

CHIEF EDITOR'S NOTE ON LEGAL EDUCATION IN BRICS COUNTRIES

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Education is one of the most conservative spheres of life. It carries out not only its direct functions, but also acts as an element of any public contract. Sharp changes can affect the balance of public relations. Legal education in this context is of particular importance. Through most of world's political and public leaders it has a direct bearing on society, state, law, legal and other social regulators.

Strangely enough, these problems are typical not only of Russia. Talk of crisis in legal education resounds in many countries, editorials with significant headings like 'Legal Education in Crisis' appear both in Europe, and in America (e.g., N.Y. Times, Nov. 26, 2011, at A18). Moreover, it is not only the Russian President who deals with all problems 'hands on,' including the problems of legal education. Two years ago, Barack Obama personally offered such radical measures that it almost turned the whole legal academic community in the USA against him (N.Y. Times, Sep. 20, 2013, at A16).

Teachers and students around the world feel changes, the active reform and revision of traditions and the settled techniques. Former approaches do not meet the current requirements, and now a transformation is under way. It shows the state of transition of the higher law school, a search for its new mission, place and role in a changing world. In different countries this process occurs differently.

It is important to consider domestic problems while taking into account universal changes. It is obviously wrong to deny the Russian origin and character of many problems, so the proposed measures for solving those problems also have to consider national features. A universal model for the improvement of the educational system is unlikely to exist.

In this situation, the cooperation prospects in the field of legal education in BRICS countries seem to be interesting. The economic and political *rapprochement*

of the BRICS countries can inevitably lead to cooperation in the fields of culture and education. In recent years, some events have attested to the beginning of a new stage of *rapprochement* of the BRICS countries in the field of education. Firstly, some declarations on cooperation in the field of education were adopted. It is necessary to allocate separately the Fortaleza Declaration (Brazil, July 15, 2014). Secondly, there is a movement arising from desires, from needs. In particular, the ratings of the BRICS countries' universities (e.g., QS University Rankings) are remarkable. It is not the ranking of universities itself that is important, but the fact that the international academic community is starting to take the educational integration of the BRICS countries seriously. It testifies that it is not simply a random group of states, but that these states are connected by common features, including the ones in education.

Despite a considerable desire, both on a political and on an academic level, to establish closer connections in the field of education in BRICS countries, there are some problems which complicate it.

First of all, the language. It is obvious that cooperation in the BRICS countries can be effective only in English, as it is the language of international cooperation at the moment. The problem is that this language is an official language only in India and in the Republic of South Africa, as well as in part of China, in the territory of Hong Kong. Legal higher education institutions of these states carry out educational activities in English. However, in other BRICS countries it can cause difficulties due to the non-prevalence of English. At the moment, the only decision in this regard seems to be the development of educational programs in English in Russia, Brazil and China.

Second, there is the geographical remoteness. Although in the era of online communications it is not a key problem, nevertheless, this situation complicates cooperation in certain cases. The only decision here seems to be the development of remote forms of cooperation.

Third, there is a commitment to various educational models. Whereas Brazil, Russia and part of China (Continental China) favor the European continental educational model, the Republic of South Africa and India favor the Anglo-Saxon model. In relation to law, it means that in Brazil, Russia and Continental China, a five-year form of education has taken place historically, while in the Republic of South Africa and India – 3+2. Of course, now there is a *rapprochement* of both educational models, and the model 3+2 (or 4+2) works everywhere, nevertheless the 'historical memory' of the academic community still persists.

Fourth, there is a variety of legal models and systems in the BRICS countries. When the legal systems are essentially different, some forms of cooperation are difficult. For example, the issuing of 'double' diplomas is almost impossible due to the difference in the legislation. But it should not be a reason to restrict cooperation, which is necessary in the sphere of scientific research, as much as in other forms of educational activity.

Despite the existence of certain potential obstacles, cooperation in the sphere of legal education between the BRICS countries has a high development potential. However, the main problem now lies not at the interstate level where such cooperation has been given the 'green' light, but at the interuniversity level where such cooperation is minimal. The existing interstate declarations and agreements are not realized to their fullest. It is necessary to fulfill them with real cooperation between concrete higher education institutions. There is huge cooperation between the Russian and Chinese universities. However such contacts have a 'pre-BRICS' history (e.g., the agreement between Lomonosov Moscow State University and Beijing University). The Forum of Rectors of the Russian and Chinese universities takes place periodically. A rather large number of Chinese students gets legal education in Russia. But such cooperation between other countries is minimal. It is important to develop both the academic mobility and traditional forms of cooperation, such as summer schools, double diplomas and so forth. Joint scientific projects, project groups and such like are necessary. By the way, the *BRICS Law Journal* is one of the similar projects uniting the legal professorate. It is focused on the implementation of joint projects, on the rapprochement of legal positions. In some countries, BRICS educational centers are being created now (e.g., at Fudan University (China) and Lomonosov Moscow State University (Russia)). There are interstate universities. An example of these is the Russian-Chinese University, which is currently being established. The foundation of a BRICS University seems expedient.

In general, the solution of two key problems in the sphere of cooperation in the field of legal education is currently required: 1) to move on from bilateral to multilateral cooperation, to involve all BRICS countries; 2) to move on from declarations to real cooperation, from interstate interaction to interuniversity contacts.