



## **UNIVERSITY CONFERENCE REPORT**

**16th June 2013**

Organised by the Internal Assessment Commission

UNIVERSITY CONFERENCE REPORT

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## Introductory note

As is known to the academy, on the year of its centennial and of the merger between the University of Lisbon and the Technical University of Lisbon, the Law School of the University of Lisbon has initiated a process of internal assessment and debate on its mission, goals, organisation and functioning, linked with the Law School's external assessment by A3ES (Agency for Assessment and Accreditation of Higher Education).

Within this framework, the Internal Assessment Commission entrusted with this process decided it was of the utmost importance to organise a University Conference open to all members of the academy to promote a true, intense and transparent debate on some of the great challenges faced by our Law School and its members.

To enrich this conference, it was considered important also to bring in the valuable and experienced contributions of several outside guest speakers to convey their opinion on two issues central to the School's life: "Studies Plan and Evaluation", and "Employability".

For the panel "Studies Plan and Evaluation" were invited Alvaro Laborinho Lúcio, Retired Judge of the Supreme Court of Justice and former Minister of Justice, José Miguel Júdice, President of the Portuguese Bar Association and partner of PLMJ & Associados, Carlos Lacerda Barata, Assistant of the Law School of the University of Lisbon and Maria João Estorninho, President of the Pedagogical Council of the Law School. For the panel "Employability" were invited Jorge Magalhães Correia, Chairman of the Board of Directors of Fidelidade Mundial, António Vitorino, former Commissioner for Justice and Internal Affairs and partner of Cuatrecasas, Gonçalves Pereira & Associados, António Cluny, President of the Movement of Magistrates for Democracy and Liberty, and Rui Pinto, Sub-Director of the Law School and Coordinator of the Law School's Employability Office.

Honouring the tradition of student participation in key moments of the Law School's life, the Internal Assessment Commission also invited the Association of Students of the Law School to take part in the proceedings of the "Employability" panel, which was represented by its president Francisca Soromenho, as well as the representative of the Law School's postgraduate students, André Barata.

For future memory, the speaker's interventions and the ensuing debates were audio-visually recorded by the University of Lisbon Shared Services, allowing the full recording of the conference to be available on the Law School's website.

## **OPENING SESSION**

The opening session of the University Conference was presided by His Magnificence António Sampaio da Nóvoa, Rector of the University of Lisbon, Henrique Granadeiro, President of the General Council of the University of Lisbon and Eduardo Vera-Cruz, Director of the Law School.

Eduardo Vera-Cruz addressed the need of an internal debate on the issues of organization and functioning of the Law School, as well as an external debate bearing in mind the new University of Lisbon with highly recognized personalities in the legal professions at national level. The conference should be considered an important moment in the present and for the future of the Law School, stating that the Law School wants to be in accordance with the new rules of Portuguese Higher Education.

António Sampaio da Nóvoa mentioned that the deregulation of the Portuguese Higher Education system, both in Private as well as in Public Universities, made an external assessment process necessary to ensure the quality of higher education. Deregulation is the outcome of unprecedented proliferation of University degrees and Higher Education Institutions at national and international level. Notwithstanding, the degrees lectured by the University of Lisbon have taken this assessment and accreditation system as a sort of interference with each of the Schools' life, jeopardising their autonomy, since this process was developed to ensure quality standards for Private Universities which have disrespected the rules of quality assurance. The University of Lisbon has adopted an internal system of quality assurance which ought to be recognized by the external entities imposed by the Ministry of Education.

By anticipating the future, the University of Lisbon's Schools have prompted a change in their internal environment which has favoured the debate on organisation and functioning issues of each School. Universities have always lived their finest moments when they were able to be one step ahead of civil society, thus better fulfilling their role.

There should be a public pledge between students and faculty towards the development of the academic society, so that the future of civil society is mirrored by the dynamics of the academic society. The efforts undertaken by the Law School of the University of Lisbon regarding its internal assessment issues were acknowledged especially after December 2012, with the constitution of an Internal Assessment Commission comprising faculty, students and administrative staff.

University Schools have to be regarded as more than mere teaching tools, they have to be seen mainly as an instrument of academic study and analysis of the future to come, resulting in a symbiosis between teaching and scientific research. Therefore, there must be a change of paradigm regarding the valorisation of study work, downgrading the endless sequence of classes for the benefit of an accrued spirit of research as the basis for an academic course.

Employability issues deserve to be profoundly debated within the University; in fact, we should consider a true "Employability culture", in order to avoid offering degrees with no success in the employment market. Employability cannot be just an orientation guide to safeguard the existing degrees. If we manage to keep this internal culture present within the School, we

solve a good part of the employability issues. With respect to employability, the University shouldn't be managed having in view solely the degrees with more employability rates, but should firstly be concerned with the creation of a Professional Culture. The debate should always be focused on job prospects and not on employability, because the University should be able to reflect and think for itself.

António Sampaio da Nóvoa concluded by stating that promoting a dynamics for reflection is essential to assert our internal autonomy, since it springs from the ability to be self-organized, allowing ourselves to get rid of a number of administrative and bureaucratic constraints which seriously affect the life of the University.

Henrique Granadeiro observed that, after the merger between the former University of Lisbon and the Technical University of Lisbon, we realized that the new University should be more committed to the progress of the civil society, a commitment to the discovery of knowledge, but also to the public issues of Higher Education. This is an important moment of reflection and for the self-organization capacity of the Organic Units of the University of Lisbon.

The present experience of the University of Lisbon is based upon discovery and knowledge dissemination, and not only on the scholar-student binary system. Nowadays, the debate is mainly focused on job prospects and, as such, it is not acceptable that savings entrusted to the University by the students' families do not produce an adequate compensation for their financial effort.

The University of Lisbon has been undergoing change, after the merger between UL and UTL, which was an advantage for the Law School of the University of Lisbon; because it is its only Organic Unit to offer a Law Degree, a degree that should be broadened, embracing other fields of knowledge. The new University of Lisbon will be more connected with the civil society and with businesses, geared towards the jobs market and to the production and discovery of new knowledge.

There is now a commitment to look for innovation and jobs more related to the goods and services markets, a commitment with other Higher Education Institutions of several fields of knowledge which are now part of the same University. The new University should now focus on the internationalization of its degrees and the possibility of having and maintaining degrees resulting in a larger offer to the jobs market.

The University of Lisbon was a pioneer in several regulatory questions concerning its functioning and management through the incorporation of the concept of "corporate governance", under the initiative of the General Council, in comparison to solutions adopted by other Public Universities. The creation of the Shared Services of the University of Lisbon was a project the General Council was very engaged in, developing a common structure of modern and innovative management, concentrating education and research in its Organic Units and creating an organization of excellence for its management, able to address the organizational challenges facing a modern public administration, closer to its users.

The University of Lisbon had to overcome disinvestment by the State and a disincentive to scientific research, with projects supported by the highest international institutions, creating

more accurate management instruments, with a larger participation of all the University's management entities. In the last ten years, the University has lost about half of the funds from the State's budget for the University of Lisbon.

The merger between UL and UTL started off as a project between the two current Rectors of the Universities, creating a new University which will be one of the largest in Europe, a new University which inherits from the old University of Lisbon an immense estate that could come to serve as a means of internal funding for consolidating its balance sheet. The entire estate assigned to the old University wasn't in its legal possession; however this problem was settled when the new University of Lisbon was created. This estate carries with it great hopes for the new University, being an extraordinarily important instrument to reinforce its own revenues needed to undertake its own activities. The new University of Lisbon can use the means which now collectively possesses with this merger and enable new purposes that, from now on, can be assigned to some of its facilities.

The employability issue has been detrimental for the University and the students who entrusted it with their investments, so career prospects should become the main focus of the new University. Talent gathering is done not through the acquisition of a specific know-how, but of an undetermined capacity to respond when facing specific problems in the employer's work field. The intellectual narrowing brought by a specialized field of university education renders the prediction of its employability rate useless. Employers especially want to hire candidates with great scientific and technical skills, which include specific problem-solving abilities. Employability should not be a driving force for the personal investment of university students.

Henrique Granadeiro also mentioned that students of Law Schools of Private and Public Higher Education Institutions with less prestige truly aim at recycling their degrees by undertaking the postgraduate Master Degrees of the Law School of the University of Lisbon as a means of curricular upgrading. This general trend of students recycling their degrees of a more dubious standard in Schools with more legal reputation, like the Law School of the University of Lisbon, produces a kind of schizophrenia within the student body, as some are really prepared to pursue the Master Degree and others can only do it according to the insufficient knowledge that the degree taken in their previous Higher Education Institution has provided them.

Eduardo Vera-Cruz concluded by stating that international legal cooperation is always present in the way the Law School of the University of Lisbon sees itself, internationalisation being a key aspect in the School's life, which could be confirmed by the presence in the audience of Carlos Teixeira, the Director of the Law School of Agostinho Neto University (Angola).

#### **PANEL ON STUDIES PLAN AND EVALUATION – Reform or Revolution?**

Álvaro Laborinho Lúcio, José Miguel Júdice, Carlos Lacerda Barata and Maria João Estorninho were the speakers of the Panel on "Studies Plan and Assessment". The moderation of this Panel was in charge of Pedro Romano Martinez, President of the Scientific Council of the Law School.

Álvaro Laborinho stressed the fact that the Law School of the University of Lisbon should concentrate mainly on outside points of view on Law Degree plans at national level. The challenges faced by the Law School are also the challenges faced by today's University. The University is nowadays the cornerstone of the future young people have ahead of them. One should reflect upon a revalidation of the concept "the time for studying", which should once again impregnate the academic environment, a time that is of the essence, when students can make choices by affirmation, by integration or exclusion, a time when these choices are made based upon matured knowledge, weighing positive and negative outcomes, a time of shared experiences between students and faculty, a time of socialisation within the Academy.

The University is a road that must be travelled bearing in mind the educational stages that precede it; there should be a moment for building bridges between Higher and Secondary Education, thus creating an internal culture in which students and faculty are willing to go and share with Secondary Schools' graduates some of the matters required for the education and training of a jurist, in order to stimulate the curiosity and interest of possible future students of this School. The University has already been through a Court phase, a time of social elites that were the outcome of a critical mass diminishing through Basic and Secondary Schools. Those are bygone times, and today's the time for a true University.

The *quasi-daily routine* that we are living in Law Schools is one where the Professor addresses the students in the morning to reveal them the essence of Law, mentioning that it leads to the fulfilment of the ideal of Justice and that, in the afternoon, puts on the lawyer's robe and goes to court as a lawyer, saying the exact opposite of what he told the students. University teaching in Portugal is living in this profound schizophrenia that makes the student wonder what to study in School, if in the future he is going to act against it.

What should matter to Law Schools must be the purpose of the Law and not so much what the Law is. The eclectic point of view is one not only concerned about knowing what Law is, because it can hardly guarantee a strong argumentation to assert the validity of Law in a social context but, instead, to assume the finalistic position of achieving Law's role, which can hardly concede it a self-reliant validity. Therefore, socialization rules should be established for the survival of Law, avoiding public degradation of the legal expert's image.

This functionalization of Law has to start within the Law Schools themselves, turning it into an instrument of solutions instead of an obstruction to social change. The Law's effectiveness consists of connecting problem identification with a fair presentation of solutions, always with an eye on civil society; this effectiveness should be regarded within the conditions of financial and economic markets, but should also be linked with the social validation of the fundamental rights of citizens.

An interdisciplinary view connecting the Law to its true purpose and instrumentality must be recovered. As for the revalorisation of legal thought and research, this interdisciplinary approach should be regained; time therefore is not a generalised interdisciplinary space, but a certain rhythm of disciplinary connection-disconnection, so we can conclude that nothing is truly interdisciplinary without firstly being discipline-focused. This should be the right answer of Law Schools for their connection between their duty of continuous and systematic search for what the Law is and, at the same time, their duty to discover in the Law a social function

that legitimates research and, then, is able to translate it in social terms to the world of democracy, where the rights resulting from the Rule of Law will continue to have the strength which we are able to provide.

Álvaro Laborinho finished with a reference to the need of understanding what is the role of the Law School of the University of Lisbon within the new University, namely with respect to the problem of making the intellectually creative tasks demanding uncompromised activities in pursuit of truth and originality standards compatible with the professional training process, tasks which must attain to competency, effectiveness and practicality standards.

José Miguel Júdice told us that the Law School should always pay attention to those who practise Law and not only to its scholars, as it has done in this Conference by having invited outside speakers. Teaching law in this School was once a set of purely academic theoretic hypothesis at odds with the real problems discussed in courts; today this does not seem to be the case judging by the quality of the candidates applying to traineeships in Law Firms. We can therefore conclude that law teaching today is much better than three decades ago.

One should not fear not to be careful enough with the similar use of the words “Employability” and “Economics”. In fact, one should be more careful with the *carefulness* in using the word “Employability”. University Schools have isolated themselves in ivory towers, keeping the gap between the academic skills displayed by graduate students and the requirements of the job market, in such a way that they are not prepared for its current requirements. The market does not need legal practitioners unable to survive a legislative amendment. Rarely does the market get what the lawyer trainees should know to start practising once they have their degree.

The problem is not just what is taught in Law Schools, but mainly the way Law is taught. Currently, Law graduates are by far more prepared than decades ago: they are much more knowledgeable of legal matters. The students of this Law School will be in great part the lawyers of tomorrow, many will be part of the business sector as legal experts and just a small part will end up in the Judiciary or with the Public Prosecution office.

However, these students suffer from a manifest lack of *soft skills*, a remarkable lack of emotional intelligence quotient to overcome the obstacles specific to their everyday activity. There is an urgent need to have an updated approach to the Law degree’s studies plan, with courses geared towards legal practise.

The market especially needs graduates in Law to interpret legal and contractual rules, thus a course in Theory of Legal Interpretation should become a substantial formula for practical legal problem-solving. The abilities systematically required by the job market are the anticipation of legal problems, arising from pathological legal rules and the cunningness of a more skilled and prepared lawyer. Courses in Ethics and in Legal Language Communication are absolutely fundamental in a Law degree Studies Plan.

Communication is a necessary weapon for today’s legal experts, who should be able to communicate, write and master language with absolute precision. Law is science based on language and legal experts live by the subtleness of words, making the existence of a course in



communication techniques ever more important. This aspect would be important for the examination of witnesses, since one of the Portuguese judicial system's most tragic problems is the fact that a good part of questions posed in court should not be tolerated at all. There is no Law Degree in the country with a course in examination and cross-examination and not even the Portuguese Bar Association offers one. This is a monumental flaw in Portuguese legal training.

There is a profound need to teach working methods during a Law degree, not only because of work efficiency, but also to enable the analysis of a legal problem envisaging a concrete solution. Work organization techniques and legal problem-solving methodologies are required for the practical life of a legal expert. Today's trainees are highly prepared but they are still too attached to the academic ways of legal problem-solving, resorting to a number of professorial doctrines that do not solve the issues of a concrete case.

José Miguel Júdice finished stating that the Law School of the University of Lisbon is a paradigm of the quality of Higher Education, for the exceptional work done by its scholars, but unfortunately it keeps doing things more in the ways of the 20<sup>th</sup> century than in the ways of the 21<sup>st</sup> century.

Maria João Estorninho referred that the School, wanting to be in line with teaching methods of our times, is debating within the competent School body, the Pedagogical Council, a new Regulation for Students Evaluation. The School is living an important moment with respect to this internal process of reflection that implies an assessment of the advantages and disadvantages of this change in evaluation methods. The issue of the evaluation regulation reform shouldn't be alienated from the Studies Plan reform. The School lives in full communion in this process, with the participation of all its bodies. The evaluation of students allows it to accomplish its first task, the grading and classification of students, and also the task of taking stock of the given evaluation through the results obtained according to its internal standards. The evaluation of students mirrors the way the Law is taught in this Law School. The School cannot be a vocational assembly line, so the temptation of excessive specialisation is a mistake in the students' academic training.

Carlos Lacerda Barata mentioned that the Law School of the University of Lisbon has recognizable merit in the national scene, for the excellence of its legal teaching and faculty. Two great trademarks have contributed for the external image of this School: the evening course and Continuous Evaluation.

The existence of the evening course is a fundamental characteristic of this School. The evening course is notably better than in the past; the requirements and demands in the evening course are exactly the same as the regular course's ones. The School has a unique system regarding the evaluation of its students, the system of evaluation based on practical classes – the Continuous Evaluation. The existence of continuous evaluation is another fundamental characteristic of the School. It's a fact that keeping this unique system of continuous evaluation has made a huge contribution towards this institution being the most prestigious Law School in the country, a system which allows students to be assessed throughout their courses and without which this institution may lose its external prestige. A good part of the students who finish Secondary School seek this School for its practical classes evaluation

system, wishing to better assimilate subjects taught in class and to obtain a continuous training required to become a legal expert.

There should be a growing concern with job market issues and the training of students, namely through the system of continuous evaluation. The Bologna Reform was an obstacle to the students' good standard of training due to several reasons, so the current Studies Plan must be urgently reformulated. The students have more courses during each year and less and less time to commit themselves to them. The students' dynamics of participation in classes is becoming more reduced and the general quality only improves upon great effort and personal sacrifice from them. In the aftermath of the Bologna Reform implementation, this School stopped having three hours per week of practical classes to offer only two per week, to the detriment of students; as for the maturation and mastering of the subjects being taught and the demands and teaching standards in practical classes, they could only have drastically lowered.

During the first semester of 2012/2013's school year, there were 45 days of exams, written and oral, in the second semester of the same year there were 66 days of exams, written and oral, which means that this year we will have more than 110 days of exams, excluding legally required special evaluation periods. The first purpose of the School is to teach and prepare its students and not to thoroughly assess or examine them. We are looking at a reverse logic process, opposite to the one that would be expected so as to improve the teaching of the Law. For 2011/2012's school year, 13 083 exams were taken in the first year of the Law degree and 9021 exams were taken in the second year. Ten years ago, in the 2002/2003's school year only 3400 exams were taken amongst first year students, in all evaluation periods. These numbers are sufficiently enlightening.

Notwithstanding the quality of the students and the faculty's efforts, today's continuous evaluation is less rigorous than in the past, considering the exaggerated number of students in each practical class, the higher number of classes per week, the semester duration of courses, which turns out to be a trimester duration, with the usual delays in the beginning and ending of classes. The faculty's perception is becoming more and more out of step with the students' real capacities, since they don't even have the time to understand their learning difficulties.

Carlos Lacerda Barata therefore concludes that though the current Evaluation of Students Regulation is sufficient, the evaluation issues should in fact be reviewed, but are more related with the excessive number of students enrolled in the Law degree, especially the ones enrolled in practical classes evaluation system. To solve this dilemma, what is needed is not a revolution, but a reform of the evaluation regulation.

## **Debate between Panel speakers and members of the audience**

Marcelo Rebelo de Sousa questioned the speakers about the studies plan reform and their suggestions for it, according to the semester guideline required by the Bologna reform. They were also invited to give their personal opinion on the new evaluation regulation proposal. He also asked them on what terms should the School's Studies Plan reform be implemented.

Álvaro Laborinho Lúcio stated the importance of always taking into account the motto: "Those who know how to teach do so, and those who don't write books on the subject". It is essential to have a political return on the investment made in Law Schools. The Law should return to the technical and legal standards of legal production as a demand of Law Schools, namely of this one. The legislative proliferation forces Law Schools to scrutinize laws as a legal product, a natural circumstance of the complex times in which we live.

One must know whether there is an epistemological autonomy specific to the making of laws. This autonomy would generate an epistemologically distinct object, which should be discussed in Law Schools. There must be a clear engagement in the commitment between Law Schools and Specialized Training Centres for Magistrates, an essential intersection of great relevance within the scientific dimension specific to University Schools. There is a difficult coexistence between these institutions with the implementation of the Bologna Process, considering that the potential of this process became hostage to the financial crisis which served to deny market failures. The Law should be understood as an autonomous object and essence, a ceaseless process seeking to understand the never-ending legal matters, in communion with relevant topics of interest to students.

There is a need for a course in Judicial Constitutional Law, by means of a matrix which would lead to the study of legal research in this field, closely linked with the study of Fundamental and Human Rights. A valorisation of substantive law, to the detriment of adjective law, should prevail. Law Schools train more experts on legal procedures than legal experts knowledgeable of substantive Law, a fact which keeps them away from legal practise. We should find the proper place for adjective law, which hasn't been found yet at this stage.

Maria João Estorninho replied that the reform should be done only once and that we shouldn't enter into a process of continual reforms. The reform of Study Cycles is a near future scenario and a context which we are going to live in. The School will have to know how to value its ongoing assessment the best way possible, mainly through the proposal which the Scientific Council wants to present its students with. The new University of Lisbon is defined by a specific top research profile in association with an education of excellence. The crucial relationship of Teaching and Research is the hard core of the debate: future Professors will necessarily be Researchers.

The creative connection between these two dimensions should be a future concern for the Law School of the University of Lisbon, a widely debated issue related to the transition from a "lesson culture" to a "research culture", of education towards learning. She concluded that today there is a lack of *Soft Skills* - a failure of all the Schools of the University of Lisbon.

Francisca Soromenho mentioned that in the previous mandate of the Pedagogical Council a wide debate regarding pedagogical methods was started, considering research tools applied to classes and education itself as a way to rationalise these assessment processes. Efficiency starts with study methods employed by students, because studying longer is not necessarily studying better or being more efficient.

Concerning the debate around the studies plan, Ana Nunes de Almeida also reminded us that the Law school of the University of Lisbon will have to think itself taking into account one of the aspects which characterise the mission of the new University of Lisbon, and become a “research-oriented university”, an international point of reference, committed to an education of excellence. How is the relationship between teaching and research regarded today in this School? How can one generate creative synergies between these two poles, involving scholars and students? Only by strengthening the links between them can we move from a “class-based culture” to a “study-focus culture”, from a “teaching culture” to a “learning culture”, to which António Sampaio da Nóvoa referred in the opening session.

Álvaro Laborinho Lúcio also said that we must rethink the purposes of research, knowing that we are in need of a global strategy of the Law School regarding research topics. The research is the result of the choices of each scholar and not the adoption of the common thread of this strategy. We all agree that Justice functions poorly but not one research centre of any Law School has cared about studying this issue in depth.

José Melo Alexandrino referred that is fundamental not to pinch the Continuous Evaluation system and the rigour and quality traditions of this evaluation method, making it compatible with research freedom and the need to learn extra-curricular legal issues. A strategic orientation for the Law School of the University of Lisbon is necessary – this idea is present in assessment reports from international entities – an alteration of evaluation methods in line with that internal reflection and with external assessment reports from the Bologna Process.

Januário da Costa Gomes made reference to the *time deficit*, the lack of time for the students to assimilate taught subjects, a *deficit* which was aggravated by Bologna. The acceleration of topic changes, with the inherent reduction of time for maturation and assimilation has had the negative effect of “segmenting” taught subjects, even within the same course. For the same reason, it is very important that there should be a final exam in every course. The main courses of legal knowledge should have, as before, three weekly practical lessons, while accepting a different regime for less formative and structural courses. The issues of the Studies Plan *scripto sensu*, the evaluation regulation and the need of urgent reforms should be widely debated.

Miguel Romão acknowledged that the Law School of the University of Lisbon has two characteristics which are a mark of the School: the fact that it is the only Law School to offer evening courses, given the important social function of this offer, and also the fact of being the only Law School to have a Continuous Evaluation method to assess students, which prizes teaching as a way of awakening the strengths of students seemingly less interested in the taught subjects.

Luís Frias defended that the changing force has two poles, the teacher and the student. However, in this Law School, teachers spend more time arguing about that change than

listening to the students. The teacher has always been the main driving force, so now the teachers are asked to be the leaders of this change. Today's students also want to lead this changing process. Doctrinarian discussions about consensual changes which must be part of the School's life no longer make sense and it is time to act more and not keep pondering to avoid leaving everything the way it is.

Maria João Estorninho concluded by stating that Revolution is not the way, if revolution means making tempers flare with the purpose of turning the debate sterile, at some point in time. The right path is to have the courage of recognizing the need to improve the outcome for students within the job market, keeping what is traditionally good and overcoming what is traditionally bad in the current Evaluation Regulation. The Law School has to enable the conditions required for students do study, and especially to be successful. Change means improvement, not revolution: it means reforming what is considered less adequate in the current Evaluation Regulation. While going towards greater efficiency, we seek to do the best for the School without over-dramatization.

## **PANEL ON EMPLOYABILITY: Difficulties or Opportunities?**

For the Panel on Employability were present Jorge Magalhães Correia, António Vitorino, António Cluny and Rui Pinto. The moderation of this panel was in charge of Eduardo Paz Ferreira, President of the Law School's Assembly.

António Vitorino mentioned the importance of seeking a better balance between academic research and professional training. In general, international organisations are not given enough attention in Law Schools. Portugal is systematically sub-represented in international organisations, being a country which is not truly aware of the opportunities they open up and does not have an administrative and political structure enabling young graduate law students to apply to international competitions, namely for jobs in the European Commission. We have to know how to promote candidates to international organisations, with training courses aimed at applications for the United Nations Organization, the European Investment Bank, among others. A competition for jobs in banking supervision for the European Central Bank will open shortly, admitting more than seven hundred candidates in a first stage, namely legal experts, who should be directed to these interesting places.

The profile of lawyers is changing; more specialised firms are gaining space in the national market, modifying the activities involved in law practise, mainly because auditing and consulting firms are going to start entering in a organized way into the world of law practise. The new Statute of Law Firms will allow shareholders who are not lawyers, affecting the exercise of liberal professions and raising questions on legal ethics issues. In stark contrast to this dynamic, there is the risk of the legal profession becoming more business-like; if it becomes a general occupation, there will be many problems in the future, such as the coexistence of a massive non-specialised legal practise with falling prices and an interdisciplinary and multidisciplinary elite law practise.

Jorge Magalhães Correia pointed out that, from an employer's perspective, one can say that the Portuguese market offers a qualified workforce at an adequate price, satisfying the requirements of those who hire. Major enterprises hire more lawyers than legal experts, but both are necessary within a business organization. As for their roles being widening within a company, the paradigm is radically changing and is changing for the better. Past trends were towards the outsourcing of legal services, nowadays there is a reverse trend, seeking to internalize legal advice: both for cost reasons and to keep them focussed on the business interests, it is always necessary to have in-house lawyers.

Nowadays there is a risk-prevention need for legal experts, the need for a preventive risk analysis which apparently is closer to the specific areas of auditing than those of the legal practise, but revealing that legal experts are essential within these activities for technical reasons. Legal experts are more risk-aware, which has increased the value of their role in the financial services market.

Legal risk prevention is a new aspect of professional legal roles allowing businesses to avoid certain risks which are activity-specific. The number of top managers in private and public

companies with a Law degree has increased a lot in the last few years: it is a statistical trend which assures us that a legal education is becoming a valuable asset in risk analysis issues. And the School from which they graduate is not irrelevant to the employer, especially if the institution is well ranked in the national top 20.

The degree is just a starting point. 80 per cent of the training is allegedly acquired within the business and in the job market. There has always been a language gap between humanities and social sciences and statistic and mathematical sciences. Legal training has brought several advantages to business management, in terms of adaptability and human and relational skills. The in-house lawyers' role is to provide lawful and business-minded solutions according to the overall strategy of the business. Managers are concerned not only with what they might stop gaining, but also with what they may lose.

António Cluny commented that the great driving force towards change in this Law School has always been the body of students. Law courses don't have to be the same everywhere and can offer training in other areas, such as public administration. We are now before a reform of the State, which means there should be greater qualification of civil servants, especially with legal training. Portugal is the only country in the European Union where judicial clerks don't need to have a degree in Law. There aren't too many graduates in this course; if anything, there are too many lawyers because one has to be a lawyer to practise other legal professions, which does not happen in other European countries. This Law School has the obligation of intervening in the debate surrounding the reform of the State, so that this reform doesn't translate into a reduction of employees and so that the government's decisions may open up job prospects for its graduates.

Debates concerning legal careers are always up-to-date and necessary. Historically there have been wide discussions regarding legal professions. The possibility of creating a course in Public Defence, considering the money which is misspent in public-funded legal defence and the bad conditions under which they are conducted, would help to overcome the present situation, promoting good services with the required standards.

Nothing prevents Law Schools from continuing to prepare its students so that from a scientific and cultural point of view, they acquire the necessary intellectual autonomy to be ready to choose a profession which does not necessarily has to be a legal profession. This uncritical thinking becomes evident if we consider that comparative case-law courses on the same subjects are not offered, following the old tradition that says the best solution is always the Master's. This inability for intellectual autonomy is related to the lack of solutions for concrete cases, and a result of the current method of teaching. It was acknowledged that the Continuous Evaluation methods and working groups have substantially changed the blockage of knowledge progression towards legal practise. The evaluation method of the Law School of the University of Lisbon has shown to produce better results, mainly in the Centre for Judicial Studies, when compared with those of other Higher Education Institutions. The ability to solve expediently concrete practical cases and the efficiency and reasoning speed demonstrated by graduates from our School stand out from students coming from other Schools.

Rui Pinto informed the audience that the Employability Office of the Law School of the University of Lisbon, with one year and a half of existence, has already organised a Job Fair

where law firms were present to receive the students' job applications, an Employability Fortnight in which informative sessions were held, and has also participated in Futurália – a Job Fair directed at Lisbon's Higher Education Institutions.

The creation of a Students' Support Office is being planned, so that it can truly solve the employability issues of this School's students. The Association of Students has had a fundamental role in the past helping to create this Office. However, it is necessary to professionalise the Employability Office in a way akin to other Law Schools.

André Barata mentioned the existence of a series of problems regarding access to the job market, mainly concerning traineeships' conditions, and also the access to legal practise itself within the Portuguese Bar Association. The School has the responsibility to support its graduates to have access to the job market, going beyond its scholarly and research obligations. The number of protocols with law firms and awards to research linked with professional activity, and the number of public competitions for jobs offered to graduates of the Law School of the University of Lisbon is much smaller than those offered by other Schools.

Thus, we conclude that the School should benefit from the merger between the UL and the UTL, in order to bring in a new dynamics to its Bachelor's and Master's Degrees in new legal fields, which could now benefit from the inputs of other fields of knowledge taught by other Organic Units of the new University of Lisbon.



### **Debate between panel Speakers and members of the audience**

Ana Nunes de Almeida informed the Employability panel Speakers that a protocol between the University of Lisbon and the Universia web portal will be signed, making the Universia employment pool available on-line to interested employers.

Rute Saraiva told the speakers about the functioning of the Legal Clinics, a network in which the student is supervised by a faculty member to solve a concrete case, becoming closer to practical legal work and more sensible to solving practical problems.

João Galhofo raised the question of the strategic outline of the Employability Office for the future, especially taking into account the recent merger between the UL and the UTL, which can be a great advantage for the employability of the students of the Law School of the University of Lisbon.

Rui Pinto said that maybe the biggest advantage that the Bologna Reform brought to the School was the promptness in the implementation of certain procedures. Since then the School has been always evolving, even though we now celebrate its centenary anniversary. The School has to abide by public resource management rules when it comes to invest in the Employability Office. The School opened up to civil society through the Bologna Process; however, it has failed to sufficiently advertise its activities, namely concerning Employability.

## **CLOSING SESSION**

For the closing session of the University Conference of the Law School of the University of Lisbon were present Ana Nunes de Almeida, Pro-Rector of the University of Lisbon, Marcelo Rebelo de Sousa, President of the Internal Evaluation Commission of the Law School of the University of Lisbon, and Alexandre Soares dos Santos, President of the General Council of the University of Aveiro.

Alexandre Soares dos Santos mentioned that the University has to come to terms with the fact that a new society is being developed, a society that hasn't yet defined its model, since it has a clear understanding of what it does not want, even if it has no clear view of what it actually wants. Nowadays there is higher working mobility and a worldwide job market. The University should be concerned with what the institution will be like ten years from now. Students must leave this School open-minded, World savvy and ready to work in any field, making use of the knowledge they have acquired during the course to obtain their Degree. Universities must prepare students for the World and students must be prepared for the World. Portuguese young people should master other languages.

Marcelo Rebelo de Sousa pointed out that the future challenges in all the domains explored by the different panels became clear and confronted the inertia of a centenarian School. It is the only Law School within an enormous University which is being born, full of possibilities and can develop its activities with other fields of knowledge and other Schools within the University. Students and faculty have to be aware of these challenges in the near future. The School has been slow to institutionalise structures in face of new realities, we need to adapt to a new time and space dimension. Traditionally, this School is very individualistic, because research work is essentially done individually, but now this work is becoming more collective with the development of research centres alongside the legal studies institutes, with the construction of a new purpose-built building for research centres and with the definition of a statute for researchers, since faculty in this School are both teachers and researchers, and at the same time develop several activities within civil society, while being permanently subjected to evaluation exams.

Ana Nunes de Almeida acknowledged that the Quality Assurance Office of the University of Lisbon was always present during the internal assessment process of the School. The organization of the University Conference brought important progress to this evaluation and accreditation process, which had been paralysed until December 2012. This Conference was an opportunity to reflect upon the challenges brought by a future that will be very demanding within the new University of Lisbon, and where this School has an advantage over others Schools, because of the lack of competition in its disciplinary field. The Law School has a prestige and an aura which make it the crown jewel in this merger; however the School must think about its place within this new University, so that its image matches reality. Never before Higher Education Institutions have been under so much scrutiny of the students and their families, as in contemporary societies.

The School is under an evaluation process from the A3ES: after a phase of submitting information by means of the self-evaluating report, it is expecting the visit of an External Evaluation Committee made up of international expert assessors.

### **Concluding Notes**

Evaluation procedures and quality assurance mechanisms have a decisive role in the overall accomplishment of the University's mission. To this extent, and as part of its own institutional autonomy fundamental for the accomplishment of its academic mission, the new University of Lisbon and the Law School of the University of Lisbon have taken on the challenge of internalizing those issues, establishing a culture of permanent quality supervision and a dynamics of internal reflection upon its main questions.

Committed to the reinforcement of the University's contribution, embodied in the capacity to anticipate the future and suggest innovative and alternative solutions to the established *status quo*, the Law School of the University of Lisbon promotes an education of excellence, guided by the reinforcement of the links between teaching and learning and the growing symbiosis between teaching and research. The University is a place for discovery, but also a place for the construction of scientific freedom and for defining research guidelines focusing on its final purpose and effectiveness, namely through the validation of its results with reference to concrete problems and demands and through the critical questioning of dominant doctrinarian approaches.

A professional culture should be equally present in the organization and everyday functioning of the Law School of the University of Lisbon, preparing and supporting the integration of its graduate students in the job market, providing them with the knowledge and expertise needed to fulfil traditional legal professions, to perform in international organizations, to undertake business management roles, among other occupations, and also giving them the skills required to adapt to structural challenges, such as the transformation of what is required from lawyers' profiles and growing mobility in the legal professions.

Within these terms, the Studies Plan should combine the demands of high quality standards for scientific, technical and intellectual training with the development of professional expertise, encompassing areas such as legal interpretation theory, comparative case-law, ethics, working methods, witness examination and debating techniques.

Like other national Higher Education institutions offering a degree in Law, our School is facing the challenge of adapting to the immediate consequences of the Studies Plan reform, with a more reduced number of curricular units per semester, a heavier hour load for practical classes and a shorter examination period, with fewer exams. It is also necessary to offer a wider choice of courses so that, in accordance with the Bologna guidelines, we can respect the freedom, the choices and the responsibility of students regarding the shaping of their individual *curricula*.