

Programs for Asian Global Legal Professions Series II

# Challenges for Studying Law Abroad in the Asian Region

Edited by  
KEIGLAD



# INTERNATIONAL STUDENT EXCHANGE PROGRAMS FOR LEGAL EDUCATION AT UNIVERSITY OF YANGON

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## 1. Introduction

Higher education is fundamental to a country's social and economic development. Higher education is responsible for nurturing skilled human capital needed in government, business and industry. Higher education institutions (HEIs) incubate creative thinking needed for an economically competitive society.

In order to sustain economic growth and compete in the global economy, Myanmar HEIs will be reformed to enable greater knowledge production and to develop highly skilled research centers that support social and economic development.<sup>1</sup> Myanmar has 158 higher education institutions (HEIs)(colleges, degree colleges and universities), which are overseen by 8 ministries.<sup>2</sup> Of those universities, the national University of Yangon is the oldest in Myanmar.

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<sup>1</sup> National Education Strategic Plan (2016-2021), Ministry of Education, Republic of Union of Myanmar, p.14

<sup>2</sup> Ibid, p.33

## 2. History of University of Yangon

The University of Yangon was established in December 1920 as the Rangoon University in accordance with the University of Rangoon Act (1920).

Although University status was granted in 1920, the Rangoon University existed before as the Rangoon College, founded in 1878, and affiliated to the University of Calcutta. The College was renamed Government College in 1904 and University College in 1920, when University College (Rangoon College-secular) and Judson College (Baptist-affiliated) were merged by the University of Rangoon Act (1920).

## 3. Vision for the University of Yangon

The University of Yangon is to be the leading higher educational institution in Myanmar and a Flagship University on par with regional counterparts and in line with international trends.

Today University of Yangon aims to be a flagship university of Myanmar, in accordance with Article 26 of the National Education Law (2014) enacted on 30 September 2014. To be a flagship university, UY faces many challenges such as the need for capacity building, an improved academic environment and international co-operation.

## 4. Legal Education in University of Yangon

Legal education in Myanmar started at University of Rangoon (today's University of Yangon) in 1920. The Law Department then offered a Law Degree known as Bachelor of Laws (BL), which was a part time post graduate degree. The BL degree required a two year course of study. The BL courses were fully taught in English. In 1965, a new system of higher education brought about a

five-year fulltime legal education course for BA (Law) LLB degree at the Law Department, University of Yangon (UY). Myanmar language became the medium of instruction for teaching and learning of all the courses. Students were awarded a BA (Law) degree after 4 years of study and had to continue their studies one more year to receive the LLB. The LLM program was started in 1973 at the Law Department.

In 1976, a new higher education system was introduced in Myanmar. The system meant that students had to attend three years fulltime legal education after studying two years at the Regional Colleges for the LLB degree. Myanmar language was the medium of instruction for teaching and learning of all the courses. In 1982, a five-year fulltime legal education course was reintroduced for the LLB degree at the Law Department, University of Yangon. In 1987, English language was reintroduced as a medium of instruction for teaching and learning. From 1996 to 2013, the Department of Law, University of Yangon was only offering post graduate legal studies. University of Yangon has been a postgraduate only institution from 1996. In 1999, the PhD program was started at the Law Department, University of Yangon.

In 2013, undergraduate law courses were made available again for outstanding students who obtained a high score in the BEHS examination. Moreover, the Department of Law, University of Yangon offered 9 months Diplomas in four different areas of Law: Business Law, International Law, Maritime Law and Intellectual Property Law. A two years long MA program in Business Law was also offered.

## 5. Requirement for Improvement of Legal Education

Legal education is a vital component of a working legal system. Like breathing life into machine, legal education gives life to formal legal institutions by characterizing the functions and features of the national legal system.<sup>3</sup> There-

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<sup>3</sup> Comparative Legal Education from Asian Perspective, "Why and How should comparative

fore, the improvement of legal education is very important not only for developed countries, but also for developing countries. In Myanmar, most graduate students require professional skills to enter the job market. The current legal education needs to be reformed to remain in touch with actual legal practice. To improve legal education problems around insufficient human resources, capacity, academic environment and international co-operation need to be addressed.

## 6. International Collaboration and Development Partners

The necessity of legal assistance from one country to another is an unavoidable reality of this 21<sup>st</sup> century's human society. Collaboration in legal education is important for the improvement of legal education. Professors and experts from foreign universities have visited the Department of Law, University of Yangon to give special lectures and hold seminars for undergraduate and post graduate students, as well as teaching staff, to improve the capacity for the different fields of law since 2013. As for Japan, the Myanmar Japan Legal Research Center was established and series of seminars on different areas of laws are conducted by this Center. International collaboration and development partners of Law Department, UY are

- Open Society Foundations
- Nagoya University, School of Law, Japan
- Australian National University, Australia
- University of Oxford, UK
- Columbia University, US
- National University of Singapore (NUS) Faculty of Law
- Central European University, Hungary
- Chuo University, Japan

- Singapore Management University (SMU) Law School
- University of Toulouse I, France and
- UNDP partnering BABSEA CLE (Bridges Across Borders Southeast Asia Community Legal Education Initiative) (Valid data as of 26 September 2017)

## 7. Current Students at Law Department (2016-2017) Academic Year

The number of students at Law Department for the 2016-2017 Academic Year are as follows;

- First Year LLB..... 110
- Second Year LLB .....48
- Third Year LLB.....37
- Fourth Year LLB .....50
- First Year Master.....23
- Second Year Master .....24
- MRes ..... 13
- PhD Preliminary Course.....23
- Thesis (First Year).....21
- Thesis (Second Year).....27
- Thesis (Third Year) ..... 19
- Thesis (Final Year).....8

## 8. International Student Exchange Programs

University of Yangon is encouraging international exchange of both students and teachers. An effective way to implement the exchange between students and teachers of the University of Yangon is to enter into MOU or MOA.

Studying abroad opportunities for students increased in 2015, in UY. Most students involved in study abroad are at College or University. A well-designed program combines academic learning, socio-cultural experiences, sightseeing and sometimes community services. As for the Law Department, one first year master student was selected to participate in the Japan-East Asia Network of Exchange for Students and Youths which was sponsored by the Japanese Government in 2015. She was given the opportunity to study at Tokyo Women Colleges. Since 2015, 18 students from the Law Department have been given the chance to study abroad (short term/long term program). Eight students had the chance to study in Japan; such as at the Tokyo Women Colleges, Waseda University and Musashino University, Josai University, Nagoya University and Keio University. In addition, four students participated to the Rule of Law and Sustainable Development Workshop in the Thailand Institute of Justice. One student received a scholarship to attend Law studies at Manchester University, England. One student attended the ASEAN Intergovernmental Commission Human Rights 2015 at National University of Singapore. Two students studied at Busan University, Korea and two students had the opportunity to participate to the IHL Moot Court competition in Hong Kong. For most of the students who went abroad, this was the very first time they left Myanmar. But many students cannot be given the opportunity to participate in international students exchange programs. Increased participation is needed, to enable foreign exposure and improvement. Students who are able to participate derive a lot of benefits but also face many challenges.

## 9. Benefits of International Student Exchange Programs

### a. Increased Self-confidence

International students on an International Student Exchange Programs have to leave their home and explore a foreign country totally unknown to them. They also learn to adapt to unfamiliar surroundings and living conditions. As a result, they become bolder and more confident.

**b. Improved Academic Performance & Experience from Learning Difficulties**

Students have a chance to experience different teaching and different assessments methods applied in another university.

**c. Greater Understanding of One's own Cultural Values**

Students who live abroad for an exchange program learn to appreciate the different culture of their host country. They develop a better understanding and appreciation for the nation's people and history. They also bring their own culture with them. As a result, their hosts can learn about and become familiar with that culture.

**d. Opportunity to Study Foreign Language**

Studying abroad grants the students the opportunity to completely immerse themselves in a new language. There is no better way to learn.

**e. Improve Career Prospects**

Student exchange programs improve the career prospect of participants. Because of their access to broader perspectives and their exposure to international communities, they can be sought after by companies that operate in different parts of the world.

**f. Life Experience**

Students can access opportunities to travel abroad for a long time. Eventually they can find a good job and career. The opportunity to study abroad may turn out to be a once in a life time experience.

**g. Foreign Exposure**

Students can access the chance to participate in discussions, workshops and presentations in a foreign country.

## **10. Challenges to International Student Exchange Programs**

Despite the advantages of international education, international students encounter a wide range of issues when they live and study abroad. Those issues are generally related to language difficulties, adaptation to a new learning sys-

tem, psychological problems such as homesickness, discrimination, and feeling isolated. Socio-cultural problems in relation to health care and financial systems are also experienced. Other issues include financial difficulties, depression, and culture shock.

**a. Language Issues**

Language difficulties seem to be the one of challenging issues experienced by international students. For example. Filling forms for registration at the University was difficult for foreign students difficult as they were written in Japanese; but teachers and staffs translated for them. All students can access the paper and machine (computers, photocopying machines?) for free at the University. This meant they had to do all these things by themselves. Only the Japanese font is installed on every computer at University. So student who wants to print out or copy paper, face a language problem.

**b. Adaptation to a New Learning and Assessments System**

In Myanmar, final exams are done in exam rooms. In Japan, final exams are not done in exam room. Students have to submit reports and make presentations as mid-term exams and final exams.

**c. Differences in Culture and Practices (Culture Shock)**

Students encounter a range of socio-cultural barriers and social issues. International students face difficulty in forming new friendships with local citizens due to cultural differences and language barriers.

**d. Financial Issues**

Important issues for international students are insufficient funding and currency differences. They may also face basic welfare issues. As Myanmar currency is lower than Japanese currency, prices are higher and things are expensive for Myanmar students. Insufficient funds has led some international students to give depression.

**e. Academic Credit Transfer**

The main challenge to for credit transfer and accompanying student mobility in Asian nations seems to be harmonizing of the existing higher education systems. Therefore, it is better to harmonize and work with existing systems rather

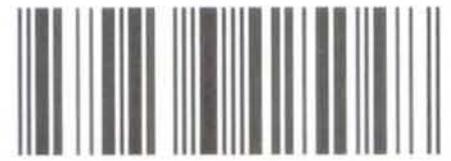
than to create a new one.

**f. Different Academic Calendars**

A rigid curriculum makes credit transfer difficult for students who participate in mobility programs. The existence of two different academic calendars in Asian states also present an important difficulty for mobility within as well as outside the region. In order to foster mobility universities in the region will have to move towards a more international academic calendar: September to December, and February to early June. This will make the academic calendar compatible for the Asian region.

## 11. Conclusion

To help reduce these difficulties, policy makers, faculty members, and counselors should expand effort to meet international student needs and address the particular issues of international students, particularly those involving work, government relationships, social integration, and language support. Also, academic higher institutions and hosting countries should collaborate to increase international students' awareness of host countries' society and help international students to integrate and contribute to these societies.



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