

Multilingualism in Legal Practice and Legal Education: The Case of Belgium



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1 Introduction

Belgium has three official languages: Dutch, French and German. The Kingdom's territory is divided into four linguistic areas: the monolingual Dutch-speaking area, the monolingual French-speaking area, the monolingual German-speaking area and the bilingual area (French-Dutch) around the nation's capital, Brussels. Based on the population figures of the three monolingual areas, and the estimated breakdown of the capital's population between French and Dutch speakers, about 60% of the Belgian citizens speak Dutch, slightly over 38% speak French, and the remaining 1% speak German (Fig. 1).

Besides, the use of English is undoubtedly on the rise, due to Brussels' role on the international political scene. Given the city's role as the capital of the European Union and the home to many international institutions, Brussels is commonly referred to as *World Decision Center II*, after Washington DC.

Considering the multilingual Belgian society, it is hard to imagine how the legal education provided at university—both at bachelor (180 credits) and master level (120 credits)—could not take into account that context and remain merely monolingual. First of all, the openness—at least passive—to foreign languages (two or even three) is essential for academic reasons. After all, legal training is document-based,

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Fig. 1 Language areas in Belgium



and most often, these case decisions and scholarly writings are just dressed up in one language, without being translated. In addition, there is also a professional and cultural need for multilingualism in Belgium, as clear communication between the country's communities should remain possible at all times.

Hence, it is not surprising that language courses (general or legal) in at least two target languages other than the program's main language are a compulsory part of the curriculum of all bachelors in law organized at Belgian law schools (there are 6 in the French Community¹ and 7 in the Flemish Community²). In addition, in most bachelor programs and even all master programs (there are 3 in the French Community³ and 5 in the Flemish Community⁴) numerous legal courses are taught in a foreign language.

However, the amount of language courses offered as part of the curriculum at Belgian law schools is subject to some important restrictions. In particular, all programs have to comply both with the maximum limits laid down by the decrees of the Communities, and the potential minimum threshold set forth in interuniversity agreements (II). Within these limits and thresholds, the universities are largely free to fill in the curriculum either individually or based on agreements concluded between them. Consequently, both the foreign language courses and the legal courses thought in a foreign language may take different forms—even independent

¹Université Saint-Louis—Bruxelles, Université Catholique de Louvain, Université de Liège, Université libre de Bruxelles (both at the Brussels and Mons campus), Université de Namur.

²Universiteit Antwerpen, Vrije Universiteit Brussel, Universiteit Gent, Universiteit Hasselt, *KU Leuven* (at 3 locations: Leuven, Brussels and Kortrijk).

³Université catholique de Louvain, Université de Liège and Université libre de Bruxelles (at its Brussels campus).

⁴Universiteit Antwerpen, Vrije Universiteit Brussel, Universiteit Gent, Universiteit Hasselt and *KU Leuven* (at its Leuven Campus).

from the Erasmus system. The landscape is indeed very heterogeneous, ranging from the inclusion of some foreign language courses in the curriculum, to the creation of master programs entirely taught in a foreign language.⁵ At all Belgian law schools, both types of language education are generally on the rise. Since it is impossible to discuss in detail the wide variety of programs offered by all Belgian law schools, we will consequently focus on the bilingual (and even trilingual) programs that our two universities (*Université Saint-Louis-Bruxelles* and *KU Leuven*) have set up for 26 years. However, before exploring the actual content of this program (IV), we will recall some factual data concerning these two universities (III).

2 Regulatory Framework

2.1 *Overview of the Distribution of Competences in the Field of Education and the Use of Languages for Educational Purposes*

Belgium is a federal State composed of Communities and Regions (art. 1 of the Constitution). Belgium comprises three Communities: the Flemish Community, the French Community and the German-speaking Community (art. 2 of the Constitution).

According to Article 127 of the Constitution, education—including university education—falls within the competence of the Communities and their decrees. The decrees of the Flemish Community apply to universities located in the unilingual Dutch-speaking area (the *Universiteit Antwerpen*, the *Universiteit Gent*, the *Universiteit Hasselt* and the *KU Leuven* (Campus Leuven and Campus Kortrijk)), as well as universities located in the Brussels bilingual area, which—because of their activities—are said to belong exclusively to the Flemish Community. The *Vrije Universiteit Brussel* and the Brussels Campus of the *KU Leuven* operate mainly in Dutch (both for education and administration). Accordingly, the above decrees of the Flemish community also apply to these institutions. On the other hand, the decrees of the French Community not only apply to the universities located in the unilingual French-speaking area (the *Université de Namur*, the *Université de Liège*, the *Université Catholique de Louvain* and the Mons Campus of the *Université libre de Bruxelles*), but also to the universities located in the bilingual area which—because of their activities—are said to belong exclusively to the French Community (*i.e.* the *Université Saint-Louis-Bruxelles*, the *Université libre de Bruxelles* (Brussels Campus) and the Brussels Campus for medicine and pharmacy of the *Université Catholique de Louvain*).

⁵This is the case at the University of Antwerp (since 2016) and at the *KU Leuven* (at its Leuven Campus, in collaboration with the University of Zürich, since 2014).

There is currently no university in Belgium's unilingual German-speaking area. Moreover, if an entirely bilingual (French-Dutch) university (both administration and education) were to be founded in Brussels, it would fall under the authority of the Belgian Federal State. After all, such bilingual university could not be said to belong exclusively to the Flemish nor the French Community.

According to Article 129 of the Constitution, the Communities regulate by decree the use of languages in the field of education, as far as the unilingual areas are concerned. In Brussels, however, the use of languages is regulated by the Federal State. However, according to the Constitutional Court (judgment 44/2005, 23 February 2005, B.11.2 *et seq.*), this federal competence does not keep the Communities from regulating the language in which education is organized and dispensed. Accordingly, the French Community is competent to regulate the use of languages for educational purposes in the francophone Brussels universities. The Community determines in particular whether, under what conditions, and to what extent the education provided by the francophone Brussels universities may be in a language other than French. The same goes, *mutatis mutandis*, for the Flemish Community as far as the Dutch-speaking universities in Brussels are concerned.

Finally, without going into detail, we stress the fact that in order to exercise a regulated legal profession in Belgium (bar, judiciary, notary, bailiff) a solid knowledge of a number of fundamental topics of Belgian law is required. Candidates either prove to have passed through law school at a Belgian university, or, for holders of a foreign diploma, to have subsequently recognized its equivalence through a university program or by sitting a test of competence organized by the Bar, and covering, among other things, civil law, civil procedure, criminal law, criminal procedure, etc.

Both in the Flemish and the French Community, the above fundamental topics of Belgian law are taught at bachelor level. This explains why it is very difficult to organize an Erasmus exchange in the course of the bachelor program. Obviously, an exchange within Belgium, a so-called *Erasmus Belgica*, allows to by-pass this obstacle. Later on, we will discuss these *Erasmus-Belgica* exchanges in greater detail, as the bilingual bachelor program of *KU Leuven* and the *Université Saint-Louis—Bruxelles* fits within that framework (see *infra* IV.4.).

2.2 Language Education and Education in a Foreign Language: The Regulatory Framework Applicable in the Flemish Community to Universities in General, and Law Schools in Particular

2.2.1 Maximum Limits Imposed by or Pursuant to the Decrees of the Flemish Community

The Flemish Parliament has regulated the use of language at institutions of higher education, for both administrative and educational matters.

According to Article II.260 Codex Hoger Onderwijs (Flemish Code on Higher Education) institutions for higher education are supposed to *function* in Dutch, as this is the language that should be used for administrative purposes.

Article 261 Codex Hoger Onderwijs requires the *education* itself to be in Dutch too. In this way the legislature tries to preserve Dutch as the prime language for education at universities that fall under the authority of the Flemish Community. At the same time, the Flemish authorities recognized the importance of foreign languages as a sensible and justified means of communication in certain scientific fields, as a facilitator for foreign exchanges and a boost for international professional mobility. The end result is a complex set of rules on the use of languages for educational purposes, with many parameters that determine the limits of the universities' policy margin.

As said, at Flemish universities, education is supposed to be in Dutch, as a matter of principle. However, at bachelor and master level, there are 4 exceptions to the above principle:

1. Foreign language courses should be taught in that language;
2. Visiting professors from abroad are not obliged to teach in Dutch;
3. Non-Dutch courses that students, at their own initiative and with the consent of their home institution, follow at another institution for higher education;
4. Courses can be taught in a foreign language, provided that the institution explicitly motivates why a change of language is functional for the course and beneficial to the student and the professional field.

In addition, courses taught in Dutch may have some foreign language component. For example, course material may include a reader which is partly composed of English or French articles, or a foreign guest-speaker can be invited in a course that is taught in Dutch.

According to Article 261, §3 Codex Hoger Onderwijs, a bachelor program is Dutch-spoken as long as the number of courses taught in a foreign language is below 18,33% of the entire program (in ECTS and not including the exceptions 1 and 3 mentioned above). For master programs, that threshold is 50%. A university can only set up a program that exceeds the above language limitations, if there is an equivalent Dutch program in place in Flanders. In addition the university has to establish why the wider use of a foreign language is functional for the program and beneficial to the student and the professional field.

In addition, article 266 Codex Hoger Onderwijs imposes quota on the number of non-Dutch spoken programs: at least 94% of the bachelor programs and 65% of the master programs should be Dutch-spoken. Every year, the Flemish government verifies whether the above thresholds are met and reports the results to the Flemish parliament.⁶ Students in Dutch-spoken program have the right to take their exams in Dutch. That is also true for courses taught in a foreign language.

⁶Art. 268 Codex Hoger Onderwijs.

2.2.2 The curriculum's Agreed Minimum Content with Regard to Language Skills

The Flemish Legislature obliges institutions that offer the same program to determine in close collaboration the program's "domain-specific learning outcomes". In 2014 the Flemish universities jointly did so for the bachelor and master of law programs. The "domain-specific learning outcomes" of these programs specify the set of competences/skills all bachelor (*c.q.* master) students in law should acquire at law schools under the authority of the Flemish Community. The NVAO⁷ validates domain-specific learning outcomes for all master, bachelor and graduate programs in Flanders after they have been established by the Flemish Universities.

The domain-specific learning outcomes of the bachelor of law do not *as such* impose specific foreign language skills. However, according to the program's domain-specific learning outcomes all masters of law should be able to find, evaluate and use legal source material in both Dutch and French ("*Rechtsbronnen in het Nederlands en in het Frans vinden, naar waarde schatten en gebruiken op academisch-wetenschappelijk verantwoorde wijze*").

2.3 Language Education and Education in a Foreign Language: The Regulatory Framework Applicable in the French Community to Universities in General, and Law Schools in Particular

2.3.1 Maximum Limits Imposed by or Pursuant to the Decrees of the French Community

In the French Community, university education is organized by the decree of 7 November 2013 'defining the landscape and organization of higher education.'⁸ Article 75, § 1 of this decree provides that all educational institutions, without any exception have to use French for *administrative* purposes. In its §2, the same article requires the *education* itself, including the examination, to be in French too. However, some exceptions are possible here.

- For undergraduate studies (bachelor), a quarter of all credits (*i.e.* 45 credits) can be organized in another language;

⁷The Accreditation Organization of the Netherlands and Flanders NVAO was established by the Dutch and Flemish governments as an independent accreditation organization tasked with providing an expert and objective assessment of the quality of higher education in the Netherlands and Flanders.

⁸Décret du 7 novembre 2013 'définissant le paysage de l'enseignement supérieur et l'organisation académique des études', *Belgian Official Gazette* 18th December 2013.

- For graduate studies (master), half of the credits (i.e. 60 credits) can be organized in another language. Upon governmental approval and under the condition that « *les études visées [aient] un caractère international dérivant de l'excellence du champ scientifique ou artistique, ou de sa nature particulière* » it is possible to go beyond this threshold of 60 credits, and to organize the entire master program in a foreign language;
- For programs organized in collaboration with another educational institution which does not belong to the French Community;
- For *Advances Masters* and PhDs, which can be entirely in another language, such as English.

It is also possible to deviate from the above rules, when students are offered the choice of taking a particular topic either in French or in a foreign language. Indeed, according to article 75, §2, paragraph 2 of the decree: « *de manière générale, toute activité d'apprentissage d'un cursus de premier ou deuxième cycle peut être organisée et évaluée dans une autre langue si elle est organisée également en français* ». Hence, universities that fall under the authority of the French Community can set up bachelor programs that are mainly taught in a foreign language, provided that students can always choose to take these courses in French. It is on the basis of this general exception that the *Université Saint-Louis—Bruxelles* is able to organize its bilingual and trilingual programs.

2.3.2 The Curriculum's Agreed Minimum Content with Regard to Language Skills

In order to ensure undergraduate (bachelor) students to move up to the second cycle (master) within the French Community, the bachelor program is subject to some minimum harmonization. According to the decree of November 7, 2013, at least 60% of the bachelor curriculum (i.e. 108 credits) should be harmonized (article 125, § 2). The law schools jointly define the minimum content and submit it to the *Académie de Recherche et d'Enseignement Supérieur* (ARES) for approval.

The latest harmonization agreement (April 14, 2014) provides that in the Bachelor of Law program (180 credits) a minimum of 10 credits should be devoted to foreign language learning (general language training or legal terminology). The language training can be in English, Dutch or German. On the other hand, universities are not obliged to include in the curriculum a number of (legal) courses that are taught in a foreign language. Nor do these agreements oblige the universities to impose such courses on their students.

On November 28, 2015, the deans of the five francophone law faculties jointly defined the learning outcomes in terms of skills and competences of the bachelor program: according to this document, all bachelors of law should display “*specific linguistic knowledge in two other languages, at least passively*”.

The above requirements are a strict minimum: as long as they respect the “maximum requirements” of the decree, all universities can push their language policy much further.

3 Some Facts and Figures

3.1 *The Université Saint-Louis: Bruxelles*

The *Université Saint-Louis—Bruxelles* was founded in 1858. The university is active in a limited number of disciplines in the field of humanities and social sciences, including Law. Except for European Studies, all programs offered at *Université Saint-Louis* are at bachelor level. However, together with the *Université de Namur* and the *Université Catholique de Louvain*, the *Université Saint-Louis* co-organizes an Advanced Master in Human Rights Law and another Advanced Master in Environmental Law and Public Real Estate Law (second cycle of specialization). The *Université Saint-Louis—Bruxelles* can also award Doctoral degrees in Law (third cycle).

Of the 3978 students enrolled at Saint-Louis University in the year 2017–2018, 1712 are in the Faculty of Law: 1566 in the bachelor program, 136 in the Advanced Masters, and 10 in the PhD program. The 1566 bachelor students either signed up for the daytime program (1407) or the off-schedule program for those who are already professionally active (159). At the end of the academic year 2016–2017, 235 students were awarded a bachelor’s degree in Law at the *Université Saint-Louis—Bruxelles*.

At the *Université Saint-Louis—Bruxelles*, 15,52% of the law students do not have the Belgian citizenship, or have two nationalities, one of which is not Belgian.

Among the academic staff (187 members), 10% is not Belgian. 13% of the teaching staff and the senior researchers obtained their PhD abroad. Every year, the *Université Saint-Louis—Bruxelles* hosts about 10 foreign researchers during their sabbatical leave.

3.2 *KU Leuven*

KU Leuven is an institution for research and education with international appeal. It is a comprehensive university, offering top-level study programs in almost every scientific domain. Currently (year 2017–2018), *KU Leuven* offers some 240 programs in Dutch; 86 in English; 2 in French and 1 in Spanish. *KU Leuven*’s 15 faculties are organized into three groups: Humanities & social sciences group, Biomedical sciences group and Science, engineering and technology group. Each group has a doctoral school. Since October 1, 2013, *KU Leuven* boasts 15 campuses spread across Brussels and 10 cities in Flanders. In 2017–2018, *KU Leuven* had a total of 57.335 students. Among them 9784 are international students. Students from

approximately 150 countries study at *KU Leuven*. The foreign countries with the largest student populations are, in descending order, the Netherlands (1905), China (888), Italy (677), Spain (539).

The law school is one of the biggest faculties at *KU Leuven*. Some 70 law professors work at the Faculty of law among whom ca. 10% are foreigners. In addition over 50 visiting professors teach in the various programs. Here the share of foreigners is significantly higher (ca. 30%). Moreover, numerous visiting professors are Belgian, yet from the southern (francophone) part of the county. Hence they significantly contribute to the multilingual environment at the *KU Leuven* law school. Currently (year 2017–2018) the Faculty of law is home to 5455 students, spread over 3 campuses: Leuven, Brussels and Kortrijk. The Leuven Campus is the main one, offering bachelor, master and advanced master programs in law. The Kortrijk and Brussels campuses are smaller and mainly focus on bachelor education, although the Brussels Campus also hosts 2 very large advanced master programs, one in IP-ICT law and another in company law. At the Brussels Campus, law students can either choose for the unilingual bachelor in law (taught in Dutch) or the bilingual program set up in collaboration with the *Université Saint-Louis—Bruxelles*, its partner university.

The advanced master in IP-ICT law is multilingual *per se*, as courses are taught in English, French and Dutch. There are 2 possible tracks. The first one focuses on Intellectual Property Law. Here, the majority of the courses are taught in *either* Dutch *or* French. Students in the second track focus on ICT Law and follow all courses in English. However, students are largely free to swap courses which often results in a program that *de facto* comprises courses in Dutch, French and English. In addition, the program includes a master's dissertation, which again can be in Dutch, French or English.

4 Bilingual (and Trilingual) Bachelors in Law at the *Université Saint-Louis—Bruxelles* and the *KU Leuven—Campus Brussels*

Twenty-six years ago, the former *Facultés Universitaires Saint-Louis* (now *Université Saint-Louis—Bruxelles*) and the former Katholieke Universiteit Brussel (now *KU Leuven—Campus Brussels*) blazed a trail by creating a bilingual (French-Dutch) undergraduate program in law for their respective students. The following year, the *Université Saint-Louis—Bruxelles* continued along that path by setting up the bilingual program in French-English and the trilingual program in French-Dutch-English.

4.1 *The Underlying Motives*

The motives underlying the creation of bi- and trilingual programs were rather diverse. The following reasons undoubtedly all were at play:

- the ambition to arm students with the linguistic skills required for legal practice, in particular in a multilingual work environment such as Brussels. A report entitled “*Horizon 2025*”, approved by both the French- and German-speaking Bar Association (AVOCATS.BE) and the Flemish Bar Association (OVB), emphasized that, at the end of curriculum any lawyer should master her/his mother tongue, but should also have studied English and the country’s other dominant official language (page 34).⁹ Especially in Brussels, many positions within the judiciary require true bilingualism, or at least a thorough command of both French and Dutch (see the Law of 15 June 1935 on the use of languages in judicial matters).
- the wish to allow students, in the course of their studies, to conduct research as wide as possible, and to increase their ability to consult source material (scholarly writing and case law) in a foreign language. In most fields, such source material is just indispensable to any research worthy of that name;
- the desire to promote student mobility between the undergraduate and graduate level: obtain a bachelor degree in a university belonging to one Community (French or Flemish), and subsequently pursue their master in a university belonging to the other Community (Flemish or French) and possibly a second Advanced Master abroad;
- the ambition to promote cultural openness to the other community, through personal encounters in a classroom setting with a mixed audience of francophone and Dutch-speaking students.

Neither the students nor the teaching staff or the academic authorities opposed to the implementation of these bi-/trilingual programs.

All students get basic language training (see *infra* IV.3.1), yet the more intense bilingual (or trilingual) program is fully optional. Indeed, students are free to sign up for this language-wise more challenging type of legal education. However, in case the program turns out to be too demanding, they can always revert to the unilingual program in the course of the first year or at the end of it (if difficulties persist). Among students these bilingual and (trilingual) programs are growing in popularity. In particular they attract an increasing number of students who grew up in linguistically mixed families or who passed through content and language integrated learning (so-called immersion education) either at elementary or secondary school, or ran school at an institution belonging to the other Community (e.g. francophone child going to a Flemish school), which is common in Brussels. For the same

⁹<http://agissons.avocats.be/wp-content/uploads/2015/03/22.05.2015-rapport-final-horizon-2025-FR.pdf> (last accessed 23th February 2018).

reasons, the bi- and trilingual programs are popular among students who graduated from a European or international school.

Overall bilingual education tends to be quite challenging for teachers, as these programs normally require them to fully master the foreign language too. However, this problem does not arise with regard to the bilingual program co-organized by *KU Leuven-Campus Brussels* and the *Université Saint-Louis*, since all teachers are native speakers on both sides. They all exclusively teach in their mother tongue, while only students swap classrooms, when they join their classmates at the receiving institution.

4.2 The Multilingual Bachelors in Law at the Université Saint-Louis—Bruxelles and KU Leuven, Campus Brussels: Facts and Figures

4.2.1 History

The bilingual French-Dutch bachelor program co-organized by the *Université Saint-Louis—Bruxelles* and *KU Leuven—Campus Brussels* exists since the academic year 1991–1992. Its content evolved organically over the past 25 years. Major reforms were implemented in 2011.

The bilingual French-English program that Saint Louis University organizes alone exists since the academic year 1992–1993. The trilingual programs (French, English, Dutch) were established at the same time. Here again, these programs evolved organically. In 2016–2017, however, they underwent a major reform.

4.2.2 Evolution of the Number of Students

In recent years, the total number of bachelor students in the bilingual or trilingual program (all 3 years) at the *Université Saint-Louis—Bruxelles* has been constantly on the rise (Table 1).

At the start of the academic year 2017–2018, at USL-B 78 students (out of 766) had enrolled in the first year of the bilingual French-Dutch program, while 304 students had enrolled in the first year of the bilingual French-English program. About 46% of the bachelor students who graduated in 2016–2017 completed a bilingual or trilingual bachelor program.

Also on the *KU Leuven*-side the bilingual program (Dutch-French), organized at the Brussels campus in collaboration with the *Université Saint-Louis—Bruxelles*, is clearly on the rise. The table below shows the number of students in the first phase of

Table 1 Number of bachelor students of University Saint-Louis-Brussels enrolled in a monolingual/bilingual/trilingual program

	2013– 2014	2014– 2015	2015– 2016	2016– 2017
Bachelor students				
Ordinary program (in French)	638	644	635	705
Bilingual program (French-English)	250	277	389	413
Trilingual program (French-English-Dutch)	18	24	43	56
Bilingual program with KU Leuven (French-Dutch)	64	77	76	53
Trilingual program with KU Leuven (French-Dutch-English)	18	22	42	65
Total	988	1044	1085	1292

Table 2 Number of bachelor students of KULeuven-Campus Brussel enrolled in a monolingual/bilingual program

	2013– 2014	2014– 2015	2015– 2016	2016– 2017	2017– 2018
“Starters” at KU Leuven—Campus Brussels					
Ordinary program (in Dutch)	112	141	100	71	98
Bilingual program with USL-B (Dutch-French)	62	68	77	98	123
Total	174	209	177	169	217

the bachelor in law (so-called “starters”¹⁰) in both the ordinary (*i.e.* monolingual) bachelor and the bilingual bachelor program (Table 2).

4.2.3 Language Proficiency for Admission: The Profile of Students Following a Bilingual Program

Neither at the *Université Saint-Louis—Bruxelles*, nor at *KU Leuven* enrollment in the bilingual program is dependent upon an entrance exam.

At the *Université Saint-Louis—Bruxelles*, however, all new students sit an exam (*test d’orientation*) to map their language skills. Since the bilingual program is not mandatory, a student who experiences serious difficulties in keeping up can always decide to abandon the bilingual program and revert to the unilingual track. In addition, students in a bilingual program who failed to obtain at least 14/20 at the above test, are required to take an additional 60 h of language training in the target language.

Saint-Louis students who choose the bilingual French-Dutch track tend to have a fairly good level of Dutch. However, most often students—like the rest of the population . . .—seem to “overestimate” their command of English.

A 2016 survey into the profile of students enrolling in a bilingual program at the *Université Saint-Louis—Bruxelles* led to the following conclusions:

¹⁰A student is a starter as long as he did not obtain a minimum of 60 ECTS in his bachelor program.

- the majority of *Saint-Louis* students in the Dutch-French bilingual program organized together with *KU Leuven* graduated from a Flemish secondary school or a school under the authority of the French Community that applies content and language integrated learning (so-called “immersion education”). Accordingly they all had, at least a part of their education in Dutch);
- 20% of *Saint-Louis* students in the bilingual French-English program had previously graduated from an international school or one of the four European schools located in Belgium

During the summer, the *Université Saint-Louis* organizes preparatory classes in order to allow students to strengthen their language skills. The university also awards financial support to language internships and preparatory tracks for a number of standardized language tests, such as TOEFL, IELTS or Cambridge.

Also *KU Leuven*—Campus Brussels organizes a number of tests at the beginning of the academic year in order to assess the language skills of the new bachelor students. Research pointed out the strong connection between a student’s academic command of his mother tongue (*i.c.* Dutch) and his study success at university in general and law school in particular. Therefore, *KU Leuven* attaches great importance to the students’ results at the test “*Academic Dutch*”. Students who failed the test are offered a number of language workshops to improve their academic language skills (*e.g.* reading comprehension). Although the majority of the students at the Brussels campus clearly have Dutch as their mother tongue, in September 2017 some 29% of the new bachelor students did not give proof of sufficient language skills in Dutch to allow a smooth start at university. This high percentage clearly underscores the (increased) need to invest in Dutch language training.

In addition to the Dutch language exam, *KU Leuven* law school assesses the level of French of its new students at all three campuses. The students at the Brussels campus (where the bilingual program is organized) score significantly better for French than their fellow-students at the Leuven or Kortrijk campus. At the same time they score significantly lower for Dutch. That is quite understandable. After all, at the Brussels campus the ratio of students with a non-Dutch speaking background (either home situation and/or secondary school) is clearly higher. In addition, as far as the command of French is concerned, there is an important gap between the results of the students from the bilingual program and the unilingual program in Brussels. In 2017, 38% (30% in 2016) of the students from the unilingual program failed to pass the test, whereas only 9% (only 3% in 2016!!!) of the students of bilingual program. The results at the French test are often used to urge students to reorient, in case they somewhat overconfidently chose for the bilingual program. For nearly all law students (both from the unilingual and the bilingual program), the results on the French test serve as an open invitation for further language training in French.

4.3 Content of the Various Bilingual Bachelor Programs

4.3.1 Overview of the Monolingual Bachelor Programs

Both at *KU Leuven* and the *Université Saint-Louis* all bachelor programs impose language training on their students. In the monolingual programs the share of language courses or courses taught in a foreign language is obviously less important than in the bilingual programs. It is a sort of “minimum package”. Nevertheless these “minimum packages” still devote quite some attention to language training.

At the Université Saint-Louis, this “minimum package” includes:

- In the first bachelor year: 60 h (7 credits) of general language training either in Dutch or in English (student’s choice). Exceptionally, English or Dutch can be replaced by German;
- In the bachelor second year: students who choose English in the first year will take a 45-hours course of legal English and 30 h course on reading legal text material in Dutch; students who choose Dutch in the first year will take a 45 h course of legal Dutch and 30 h course on reading legal text material in English. Exceptionally, students may change the language of the reading course to German or Spanish.
- In the third bachelor year: all students should take at least one course in a foreign language (English or Dutch): *e.g. EU Law: Foundations* instead of *Fondements institutionnels du droit européen* or Intellectual property law/Intellectueel Eigendomsrecht instead of *Droit de la propriété intellectuelle*.
- Occasionally, there are guest speakers who contribute (in English or Dutch) to courses taught in French. These interventions generally last 2 to 4 h.

At KU Leuven this “minimum package” includes:

- In the first bachelor year: a 26 h course (3 ECTS) on *Français juridique* and a 26 h course (3 ECTS) on Legal English;
- In the second bachelor year: The course *Public law II. International and European Law* (54 h – 8 ECTS) is taught in English. In the course and tutorial on *Legal Methodology* (10 ECTS) all students will have to work with source material (legislation, preparatory documents, case law and scholarly writings) in both Dutch and French. For their assignments, students will equally draw from source material in both languages. In order to improve the students’ ability to draft legal texts in Dutch, the tutorial on *Drafting legal texts* is a mandatory part of each student’s curriculum (even though the majority of the students are native Dutch speakers).
- In the third bachelor year: The course *Fondements du droit* is taught in French. In addition, students have to choose 6 ECTS from a list of optional courses. Some of these courses are taught in English (*e.g. Introduction to common law*) of French (*e.g. Introduction en droit français*).
- Throughout the entire bachelor program, *KU Leuven* has a strong tradition of inviting guest speakers from all over the globe. Their contributions are in English, French or Dutch and generally last 2 to 4 h.

4.3.2 The Bilingual Bachelor Program, Jointly Organized by *KU Leuven—Campus Brussels* and the *Université Saint-Louis—Bruxelles*

The joint bilingual bachelor program of *KU Leuven—Campus Brussels* and *Université Saint-Louis—Bruxelles* is essentially based on a system of *exchanged courses*. Students in this program who enrolled at *Université Saint-Louis* will take a number of courses taught in Dutch at *KU Leuven—Campus Brussels* while being exempted from the corresponding courses in French. The other way around, students enrolled in the bilingual bachelor program at *KU Leuven* join their francophone classmates at the *Université Saint-Louis—Bruxelles* for a number of courses. They are obviously excused for the corresponding courses in Dutch, taught at *KU Leuven*.

In practice, these exchanges are very easy, as the walking distance between both universities is not even 10 min. Since both universities teach “Belgian law”, in theory all courses are eligible for exchange. Accordingly, the partner universities agreed to exchange the following courses: *Introduction to Law, Constitutional Law, Law of Obligations, Property Law, Family Law, Administrative Law and the Law of Contracts & Torts*. On the other hand, the students of *Saint-Louis* take in the bilingual track some more general courses in Dutch, such as *Sociology* and *Legal History* which are taught at *KU Leuven Campus Brussels*.

In addition to “exchanged” courses, the bilingual program also comprises some specific courses organized in the target language within each of the partner universities. For example, the *Université Saint-Louis—Bruxelles* organizes courses in Intellectual Property Law, Media Law and Economic Law in Dutch, as well as a seminar in Legal theory. In the same way, the third year course *Fondements de droit* is taught in French at the *KU Leuven* for those who are in the bilingual program (Table 3).

The evaluation methods used in courses that are taught in a foreign language are quite diverse:

- a written exam with open questions or (on some rare occasions) multiple choice questions
- oral examinations;
- a written assignment (e.g. solve a legal case, research assignment);
- take part in a bilingual moot court (e.g. *Moot Court in constitutional law*, in which all Belgian universities participate)

4.3.3 The Bilingual French-English Bachelor Program at the *Université Saint-Louis-Bruxelles*

At the *Université Saint-Louis—Bruxelles* law students can also choose to sign up for the bilingual bachelor program taught in French and English.

In this program, a number of courses that are taught in French in the standard (monolingual) program, will instead be offered in English. The program is

Table 3 Overview of the bilingual Dutch-French bachelor program for students enrolled at KU Leuven—Campus Brussel

Taught in Dutch

Taught in French

Taught in English

First Year

Course	Credits
Legal history	7
Sociology	3
Ethics	6
Economics	7
Philosophy	6
Logic reasoning	3
Introduction to law (at the <i>Université Saint-Louis - Bruxelles</i>)	8
Law of obligations (at the <i>Université Saint-Louis - Bruxelles</i>)	6
Constitutional law I (at the <i>Université Saint-Louis - Bruxelles</i>)	5
Legal French	3
Legal English	3

Second Year

Taught in Dutch

Taught in French

Taught in English

Course	Credits
Commercial, company & economic law	10
Legal methodology (including internship)	10
Drafting legal texts	5
Public law II. International and European Law	8

(continued)

Table 3 (continued)

Family law (at the <i>Université Saint-Louis - Bruxelles</i>)	8
Property law (at the <i>Université Saint-Louis - Bruxelles</i>)	3
Constitutional law II (at the <i>Université Saint-Louis - Bruxelles</i>)	6
Administrative law (at the <i>Université Saint-Louis - Bruxelles</i>)	6
Law of contracts and torts (at the <i>Université Saint-Louis - Bruxelles</i>)	8

Third Year

Taught in Dutch

Taught in French

Taught in English

Course	Credits
Civil procedure	6
Criminal law & criminal procedure	9
Labour law and social security law	8
Tax law	5
Legal Psychology	5
Comparative law	3
Comparative law (tutorial)	3
Legal tutorial 1	3
Legal tutorial 2	3
Bachelor thesis	4
Optional courses	6
Foundations of the law	6

Overview of the bilingual French-Dutch bachelor program for students enrolled at the *Université Saint-Louis - Bruxelles*

Taught in French

Taught in Dutch

(continued)

Table 3 (continued)**First Year**

Course	Credits
Dutch (general language course)	4
Sociology (at KU Leuven – Campus Brussels)	3
Introduction to law (at KU Leuven – Campus Brussels)	9
Introduction to law (tutorial classes)	4
Psychology	5
History	4
Philosophy	8
Roman law	8
Constitutional law (I)	5
Legal methodology	4
Critical analysis of information (and tutorial classes in History)	3

Second Year

Taught in Dutch

Taught in French

Taught in English

Course	Credits
Criminal Law	6
Legal Theory	4
Moral Philosophy	4
Property law	3
Criminal procedure (and tutorial classes)	4
Constitutional Law II (and tutorial classes)	6
Economics (in french) or Economics (in English)	5
Legal English	4

(continued)

Table 3 (continued)

Legal History (at KU Leuven – Campus Brussels)	7
Law of obligations (at KU Leuven – Campus Brussels) (and tutorial classes)	8
Media Law	5

Third Year

Taught in Dutch

Taught in French

Course	Credits
Law of contracts and torts (and tutorial classes)	6
Labour Law	4
Administrative Law (and tutorial classes)	6
EU Law : Foundations	5
Civil procedure	5
Optional course	5
Natural Law or Law, Ethics and Politics	4
Commercial, company & economic law	5
Intellectual Property Law	4
Family Law (at KU Leuven – Campus Brussels)	9
Bachelor thesis in Legal Theory	7

exclusively run by the *Université Saint-Louis—Bruxelles* and its staff. All teachers are *Saint-Louis* faculty. They are not necessarily native speakers.

Some of these courses concern “non-legal” topics, such as *Introduction to the culture of the English speaking world*, *Economics* or *Political Science*. In legal courses the language is altered to English whenever this seemed relevant. That is obviously the case for courses concerning foreign law (e.g. *Introduction to the Common Law*), but also for courses that are highly comparative in nature (e.g.

Introduction to comparative law), or that present a strong international, European, transnational or “meta” dimension (e.g. EU Law: Foundations, Intellectual Property Law, Law and Religion, Legal History, Legal Theory, Natural Law).

On the other hand, courses on local “Belgian” law (e.g. Constitutional law, *Administrative law*, . . .) continue to be taught in French. In these cases, it would not make any sense to swap language. It would rather do more harm and cause difficulties.

The evaluation methods used in the courses that are taught in English are the same as those referred to above.

4.3.4 The Trilingual French-Dutch-English Bachelor Program at the *Université Saint-Louis-Bruxelles*

In both bilingual programs (French-Dutch or French-English), USL students may choose to add a third language (English or Dutch) and thus render their bachelor program truly trilingual. In this case, over 50% of their program will be taught in a foreign language.

The evaluation methods used in the courses taught in Dutch/English are the same as those referred to above.

4.4 Resources

The bilingual program (Dutch-French) jointly organized by *KU Leuven* (Brussels Campus) and the *Université Saint-Louis—Bruxelles* is essentially exchange-based: francophone students from the *Université Saint-Louis—Bruxelles* take classes in Dutch at the Brussels campus of *KU Leuven*. All *KU Leuven* professors are native speakers. They use the course material (book, syllabus, slides, exercises, . . .) they developed themselves in Dutch. The other way around, Dutch-speaking students of *KU Leuven* (Brussels Campus) go to the *Université Saint-Louis* for courses taught in French, based on course material dressed up in French. Documentary resources (legislation, doctrine, case law) are easily available in the other language, since both Dutch and French are official languages in Belgium. Legislation is enacted in both French and Dutch; case law is produced in either French or Dutch; some court decisions are entirely and systematic translated.

Overall, neither *KU Leuven*, nor the *Université Saint-Louis—Bruxelles* are in a position to attract many native speakers for courses taught in English. This is due to numerous reasons, yet in particular the fact that in Belgium university positions are not as financially rewarding as in the UK or the US. Therefore it is often hard for Belgian universities to recruit professors from an Anglo-Saxon background.

The command of English required to teach at university is nevertheless quite high. In the French Community, the universities verify the linguistic skills during the recruitment process. In Flanders, on the other hand, Parliament intervened explicitly.

Indeed, in article 270 Codex Hoger Onderwijs, the Flemish Community set several requirements in order to guarantee the quality of the language used for teaching. The Decree states that the teaching staff has to have a language proficiency at level ERK C1 for the language in which the course is organized. All members of teaching and academic staff that do not teach in Dutch, have to achieve a language proficiency for Dutch at level ERK B2 within 3 years upon appointment.

The courses taught in English do not concern the “local (*i.e.* Belgian) law” (*supra*), yet either internationally oriented matters (*e.g.* European law, international law, human rights law, common law, legal theory, natural law) or non-legal topics (*e.g.* political science, economics, . . .). In these fields prime source material in English is abundantly available.

4.5 The Outcome

Both at the *Université Saint-Louis-Bruxelles* and *KU Leuven*—Campus Brussels, the (bilingual) programs offered only concern the undergraduate (bachelor) level. Since none of the above campuses hosts a master program in law, there are no precise data on the inflow of their respective students on the job market.

Students from the multilingual programs of Saint Louis seem to turn more easily towards a Flemish university for their master. About 46% of the 235 students who graduated from the *Université Saint-Louis-Bruxelles* in 2016–2017 stemmed from a multilingual bachelor program. In 2017–2018, 24 of these students enrolled for the master of law taught in Dutch at either *KU Leuven* or Ghent University. In the same year, 6 students chose for a master program taught in English at the University of Antwerp.

Over the past years, the interest among students in a master at a Flemish law school is clearly on the rise. The chart shows how the *KU Leuven* master of law (taught at the Leuven Campus) attracts an increasing number of students from the *Université Saint-Louis—Bruxelles* (Table 4).

As far the students of the bilingual track at *KU Leuven*—Campus Brussels are concerned, there is not really an increased outflow to master programs at the universities of the French Community. This is mainly due to the fact that, unlike the *Université Saint Louis—Bruxelles*, *KU Leuven* itself offers both bachelor and master programs (not at Campus Brussels, yet definitely so at the Leuven Campus, where the bachelor students of all three campuses spend their third bachelor year).

Table 4 Number of former students of University Saint-Louis-Brussels pursuing the Master program at the KULEuven

2011–2012	2 students
2012–2013	6 students
2013–2014	8 students
2014–2015	5 students
2015–2016	5 students
2016–2017	16 students

Consequently, most students just remain at *KU Leuven* (Campus Leuven) upon graduation from the bachelor program. However, this does not mean that they are no longer exposed to multilingualism during their academic training. Quite on the contrary! After all, the master of law at *KU Leuven* offers students numerous ways to include in their curriculum a set of (legal) courses that are taught in a foreign language. In addition, *KU Leuven* has an impressive list of ERASMUS destinations. As a consequence, any master student who want to go abroad for an ERASMUS experience, can do so. Therefore, it is fair to say that multilinguism is easily achieved within the master program.

4.6 *The Future*

Both at the *Université Saint-Louis-Bruxelles* and the *KU Leuven*, the law school undeniably promotes the bi- or even trilingual curriculum. Moreover, these programs have been expanded and intensified over the years. This tendency towards multilingualism seems to exist at all Belgian universities, as they all have recently intensified the language training in their curriculum. The *Université Catholique de Louvain* is a good example as in 2017 it set up a program in Dutch, in close collaboration with the *KU Leuven*. Other new initiatives are the English master programs the law schools of *KU Leuven* (in collaboration with the University of Zurich) (2014) and the University of Antwerp (2016) recently set up. Without any doubt, other universities will follow these examples in the near future and will establish new kinds of bilingual programs, as both students and employers cheer the above evolutions with joy.

Overall, neither the students, nor the public authorities perceive the above development towards multilingualism as a threat to the cultural/national identity.