acting accordingly.</li> </ul>	<ul style="list-style-type: none"> <li>Capacity to act faithfully, diligently and transparently in defending the interests of persons represented.</li> </ul>	

### 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 gathered 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.<sup>9</sup> An underlying justification for this approach may be that the faculties of law should teach students what they need - not what academics think better.<sup>10</sup> 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

---

<sup>9</sup> 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).

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

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, 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 lawyer 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.”<sup>11</sup>

---

<sup>11</sup> James E. Moliterno, ‘The Future of Legal Education Reform’ 40 *Pepperdine L. Rev.* 423 (2013) at 431.

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.

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 to law.*

- 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.
- Family 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.
- Introduction to Islamic Fiqh.
- Foundations of Fiqh (rules of interpretation).

#### 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, 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.

## Degree Profile for a Bachelor's Programme in Law

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
<b>Academic Year 1 / 1<sup>st</sup> Semester</b>		
Introduction to Law	1	<ul style="list-style-type: none"> <li>To be able to identify the sources and various branches of law.</li> <li>To be able to explain the general theory of right.</li> </ul>
	3a	<ul style="list-style-type: none"> <li>To be able to classify legal relationships and determine the applicable law.</li> </ul>
	6	<ul style="list-style-type: none"> <li>To be able to debate legal issues and solve basic problems through team work.</li> </ul>
	12	<ul style="list-style-type: none"> <li>To be able to demonstrate the importance of the rule of law through presenting a specific case or issue.</li> </ul>
Political Systems and Constitutional Principles	1	<ul style="list-style-type: none"> <li>To be able to recognize different political systems.</li> <li>To be able to identify general principles of constitutional law in a comparative approach.</li> </ul>
	10	To be able to investigate and report in writing the political factors that affect constitutions.
Public International Law	1	To be able to state the sources and legal persons of international law.
	2	To be able to compare similarities and differences between international law and the domestic legal system.
	9b	To be able to read relevant materials in a foreign language.
	10	To be able to describe in writing how international law has transformed and developed in the context of international political and economic developments.
	12	To be able to illustrate the role of international law through settlement of disputes and human rights cases.

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Introduction to Commercial Law	1	<ul style="list-style-type: none"> <li>To be able to identify the sources of commercial law and their hierarchy.</li> <li>To be able to distinguish the different types of commercial acts and contracts.</li> <li>To be able to list the necessary requirements to acquire the merchant's character.</li> </ul>
	3a	To be able to produce a structure of a transaction involving the disposition of a commercial enterprise (a commercial shop/ sale of business as a going concern).
Introduction to Economics	1	To be able to summarize the basic theories in economies.
	6	To be able to collaborate in groups to explain contemporary economic policies.
	10	To be able to analyse the economic impact of certain legislative policies.
<b>Academic Year 1 / 2<sup>nd</sup> Semester</b>		
Criminal Law (General Theory)	1	<ul style="list-style-type: none"> <li>To be able to memorize the principles and rules of criminal law.</li> <li>To be able to explain the elements of crime.</li> <li>To be able to explain different types of punishment.</li> </ul>
	3a	To be able to deduce circumstances giving rise to criminal liability in a certain set of facts.
	7a	To be able to analyse factual situations and discover different forms of criminal complicity.
Introduction to Islamic Law	1	<ul style="list-style-type: none"> <li>To be able to state the sources of Islamic law and their hierarchy.</li> <li>To be able to recognize the development of different schools of jurisprudence within Islamic law.</li> <li>To be able to explain selected maxims of Islamic law and use them to explain particular rulings.</li> </ul>

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Administrative Law I	1	<ul style="list-style-type: none"> <li>To be able to identify the sources and various branches of administrative law.</li> <li>To be able to examine the general theory of administrative law.</li> <li>To be able to recognize different forms of distribution of administrative powers (centralisation, decentralization, deconcentration).</li> </ul>
	3a	To be able to solve basic problems involving administrative law.
	6	To be able to collaborate and develop a hierarchical system of decision making within a group.
Public Finance	1	<ul style="list-style-type: none"> <li>To be able to describe the constitutional framework for public revenues and expenditure, and public debt.</li> <li>To be able to examine the interaction between the executive authority and the parliament in passing the general budget.</li> <li>To be able to identify the legal means and entities concerned with monitoring the implementation of the general budget.</li> </ul>
	5a	To be able to distinguish different heads of public revenues and identify the appropriate head relating to a particular situation.
	12	To be able to demonstrate the significance of transparency and parliamentary control over the setting and implementation of the general budget as aspects of ensuring the rule of law in a democratic society.
The Sources of Obligations	1	To be able to identify the sources of obligations and the elements of each.
	3a	To be able to solve basic problems.
	3b	To be able to appraise controversial points of law and formulate an opinion thereupon.
	7a	To be able to analyse factual situations to identify whether an obligation exists and on which legal basis, and write a reasoned opinion.

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Legal Research Method	4	To be able to use legal resources to obtain legal information.
	6	To be able to produce an essay through team work.
	8	To be able to utilize and retrieve legal information through electronic legal resources, like legal databases.
	9a	To be able to explain research conclusions and to summarize legal materials in writing in a scholarly manner.
	11	To be able to prepare assignments and submit them within deadlines.
<b>Academic Year 2/ 1<sup>st</sup> Semester</b>		
Rules of Obligations	2	To be able to explain the legal concepts, principles, and rules relating to the discharge of obligations and the legal remedies available for the obligor.
	3b	To be able to solve advanced problems involving complex issues.
	6	To be able to collaborate in groups to review case law on a particular aspect of the rules of execution and present conclusions as to whether the relevant legal solutions protect the creditor, are harsh on the debtor, or strike a fair balance between the conflicting interests of creditors and debtors.
Administrative Law II (Administrative Contracts)	2	<ul style="list-style-type: none"> <li>To be able to explain Administrative Contracts, distinguish them from other types of contracts.</li> <li>To be able to characterize the type of contract suitable for running a public utility.</li> </ul>
	3b	To be able to recommend the suitable action to be taken by the public administration in response to a particular conduct of the contractor.

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
History of Law	1	To be able to describe the historical development of law.
	9a	To be able to investigate the differences in ancient legal systems and to express them in writing.
	10	To be able to identify the political, social, and economic phenomena that influenced the development of the law and to describe examples in writing.
Constitutional Law	2	To be able to explain the principles and rules of the Constitution and the organization of State authorities.
	3b	To be able to appraise a real or hypothetical constitutional case and construct alternative solutions.
	6	To be able to debate constitutional issues in groups and collaborate in presenting conclusions.
	12	<ul style="list-style-type: none"> <li>To be able to recognize the public freedoms and liberties enshrined in the constitution.</li> <li>To be able to demonstrate the importance of constitutional protection of human rights and democratic governance in society through describing the historical development of these rights in the country.</li> </ul>
International Organizations	1	<ul style="list-style-type: none"> <li>To be able to recognize and describe different types of international organisations and their roles.</li> <li>To be able to contrast various organizations in terms of structure and mandate.</li> </ul>
	8	<ul style="list-style-type: none"> <li>To be able to utilize computer skills or IT and communication techniques as tools for accessing primary documents of IO and to support knowledge.</li> </ul>

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Commercial Papers	2	<ul style="list-style-type: none"> <li>To be able to identify different negotiable instruments.</li> <li>To be able to examine the relationships and pertinent liabilities arising from negotiable instruments.</li> </ul>
	6	To be able to solve problems relating to claims arising from negotiable instruments as a team and present the proposed solution.
	11	To be able to draw a framework for monitoring and conserving the rights of a client as a holder of a commercial paper.
<b>Academic Year 2 / 2<sup>nd</sup> Semester</b>		
Criminology and Penology	5a	To be able to examine different theories in criminology and penology and assess the points of strength and weakness in each.
	10	<ul style="list-style-type: none"> <li>To be able to argue the underlying interests and values that may justify criminalizing a certain course of conduct.</li> <li>To be able to recognize the social and economic factors that contribute to criminal conduct.</li> <li>To be able to evaluate the penal policies and the criticism of each type of punishment based on the social, economic and ethical aspects of each.</li> </ul>
Labour and Social Security Law	2	<ul style="list-style-type: none"> <li>To be able to explain the principles and rules of labour law relating to the contract of employment.</li> </ul>
	10	<ul style="list-style-type: none"> <li>To be able to point out the social, political, and economic policies affecting the labour law.</li> <li>To be able to recognize the powers and factors that affect collective bargains and the social and economic ramifications of collective labour disputes.</li> </ul>

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Foundations of Fiqh (Rules of Interpretation)	2	To be able to demonstrate the rules of interpretation of legal texts and their underlying justification articulated by the schools of Islamic jurisprudence.
	5a	<ul style="list-style-type: none"> <li>To be able to use the rules of interpretation in making legal arguments.</li> <li>To be able to identify the logical justifications for particular linguistic or interpretive paradigms.</li> </ul>
Philosophy of Law	1	To be able to identify different schools of legal philosophy.
	7a	To be able to analyse critically legal concepts.
	9a	To be able to examine and debate specific issues in legal philosophy.
	10	To be able to discuss legal institutions and to outline relevant philosophical argumentation in support of a particular point of view.
Civil Law (Named Contracts)	2	To be able to characterize particular contracts and explain applicable legal rules.
	3b	To be able to solve complex legal problems involving different aspects of a contractual legal relationship.
	7b	To be able to write legal arguments with or against the position of existing law in respect of certain issues.
<b>Academic Year 3/ 1<sup>st</sup> Semester</b>		
Company Law	2	To be able to distinguish different types of companies and their requirements of incorporation.
	3b	To be able to identify appropriate types of company for particular activities and to take necessary steps.
	13	To be able to defend corporate governance, its ethical dimension, and social responsibility.

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Family Law	1	To be able to identify the general principles of family law.
	2	<ul style="list-style-type: none"> <li>To be able to analyse hypothetical situations involving marriage, divorce, and pertinent rights, and apply rules of family law to them to provide solutions.</li> <li>To be able to solve problems relating to inheritance.</li> </ul>
	10	To be able to examine the underlying factors for the existing plurality of family law for different communities within the state. And to explain the justifications for successive amendments.
Administrative Courts	2	<ul style="list-style-type: none"> <li>To be able to describe the organization of administrative courts and the scope of their jurisdiction.</li> <li>To be able to recognize the development of different schools of jurisprudence within comparative law.</li> </ul>
	5b	<ul style="list-style-type: none"> <li>To be able to identify the points of law falling within the ambit of the jurisdiction of administrative courts in a set of circumstances and to determine the appropriate action.</li> <li>To be able to draft a statement of case for judicial review of administrative decisions.</li> </ul>
	12	To be able to appraise a decision of the administrative court involving human rights and the principle of the rule of law.

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Law of Civil Procedure	2	<ul style="list-style-type: none"> <li>To be able to explain the rules and principles of civil procedure, and the jurisdiction of relevant courts and authorities.</li> <li>To be able to cite the relevant procedural legislation and case law.</li> </ul>
	5b	To be able to solve problems involving identifying the appropriate legal procedure and reviewing critically a particular procedural approach (real or hypothetical).
	8	To be able to compile court decisions through electronic resources and explain the legal and logical elements in the findings and reasoning.
	13	To be able to defend aspects of the civil procedures from the ethical point of view.
	14	To be able to demonstrate understanding of conflict of interest in certain circumstances and determine the appropriate course of action from the point of view of professional responsibility.
Legal Terminology in a Foreign Language	8	To be able to conduct basic search on the internet using a second language.
	9b	To be able to use materials in a second language.
<b>Academic Year 3/ 2<sup>nd</sup> Semester</b>		
Criminal Law-Specific Crimes	2	To be able to explain the elements of specific crimes against persons or property.
	5a	To be able to infer criminal liability in certain circumstances based on legal reasoning and logical conclusions.
Law of Evidence	2	To be able to identify the means of proof in civil and commercial matters and the relevant substantive and procedural principles.
	5a	<ul style="list-style-type: none"> <li>To be able to solve basic problems regarding the admissibility of evidence.</li> <li>To be able to show the logical rules relating to the assessment of presumptions.</li> </ul>

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Tax Law	2	<ul style="list-style-type: none"> <li>To be able to compare the rules that apply to the taxation of individuals and different types of entities.</li> <li>To be able to identify the relevant tax authorities, their competences and powers.</li> </ul>
	4	To be able to distinguish and search different legislative instruments and subordinate legislation issued and promulgated in different legal ways.
	5b, 7a	To be able to discern and clarify facts relevant for the taxation in a particular economic activity, legal form of business, and transactions; to determine the appropriate legal action accordingly.
	3b, 10	To be able to formulate a new taxation policy and anticipate its possible effects on business operations and taxpayers in general.
Banking Law	2	To be able to explain the framework of regulation of banking at the international, and local levels.
	3b	<ul style="list-style-type: none"> <li>To be able to criticize the theoretical basis of banking regulation.</li> <li>To be able to analyze and apply banking law relating to banker-customer relations.</li> </ul>
	4	To be able to carry out independent research in the fields of both banking regulation and banking law using both library-based and electronic resources.
Arbitration Law	2	<ul style="list-style-type: none"> <li>To be able to explain the concept and principles of arbitration as a method of dispute resolution.</li> <li>To be able to identify the main legal instruments regulating arbitration on national and international level.</li> </ul>
	3b	To be able to choose between institutional arbitration and ad hoc arbitration, and to draft suitable arbitration clauses.
	9aa	To be able to write legal petitions necessary in the course of the arbitral procedure.
	14	<ul style="list-style-type: none"> <li>To be able to conclude the basic ethical obligations of an arbitrator.</li> <li>To be able to argue, with ethical and legal reasoning, cases involving challenges to arbitrators on grounds of lack of independence or partiality.</li> </ul>

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
<b>Academic Year 4 / 1<sup>st</sup> Semester</b>		
Constitutional Courts	2	<ul style="list-style-type: none"> <li>To be able to describe the jurisdiction of the constitutional court.</li> <li>To be able to compare the interpretive function of the constitutional court with its power to verify the constitutionality of the actions of the Executive and Parliament.</li> </ul>
	9aa	To be able to annotate a decision of the constitutional court.
Private International Law	2	<ul style="list-style-type: none"> <li>To be able to distinguish the methodologies of determining the applicable law in a private international relationship.</li> <li>To be able to explain the grounds of court jurisdiction in international litigation.</li> </ul>
	3b	To be able to solve complex problems involving problematic characterization of legal relationships and institutions and relevance of national and international rules.
	7b	To be able to argue controversial issues in private international law and public policy.

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Law of Criminal Procedure	2	<ul style="list-style-type: none"> <li>To be able to identify the rules and principles of criminal procedure, and the jurisdiction of relevant courts and authorities.</li> <li>To be able to cite the relevant procedural legislation and case law.</li> </ul>
	5b	To be able to solve problems involving identifying the appropriate legal criminal procedure and reviewing critically a particular procedural approach (real or hypothetical).
	8	To be able to collect court decisions through electronic resources and explain the legal and logical elements in the findings and reasoning.
	13	<ul style="list-style-type: none"> <li>To be able to defend aspects of the criminal procedures from the ethical point of view.</li> <li>To be able to discern the aspects of professional and social responsibility in criminal procedures.</li> </ul>
	14	To be able to demonstrate appreciation of the professional responsibility in representing the interests of the accused or the victim, through presenting a case study from the case law.
Forced Execution	2	<ul style="list-style-type: none"> <li>To be able to explain the legal rules of enforcement of obligations, seizure and liquidation of debtor's property.</li> </ul>
	5b	To be able to identify the appropriate action regarding the protection of the interests of the creditor, the procedures of execution and challenging the decisions of the judge of execution.

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Property Law	1	To be able to state the definition and scope of Property Law.
	2	To be able to explain the classification of estates.
	3a	To be able to solve problems relating to property law.
	3b	To be able to recognize common problems relating to property and real rights and propose possible legal reform.
Comparative Law	1	<ul style="list-style-type: none"> <li>To be able to recognize different legal systems.</li> <li>To be able to compare and contrast key elements of the national legal system and a foreign one in respect of a given topic.</li> </ul>
	7a	To be able to analyse, interpret, and present differences between different legal systems.
	9b	To be able to use materials in a second language.
<b>Academic Year 4/ 2<sup>nd</sup> Semester</b>		
Legal Method and Exercises	3b	To be able to read and analyse case law and academic writings effectively.
	6	To be able to fulfill individually and as a team assignments of searching and interpreting legal rules as well as their application.
	9aa	To be able to write professional legal memos, pleadings or other forms of legal texts, using legal language and terminology, including citations accurately.
	11	To be able to prioritize a few tasks in groups and individually over the same period of time and submit them on time.
	14	<ul style="list-style-type: none"> <li>To be able to recognize the principles of professional liability.</li> <li>To be able to identify situations of conflict of interest.</li> </ul>

Course	Competences (per serial numbers in the list of key competences)	Learning Outcomes
Air and Maritime Law	2	<ul style="list-style-type: none"> <li>To be able to explain the relationships between legal regimes governing international business transactions relating to the movement of vessels, goods and persons in maritime and space mediums.</li> <li>To be able to critically describe the harmonization of private international regulation of maritime law, air law and space law through the adoption of international treaties and conventions.</li> <li>To be able to explain the principles of liability for maritime and space activities.</li> </ul>
	6	To be able to reflect through team work upon complex ideas and arguments and relate them to issues and circumstances in the contemporary global political economy
Intellectual Property Rights	2	<ul style="list-style-type: none"> <li>To be able to define different types of intellectual property rights.</li> <li>To be able to explain principles and rules governing each type of intellectual property rights.</li> </ul>
	7b	<ul style="list-style-type: none"> <li>To be able to make arguments with or against the legislative policy relating to the scope of protection and the procedures of enforcement;</li> <li>To be able to think critically about the economic and ethical aspects of the legal protection and infringements of certain intellectual property rights.</li> </ul>
Bankruptcy	2	To be able to define bankruptcy and to explain its rules and consequences for individual merchants, commercial companies, and third parties, e.g., employees and creditors.
	3b	To be able to recognize areas of problematic balance between the bankrupt and the creditors and to propose alternative solutions and policies.



# VII

## Student Workload

Introducing competence-based education in law programmes as envisaged by the meta-profile/degree profile will not lead to the students acquiring the specified competences unless they are exposed to appropriate learning activities that they can fulfill within the time dedicated to learning. This necessitates that the teachers should rest their planning for their respective courses on the student time to ensure that the student has a reasonable opportunity to achieve (hopefully) all the learning outcomes of each course. Therefore, it is necessary to estimate the time that a student would need to fulfill the requirements of the courses taught during one semester.

Since the partner universities use credits to weigh their courses without formally defining a time measurement for the student workload, a questionnaire has been addressed to teachers and students in a particular semester (the first semester of the third year) to find out teacher and student perceptions of the student workload measured by time.

The questionnaire asked the respondents, among other things, about: the number of contact hours for the course per week, the time an average student needed per week to fulfill the requirements of the course, and the activities of independent student work and the time needed to fulfill each of them per week. The analysis of the results of the survey revealed that the volume of student work is perceived to be considerably high. Students suggested that a law student needed to work approximately 69 hours per week, whereas the teachers indicated even a higher expectation of nearly 71 hours per week.

The survey results could be interpreted on the basis of theory and teacher oriented education that prevails in most partner universities. Focusing on the content of the course which is delivered mainly through lectures usually causes teachers to: overload students with heavy readings, expect students to memorise without calculating the time they need to fulfill the requirements of the course.

Besides, insufficient coordination among the teachers who are responsible for the courses of the same level of learning (e.g., first semester for third year students) may contribute to overloading students with work without taking into consideration the requirements of the rest of the courses.

Also, a regulatory issue may be relevant here. That is, in some universities, students are allowed to register 18 credits per semester. If each credit is perceived to involve one contact hour and two hours of independent work per week, then a student with 18 credits is expected to work 54 hours per week.

The Law Subject Area Group found that the amount of time of student workload as retrieved by the questionnaire is too high for a feasible competence-based education. Therefore, the members of the group discussed a mechanism for calculating appropriate time measure of student workload per semester.

This mechanism is based on the concept of “the average student.” This is because students vary in terms of their abilities and the actual time each one needs to fulfill a particular task. Also, the group considers that an average student would not feasibly work more than 40 hours per week. As such a notional number of weekly hours has been fixed at 40.

To calculate the time of student workload in a semester, the following steps are recommended:

- (a) Determine the number of weeks per semester, including examination time.
- (b) Multiply the number of weeks by 40 hours to determine the notional hours the average student needs per semester to fulfill the requirements of the courses.

Thus, in partner universities where a semester consists of 15 weeks, the notional hours will be 600 hours, while in those universities with 16-week semesters, the notional hours are 640.

- (c) Determine the activities for the course (e.g., reading, essays, assignments, etc.) and estimate the time an average student will need to fulfill each activity. Careful consideration would be needed in selecting reading materials that are comprehensible and easy to read for the average student. This involves the writing style, the level of the language, and intensity of ideas and information.
- (d) Coordinate with the rest of teachers teaching the same level of students to ensure that the amount of time calculated for all courses does not exceed the notional hours per week. This coordination should be carried out in the spirit of collegiality. The benefit of this coordination is that each teacher will ascertain that his/her course contributes to the learning outcomes of the programme.

Once the time of student workload is measured, it should be communicated in a transparent and user-friendly manner to the staff and the students. Particularly, teachers should discuss with the students the activities of the course and the estimated time for their work in the beginning of the semester and give them guidance on the competences and learning outcomes linked with each activity. In the end of the semester, the teacher should discuss with the students the actual work load and time they needed to fulfill the requirements of the course. Adjustment of the syllabus may be made for the next semester accordingly.

It is believed that following this approach will ensure that students achieve the learning outcomes identified in the degree profile. Consequently, courses can be compared and accredited between universities and comparison would be facilitated between credits and ECTS points.



**Deusto**  
University of Deusto



Co-funded by  
Tempus Programme  
of the European Union