

Double-Degrees in the context of the Bologna Process

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Professor John Bell spoke this morning about the fundamental knowledge of at least one legal system. A double-degree¹ student should be able to use at least two “concept maps”² like the quite different French and English ones for example and, referring to Mr Thielen’s remark³, at least two languages, since double-degree candidates have to be bilingual.

The aim of this paper is not to present all the existing double-degrees as such. That has already been done by Audrey Guinchard who presented, immediately preceding me, the existing double-degree between Essex and Paris X. The following brief panorama of fore-mentioned degrees (1) only aims to underline different questions raised by the introduction of the Bologna process in relation to the organisation of what we also could call transnational degrees. In fact, since the introduction in European countries of what we call in France L/M/D (licence/Master/Doctorat), one should ask if existing or new double degrees will need to be adapted to this new structure of Higher Education. Different universities acted or are acting on this(2), even organizing not only double degrees but also “trinational degrees” (3), in a response probably more to the requirements of the professional market searching for lawyers with a flexible juridical culture and widened competences. This necessary adequacy between education and the world market, the identification of skills and competences also supposes sufficient funding to promote these degrees and keep them “viable” (4).

¹ Different definitions should of course be taken into consideration. Different terms are actually used (on the Bachelor/Master/Doctorate level), like joint degree, double-degree. A joint degree means a common program of study for all students involved. A unique diploma is delivered which supposes an agreement between both institutions and the question and/or problem of accreditation. A double degree means that each institution will deliver its own diploma (awarding of two separate degrees) and differences can appear in the programs of study. See Andrejs Rauhvargers, “Joint Degree Study” in: “Survey on Master Degrees and Joint Degrees in Europe”, by Christian Tauch and Andrejs Rauhvargers, *EUA Studies*, September 2002. “EUA” Masters and Erasmus Mundus Masters should also be considered. Erasmus Mundus Master are established by an agreement between three European institutions with a period of study in at least two institutions, and a mutual course recognition using ECTS. The diploma is either a joint degree or, like a double-degree, each institution delivers its own diploma. The EUA Masters are programs agreed upon by the European University Association. Those programs include four to seventeen establishments of the European Union. See, www.eua.be

² Cf. John Bell’s presentation

³ Cf. Pierre Thielen’s presentation.

1. *Why double-degrees*⁴?

The integrated programmes of study proposed by Higher education institutions of different countries, in particular double-degrees aim to become an essential part of the European Higher Education Area⁵. During the Prague (2001) and Berlin (2003) conferences, and after the Bologna Conference, the European Ministers of Higher Education declared themselves in favor of the establishment of these programmes. The European Commission gave a special dimension to the mentioned orientation in creating the Erasmus Mundus programme by which high level European masters, proposed by a minimum of three higher education establishments from different countries will be supported. Due to the growing importance of double-degrees and joint degrees, an additional document to the “Lisbon Conference on the Recognition of Qualifications concerning Higher Education in the European Region”⁶ has been adopted by the Council of Europe in June 2004, including recommendations concerning the recognition of Joint Degree.

The double degree in English and French Law between Strasbourg and Leicester for example is designed for bilingual students. It is run jointly by the University of Leicester and the Université Robert Schuman in Strasbourg and consists of a four-year course structured as follows: the first two years of study take place at the Law Faculty of the University of Leicester and lead to the awarding of the LL.B degree in law upon completion of the four-year programme; the last two years of study take place at the Faculty of Law of the University Robert Schuman in Strasbourg and lead to the award of a maîtrise en droit mention "droits français et anglais" with a specialisation in either private, public or European law. The double degree is a natural choice for students whose linguistic competence enables them to opt for such a high profile academic trajectory, and one which will open a great deal of national and international career opportunities. It leads to the award of two qualifying law degrees for the purposes of professional examination in four years and provides students with equal competence in English, French and European law⁷.

⁴ and of course joint degrees as well.

⁵ double-degrees have, for example, a long tradition in Germany, due in particular to a specific support to French-German cooperation.

⁶ The Convention on the Recognition of Qualifications concerning Higher Education in the European Region was developed by the Council of Europe and UNESCO and adopted by national representatives meeting in Lisbon on 8 - 11 April 1997. Most European countries have since ratified this Council of Europe/ UNESCO Convention – usually referred to as the Lisbon Convention. See www.coe.int.

⁷ First Year (in Leicester) Analysing Law, Constitutional & Administrative Law, Contract Criminal Justice System, Civil Justice System, Law of Torts, Learning Legal Skills Second Year (in Leicester) Criminal Law, Equity and Trusts, European Union Law, Land Law Third Year (in Strasbourg), Licence examination in 2 of the

The relationship between this double-degree and professional life is quite clear and hopefully responds to professional bodies's requests. The degree is designed to train lawyers with equal competences in English, French and European law. It prepares students for the professional examinations of both France and the United Kingdom. It develops the linguistic, methodological and legal skills required in legal research and practice in both France and the United Kingdom. It especially allows for individual specialisation through an extensive range of optional modules in the third and fourth year; it gives students the perfect foundation to work either for European bodies or in law firms with cross-border interests. It also provides students with highly transferable skills in linguistic, methodological and legal terms, which are found attractive by a wide range of employers in both the public and private sector. The Strasbourg/Leicester double degree still works in this manner. Some universities only changed the title of the Diploma, Master 1 instead of "Maîtrise" for example⁸. But other establishments organized their double-degrees on a Master's level.

2. The relation between the organization of double-degrees and the Bologna process

The question raised is: should double degrees be better organised on a Bachelor's or Master's level? Different experiences show that the Master's level should be encouraged as well.

The Double degree Sciences Po Paris – LSE in international affairs, for example, lasts two academic years : the first year has to be spent at Sciences Po, in the *Master Affaires Internationales* in one of the tracks proposed (« *environnement, développement durable et risques* », « *sécurité internationale* », *business* ») ; the second year takes place within the International Relations department of the LSE either in the MSc in International Relations or MSc in International Political Economy⁹.

following 4 modules: Droit administratif , Droit civil Droit commercial ,Droit public and 2 optional modules.Fourth Year (in Strasbourg)*Maîtrise* examination in the subjects required to obtain one of the three following *maîtrises*:Droit européen dominante privée ,Droit européen dominante publique

⁸ See the double-degree Paris II-Cambridge, as well as Paris 1, Paris II-Dublin.

⁹ Students remain enrolled in both institutions for the duration of the programme. Courses are multi disciplinary. Students, at Sciences Po Paris are required to attend language classes, in at least two different languages. They will take 30 credits at Sciences Po Paris and three terms at the LSE. Final graduation will depend on satisfying the requirements of both years of the programme.cf.www. sciences-po.fr.

In relation to the French system, the organisation of double-degrees on the Master's level can all the more be scored because of the existing distinction between "Master Professionnel" and "Master Recherche". The types of Professional Master's Programs offered and eventually designed with a double-degree could be of potential interest for professional bodies¹⁰. This option would probably better balance two different ways of thinking: the question of whether European curriculum and national curricula should be developed on a Bachelor or Master's level. If one model focuses on developing a European Curriculum on the Bachelor level, the teaching of National laws postponed to Master level, the other model goes in opposite direction. Organising a double-degree on a Master's level leaves national curricula intact, permits a truly European and at least bi national juridical culture, and probably better fits to professional demand¹¹.

In this context, different institutions are organising tri-national degrees on a Master's level.

3. Towards trinational degrees

Universities also provide trinational degrees, for example, the so called Master trinational en droit or Trinationaler Eucor Master Studiengang Rechtswissenschaft between the University Robert Schuman, the Albert-Ludwigs-Universität Freiburg and the University of Basel.

In 1989, seven universities of the upper Rhine region, of Strasbourg, Mulhouse, Basel, Freiburg and Karlsruhe joined together to form a cross-border federation under the name European Confederation of Upper Rhine Universities (EUCOR). (Germany Albert-Ludwigs-Universität Freiburg, Universität Karlsruhe (TH) Switzerland Universität Basel. France, Université Louis Pasteur, Strasbourg Université Marc Bloch, Strasbourg, Université Robert Schuman, Strasbourg, Université de Haute Alsace, Mulhouse - Colmar). The missions of EUCOR are: to promote student's daily mobility. Each student from the Upper Rhine Universities may participate in courses offered by one of the partner institutions in Switzerland, Germany and France without paying additional fees. The common university space is a reality since the creation of EUCOR in 1989; to facilitate and promote co-operation in all fields of education and research. The aim of the partner universities

¹⁰ French Masters are structured as follows. For example, at the Strasbourg Robert Schuman University, the Master Droit et Etudes Européennes is subdivided in different "mentions" (for example: "Mention Droit et économie"). Those "mentions" are as well subdivided in different "spécialités" ("Droit de l'environnement et des risques" and "Droit de l'économie et de la régulation").

¹¹ See Audrey Guinchard's presentation.

has been, from the very beginning, to develop cross-border cooperation in the fields of education and research in order to pool together their competencies and their knowledge, and thus possibilities for students, teachers and researchers. Several types of co-operation take place: Student, teacher and researcher exchanges, reciprocal recognition of study attainments, Setting up of joint courses of study and common scientific projects.

By an agreement signed in 2006, the Universities of Basel (Switzerland), Fribourg in Breisgau (Germany) and Strasbourg III (France) created a new trinational Master's program in Law. At the end of two semesters students having passed the different examinations receive three diplomas: "Master of Law" (Basel), "LLM" (Fribourg in Breisgau), Master Droit et études européennes" (Strasbourg). The program takes place in the three partner institutions with modules and an obligatory Master's thesis. The proposed course offerings include the areas of private law, criminal law, public law, international and of course European law. Each student can therefore choose a program of study related to his/her area of specialization. They enrol in one of the three universities. Students applying for admission must, for example in Strasbourg, have completed 6 semesters (licence) or an equivalent foreign diploma, and the two first semesters of a Master's Program of a French university. Students must of course be bilingual.

4. Double-degrees, identification of skills and competences

Even if double degrees provide students with a complete bijural education, they must of course be recognizable for employers and academics. In this regard, one should emphasize that the aim of the Bologna process is to develop a system permitting increased readability and comparability of diplomas. Diplomas must be defined in terms of workload, level of skills, competences and profile¹². In the same manner, one should remember the Tuning project whose purpose is to put in place definitions of curriculum in regards to competences. Academics insist as well on the necessity to introduce a "map" of competences¹³. In this regard as well and on the European level, the European Qualifications Framework (EQF) is called to play a central role since it aims to establish a transparent, readable and comparable

¹² Concerning especially competences, the questions raised are: who is going to define them? Which list of competences is going to be chosen? The Dublin Descriptors which establish a certain number of general qualifications to be acquired have been generally accepted. See "Shared 'Dublin' Descriptors for the Bachelor's, Master's and Doctoral Awards", *A report from a Joint Quality Initiative informal group*, March, 2003.

¹³ Joaquim Ramos de Carvalho, « Les compétences : un véritable instrument de gestion du changement » in : Espace européen de l'enseignement supérieur : ECTS et compétences d'un pays à l'autre », *AMUE (Agence de Mutualisation des Universités et Etablissements)*, Seminar, 9/05/2006.

system of the different levels of curricula (Bachelor/Master/doctorate) to encourage the quality of professional training and to encourage as well academic and professional recognition¹⁴.

This has of course an impact on assessment of diplomas. From the national angle, countries believe that national quality assurance mechanisms should take proper account of programmes conducted by higher education institutions with partner institutions in other countries.

From the international angle, the possibility of considering joint/double-degrees quality assurance¹⁵ in conjunction with European cooperation is also explored¹⁶. For example in France, the “Conseil National d’Evaluation des établissements publics à caractère scientifique, culturel et professionnel” works on the adaptation of assessment practiced in France in the new European context¹⁷.

Finally, ECTS (European Transfer Credit System) or a compatible system is generally used in all double-degree cooperation. In order to promote recognition and quality assurance,

¹⁴ The Commission adopted on 5 September a proposal for a Recommendation of the European Parliament and of the Council on the establishment of the European Qualifications Framework for lifelong learning (EQF). The EQF will provide a common language to describe qualifications which will help Member States, employers and individuals compare qualifications across the EU’s diverse education and training systems. The adoption of the proposal follows almost 2 years of consultation across Europe. The core element of the European Qualifications Framework (EQF) is a set of **eight reference levels** describing what a learner knows, understands and is able to do - their **‘learning outcomes’** - regardless of the system where a particular qualification was acquired. The EQF reference levels therefore shift the focus away from the traditional approach, which emphasizes learning inputs (length of a learning experience, type of institution), shifting the focus to learning outcomes. The draft recommendation foresees that **Member States relate their national qualifications systems to the EQF (by 2009)**. It will therefore enable individuals and employers to use the EQF as a **reference tool** to compare the qualifications levels of different countries and different education and training systems, for example vocational training and higher education. The EQF will function as a type of translation device to make relationships between qualifications and different systems clearer. . cf. www.europa.eu/educations/policies. See as well, “A framework for Qualifications of the European Higher Education Area”, *Bologna Working Group on Qualifications Frameworks, Ministry of Science, Technology and Innovation, Copenhagen, 2005*.

¹⁵ See François Tavenaz, « Quality Assurance : A Reference System for Indicators and Evaluation Procedure », *EUA Studies*, april 2003. « Guidelines for Quality Enhancement in European Joint Master Programmes », *EUA Studies*.

¹⁶ Andrejs Rauhvargers, “Joint Degree Study” in: “Survey on Master Degrees and Joint Degrees in Europe”, *op.cit.* p.41.

¹⁷ Jean-Loup Jolivet, « L’adaptation de l’évaluation pratiquée en France par le CNE au nouveau contexte européen », *AMUE, Séminar*, January 2004. The CNE was set up in 1984. Its task is to evaluate public institutions of an academic, cultural or vocational nature that are the responsibility of the Minister of Higher Education. The CNE, whose members are appointed by the government, enjoys a considerable degree of autonomy, drawing up its own programme of activities and devising the methodology for its evaluations. All universities and about 60 higher specialty institutions have been evaluated. The evaluations consist of self-evaluation and external evaluation by a peer committee. Peer committee reports are confidential, but the final CNE report is made public. CNE evaluation procedures have been the subject of consultation with the Conference of University Presidents. In the field of research, the Comité national d’évaluation de la recherche (CNER) is responsible for appraising the implementation and results of national policy for research.

these degrees have of course to us ECTS¹⁸. So one must remember the national role of credit frameworks which is to achieve a range of objectives including the following: to promote student mobility, to improve curriculum design and innovation, to facilitate the creation of diversity in national higher education qualifications and institutions, to provide a reference point for the purpose of quality assurance, to improve the recognition of learning achievements¹⁹. If, of course, the establishment of double degrees fulfils these objectives, another one, not mentioned up to now, is to provide a reference point for funding;

Thus, the “survival” of double or trinational degrees depends also on financial support. Funding has in this context different sources²⁰.

Scholarships can be based on town twinning or granted by professional bodies²¹, but financial support can as well be offered by other institutions as, for example, the French-German university²² which is made up of 150 French and German Higher Education Partner Institutions and supports various double-degrees, even trilateral French-German cooperations. In the same way, the Scientific Council of the French-Italian University, in its last report, decided to subsidize financially double-degrees²³. In another example, students of the double-degree Paris II-Cambridge can obtain financial support from the “Department of Education and Skills”²⁴.

¹⁸ Recommandations de la « Hochschulrektorenkonferenz HRK » (Conférence des recteurs d’université) relatives au développement de doubles diplômes et de diplômes conjoints), UFA (Université franco-allemande), avril 2005

¹⁹ “Framework for Qualifications of the European Higher Education Area”, *Ministry of Science, Technology and Innovation*, Copenhagen

²⁰ Bernadette Conraths and Hanne Smidt, “ the Funding of University-Based Research and Innovation in Europe”, *EUA Studies*, 2005.

²¹ Every year, the 'magic circle' law firm Freshfields Bruckhaus Deringer offers a third year LLB/Maîtrise student a [scholarship](#) of £1,000.00 a year for two years to help fund the last two years of the course in Strasbourg at the université Robert Schumann

²² www.dfh-ufa.org

²³ Programme « Vinci »-« Appel à projets 2007 ».

²⁴ see <http://dfes.gov.uk/studentssupport/eustudents/index.shtml> et le site Internet du gouvernement anglais www.direct.gov.uk/studentfinance/. « Overseas » students can as well ask for a financial support of the Cambridge Commonwealth and Overseas Trust.

Conclusion

The efforts to establish double-degrees (and joint degrees as well) are relevant to most objectives of the Bologna process, since those degrees will boost the development of quality assurance, the recognition of degrees and qualifications in the European Higher Education Area, the international employability of graduates, student and staff mobility, the European dimension of studies²⁵. Double-degrees remain a “new trend”, but different questions remain as well in relation to their organisation. We need, first of all, continued debate concerning the definition of competences in order to structure our programmes. It is absolutely essential to think about the nature of basic competencies transferable from one system to another. In this context, the definition of a “référentiel européen des compétences” is an area where France is not to say the least a leader. Every efforts should as well be made to facilitate the international recognition of double/joint degrees, since European employability of graduates as mentioned before is “one of the most important goals of the Bologna Process”²⁶. That means, that finally, additional funding should be sought from national sources and European cooperation to encourage student and staff mobility.

²⁵ Christian Tauch and Andrejs Rauhvargers, *op.cit.*, p.43.

²⁶ *Ibid.* See, as well, «Reconnaissance des qualifications universitaires et professionnelles», Université di Padova, Italie, June 2005. With regard to the awarding of a double-degree (two or more national degrees) most countries (those where the higher education partners to the degree are not staying) consider that recognition would be the same as in the case of any other foreign degree (if the degree is a joint degree this is not formally recognised in law). That’s why national governments should be encouraged to examine and/or amend national legislation. France adopted in a decree in 2005 (n°2005-450, 11th of May) As regards international legislation more generally, the main legal instrument for academic recognition in Europe is the Lisbon Convention (2001). A code of good practice in the Provision of transnational Education was adopted by the Lisbon Convention Intergovernmental Committee in 2001, which stipulates the requirements that should be satisfied by transnational qualifications in order for them to obtain possible recognition under the convention. The issue of extending the Convention framework also to double/joint degrees was raised at the Joint Degree Seminar in May 2002. A few days later, the European recognition networks ENIC (European Network of Information Centres, established by the Council of Europe and Unesco to implement the Lisbon Recognition Convention and to develop policy and practice for the recognition of qualifications) and NARIC (National Academic Recognition Information Centres, an initiative of the European Commission and created in 1984. It is part of the Community’s Erasmus/Socrates Programme) decided to examine the question. In June 2004, the Lisbon Convention Committee adopted a recommendation concerning the recognition of common degrees and applicable to all Contracting Parties.

