

majority of those who will practise in the UK, as well as many lawyers who practise in other countries. The vocational programs may also attract more international entrants and have room to grow in influence.

All of this, however, is unlikely to be a domain in which the institutions that currently provide the leverages for change in UK legal education enjoy free reign. The global market for higher education, the international demand for corporate legal services and the worldwide concern for universal human rights will ultimately be the arbiters of what constitutes UK legal education in the coming century.

Perspectives on the internationalisation of legal education

A G Padilla

51 *J Legal Educ* 3, 2001, pp 350–354

Institutional efforts towards the internationalisation of legal education are still significantly influenced by assumptions that date back to the 1960s regarding the characteristics of the various legal educational systems. Twenty-seven years ago John H. Merryman outlined the then prevailing views on the main traits of the two leading systems of legal education in the West: the North American and the Continental.

First, an almost monopolistic control of the state over legal education on the Continent versus a very strong private sector influence in the North American tradition. Second, a contrast between the emphasis placed on access and democratisation in the Continental counterpart. Third, the focus on strict legal doctrine prevailing in Continental education, as opposed to the emphasis on ‘policy’ matters observed in North American institutions of legal education. Fourth, the basically professional character of North American legal education, as compared to the broader legal culture objectives pursued in the Continental tradition. Fifth, the curricular flexibility prevailing in the North American

tradition, as opposed to the rigidity constraining academic programs on the Continent.

Developments that occurred in the last decades of the twentieth century prompt a re-examination of the traditional understandings. Such a re-examination might lead us to a clearer view of the true challenges that we face when seeking to enhance cooperation between institutions operating within the two systems. For one thing, higher education in the Continental tradition (and legal education is not an exception) has not been immune to the new emphasis on the capabilities of the private sector. Countries belonging to that tradition now have major private institutions which, albeit still young, have become ever more dynamic. Second, in the latter part of the century just concluded, the Continental university, in those instances where it was over-committed to access rather than quality, was already seeking to find a better balance. On the opposite side, during the second half of the twentieth century, the supply of legal education in the United States expanded notably as new schools began operations and others grew in size. Third, the teaching profile in both traditions, if it ever was as different as described, seems to have grown closer as the twentieth century drew to its end. Whether because of increasing familiarity between the schools of the two traditions or because of independent developments in the overall standards of quality, today the parameters for judging what constitutes good law classroom experience are similar in the two cultures.

Any barriers encountered today are fundamentally different, albeit not necessarily easier to overcome, and they are not always in the past. First, the level of resources of the institutions of the different communities may be quite disparate. Efforts at internationalisation are expensive. They demand investments that may not yield fruit immediately. Second, indirect

resources to support cooperation are likewise not comparable in the two traditions. In terms of internationalisation initiatives, the funds allocated for education, which are channelled through students, may be especially significant. Third, the forces favouring the internationalisation of legal education sometimes clash with forces seeking to protect national interests that may also play a valid role in the life of some institutions. Fourth, the differences in the organisational structures of law schools and departments of the different traditions also tend to impede interrelations.

REVIEW ARTICLE

Legal education and training in Hong Kong: preliminary review

P Redmond & C Roper

Steering Committee on Legal Education & Training in Hong Kong, 2001

445pp

This report is an important assessment of the current status of the legal education and training provision in Hong Kong. It identifies a number of significant shortcomings in the present provision and proposes a model for a reformed system recommended for adoption. It was commissioned by a Steering Committee, which appointed two consultants to conduct the research and prepare a report: Professor Paul Redmond, then the Dean of the Faculty of Law at the University of New South Wales, Australia and Christopher Roper, formerly Director of the Centre for Legal Education and now Director of the College of Law Alliance, Australia.

Any review of all the facets of the system of legal education in any jurisdiction is necessarily a major undertaking. All such reviews, especially this one, due to the quality of the research and writing, are relevant to other common law countries. Whatever divergent paths these countries have trod, they still share a common inheritance.