Building Transversal Skills and Competences in Legal Education



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Abstract At the time when law graduates are facing new challenges in the constantly changing labor market, the main task of law schools as well as law professors is to educate undergraduates to become above all competent and ethical lawyers. Education should adequately prepare students for the working environment in or outside the legal profession. Curricula (including extra-curriculum activities), in addition to formal legal courses, needs to be enriched with continuous training to develop transversal competences. To meet this aim and to map the gaps of the current (traditional) model of law teaching from the students' perspective, we have conducted a large-scale online survey with students at the Faculty of Law, University of Belgrade. The empirically obtained results, enabled us to identify and systematize the educational needs of law students that require further improvement. Having in mind that one of the main evaluation criteria of quality and success of the educational and teaching program is the level of graduates' employability, an additional goal of this explorative research is to provide guidelines for the modernization of legal education, primarily in Serbia, but at the law faculties in the region as well.

Keywords Transversal skills and competences \cdot Teaching method \cdot Legal education \cdot Students \cdot Teachers

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1 Introduction

In recent decades much has been written on transversal skills and competences, particularly in terms of their significance for one's personal development, influence on future employability, possible modes of implementation in curricula, enrichment of legal education etc. Despite the number of significant contributions, frequently used synonyms for this term such as 'soft skills', 'twenty-first century skills', 'core skills', 'transferable skills' and 'skills for life' etc., maintain its pervasive ambiguity.² After analyzing a variety of definitions, ³ for the purpose of this research we accepted the universal determination—'transversal skills and competences (TSCs) are learned and proven abilities which are commonly seen as necessary or valuable for effective action in virtually any kind of work, learning or life activity. They are "transversal" because they are not exclusively related to any particular context (job, occupation, academic discipline, civic or community engagement, occupational sector, group of occupational sectors, etc.)'. Despite the literal divergence on the meaning of this concept, the necesity and utility of transversal skills and competences for "one life many careers" instead of up until the recently dominant "one life-one career" style of life, has never been an issue.⁵

¹ Sá and Serpa (2018), Gruzdev et al. (2018) and Gordon et al. (2009).

² Goggin et al (2019), p. 1.

³ According to Council Recommendation on key competences for lifelong learning, there are 8 competences: (1) literacy competence, (2) multilingual competence, (3) mathematical competence and competence in science, technology and engineering, (4) digital competence, (5) personal, social and learning to learn competence, (6) citizenship competence, (7) entrepreneurship competence and (8) cultural awareness and expression competence. See more: Council Recommendation of 22 May 2018 on key competences for lifelong learning (Text with EEA relevance), Official Journal of the European Union (2018/C 189/01); European Centre for the Development of Vocational Training (CEDEFOP) ranked essential 6 skills: (1) communication skills, (2) team-working skills, (3) customer handling skills, (4) problem solving skills, (5) learning skills and (6) planning and organization skills. See more: CEDEFOP, "Importance of transversal skills", https://www.cedefop.europa.eu/en/tools/skills-intelligence/importancetransversal-skills?country=EU&year=2014&skill=Communications#1; According to International Centre for Technical and Vocational Education and Training there are six spheres of transversal competences: (1) critical and innovative thinking, (2) inter-personal skills (e.g. presentation and communication skills, organizational skills, teamwork, etc.), (3) intra-personal skills (e.g. selfdiscipline, enthusiasm, perseverance, self-motivation, etc.), (4) global citizenship (e.g. tolerance, openness, respect for diversity, intercultural understanding, etc.), (5) media and information literacy such as the ability to locate and access information, as well as to analyse and evaluate media content and (6) others. See more: UNESCO, TVETipedia Glossary, https://unevoc.unesco.org/home/TVE Tipedia+Glossary/filt=all/id=577.

⁴ This universal definition was created by ESCO Member States Working Group and the European Qualifications Framework Advisory Group, as an expert group. It combines both skills ("routine procedures"), competences ("proven abilities in new and complex situations and/or in the face of unforeseen challenges or issues") and knowledge ("as an integral component of skills and competences"). This group analyzed different definitions and made the transversal skills and competences model: (1) general knowledge, (2) health-related, (3) civic, (4) cultural, (5) environmental and (6) entrepreneurial and financial (Hart el al. 2021, pp. 2–5).

⁵ Craşovan (2016), p. 172.

When it comes to acquiring legal knowledge, different teaching method(s) applied throughout the existing curricula that consists of readymade courses dealing with law, can improve different students' transversal skills. A flexible and active teaching approach that is more oriented towards solving real-world challenges could (and should) enhance learning and students' motivation and participation. A reconfiguration of teaching strategies will allow students to take part in courses that will have practical, obvious social, environmental, political and economic implications. In the same time this will also improve their transversal skills and competences. Moving beyond the classroom, the traditional results-oriented higher education culture is changing towards adaptive and competences-oriented teaching and learning.

We are aware that the process of improving law studies is quite complex and multidimensional. Besides the incorporation of transversal competences in the curricula and the willingness of students to take part, professors also need to be encouraged to redefine and enrich their method of teaching in different aspects. ¹⁰ As Tsaoussi notes, this "cultural paradigm shift" will help overcome the gap between "law in books" and "law in action".

At the same time, it will meet important pedagogical objectives such as understanding of social values. For instance tolerance, solidarity, democratic dialogue, and sustainable development of creativity, problem-solving abilities, emotional intelligence, etc. ¹¹ In other words, in formatting an integral insight of reality, human values will be developed as well as students' personality and creativity. ¹² To achieve this aim, professors need to be willing to design a learner-oriented educational environment and to accept their role as facilitators. Tsankov also points out, and we agree, that changing contemporary teacher profiles will "turn them from monopolists of knowledge into mediators between information chaos and organized knowledge". ¹³ In this way, universities foster interaction with students and encourage their active participation with an aim to minimize academic failure. ¹⁴

⁶ Although we advocate for "the cross-curricular learning method as integral part of existing curricula" (Greece example), we are aware of many advantages that the other two most represented approaches "adding to the existing curricula as a new subjects " (Bulgaria example) and "making a new curricula " (Denmark as a case study) have (Gordon et al. (2009, pp. 169–182).

⁷ Gallagher and Savage (2020), p. 10.

⁸ Sá and Serpa (2018), p. 1.

⁹ Sá and Serpa (2018), pp. 4–5.

¹⁰ Tsaoussi (2019), pp. 1–30.

¹¹ Tsaoussi (2019), pp. 2–4 and Cebrián and Junyent (2015), pp. 2768–2786.

¹² Tsankov (2017), p. 130.

¹³ Tsankov (2017), pp. 135–136.

¹⁴ Sá and Serpa (2018), pp. 6–7.

		Frequenc	Frequencies	
		N	%	
Gender	Female	314	66.5	
	Male	158	33.5	
Year of study	First	193	40.9	
	Second	112	23.7	
	Third	91	19.3	
	Fourth	75	15.9	

Table 1 Characteristics of interviewees in the sample

2 Sample

We started this research by providing the sample, that was the basis for our further work and analysis. The sample that we used for our research was made of 472 students from the Faculty of Law, the University of Belgrade, out of which 66,5% were females and approximately half of this percentage were males (33.5%). As it is presented in Table 1, when the questionnaires were filled in 2022, the majority of students attended the first year of studies (40.9%), whereas the least of them were the final year of undergraduate studies (15.9%). The sample is representative, since the number of open places on the Faculty of Law University of Belgrade for freshmen is 1500, and it is quite common that the number of students who enroll every second year is less than half of the freshmen.

3 Main Findings and Discussion

Inspired by the survey conducted among the MELE (Modernising European Legal Education) partner institutions, on the sample of professors of law faculties (see Chap. 2), which identifies the status on teaching transversal competences in legal studies, we decided to learn more on students' perspectives. This online survey was launched in May/June in 2022 with two main aims—to learn more about: (1) students' perspectives on representation and development of *transversal skills and competences* at the faculty and outside it and (2) diversity and representation of *teaching methods* that could enhance the level of transversal competences, also from the students' perspectives.

3.1 Students' Assessment: Transversal Competences at the Faculty and Outside It¹⁵

Since the Bologna Process was initiated in 1999, development of transversal skills and competences was recognised as one of the learning outcomes in the sphere of higher education. ¹⁶ As it was previously emphasized, these so called 'transferable skills' represent one of the essential outcomes of the teaching process and learning and as such, it plays an important role in later employment and life in general. Taking into consideration the nature and essence of these competencies, it is important to point out that they do not have to be developed solely at the faculty as formal education setting, but they can be acquired outside it in various ways. This is exactly why we asked the students to estimate the level in which they developed a certain competence in the category of transversal competences at the faculty and outside it (Table 2).

We will commence with the crucial question: what do students consider they learn and have learned the most, and what the least, at the Faculty of Law? The students point out the capability for critical and self-critical reasoning as the most developed at the faculty whereas they emphasize the knowledge of legal terminology in foreign language as the least developed in this context. Although it could be hypothesized at first that, within this category (the competencies acquired at the Faculty of Law, which concern transversal skills and competences), the students would primarily choose those skills and competences that are strictly linked to the legal profession (e.g., capability of legal analysis and synthesis, capability to make a legal argument, etc.), the empirically obtained result is unsurprising having in mind the current high valuation of critical opinion development as an educational goal. According to Henri Pettersson this educational standard is basically an "educational ideal ... behind all teaching", or, as he underlines "an antidote for... increasing political apathy among the youth". Therefore, it might be expected that the students evaluate that such skill is developed during classes at their faculty.

The significance of critical reasoning development is perceived in management and selection regarding a multitude of information received daily, in autonomous reasoning and recognition of omnipresent manipulation strategies. Thus, students think that their professors at the faculty teach them to critically evaluate information, which consequently influences the formation of their value system. This skill represents the backbone of a democratic society, since citizens are responsible and informed, who ponder and re-examine not only their own decisions and behaviors, but also social processes and models. ¹⁸

In the survey and follow-up research dealing with standpoints and opinions of university professors about development and importance of transversal skills,

 $^{^{15}}$ For this research, a broad theoretical description of transversal skills and competences was empirically applied in the context of legal education taking into consideration some competences specific for the area of law.

¹⁶ Oleškevičienė et al. (2019), p. 64 and Sá and Serpa, (2018), p. 2.

¹⁷ Pettersson (2020), pp. 355–358, 361.

¹⁸ Serkan (2018), Noula (2018) and Benesch (1993).

Table 2 Transversal skills at faculty and outside it

	Transversal skills (arithmetic mean (M)) ¹⁹	
	At faculty (M)	Outside faculty (M)
Capacity for legal analysis and -synthesis	2.92	2.55
Capacity to construct a valid legal argument	2.94	2.69
Learning techniques and tools	3.26	3.16
Capacity for applying knowledge in practice	2.88	3.01
Oral communication of legal arguments	3.21	2.86
Written communication of legal arguments	2.88	2.67
Knowledge of a legal terminology in second language	2.63	2.69
Elementary computing skills	2.99	3.36
Information management skills	3.47	3.47
Planning and organization of time	3.38	3.48
Critical and self-critical thinking abilities	3.62	3.51
Ability to adapt to new situations	3.57	3.52
Capacity for generating new ideas	3.33	3.38
Problem solving	3.55	3.54
Decision-making	3.56	3.51
Designing and managing projects	3.01	3.12
Initiative and entrepreneurial spirit	2.99	3.10
Ability to work in a team	3.48	3.33
Conflict resolution	3.33	3.39
Leadership skills	3.22	3.25
Moral action	3.58	3.60

Numbers bold in the first column (At the faculty) represent the transversal skills that students perceived as the most and the least developed, as we mentioned in the text ("The students point out the capability for critical and self-critical reasoning as the most developed at the faculty whereas they emphasize the knowledge of legal terminology in foreign language as the least developed in this context"). The same goes for the second column (Outside faculty).

included within the MELE project, *critical thinking*, is evaluated as extremely important (according to 90% of teaching staff), but remarkably lower number (58% of the teaching staff) consider that it is actually being developed (see Chap. 2). This discrepancy occurs in the findings, since professors estimate that the competence mostly developed at the faculty within the teaching content is Ethical commitment and not the capability of critical and self-critical reasoning. It tells us about different insights and perspectives of students and professors in view of the contents transmitted during lessons as well as of the need to possibly have additional categorization of transversal skills in the context that some of them possibly represent meta-components i.e.,

^{19 &}quot;M" stands for "Arithmetic mean " or "artihmetic average " or just "mean " or "average ".

that they are superior and preconditioned for other skills. It is certainly necessary to examine the professors' population in the Serbian sample to enable more valid extrapolation of results.

As for the least developed competence, i.e. knowledge of legal terminology in a foreign language, in line with the prior obtained results that almost 100% of the students' population speak English, ²⁰ it seems that is there are reasonable grounds to include certain English-based literature into the curricula. According to the Council Recommendation (2018), multilingual competence—communication as a non-native language—represents one of the key competencies that need to be learnt and developed so that an individual would lead not only a fulfilled and productive life but also to adapt successfully to various types of changes.²¹ Therefore, in university settings, language skills, implying knowledge of one or more foreign languages, could enable a student to read and understand texts in that specific language, to communicate (verbally or in writing, formally or informally) with colleagues from other countries thus opening opportunities for international cooperation, expanding the range of possible sources from which knowledge is acquired, improving oneself as well as learning about different cultures simultaneously respecting their diversity. In this way the professional development of students will be enriched and cross-cultural communication will be facilitated.²²

As for professors included in the Survey conducted within the project "Modernisation of the European legal education", 63% of interviewees find the knowledge of legal terminology in a foreign language as very important, while less than 40% considers that this competence is developed during lectures (see Chap. 2). This finding is in accordance with the percent of students in our sample, who also find this skill as the least developed at the faculty.

3.1.1 What is the Relationship Between Transversal Skills Acquired at and Outside the Faculty?

The results indicate that the average values of the variables "transversal skills and competences acquired at the university" and "transversal skills and competences acquired outside the university" positively corelate to moderate intensity, which

²⁰ For this research, we requested from the students in our sample to tell us which language do they speak and on what level (they are defined as basic (A1, A2), intermediate (B1, B2) and advanced (C1, C2). Almost all interviewees (99,15%) stated that they speak English as a foreign language from level A1 to C2. German is spoken by 53.17%, French by 47.03%, Russian 40.46%, Spanish 38.13%, Italian 36.44% and some other language 36.86%. This percentage confirms that students of the Faculty of Law have good knowledge of foreign languages (placing a special emphasis on the English language), thus making possible the usage of various types of studying and teaching contents in foreign languages so that students are enabled to have diverse opportunities for professional advancement and development.

²¹ Council Recommendation of 22 May 2018 on key competences for lifelong learning (Text with EEA relevance), Official Journal of the European Union (2018/C 189/01), 8.

²² Oleškevičienė et al. (2019), p. 75 and Tsankov (2017), p. 134.

further means that the majority of students who have acquired and are still acquiring transversal skills and competences at the university also acquire these skills outside of the university.

Furthermore, it has been shown that the average grade achieved by the students so far in their studies is positively correlated with transversal skills and competences acquired at the university and transversal skills acquired outside the university. In practice this means that those who have higher GPAs acquire more transversal skills in both settings. Such results tell us not only about the importance of including the acquisition of transversal skills in every domain of functioning, but also that their acquisition concerns internal personal factors, characteristics such as motivation, enthusiasm, creativity, ability and willingness to try new practices, etc. ²³

3.2 Students' Assessment of Representation of Teaching Methods

Table 3 shows the percentages of each of the teaching methods that should be developed within formal forms of teaching. First-year students mostly point out that they encountered independent oral presentations, and the majority of responses were gathered around the option "often", 33.2%. These students rarely encountered working on case studies and role playing (56.5%), while 43.5% of them reported that they had not encountered these methods at all. Among students of the second, third and fourth year of undergraduate studies, this pattern of familiarity with the mentioned methods continues, with a noticeable slight increase in knowledge of each of them in each subsequent year.

It is important to point out the results were, to some extent, expected considering the fact that students are mostly familiar with the method of independent oral presentation and, given that in their daily classes they are constantly faced with not only providing answers orally, but also presenting papers in that manner, followed by pre-examination obligations, oral examinations, etc. On the other hand, the low representation of encounters with role-playing and working on case studies may be a suggestion to the teaching staff to include such types of methods in their repertoire of working with students.

²³ Oleškevičienė et al. (2019), pp. 68–71 and Gallagher and Savage (2020), p. 10. A phenomenological research, semi-structured interviews with twelve students who are working and studying at the same time, showed that development of transversal skills and competences depends both on *internal personal qualities* – creativity, willingness to try new practices, personal courage, motivation, openness to new ideas, ability to take risk, not being afraid of change and *external factors* – peers support, idea exchange with colleagues, working in a group, institutional impact etc (Oleškevičienė et al. 2019, pp. 68–71).

	First year (%)	Second year (%)	Third year (%)	Fourth year (%)
Essay writing	77.7	87.5	86.8	78.7
Individual oral presentations	89.6	93.7	93.4	96.0
Case studies	56.5	58.0	65.9	76.0
Role play	56.5	59.8	65.9	60.0
Team work research	67.4%	72.3%	73.6%	72.0%
Individual research	75.6	83.9	82.4	76.0
Data-bases search	60.6	59.8	71.4	66.7
Group discussions	79.8	82.1	83.5	84.0

Table 3 Methods developed within formal forms of teaching in terms of the year of study

Bold numbers in the rows refers to the most and the least developed methods within formal forms of teaching in terms of the year of study according to the respondents in the survey.

3.3 Transversal Competences Outside Regular Forms of Teaching

Table 4 presents a clear pattern of the students' selection of offered transversal competencies they exercise the most: attending seminars, conferences, training. The table encompasses all years of undergraduate studies. It should be taken into account that the most frequently marked option among first and third year students on this variable is "sometimes", while among second and fourth year students the option "rarely" appears as the most frequent. This structure of answers was probably due to the fact that this form of extracurricular activity is easily available to students through various sources and advertisers at the college (recommendations of professors, announcements of the student parliament, invitations from various organizations to participate in seminars, etc.) and thus makes this form of engagement close to their experience.

In contrast to this, the competences assessed as the least developed are participation in the work of the legal clinic among first-year students (which is logical considering their level of study), while among the students of second, third and fourth years of study, the least developed in non-faculty setting is volunteering in other non-governmental organizations. Once again, the question of the availability of information about this type of proactive work arises. Opportunities to learn about the work of non-governmental organizations can be assumed to be insufficient, or at least not easily available.

	First year (%)	Second year (%)	Third year (%)	Fourth year (%)
Work in student organizations	57.0	54.5	70.3	54.7
Membership in a sports club	38.9	40.2	42.1	46.7
Attending seminars, conferences, training	69.4	75.9	82.4	76.0
Volunteering in other non-governmental organizations	34.7	33.0	31.9	36.0
Participation in the work of the legal clinic	19.7	25.9	36.3	52.0
Attending private practice	22.8	69.6	41.8	70.7
Foreign language course	48.2	59.8	56.0	61.3

 Table 4
 Transversal competences outside regular forms of teaching in terms of the year of study

Bold numbers in the rows refers to "the students' selection of offered transversal competencies they exercise the most: attending seminars, conferences, training" and "competences assessed as the least developed" as we mentioned in the previous text.

3.3.1 What is the Relationship Between Learning Methods and Extracurricular Activities?

Significant positive correlations were found between learning methods and extracurricular activities, which means that the more respondents agreed to use different learning methods, the more they agreed to participate in extracurricular activities. Also, those students with higher GPAs generally use a greater range of learning methods and participate in more extracurricular activities, while those with lower averages take up fewer learning methods and participate seldom in extracurricular activities. Such findings highlight the need to try as many variable teaching methods as possible in order to motivate students with a lower average. This can lead not only to a higher grade (and interest), but also to a greater and better acquisition of transversal skills outside the teaching context, which consequently opens a wider range of possibilities when accessing the labor market.

4 Conclusion and Recommendation

Besides the theoretical contribution, this explorative research conducted on the sample taken at the biggest Faculty of Law in Serbia, as part of the University of Belgrade, had a couple of practical—in our opinion—even more important implications. First, the obtained results helped in mapping the gaps of the current (traditional) model of law teaching, from the students' perspective, which require further improvement. Revising the existing teaching methods could help create a stronger connection between the two worlds that are mutually intertwined: education, on the one side, and labor market, on the other. In this way, our students would be taught professional competences, that are "always appreciated, but ... not always sufficient for getting hired", as well as transversal skills and competences, which might be needed even more. Having in mind that employers in contemporary business value transversal skills and competences for the success of professional work, modern higher education institutions have to foster them as well as to work on their development more.

Second, as competence development is a shared European and national policy goal,²⁷ the results could be used as a basis for further research on students' learning aspirations, motivation, and capacities. As the educational process is not a one-way street, "the shift from teaching to learning" requires shared responsibility for the educational process between teachers and learners.²⁸ We have already empirically found more on the experience of the professors (see Chap. 2), so to mitigate the traditional discrepancy students need to be involved equally as effective partners.²⁹ In other words, students are not being seen as an object, but rather as a subject of education who can engage in the learning process independently and actively with an aim to gain and expand multidisciplinary knowledge.³⁰

Last but not least, and probably most important is that, after analyzing the results, we started rethinking and questioning current educational aims at our Faculty as well

²⁴ Research conducted on the sample of 165 respondents (122 graduates and 43 employers) of the State University of Physical Education and Sport in Republic of Moldova, showed that both categories of the respondents – 62% of graduates and even 80% employers, are of the opinion that dialogue between university and labor market is poor. These two seemingly distant "worlds", academic and economic one, have to develop a more productive communication and encouraging partnership (Dorgan et al. (2018, pp. 213–215; Gallagher and Savage (2020), p. 10).

²⁵ Interesting empirical research conducted on the sample of 551 students/Master's degree students and 258 employers from Western Romania showed a major difference in the perception of importance of professional competences in comparison to the transversal. Employers rated professional competences relatively low (56,9%), unlike students preparing to enter in the accounting field of labour (89,4%), while both categories have almost similar perception regarding the transversal competences (84% students and 85% employers) (Nicolaescu et al. (2017, pp. 127, 135–137).

²⁶ Gruzdev et al. (2018), p. 696.

²⁷ Gordon et al. (2009), p. 192.

²⁸ Gordon et al. (2009), p. 171.

²⁹ Gruzdev et al. (2018), p. 696.

³⁰ Tsankov (2017), p. 156.

as possibilities of our students to learn throughout existing courses. 31 Formal education can be more effective when is complemented with particular personal abilities of students. Therefore new findings induced the structural change in a form of nonformal bottom-up initiative. 32 Accepting the fact that we don't nurture, nor promote transversal skills and competences enough, we started changing academic culture by institutionalizing the workshops on different transversal skills. These "baby steps" were materialized through an online platform "Programs for quality and efficient studying"³³ where students apply for nine interactive workshops which are being organized occasionally. This platform was launched in September 2022, as part of the University of Belgrade Faculty of Law optional activity and was supported by the Institute for Legal and Social Sciences.³⁴ Even in its initial phase it proved that students are indeed interested in a more practical approach to learning in addition to the faculty's formal curricula that their Faculty offers. The program's educational courses focused on the development of practical and transversal competencies from the very beginning of the legal education, i.e. from the first year of studies. In the first cycle, a total of 1040 applications were received (for all the courses combined). Having in mind that students had the option to apply for as much as workshops as they were interested in, around 350 students participated. These numbers could serve, firstly, as an indicator that this type of education and courses are more in demand among students, our main target group; and secondly, they could serve as a strong guideline for the future gradual shifting focus of teaching methods and curricula content, in accordance with the findings presented in this research.

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³¹ A good example comes from the West University Timisoara. Since 2014/2015, students who enrolled this university, can choose three complementary subjects to further develop transversal skills and competences. Courses where created with an aim to make "a flexible academic journey with multiple options", so professors organized subjects as part of the existing curricula or made a totally new discipline (Crasovan 2016, pp. 171–178).

³² See more on some innovative bottom-up initiatives in Hungary and Poland (Gordon et al. 2009, pp. 182–183; Gruzdev et al. 2018, pp. 696–697).

³³ Faculty of Law, University of Belgrade – Programs for supporting efficient and better studying (Pravni fakultet Univerziteta u Beogradu – Programi podrške efikasnijem i kvalitetnijem studiranju), http://orijentacija.ius.bg.ac.rs/.

³⁴ Institute for Legal and Social Sciences is a part of the University of Belgrade Faculty of Law organisational structure and bodies.

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