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The Bologna Process: Practical Steps for Russian Law Schools

ANATOLY KAPUSTIN*

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1. Introduction (Russia as a Part of Europe).

As it is well known Bologna process is closely connected with Europe. For us, Russians, Europe is a symbol of prosperity, high quality of life and progress. In spite of many problems which divided Russia and Western countries in the past and that may arise in the future, Russia was and always will be an integral part of Europe. Of course, this part of Europe has very specific features; it is huge, restless and unpredictable, but it is still Europe. Taking in account the natural ties between Russia and Europe, I would like to ask if Europe is really something cohesive and unique, or if the word “Europe” has different connotations?

I think the second hypothesis is right. In fact, it is obvious that Europe has different dimensions. In a geographical sense, Europe is a part of the world that forms with Asia the continent named Eurasia. Europe itself stretches from the Atlantic to the Urals. We should stress the notion that thanks to Russia, a considerable part of Asia now covered by European ideals (or standards) of life. Not without reason, some European leaders say that Europe runs from Brest (France) to Vladivostok (Russian Far East).

From linguistic and cultural points of view, Europe is a unique balance between unity and diversity.¹ In fact, most Europeans speak an Indo-

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¹ Bergan S. The European Higher Education Area and Recognition of Qualifications in the context of Globalization//Globalization and the Market in higher education. Quality, Accreditation and Qualification, 2002, p.61.

European language – and most of those a language belonging to one of three Indo-European families (Romance, Germanic or Slavic). At the same time we can find among those with status as state languages or not such as Finno-Ugric (Finnish, Hungarian), Turkic (Turkish, Azeri), Caucasian (Georgian) and Semitic (Maltese). By the way, in Russia we have most of those languages as minority languages. The classical heritage of Ancient Greece and Rome covers most of the region – but to varying degrees and in various ways – and is naturally tempered by other experiences more specific to smaller parts of the continent. Russian culture and history is more closely linked with the Byzantine spiritual heritage; that is why in the 15th century Moscow was called the “Third Rome.”

Politically, Europe includes slightly less than 50 independent States of varying size (State territory varies from 0,4 thousand square km to 17075 thousand square km). It ranges in population from 140 million to around 25,000, with varying degrees of centralization (France) or federalism (Germany, Switzerland, and Russia). Notwithstanding that, Europe is often called an “old continent” by a number of countries that have come into existence over the past decade or so, mainly through the breakup of the Soviet Union and Yugoslavia, while others have existed within their current borders for centuries.

Europe has formed some important international unions (or international organizations). Two of these are the Council of Europe and the Organization on Security and Cooperation in Europe – OSCE). These lend credit to the idea of a pan-European character. In effect, the Council of Europe has 44 State Members, whereas 55 States are Members of the OSCE, but the member structure of OSCE allows one to define this international organization as a "Euro-Asian-North-American" one. At the same time, the governments of Canada, USA, Japan and Mexico have received the status of “observer” at the Council of Europe.

Today, the European Union (EU) includes 25 Member-States and realizes programs of integration in social, economic, legal and foreign affairs spheres. The Union is a good example of dynamic development of economy and policy. From the perspective of “Large Europe,” it can be considered as the sub-regional international organization. From three specified regional European organizations only two (Council of Europe and the EU) are competent to be engaged in questions of education, and within the framework of the EU, these questions are regulating, mainly, with maintenance of two basic freedom of the Common market - a freedom of movement of workers - citizens of EU, and freedom of granting of services by citizens of EU.

Although recently in EU the idea of development of cooperation on questions of the general education and vocational training (section XI of the Treaty establishing the European communities) has received development. It is possible to denominate as a sub-regional international organization the Commonwealth of Independent States (CIS), which structure includes twelve European and Central Asia States. Hence, the CIS on the geographical measurement concerns the "Eurasian" international organization. By the way, the Charter of the CIS² provides in article 19 the realization of joint projects and programs in the field of education, but it is necessary to note that successes in the realization of the concept of Uniform educational space within the framework of the CIS are rather modest, and many of its members have undertaken integration in the Bologna process.

Fortyeight European States, including all 44 members of the Council of Europe (CE), are participants of the European Cultural Convention which presents a legal framework for cooperation of Member States of the CE in the sphere of education and culture. In addition to the European Member States of the CE, participants of the Cultural Convention are Byelorussia, Bosnia and Herzegovina, the Vatican, and Monaco. Israel has the status of observer in the Convention.

Europe also is the field of activity for many international non-governmental organizations (INGO), and some of them focus on the sphere of education. For example, the Association of European Universities (AEU) has about 700 member institutions (organizations of national universities) and rectors' conferences from most European countries, while the National Unions of Students in Europe (ESIB) organizes students from most parts of the continent.³ For university law professors, there is considerable interest in the activity of the European Association of Educational Law and Policy (EAELP), which represents institutions of higher education in Europe along with a number of institutions from the rest of the world, including Russia.

At least one should note that Europe has a large variety of national educational systems. Even if one takes into account the fact that many national education systems are similar, each of the European countries basically has its own educational system, including systems of higher education. In some cases, there is more than one educational system. For example, in Belgium the education is based on a level of ethnic and language communities; therefore, there are two education systems: Flemish and French.

² See, the Charter of Commonwealth of Independent States.

³ See, Bergan S. Op.cit., p.62.

Moreover, for primary and secondary education in Belgium, there are separate legislative guidelines concerning Belgium's German-speaking community.

In Germany, in turn, the responsibility for general education – and higher education – reposes in the Lands, which are region demarcations within the German federation. At the same time, there are a Federal Ministry of Education and a Conference of Ministers of Education of the Lands. In Spain the responsibility for education (primary, secondary and higher) is distributed between the State and independent communities. There are other examples of pluralism in education systems in each separate European country.

In the Russian constitution, federal authorities define the principles of federal policy and elaborate federal programs in the sphere of cultural development of the country.⁴ But general issues of education are the object of joint jurisdiction of the Federal state and the subjects of the Russian Federation.⁵ This includes all of the Russian Federation's republics, territories, regions, cities of federal importance, autonomous regions, and autonomous areas. In practice, under the Federal Law on Higher and Post-graduate Education 1996 all important questions of state policy in the field of Higher education⁶ are given to the federal authorities. On the other hand, general questions of higher education and postgraduate education fall to the subjects of the Federation, who enjoy full executive power in matters not belonging to the competence of the Federal State.

So, even the brief review of political and cultural features of the European States show that in Europe it is not less distinctions, if not it is more, than uniting moments. All this only emphasizes the ambition and scope of the Bologna process and, hence, imposes a very hard duty on researchers and analysts. I would call for a cautious approach. This should be understood as the concrete analysis of each object of research concerning possible changes in national educational systems. A method of analogies and superficial comparisons is not convenient in this case. However, this does not mean that it is necessary to close a theme of study and discussion of consequences for the legal education of the country which will entail the realization of Bologna arrangements by the Russian government. Such a step

⁴ Article 71.

⁵ Article 72.

⁶ These include issues of federal legislation, planning of educational development, elaboration and approval of State educational standards, budgetary financing, licensing and quality education control.

has no prospect as the vector of changes in our educational system is designated at the highest political level in Russia. The task of the professional community is to combine such approaches which sometimes are represented as incompatible: keeping traditions and achievements of a national system of the juridical education, and at the same time trying to designate points of development of this system which can be adapted to the requirements of the Bologna process. Is it possible? We shall try to find the answer to this question in the following sections.

2. The Bologna Process: Some Implications.

In modern literature and in the mass media it is acceptable to designate as the term Bologna process the efforts undertaken by European countries to create a European Higher Education Area (EHEA). The ideological bases of the concept of integration of educational systems in European countries was elaborated initially in the Bologna Declaration (the Magna Charta Universitatum), proclaimed by rectors of some European universities on September, 18, 1988. They gathered in Bologna for the ninth centenary of the oldest University in Europe. Fundamental principles of this declaration represent the most general features of the future system which depict the contours of the European Higher Education Area.

A new document appeared ten years later which has attached legal value to the public initiative of the university rectors mentioned above. On May, 25, 1998 Ministers of Education of Great Britain, Germany, Italy, and France accepted the Sorbonne Joint Declaration on harmonization of the architecture of the European higher education system. In this document, Ministers of Education actually repeated the basic ideas of the previous declaration and recognized the real prospect of creating an open European area of higher education.

One year later, Ministers of Education from 29 European countries⁷ accepted the Bologna Declaration. It more precisely formulated the immediate tasks of this process of forming the area of Education in Europe, to be completed no later than 2010. One goal of this project was to increase the international prestige of European higher education. The principal objectives of this process are:

⁷ Belgium was submitted by two communities, therefore the exact number of participants at a meeting was equal to thirty.

- Adoption of a system of easily readable and comparable degrees, including the introduction and distribution of the diploma;
- Adoption of a system essentially based on two main cycles, undergraduate and graduate. Access to the second cycle shall require successful completion of first cycle studies, lasting a minimum of three years. The second cycle should lead to the Master and /or Doctorate degree;
- Establishment of a system of credits – such as in the European Credit Transfer System (ECTS) - as a proper means of promoting the most widespread student mobility;
- Promotion of mobility by overcoming obstacles to the effective exercise of free movement of students and teachers;
- Promotion of European cooperation in quality assurance with a view to developing comparable criteria and methodologies;
- Promotion of the necessary European dimensions in higher education, particularly with regards to curricular development, inter-institutional co-operation, mobility schemes and integrated programs of study, training and research.⁸

These six specified purposes are the basis for the formation of the general European Higher Education Area, but they are not exclusive. The declaration also stated tasks of lesser importance aimed to promote achievement of the basic purposes. Subsequently, at periodic meetings of the European Ministers of Education from states participating in the Bologna process, purposes and tasks will be specified and confirmed in view of the stages of reforming of higher education.

We agree with the opinion that the Bologna process is closely connected to the EU-Russia relations.⁹ The current approach in the EU-Russia integration is to create four so-called Common Spaces. The Road Map on the Common Space of Research and Education, Including Cultural Aspects not only repeats the Bologna process goals and principles, but also presents some practical tools to achieve them.

3. Russia and the Bologna Process.

⁸ See, The Bologna Joint declaration of the European Ministers of Education//The Bologna Process and its Implications for Russia. The European Integration of Higher Education. Moscow., 2005, p.148.

⁹ See, Ch.Pursiainen and S.A.Medvedev The Bologna process, Russia and globalization// The Bologna process and its Implications for Russia. The European Integration of Higher Education, Moscow, 2005, p.20.

At the September 2003 Berlin meeting of participants in the Bologna process, Russia was accepted as a full Member, which one may denominate as an international organization of a very specific nature. From that time, the Russian government started to implement the norms and principles of this process, especially by way of harmonizing national legislation with the requirements of the Bologna documents. In 2003, as an experiment, the Ministry of Education of the Russian Federation decided to use a system of the credits similar to the ECTS in a number of institutions of higher education in the country. Practical preparation began from the development of proposals for modifications in Russian legislation on education to realize the obligations accepted in the framework of the Bologna process.

The given process coincided with the realization of administrative reforms in the country. This refers to a control system in the formation (education), including higher education. The new Ministry of Education and Sciences of the Russian Federation has developed a whole complex of actions for realizing the Bologna arrangements which included both organizational, methodical, and legislative measures.

At the same time, Russian professors and heads of education created a movement that objected to Russia's participation in the Bologna process. It was maintained by a number of rectors of the largest universities of the country. They objected to universal transition (i.e. transition of all Russian institutions of higher education) on a system based on two main cycles of higher education and introduction of a system of credits. They expressed the opinion that the usual five years' program of higher education (for the so called *specialist*) has a fundamental character, and its demolition can cause irreparable damage to the system of higher education in Russia.¹⁰ This situation allows us to say that now in Russia we have supporters and opponents to reforming our system of higher education and its harmonization with requirements of the Bologna process.

First of all I should stress that this is not a phenomenon unique to Russia. As noted by G. Lauwers, "Traditionally, EU Member States resist any harmonization policy in education and increased EU competence."¹¹ The

¹⁰ Some authors define this approach as a "mystification of the Bologna process". See G.I. Gladkov Bologna process in Russia: the road map//The Bologna process..Ibid., p.65-66.

¹¹ G.Lauwers The impact of the European Convention on Human Rights on the right to education in Russia: 1992-2004.Nijmegen, 2005, p.245.

Bologna process seems to contradict this resistance. However, European countries, including principal EU Member States, were founders of the Bologna Process and are now the more active participants. It is necessary to state that in attaining the Bologna objectives, the diversity of cultures, languages, national education systems, and university autonomy must be fully respected.

The supporters of Russian participation in the process stress that the Bologna process is indicative of three major globalization trends to which Russia is exposed. First, one can speak of a larger process shaping the global intellectual landscape: international academic mobility. The processes of academic mobility, exchange and standardization are therefore an essential part of the Information Age. Second, the Bologna process is a part of the emerging knowledge economy. In today's world, knowledge has turned into a major factor of production, giving the highest return for investment. Third, the emergence of the Bologna process is closely related to the changing patterns of power and influence in today's world. The traditional measures of state power – territory, natural resources, military prowess, called the “hard power,” are giving way to factors of “soft power:” competitive economy, effective governance, pro-active diplomacy and moral authority, an attractive international image of the nation, and the quality of its human potential. The Bologna process is therefore “a soft power” option for Russia, a means to upgrade its global attractiveness and competitiveness, and a means to capitalize on its most precious national resource, its human potential.¹²

The opponents of Russian convergence with the Bologna process argued, *inter alia*, the following reasons for objecting to the Bologna process:

- rejection of fundamentality (i.e. a focus on abstract science), traditionally inherent in Russian high school;
- compulsory introduction of nonlinear educational trajectories (courses of choice in all disciplines from the first up to a final grade level at each level of higher education);
- imposing of the modular approach; compulsory use of distance learning;
- mass production of “under-educated” bachelors; and
- resentment of the Bologna process by students in Europe itself.¹³

¹² Ch.Pursiainen and S.A.Medvedev Op. cit., p. 20-21.

¹³ Ibid., p.65.

It is not my task to analyze the quality of these arguments, but I can say that in some of these arguments we can observe the elements of exaggeration of the possible difficulties in the way of implementing Bologna principles in Russian institutions of higher education and the oversimplification of the complex process of converging all European higher educational systems.

Russia's legal education community was more tolerant of the idea of a transition of the higher juridical education of the country pursuant to the Bologna process. During its annual general meeting in April, 2004, the Federal Association of Law Schools of Russia heard the report on prospects of development of higher juridical education in view of "Europeanization" of the Russian system of higher education and decided to continue to work on the developing its own position on this question which should be based on Russian legislation.

In April, 2005 at the annual assembly, participants of Federal Association of Law schools of Russia approved efforts by the government of Russia to reform Russian higher education, including higher legal education. It requested that the development of new bills of reform of the higher juridical education take into account existing differentiation of degrees in the juridical education. Thus, the Russian legal educational community has shown a high degree of responsibility for the destiny of Russian juridical education, and it has expressed readiness for constructive cooperation with the national government in reforming higher education and its harmonization with requirements of the Bologna process.

Regarding this discussion on the necessity of Russian participation in the process of European integration of higher educational systems I consider useful to take into account two aspects of this phenomenon. On the one hand, the Bologna process is obviously the subject of state educational policy, and as such, it will encompass internal legislative measures, changes in educational management, and technologies of education. On the other hand, it is clearly an international legal process which should harmonize the interests of national sovereignty of States participants with the needs associated with the globalization of higher education. Taking into account the last suggestion, I think it will be useful to present here very briefly an international legal estimation of the phenomenon of the Bologna process. Moreover, it is necessary to do it because some very highly educated persons in the Russian legal community frequently offer various objections to the so called "Bologna threat," but at the same time they make wrong assessments of the real international legal nature of the process.

So, the Bologna process itself can be defined as the coordinated policy of state agencies responsible for national education in the appropriate countries, whose primary goal consists in reforming higher education in these countries. Its aim is to achieve a certain level of unification or harmonization by accepting obligations for many conditions describing the various parameters of systems of higher education in the European States. When formulating an international legal framework or legal bases of the Bologna process it is necessary to take into account that till now it has not accepted any international legal (or any other) document which has established the precise obligations for participants of this process. At the same time, it generated criteria for membership and produced a number of other procedural norms within the framework of development of the appropriate policy the bodies of cooperation. All this allows one to assert that the Bologna process gradually assumes the features of a regional international inter-departmental organization or a permanent international conference, such as the Conference on Safety and Cooperation in Europe- CSCE, known in due time as the Helsinki process. It has special purposes and fulfills particular functions, such as reforming higher education systems in Member States, that allows us to relate it to the category of the *sui generis* international organization. This international organization has used enough flexible legal tools for achievement of its objectives. As we have already established, the majority of the documents accepted in frameworks of the Bologna process are called either "declarations" or "applications" and it is not casual.

First, in general international law, international treaties are used for acceptance of international legal obligations. In our case, we deal with a declaration; therefore, there is a minimum of formality about which so much has been written and spoken about in our country. Second, connection to the Bologna process does not entail an automatic unification of educational systems of the state-participants of process. It is necessary to take it into account because some opponents of the idea of integrating Russia with Russia in the field of education are afraid that the Bologna documents are binding on State participants. Actually, connection to the Bologna process means acceptance of one major obligation - to achieve the purposes (listed above) within the term determined in the declaration (i.e., by 2010).

The choice of forms, methods and means of achievement of the purposes remains entirely and completely in the hands of the concerned States. In other words, the terms in the documents of the Bologna process do not contain concrete international legal obligations, and so-called obligations to achieve a certain result in the future (forward looking obligations). They

are distinguished with flexibility and a high degree of freedom. There is discretion for the states in the process of implementation in place of similar international legal obligations. The attention and that fact pays to itself, what even the future results of the process of harmonization and cooperation in the sphere of education are formulated in streamlined phases, leaving major degrees of discretion to its participants. It is a very important legal characteristic of the Bologna process which for some reason is constantly overlooked by both its supporters and its detractors in discussions carried out both before and after Russia's connection with the Bologna process. And it is a key to understanding the essence of this process which does not reject state sovereignty in this major aspect of a society.

At once it is necessary to be stipulated, that not only in European, but also in Russian scientific literature the cautious approach to an estimation of potential and the future Bologna process is shown. So, V.I. Bajdenko remarks, that the "Bologna process is not idyllic harmony of the unidirectional and synchronized movement ... This movement from comparability to compatibility; from a generality of actions - to uniform actions; from ways of the adaptation to true and to radical changes."¹⁴ In another book by the same author, he remarks that the Bologna process has all of the attributes of a living organism. Once fears in its initial phase are removed, other fears arise.¹⁵ From my personal experience of dialogue with the European colleagues – heads of faculties of law and professors of law – it is possible to agree that critics of implementation of progressive Bologna principles in national educational systems in Europe are no less principled than in Russia. And nevertheless, in Europe the Bologna process has proceeded, even in the face of criticism and other difficulties. Moreover, in 2005 obvious interest in the Bologna process was shown by the USA and the Chinese National Republic who received the status of observer at periodical conferences of Ministers of Education of the countries united around the Bologna principles. Finally, I should note the Bologna process is still developing, and in 2005 our closest neighbor, Ukraine, also became a participant in the process.

4. Russia's Higher Legal Education System: The Contemporary State.

¹⁴ See См.: Baydenko V.I. Bologna process. The course of lectures. Moscow (Байденко В.И. Болонский процесс. Курс лекций), 2004, p.5.

¹⁵ See Bologna process. Increasing dynamics and diversity. Documents of international forums and opinions of European experts (Болонский процесс: нарастающая динамика и многообразие (документы международных форумов и мнения европейских экспертов). Moscow, 2002, p.6.

The system of higher legal education in Russia has the same basic features as the system of higher education in Russia as a whole. The Russian higher education system has a legislative basis that is constantly supplemented and developed. The basic legislative acts on the federal level include the Law on Education of 1992 and the Law on Higher and Postgraduate Education of 1996. These two acts brought many changes. Russian education legislation does not allocate special attention to *legal* education; therefore, legal regulation of this segment of higher education is carried out in accordance with general practice. In other disciplines, higher legal education can be provided at state and non-state educational institutions.

Higher legal education in Russia is carried out on the basis of state educational standards (SES) which are intended to maintain the quality of higher and postgraduate education, and fairly allocate space and other educational resources in Russia. The SES also helps provide a basis for objective evaluations of the activities of higher educational institutions, and a framework for recognition of documents of foreign higher and postgraduate educational institutions, as well as a system to reconcile or establish parity between these foreign documents and credentials and Russian documents and credentials.

The development of a so-called “third generation” of state educational standards which takes into account the requirements of the Bologna process begins now. The main changes we expect from this new generation of SES is the transition of its so-called competent approach, from its traditional subject-oriented approach. The hourly estimation of the volume of study and of teachers’ work will be replaced by a credit-test. It will be included as a requirement in the transition to the new organization of educational processes and educational quality control. Unfortunately, serious developments in this endeavor have not yet been achieved. Separate attempts to build on former principles and rules have not harmonized with the criteria of the Bologna process. I shall express a very cautious assumption that no later than the summer or autumn of 2007, the Russian legal education community will resolve these problems. However, we shall not proceed until the current questions of legislative reform of higher education are resolved.

Today, higher legal education in Russia has a multistage character. According to Article 6 of the Law on the Higher and Postgraduate Education of 1996, the following stages of the higher education are established in Russia:

- Bachelor

- Specialist
- Master

Education of persons who have not finished training under the basic education program, but have successfully passed intermediate certification (with not less than two years of training), is an incomplete education and proves to be true distribution of diplomas of the established sample. The reigning mood today in ministries indicates that the multistage system will be retained in Russia; however, it agrees with Bologna that the criteria should be two cycles of graduate work for basic higher education and postgraduate studies. Apparently, there will be an integration of "specialist" and "master." As a result, there will be the following circuit: the bachelor + master; the last will be two degrees or classes. From the point of view of legal education, the given circuit does not cause special censures as the realization of concepts of "two diplomas" or "mobility of students," is achievable only at the level of the master or the expert.

By the way, from our point of view, for Russia the task of sustaining the educational mobility of a student is achieved regarding internal mobility or student movement inside the country. Today it is possible to observe a paradox when the student of any faculty of law remote from the traditional educational centers of instruction (Moscow, St. Petersburg, etc.) can leave Russia for a semester or a year in one of the European Law Schools much more easily than in any Russian Law Schools situated in one of the educational capitals of the country. Such is the dialectics of an attachment to the native ground. By way of the individual initiative, I hope to carry out "Olympiads" or student competitions, the winners of which will have the option of training in postgraduate study at any Russian state Law School with recognized authority.

Finally, regarding the variety of higher educational institutions, higher legal education can now be received in the following kinds of institutions: university, academy and institute. As a rule, all these institutions have a special division – Law Faculty (for example, Law Faculty of St. Petersburg State University, Law Faculty of Moscow State University, etc.). Nevertheless, traditionally we have three special Law Academies: Moscow State Law Academy, Ekaterinburg State Law Academy and Saratov State Law Academy. They were created in the Soviet era to instruct lawyers for local regions of Russia.

In the summer of 2004, the Ministry of Education gained significant influence over the development of legal education and the maintenance of its

quality through its work of creating the Teaching and Methodical Association on jurisprudence. Its co-chairmen authorized the rector of the Moscow State University professor Sadovnichij V.A. and rector of MSJA professor Kutafin O.E. Recently, the work of this public body became appreciably more active. It would be desirable for them to act as initiators for the realization of research on questions combining the Bologna principles with the existing Russian system of teaching and the methodical maintenance of educational process.

5. Practical Steps of Harmonization of Russian Higher Legal Education.

First of all, I would like to stress that joining the Bologna process in 2003 was an initial step towards bringing higher educational standards of the Russian Federation in line with European educational systems. The aim was to achieve mutual recognition of university degrees. But the practical implementation of the Bologna principles in Russia has both positive and negative aspects.

Regarding these negative aspects, we should note that national systems of legal education in European countries, despite their long historical coexistence, vary from one country to other country. The distinctions among the national legal educational systems arose through historical reasons or under the impact of legal traditions. In general, it is necessary to recognize that the profession of lawyer is a super-national one because lawyers, especially those who are in public (or State) service, should know, first of all, the law of their own countries. This also concerns advocates and judges, but we should not forget that judges are obliged to apply not only national law, but occasionally the norms of foreign law, and especially today, they should also apply international legal norms. Russia's adoption in 1998 of the European Convention on the Protection of Human Rights and Basic Freedom has sharply increased demand for lawyers and judges who understand the bases of International and European law.

Lawyers in private practice are thought to be highly paid. They are not interest in allowing foreign lawyers to work in the country because of competition reasons. The need to balance competition in the internal market of private legal services makes legal professional associations of one country aspire to supersede competitors from other countries.

At last, the legal education in the majority of the European countries can be received only in the native language of these countries. That certainly complicates a problem of mobility for students as well as teachers. Certainly,

all these problems should not be considered insurmountable; they are relative in nature and basically are solvable.

The transition to the European system of legal education also represents some positive or attractive features. In fact, that transition is in line with modern tendencies of economic and social needs and, especially, of the process of globalization. The modern world market puts forward new requirements to lawyers who are occupied in global economic circulation. They should be fluent in several foreign languages, perfectly understand not only their national law, but also international law, and use the methodology of comparative jurisprudence. In other words, the world market requires the development of a transnational education for lawyers that deconstructs entrenched practices. The transition of the majority of European states to a market economy interrupts old traditions of "enslaving" lawyers to public (or State) service. Today many successful public prosecutors, judges, and inspectors are successfully working as lawyers, and legal advisers of large firms and companies. This fact cannot be denied and this is the additional argument for the need to "Europeanize" Russian legal education. There are additional advantages of transitioning Russian legal education under the Bologna process.

What are the prospects of this process? I think it is possible to allocate the following aspects of harmonization of Russian legal education with the criteria of the Bologna process:

- preparation of legislative amendments in the current Russian legislation on education. It is possible to continue this work within the framework of drafting the Code on education;
- practical and methodological character development of normative and methodical documents on transition to the ECTS system, and other elements of providing mobility of Russian students and teachers;
- Social and financial character - search of reserves for maintenance of reform of higher education according to Bologna and other European standards.

Not concerning all aspect of future practical activity in this sphere let me now list some of the primary tasks.

1. The first step is the simplification of the existing scheme of degrees of higher legal education. It is necessary to pass from a three level system to a two level system. This will establish a system of easily readable and

comparable degrees of legal education. I think it is not only the requirement of the Bologna process, but also the need to make the existing hierarchy of Russian legal education more logical and consistent.

2. Russia should define more precisely its existing levels of specializations in the Masters program. Currently the number of specializations in postgraduate studies (*Aspirantura*) and in the Master's program is practically the same. Making a Master's program for "Jurisprudence" should be based on the principle of matching determined specific professional activities. Of course, we should provide a more flexible system for implementing the Master's program, aimed to meet the needs of legal practice and a market economy.

3. Russia needs to change the existing curriculum for the Master's program. The structure of the existing plan is simply to copy the structure of the curriculum of Bachelor's training, which is not right from a methodological point of view. The Master's program should be only and exclusively a professional one, not a kind of general education program. We must understand that the program of instruction for a lawyer is part of the educational program for a bachelor degree. An exception is allowed only for foreign languages in International law Master program.

4. We need to introduce the system of credited hours or transferable points/credits in the education process because it is the way to harmonize our educational system with the Bologna process. We also should incorporate new educational technology in our educational institutions.

5. The next logical step in this direction is to reevaluate the importance of autonomous work done by students. We should admit that the major change in educational technology due to the use of credits consists of shifting the center of gravity to autonomous student work. There are some forms of autonomous work which aim to extend a student's knowledge and development of analytical skills on the problems of a discipline. Some of these forms of autonomous work may be proposed for inclusion in a new state educational standard (standard of the third generation).

6. Conclusions.

The following conclusions and summarizing can be made from the above.

1. Russia, as an integral part of Europe, is vitally interested in the participating in the Bologna process, which consists of modernizing Russia's national education system and improving its competitiveness in view of the challenges of globalization.
2. The Bologna process is closely connected to EU-Russia relations; that is why Russia should implement its Bologna commitments.
3. The Russian legal educational community has shown great responsibility for the destiny of Russian legal education, and has expressed readiness for constructive cooperation with the government of the country in reforming higher education and its harmonization with requirements of the Bologna process.
4. There are no special legislative acts in the field of legal education in Russia, therefore the reforming of the existing system of legal education will be a part of a common effort.
5. The Russian legal education community should continue working for legislative and methodological proposals for the harmonization of its domestic system of legal education to the Bologna requirements.