

REPORT ON THE CONFERENCE “TEACHING EU LAW”
FACULTY OF LAW, UNIVERSITY OF ZAGREB
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On the initiative of the Jean Monnet Chair “Legal System of an Enlarged European Union”, the Department of European Public Law of the Faculty of Law of the University of Zagreb organised on 27 November 2015 a conference titled “Teaching EU Law”. The conference was organised to bring together faculty members, external experts and students in order to assess whether and how the law of the European Union is incorporated into the curricula of courses offered and taught by each of the faculty departments in various areas of legal studies. The conference was designed as a series of short presentations by members of different departments, followed by discussions involving all the conference participants. The aim was to identify the problems faced by legal academics in consolidating EU-related content into the existing teaching materials and discourse at the Zagreb Faculty of Law, as well as to find and discuss possible solutions to the identified problems.

The conference was opened by Professor Tamara Čapeta, Jean Monnet Chair and head of the Department of European Public Law, who first introduced two distinguished speakers, both academics and legal practitioners, who were invited to share their experiences of what teaching EU law entails and why it is relevant for future legal practitioners.

Professor Emeritus of EU Law at the University of Oxford, Derrick Wyatt, QC, addressed the participants by emphasising at the very beginning the importance of incorporating EU law in academic curricula and in the practice of new EU Member States. Referring to this as an *exciting new world*, Professor Wyatt stated that becoming part of the EU granted a whole new set of rights and obligations to the Member State in question, but also to all its citizens and economic or legal entities. Because EU law takes priority over national law, it is never safe to rely only on the latter. For legal academics and practitioners, this presents a new manner of looking at the law, and implies that there should be a new way of teaching this legal system. EU law comprises not only black letter law laid down in the Treaties or secondary legislation, but also the case law of the Court of Justice of the EU. It is impossible to apply EU law without taking into account interpretations of EU law by the Court of

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Justice. It is likewise impossible to teach EU law without including case law analysis into the existing curricula of various branches covered by EU law.

In the areas of law that are thus covered, Professor Wyatt distinguished three different categories. The first comprises EU law matters that fall within the boxes of national positive law, such as company law and tax law. In these areas, practitioners would immediately encounter EU rules implemented in their national legal systems. However, what these national rules imply in practice is determined by the interpretations of the Court of Justice. In other words, if national authorities produce an outcome that differs from the one envisaged by EU rules, lawyers may invoke directly EU rules in front of national authorities. The second category consists of matters of EU law which do not fit the categories of national law, where EU-related issues may slip under the surface of the existing national legislation. These include national rules on corporation or income tax, which must always be viewed in the light of EU rules on the prohibition of discrimination against non-nationals, and the EU freedom of establishment or freedom to provide services. Furthermore, there are many aspects of EU internal market law that lawyers need to know when dealing with these matters. For example, if national rules do not provide for full reimbursement, some general principles of EU law must be taken into account, such as the rules on effective judicial protection and effective remedies developed in the case law of the Court of Justice. Thirdly and finally, there is the category of a clear mismatch between EU law and national laws, most difficult for lawyers in practice, as the same legal issue is regulated under completely different categories of EU and national law. This is why all lawyers need to know the underlying reasoning of how EU law functions, what the main characteristics of this system are, as well as its main bodies (the EU institutions). These include: the supremacy of EU law and the rules that bind national courts directly; the institute of the direct effect of EU rules; a considerable EU case law that has to be confronted on a case-by-case basis; general principles of EU law and the Charter as an integral part of EU law for practitioners, etc. In other words, all lawyers in the EU would want to know how to use and protect the rights of their clients by using EU law instruments such as preliminary rulings, challenges to EU law, and damages against the State and other EU procedural law. All individual cases in EU Member States cannot be approached effectively without looking up the case law of the Court of Justice on supremacy, direct effect, the effectiveness of EU law, the application of the Charter or other general principles of EU law. As a concluding remark, Professor Wyatt emphasised that no legal situation in Member States arises in a vacuum, but only within the specific EU law context. And EU law is a living legal body of rules and interpretations that develops every day.

The second distinguished speaker at the conference was Judge Siniša Rodin of the Court of Justice of the EU, also a former professor of the Zagreb Department of European Public Law. The aim of Judge Rodin's presentation was to answer the question why universities should be teaching EU law, and how to do so. The answers to the questions "why" and "how", according to Judge Rodin, determine the contents, methodology and learning

outcomes of teaching EU law. Because EU law has penetrated the entire national system, Judge Rodin considers that there should not be a single lawyer who knows nothing of the EU legal system or how it functions. EU law guides students in other areas of law, but also allows them to meet their future professional needs, whether working at the bar, in the judiciary, in public administration or in any other sphere of practice.

In the curriculum of the Zagreb Faculty of Law, a general course in EU law is taught in the second year. The main presumption is that teaching EU law very early in legal studies provides law students with a better understanding of other areas of law in order to cater for advanced “positive law” courses, e.g. civil law, family law, company law, etc. Judge Rodin considers that there are two errors in this way of thinking. Firstly, EU law has been positive law in Croatia ever since its accession to the EU, and, secondly, there is no distinction between positive and other areas of law, as the difference between law practised and law taught does not exist in itself. Judge Rodin believes that EU law is taught too early in the case of Zagreb law students, as in their second year they still do not have the knowledge of the areas of the Croatian legal system that are influenced by EU law. However, he sees this as favouring future lawyers who use EU law in their everyday professional life, those who are very few in number – such as academics, those working at the Court of Justice or national agencies for EU law. For the majority of law students who will continue their careers as judges, attorneys, notaries, public administration officials or all other professionals who will also have to deal with EU law in one way or another, but to a lesser degree, this curriculum might not give them the complete overview needed to comprehend the complexity and extensiveness of EU law that often does not fit the usual categories of national law. Judge Rodin thus posed a question about whether the curriculum should perhaps be adapted for those kinds of students who form the majority.

Judge Rodin then turned to the problem of the Bologna structure that is not functioning properly at the Zagreb Faculty of Law, although it has been formally implemented. Under the Bologna cycle, the learning outcomes of the bachelor degree would be to apply knowledge and gain understanding with a professional approach, and to have the competences to sustain arguments and solve problems within the given field of study. The master’s degree would further develop the ability to integrate the gained knowledge by formulating judgments and taking into account the social and ethical responsibilities linked to the application of law. However, at the master’s level at the Zagreb Faculty of Law, the majority of students fail to achieve the ideal Bologna learning objectives. For all five years of their legal studies, knowledge is dumped on them, without taking into account the learning objectives and independence of thinking and reasoning that is required for the Bologna master’s level. Judge Rodin, however, recognises the obstacles that prevent the ideals from being achieved at the Zagreb Faculty of Law, such as the student-professor ratio, the sequence of learning legal materials, and the discrepancy between the course contents and the areas of professional practice as compared to the structure of EU law. Judge Rodin posed a question about whether the Zagreb Faculty of

Law wants to produce intellectuals who know everything about everything, or true legal professionals. The problem revolves around the issue of how to transfer knowledge to students – whether knowledge should be dumped in as many areas of legal studies as possible, or whether an attempt should be made to sequence the knowledge based on its functioning principles.

The EU law course in the second year, as a general orientation course, aims to transfer to students basic information about the EU legal system and to prepare students for both advanced legal courses in general (such as civil law, labour law, company law, etc.), and for advanced courses in EU law specifically (such as internal market law, competition law, state aid law, etc.). Judge Rodin compared this general orientation EU law course with learning how to play chess. In order to play chess, you first need to know the figures, their functions and the basic rules of the game. The general EU law course gives students precisely the knowledge and understanding of the game, while both sets of advanced courses could be seen as actually playing the game.

According to Judge Rodin, teaching EU law caters for the professional needs of future legal practitioners by developing skills such as case analysis, identifying and solving problems, as well as critical thinking. Students need to learn how to think like lawyers, how to read a legal text, and how to find and solve legal problems. Experience, however, shows that Zagreb law students, even in their final years, cannot find legal problems in a given context, as they were never taught systematically how to identify or deal with them. Students have to learn how to think critically to be able to solve real life problems that are not usual or normal. They have to be prepared to encounter these issues in practice, and to approach and resolve problems that cannot be resolved by mere reference to the text of the laws, which often fails to provide a complete solution.

Judge Rodin mentioned that all lawyers who represent clients before national courts must know the basics of EU law – previous EU law and case law on the given topic and how to find it, they have to know that they have the option of a preliminary reference, they have to know the scope of the application of EU law, the main rules of how EU law functions, and how to plead a case using EU law related mechanisms. He called this a *first aid pack* for lawyers who use EU law in national courts. Because Croatia has acceded to the EU, EU law has become an integral part of its own legal system. Lawyers must learn these specific skills needed to utilise EU law when practising Croatian law. EU law simply must be presented to students in a separate course. It can only help other courses in delivering contents that are derived from EU law. However, knowing EU law does not stop with the basics taught in the second year. EU law should be revisited in the final years of legal studies. True understanding of EU law requires deep rethinking of how to deliver knowledge of critical thinking to students, which would quite probably require reversing the entire curriculum of the Zagreb Faculty of Law.

In the discussion of the participants following the two introductory presentations, several important issues were stressed. The first was the inability of Zagreb law students to

achieve the true Bologna learning outcome for master level studies, i.e. to handle and formulate judgments, but also to reflect on social and ethical responsibilities. Because Zagreb legal studies last for 5 years, after finishing the Faculty of Law students are automatically masters of law, yet they fail to meet the true Bologna objective. In a way, this may be seen as a mere pretence that Bologna or its true outcomes exist in the Zagreb context. Most participants agreed that the Bologna cycles of learning are ideal in theory, but impossible to transpose into practice in the current Zagreb Faculty of Law structure – in terms of courses, but also in terms of the 5-year legal studies that automatically give students a master's degree.

The second important point discussed was the methodology of teaching not only EU law, but also all other legal courses. In other words, the participants discussed the issue of knowledge dumping v. critical thinking in the Zagreb Faculty of Law. As an example, in certain fifth-year courses, students are required to make connections between legal problems, to be able to rethink the law, and to make conclusions that are not written in books. Yet, very often, the first four years of the faculty's legal studies do not prepare students for such discourse. This is why some of the participants mentioned the importance of teaching EU law at bachelor level – as a separate course, but also integrated in various other courses at different areas of law. Studying EU law enables students to develop specific analytical skills and to critically assess legal issues and problems – skills that enable students to be truly capable of reaching the level of master of law.

All participants, however, agreed that the obligation of developing students' analytic capabilities should be the responsibility of all faculty departments, as EU law should not have the monopoly of critical thinking methodology. Critical thinking should be an essential element of legal reasoning in all courses taught at the Zagreb Faculty of Law. Some participants, however, considered that the issue is much more complex for some courses than for others. For example, EU law is differently taught through a case-law method also because of its specific development that cannot be completely compared, for example, with the development of family law in Croatia. Other participants disagreed, considering that each area of law can be presented to students in a critical and in a non-critical way. Although interpretation of law is a difficult activity, some consider that an effort to move beyond black letter law has to be made by all. An example was raised by stating that EU law could also be taught in a non critical manner if the students were asked to memorise the text of the Treaties or certain EU legislative acts. In the same way, other courses could also be based on a problem-solving method. Disregarding this difference of opinion, all participants agreed on the importance of not forcing students solely to memorise vast amounts of information, but also to teach them how to think about the law and the problems that might arise in the interpretation or application of the law.

Another important point made by some of the participants during the discussion was that the professors and lecturers at the faculty should be taught the methodology of teaching law, something that is not required at the present moment. It is important to motivate students how to critically reason, but also to teach the lecturers and professors

themselves how to talk to students on difficult issues, how to master the discussions, not impose their own opinions but still develop a good curriculum that transfers all the necessary knowledge to students.

After the initial presentations of the two conference guests and the follow-up discussion, the second part of the conference was oriented towards the individual departments at the Zagreb Faculty of Law. The respective representatives of (the majority of) the departments explained to the conference participants their own position towards teaching EU law within the courses they offer in the faculty legal studies – both in terms of the substance of teaching and their methodology. In other words, representatives of departments were asked to report on how they implemented EU law within their courses, to what extent, what the content of such teaching was and what methodology was used. In addition to the Department of European Public Law, other participating departments were: the Department of Maritime and Transport Law, the Department of Criminal Law, the Department of Criminal Procedural Law, the Department of Family Law, the Department of Private International Law, the Department of Civil Law, the Department of Civil Procedural Law, the Department of Administrative Law, the Department of Administrative Science, and the Department of General History of Law and State.

As regards the substance of the teaching, most of the representatives reported that their departments did not incorporate much EU law into the curriculum of their mandatory courses taught in the first four years of Zagreb Faculty of Law studies. However, almost all of them developed specialised courses offered as electives in the fifth year of legal studies dealing with specific aspects of EU law in their respective areas of law. For example, the Department of Maritime and Transport Law offers two courses dealing with EU law matters almost exclusively: *European Transport Law* and *International and EU Energy Law and Energy Security*. Similarly, the Department of Criminal Law offers a course on *EU Substantive Criminal Law and Protection of Victims*, the Department of Criminal Procedural Law teaches a course on *Criminal Law of the EU*, the Department of Administrative Science offers a course on *European Administrative Space*, the Department of Civil Law teaches a course on *EU Private Law*, etc. One specialised course on the *Development of European Integrations and Institutions* is also taught by the Department of General History of Law and State, offering students basic information on EU integration in a political, economic and institutional context. Some departments, such as the Department of Civil Procedural Law, announced their preference to develop a specialised course of matters related to EU law in their fields of legal studies in the near future. Other faculty departments reported that their fifth-year courses cover a variety of topics dealing with EU law, although their contents are not exclusive to EU law – such as *European Family Law* of the Department of Family Law, *Advanced Issues in Contract Law* of the Department of Civil Law, or *Environmental Law* of the Department for Administrative Law.

Participants also discussed why they prefer to introduce specialised courses on EU law in the final year of the faculty's legal studies rather than incorporating matters related to EU law in the existing curriculum of their mandatory subjects. The answer to this question

mostly rested on the issue of the methodology used when teaching EU-related content – the second important point to be addressed by the conference presenters.

For many legal academics, as well as practitioners, the very substance of EU law is still a learning process. Moreover, the methodology used when teaching EU law through a case-study method is quite specific and distinctive compared to the traditional Croatian ex-cathedra style of teaching. Many consider that such case-study methods are possible only in seminars or in courses offered during the final years of legal studies, where the groups of students taking a certain course are smaller. In other words, it is much easier to use methodologies that promote critical thinking in master-level courses where the number of students is much lower, where the students have more legal background and motivation, while the infrastructural capacities enable the efficient usage of such techniques. In a way, operative resources and capacity limitations still condition the selection of the methodology used at the Zagreb Faculty of Law. Yet, many departments showed that utilising such techniques is possible and gives results.

The Department of European Public Law uses this *mainstream methodology* of teaching EU law, based on the case-study method, enabling students to develop problem identification and problem solving skills. This methodology is used even in the second-year mandatory course in *European Public Law*. For this subject, students do not have a single textbook from which they have to memorise all the information on EU law. The exam is an open-book exam, meaning that students can bring to the exam any material that they want. The department then gives students hypothetical cases followed by multiple-choice questions. Students are taught positive law, but are not required to memorise it, as the law taught is changing and developing all the time. By the time they graduate, students forget what they memorise anyway, or the law changes in the meantime. What the department aims to teach students is to read, use and apply the law, and identify and solve legal problems. This second-year course first gives students a political and economic background to the EU and its institutions. The majority of the course then focuses on the specific instruments of EU law, such as treaties, regulations, directives, supremacy, direct and indirect effect, damages, preliminary procedures, etc. The final part of the course gives students an overview of substantive EU law, the division of competences in the EU, the internal market, fundamental rights, EU citizenship and international agreements in the EU context. More specific aspects of EU law are then taught in the fifth-year elective courses, such as *Internal Market Law*, *Fundamental Rights in the EU*, *EU Migration Law and Policy*, *EU & WTO* and *EU Law in Front of Courts*. All these courses are also taught by using case-study and problem-solving methods.

As for master-level courses offered by other Departments, *EU Substantive Criminal Law & Protection of Victims* also aims to encourage students to discuss current and controversial topics, pushing for the development of critical thinking and ethical responsibility by using a comparative law method, showing how EU legislation has been implemented in different Member States in order to compare different levels of protection offered to victims. Furthermore, the *Environmental Law* course is based on dialogue with students on

current problems in legal practice, using examples of real-life cases in front of Croatian administrative courts – trying to teach students how to reach conclusions themselves, just as they will have to do one day in practice. The course also aims to teach students that all principles of EU law have to be applied in all administrative proceedings in Croatia. The course on *European Family Law* is taught in a similar manner by using a case-study method – starting the lectures with a presumption and leading students to reach their own conclusions, even rebutting the starting presumption if necessary. Students are encouraged to use valid legal argumentation. The judgments covered in the course belong to top legal craftsmanship, often dealing with sensitive issues related to family law. Students are guided through these areas to promote critical thinking and the ideas of human rights protection and tolerance, but also to emphasise the sensitivity of family law issues on account of religion and tradition.

For many departments, introducing EU law methodology into their curriculum is still work in progress. Some consider that the approach towards teaching taken by the Department of European Public Law is something that all other departments should aim at. Others still favour the systematic methodology of the continental tradition over the case-law study method that is traditional for common-law systems. However, all agree that today the line between the two systems is less distinct as Croatia has acceded to the EU, and EU law has become an integral part of the Croatian legal system. Certain changes are coming to the methodology used in the Zagreb Faculty of Law, but it will take time to adapt to the new system.

Professor Wyatt nicely concluded this part of the discussion by saying that for Croatia joining the EU was an interesting new journey into the legal system of EU law, a system similar to common law that Croatians are still unacquainted with. Common law, as described by a certain UK judge, is not a motorway, but a maze where there is no right way, or with only one predetermined way to go. Once students and the entire legal profession start accepting this as a reality in the Croatian context, they will find it easier to understand EU law in which not all the legal pieces always fit together.

Overall, the conference had great success in fulfilling its underlying objective – the mutual exchange of information between departments on how each of them organised the teaching of EU law in substance and in methodology. However, the conference discussions evolved even further from the primary topic of incorporating EU law into the existing curriculum – identifying many issues and raising important questions on the quality of legal studies at the Zagreb Faculty of Law. These are the following.

Firstly and most importantly, the issue of knowledge dumping v. critical thinking was yet again mentioned as one of the core problems of legal studies in the Zagreb Faculty of Law. In other words, this is an issue of methodology. All the participants in the conference agree that the Zagreb Faculty of Law would have to introduce into the curriculum techniques that enable students to develop legal argumentation and problem solving skills. This is

especially the case if the faculty wants to improve the quality of the legal studies offered and its overall ranking on European and world scales.

Judge Rodin called this a *dilemma* between the institutional and strategic methods of teaching law and how to employ them both. All presenters emphasised that the institutional method is still very much needed, as there is some basic knowledge in each of the areas of law that future lawyers need to handle. However, it is the strategic method that all professors want their students to retain for life. Judge Rodin said there is no right answer about which one should have precedence. A problem does exist if the best law student who knows all the information in practice turns out to be very bad in arguing cases, as he was never taught how to form and use legal argumentation. Judge Rodin's opinion is that students should be taught both. Students should also be warned from the very beginning of their legal studies that teaching law is never value neutral, and neither is legal argumentation or interpretation. For practising lawyers, the central problem is not the value preference or preferred policy choice – it is how to use legal argumentation to win a case at court. Sober legal arguments are those that ultimately win cases.

Other participants in the conference also raised this point by questioning what students should be taught at law school – is it the entire complexity of legal regulation in the country, or something else? In other words, do we want to teach students hundreds of regulatory legal acts, or the way the system functions – for example, what the Constitutional Court does instead of how many members it has or which article of the Constitution prescribes its structure. As a methodological point, all participants agreed that it is the role of the faculty to teach its students the principles upon which the law functions and not simply to expect students to memorise the entire curriculum, which, even if unrealistic, is sometimes expected of them.

Many students of the Zagreb Faculty of Law that attended the conference also gave their own input on the issue of methodology. One of them said that students do consider it necessary to learn the basics in the lower years, mostly to enable them to participate in discussions in the fifth year. However, many students considered that the problems begin in the lower years of their legal studies, as almost all courses offered at undergraduate level are taught only in ex-cathedra style. Seminars do focus more on the problems behind the theory, but still very few courses offer this kind of approach. One of the students suggested that a solution could be found in having fewer lectures and more seminars. Another student then stated that students do need to know the theory, but the most important thing is to learn how to think like lawyers, how to apply the theory and to understand why the theory is as it is.

The second important point considered by the conference participants concerning the quality of legal studies is the problems faced by many of the faculty departments by not having a comprehensive textbook that covers the substance of the entire course curriculum. Although this issue is often pressed by the faculty administration, many professors consider this not to be a problem, but a benefit for students. For example, the

Department of European Public Law gives students various legal materials and the learning outcomes of the course. If the students indeed do read the teaching materials, go to lectures and learn how to use the materials and understand them, they do not need to memorise an entire book in order to pass the exam. Similarly, the Department of Private International Law also uses an online system of posting teaching units and necessary materials on their website. Many other departments have also experienced the benefits of not having a formalistic textbook, but enable students to learn about various fast-developing areas of law. Some students, however, complain that such literature is not systematic or structured, or that they do not know where to find it.

Judge Rodin also referred to the lack of textbooks and scattered materials for teaching law. He referred to this as being natural in legal scholarship due to the constant shifts in how the law is interpreted. He also considers it beneficial for students because it prepares them for real life where there are no textbooks in arguing cases. This develops students' competence in finding solutions. Many of the participants agreed, saying that a positive approach to this uncertainty needs to be promoted, instead of insisting on formalistic textbooks that often cannot keep up with the legal developments. Law is much more complex today; it is no longer just black letter national law as it once was in Croatia on account of its continental legal tradition. One of the participants framed this point by saying that the beauty of law lies precisely in this uncertainty and legal craftsmanship.

The final set of issues discussed at the conference (on the general topic of the quality of teaching) was the structural problems of how legal studies in the Zagreb Faculty of Law are organised.

For example, some of the participants mentioned difficulties in organising the teaching schedule and introducing amendments to the syllabus – which altogether blocks necessary changes. In the first four years of legal studies, courses are given through six-hour blocks, which are impossible to teach in practice. This results in courses losing half of the hours envisaged in the timetable. Because it is impossible to have a 90-hour course, lecturers must simply reduce the syllabus. Furthermore, a rule of the University of Zagreb stops departments which want to change the curricula through complex bureaucracy – changing 20% of the syllabus requires a new licence at the faculty level. Even changing literature could be interpreted as changing the syllabus.

Other participants, however, considered that the problem in changing the syllabus, and consequently the methodology, lies in the formalistic reading of the rule on 20% change in the syllabus. It was emphasised that the same rule could be interpreted in a different way – that *improvements* are not necessarily *changes* in the syllabus. For example, adding a new case study in a given area of law should not be considered as changing the syllabus. A syllabus should be determined by its learning outcomes. In such circumstances, how you achieve the outcome should not then be a matter of the syllabus. Learning outcomes are those that enable students to find their way in all or any legislative setting. In the Zagreb Faculty of Law, however, students often do not realise this, as they themselves

insist on taking an exam based on old legislation that went out of force during the course of the semester. This relates to legislation they will never have to use in their professional life.

Another point raised was that all the improvements in the quality of legal studies must work both ways, and the students themselves have to be willing to participate in the changing process. This is a shared responsibility of both professors and students who have to read and prepare for the classes. This is done not in the sense of memorising information, but developing the background needed to fully participate in the discussions. One of the participants gave an example from a lecture she delivered, where she based the lecture not exclusively on the respective book chapter, but on a certain international convention that was the direct subject of the lesson. Yet many students reacted in a negative manner, querying how the study of the convention was necessary for them to learn the book that would ultimately form their exam material. Many students are simply not motivated to do better, especially in the lower years of their legal studies. This is why many participants considered it easier to have better lectures and more discussions in the fifth year, as only the better students make it that far. However, it could be seen as a problem for the entire faculty if many students graduate without even knowing how to do proper legal research. For example, final-year students who seek to participate in moot court competitions have often never before searched for a legal case or a judgment. Writing legal memorandums also presents a problem, as students are almost never required to write a court pleading during their studies. Most of them have never written any legal text apart from their exams.

The participants then turned to the issues of large student numbers and the difficulties in organising lectures in such a context. A question was posed – how many students does the faculty need to enrol in terms of the number of students that actually graduate? Many of the conference participants emphasised that cutting down numbers is necessary to allow for higher quality lectures for those who are motivated, able and willing to receive the information taught. One of the students of the Zagreb Faculty of Law then joined this discussion, emphasising how often the best students of the faculty do not even enrol in the elective courses in the fifth year, as all the best students go to study abroad through Erasmus exchange programme. For the remaining students, the question is mainly which courses are the easiest to pass, bringing into question the quality of discussion and learning processes in the advanced courses of the Zagreb Faculty of Law in the fifth year. These issues were referred to as a structural problem for the entire Zagreb Faculty of Law, and the reason for claiming that there is a fifth master's year. In reality, this final year may not be a match for the ideal master level degree of knowledge and ability.

As one of the final issues, the conference participants pointed out problems in communication between students and professors, as quite often the professors teaching a course are not the ones examining the students. Judge Rodin agreed that this distinction between the professors who teach and those who examine truly is a fundamental matter. It underlines the presumption that law is neutral and always objective; and that there is

only one meaning of law which all the professors can equally assess. In reality, each legal rule can be given multiple interpretations by different professors. Law, no matter how clear one might think it is, can be read with various meanings. Professors of the Zagreb Faculty of Law need to recognise this legal reality.

Professor Wyatt also gave his final input based on his own experience of teaching law. He remembered how he was a professor at the University of Oxford while the goal of their legal studies was still to teach students as much as possible content-wise. However, he pointed out that it took time for this approach to change. He suggested that students must be required to write as many legal texts as possible, but it is also very important to give them comments on their initial writings so that they can see what they did wrong, review their texts and improve them. The best way for students to learn is to learn from their own mistakes. Students should be assessed and receive feedback before they are examined. This is the only way to prepare them in a high quality manner. There are many young bright students in all settings, but it is up to their professors to get the best out of them. It is great joy for professors to see their students go out into the real world and accomplish great things. It is also amazing to see young persons crossing that line of Bologna learning objectives – those who are capable must be given the opportunity to do more by using the available resources.

After these final pieces of advice, the conference was closed with a short speech by Professor Tamara Čapeta, who tried to pinpoint two main issues that were raised during the entire conference. The first was methodological – the question was what the Zagreb Faculty of Law wants to teach its students, as opposed to what it has to teach them. If all the professors agreed that they want students who think for themselves, then the only way to achieve this is by requiring them to identify legal “threats” and problems, and to argue for their positions by developing legal argumentation. The second point raised during the conference was the structural problem, as it is impossible to change the methodology if the system and its instrumentalities do not allow for such an action. A possible solution could be in rethinking the learning outcomes framed by each of the courses, reasoning in terms of what the faculty wants the students to know and understand. The Zagreb Faculty of Law must start being practical. As representatives of the legal profession in Croatia, it is up to the faculty members to begin discussions on the interpretations of the structural rules that enable the necessary changes to the curriculum of legal studies to take place.

Overall, the conference showed how introducing studies of EU law into the existing curricula has obviously prompted certain changes in the Zagreb Faculty of Law and brought improvement in the quality of the legal studies offered. The results achieved relate to how to contemplate the law and how to use it in practice, how to teach the law, and which methodology to use.