

## **Effective Techniques for Teaching About Other Cultures and Legal Systems**

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With the object of developing young and qualified Turkish lawyers, The University of Bahçeşehir Faculty of Law accepted its first graduates in the 2000-2001 academic year. The faculty strives to give the students a cutting edge in the field of law prepares them on universal legal principles and comparative law as well as familiarizing them to other cultures which also includes a good command of at least one foreign language.

### **1.Comparative law method**

A most widely known and ancient technique is the using of the comparative law method in teaching and in writing books and papers. However, it should not be misunderstood that not all characteristics , details and legal regulations of all other countries are taught. Only the most important characteristics and differences of some leading countries are handled. By doing so the students are given the opportunity to make comparisons between the legal system of their own country with other country models and to analyse,criticize and evaluate the differences. As a result, students will try and have the chance to find out some different and may be better solutions for the domestic legal issues.

### **2.Instructor exchange programmes**

A more updated and effective version of this technique is that, the related courses are taught not only by the Turkish professors but also by some foreign professors who are experts in their fields of interest. Thanks to this method the students obtain the chance to look at the legal issues like foreign lawyers do and analyze the issues from a different perspective.

The said technique is applied specifically in the “European Union Law” course in the Bahçeşehir Faculty of Law. Namely, a course of lectures after being delivered by a Turkish professor at the Bahçeşehir Faculty of Law, the same course is later delivered by a German professor in English in accordance with an agreement between the Bahçeşehir and Bremen school of laws.

### **3.Specific elective courses**

Moreover, a series of elective courses related to foreign law systems are offered to the students in order to give those who are willing to learn, a general idea about the foreign regulations .For example, there is an “Introduction to Comparative Law” course among the elective courses. It is about the penal law and the penal procedural law which examines the fundamental human rights in the Constitution of US and in the Convention of European Human Rights with a comparative method and due trial rule, cross examination and jury system . Introducing this course on elective basis provides the students who are really interested with deeper and detailed knowledge .

Another elective course in my School is “International Commerce Law”. Within the framework of this course the students are delivered the knowledge about international trade,

business doctrine, its theory and practice, and the economic theory of the liberalizing of commerce and the effects of liberalizing in the long run .In this way the Turkish Law of Commerce which is taught in the 3 rd year is handled with an international perspective.

#### 4.European law courses

Further, in the curriculums of the most of the Turkish law schools(including Bahçeşehir) “European Union Law” course is mandatory. Within the scope of this course of lecture the topics like the historical development of the EU,legislation, primary and secondary legal sources, budget, executive power, direct application, supranationality and community law are taught in the first semester.

In the 2 nd semester the knowledge about the free movement of goods, labour and capital, legal consequences of the agreement concluded with one member state, decisions of the European Court of Justice, the law applied by the European Court of Justice, the general principles of the Court and the general principles of the Union are given to the students. By doing so the law students are provided the opportunity to see and observe closely the ongoing process and alterations occurring on the path that Turkey is walking(slowly though) towards the full membership of the Union and to learn about the structure and functioning of the Union as well.

#### 5.Erasmus-Sokrates Programme

Today a cooperation functions between the European Universities within the scope of the Erasmus-Sokrates programmes. Within the scope of these programmes the students and the university instructors are exchanged between the universities according to the bilateral agreements. Namely an Erasmus Exchange programme is actively managed by Bahçeşehir University. Thanks to this programme the students of law, engineering, arts and sciences, and post graduate students of the institutes of the social and technical sciences are given the opportunity to study for one semester in an institution abroad at their choice.The said programme does not only contribute to the improvement of the students in academic and professional respect but in cultural and social sense as well. Living and studying approximately for 3 months in Europe helps students progress their foreign language knowledge and gives them the chance to meet new peoples and cultures and makes a change in their views to life and various matters and widens their horizons.

As for today the students of Bahçeşehir Faculty of Law have the opportunity to study in the University of Bremen, in the University of Bielefeld, in the Viadrine University, in the University of Jean Monnet and in the National and Kapodistrian University of Athens for one semester long in accordance with the agreements concluded with Germany, France and Greece.

In order to offer the students a broader choice of universities the efforts to include new universities to the Erasmus-Sokrates programmes are going on.

#### 6.Bilateral agreements

Beside the programmes above Bahçeşehir University has concluded many bilateral agreements with a number of universities. Thanks to these agreements the Turkish students obtain the opportunity to spend one semester abroad. Among these universities are Case

Western Reserve University, Ohio;St.John Fisher College University,NY;Kent State University College of Technology,Ohio;Robert Morris University,Pennsylvania;Fort Hays State University,Kansas; University of Houston,Texas;The George Washington University,Washington DC,Maryland;Midwest Universities Consortium for International Activities Kansas State University,Kansas;Stevens Institute of Technology,New Jersey;Murray State University,Kentucky; Oakland University,Michigan;University of North Texas,Texas( United States of America),Information and Communications University(ICU), Kyungsoong University, Myongji University,Woosong University(South Korea), Nanjing Xiaozhuang University(PR of China),Lingnan University(Hong Kong), University of Ontario Institute of Technology(Canada), University of Saratov(Russia),Lahore School of Economics (Pakistan), University of Zenica(Bosnia Herzegovina) and Academic Studies College of Management,Bezalel Academy(Israel).

## 7.IGUL programmes

Within the teaching methods of other cultures and legal systems which are applied by the Faculty of Law at Bahçeşehir University, the IGUL(Institute For Global Understanding of Rule of Law) programmes must definitely be mentioned. In these programmes, which are run by Directorate of Global Law Programmes, developing a common concept on the global level concerning the private law and public law with the cooperation of experts from different legal and educational institutions and also the police department are aimed. An important part of the programmes which are applied by IGUL concerning justice and security in the community, is conducted in a Peoples University concept. Therefore these programmes are free of charge and are applied between 6.00-9.00 p.m. on working days and between 10.00a.m.-18.00 p.m. on the weekends, in order to make a wider and easier participation of the professionals, lawyers and students.

Prof.Dr.Feridun Yenisey(from Bahçeşehir Faculty of Law), Prof.Dr.Sabuhitdin Begosevic(from Bosnia Herzegovina), Prof.Dr.Tom Read, Prof.Dr.John Sonsteng and Prof.Dr.Steve Mcallister(from USA) are the co-directors of IGUL. Due to the global structure of IGUL transnational law programmes have also been included into its area of activity. In this context IGUL realizes professional improvement programmes for lawyers in the USA, LLM programmes in Istanbul, London and Washington DC and it also realizes same activities for IALS. Basic English for lawyers, Basic German for lawyers and Special English for lawyers are among the other professional foreign language activities which are run by IGUL.

Further, the Directorate of IGUL undertaking the regulating institution role, conducts summer school programmes and some other joint academic programmes at the Bahçeşehir University by inviting some foreign instructors from foreign universities.

## 8.Equality of diplomas

Another technique that should be finally mentioned is that, Bahçeşehir University is working on a project in coordination with the University of Bremen which will enable the law degree diplomas obtained from Bremen School of Law to have equal standing to the diplomas obtained from Turkish law schools. According to the rules of the Higher Education Board, the validity of the diplomas which are obtained from foreign universities are given equal certification by the Board. Therefore in order to consider a law degree diploma obtained abroad by a Turkish student, equal to those obtained in Turkey, the foreign diploma holder is required to study and take exams of a number of courses(approx.20-22) again in one of the

Turkish law schools. If the project finalizes should the Turkish students who graduate from Bremen School of Law apply to the Higher Education Board for the equality of their diplomas, they will then be considered equal only after passing the exams of a few number of courses which are on the Turkish curriculum but not on the German curriculum. In other words certifying the equality of a German law degree diploma will be easier. Those courses which must be taken for the equality will be taught in Turkish either at Bahçeşehir University Faculty of Law or at Bremen University School of Law but by the visiting Turkish professors from İstanbul. These courses will be held during a summer school programme and will last between 7 and 14 weeks.

Briefly, there may be some other ways to familiarize the students to other cultures and legal systems, but I have nothing more to add to the informations given above.