

## ***Education and Learning in an Age of Globalisation***

Address delivered by Dr Wolfgang Schäuble, MdB  
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### **English Summary**

Along with other areas of our society the institutions responsible for the generation and transmission of knowledge are fundamentally challenged by globalisation. It is clear that information is the chief resource of tomorrow's world. All societies are in an increasingly strong competition for the brightest heads to fill leading positions in politics, the economy, and academia. If we intend to maintain our present level of wealth and social security here in Germany it is imperative for us to succeed in this competition.

How can we succeed? German institutions of learning and education, which have enjoyed high reputation across the world for a long time, have recently been diagnosed to be in need of serious reform. What do we need to do if we heed this advice? How will we best prepare ourselves for the challenges of globalisation? Given the present location, I shall dwell on two main topics: the need to adapt to a changing world in our approach to learning and higher education on the one hand and the need to embrace, in our study of law, new areas of knowledge on the other.

Globalisation means for existing institutions of learning, for universities as well as professional schools, that they face competition with other institutions worldwide. As far as Germany is concerned, the problem at the moment is that, while most are agreed that we have to change, there is little agreement about the exact direction of reform. I think that, broadly speaking, we will be most successful if we are not scared of fundamental changes, but not either should we rush to copy or imitate models from elsewhere. If a German Harvard is nothing but a replica of its American original, would people not ultimately prefer the original? We must succeed by building on our own strengths, but we will not discover what these are without active competition between a plurality of forms of institutions in this country. This is why the foundation of the Bucerius Law School is so important. In my view it is unlikely that private universities will ever replace state universities in this country, but we need more diversity than we have had traditionally. I am convinced that we will master the challenges of globalisation not primarily by developing ever more centralised structures, but by giving people the opportunity to find ways by and for themselves. Elite universities, a term that has become fashionable most recently, will not be created by the decree of a federal bureaucracy, but by competing for the best performance.

The other aspect I wish to broach is the need to develop the objects of study. It is not so long ago that international civil law was an area for some specialists. Today the existence of international law firms changes the work of solicitors just as investment banking has changed the world of banking. Some high-profile cases, such as the sought slave-labour compensation in US courts, have recently brought to our attention extremely complicated legal problems ensuing from this kind of globalisation. Legislation and administration are increasingly integrated in a framework determined by European and international regulations. This raises crucial problems that need to be addressed: how can we introduce the rule of law in global interaction given the absence of an effective superstructure imposing and enforcing it? What we observe, however, is that existing international institutions both need and create rules. These admittedly imperfect rules develop into a patchwork of regulations becoming more and more effective. Once again it appears that more is achieved without an almighty apparatus than we in Germany are wont to expect. A further problem is posed by the need to ensure that global rules are acceptable to people in various cultures. There is no effective rule of law without the accompanying notion of justice. But what is right is often the result of long-standing cultural traditions. It is therefore necessary to pay more attention to comparative studies, to legal history not only that of Europe but also, for example, that of the Arabic tradition.

I believe it will be crucial for young lawyers as you are to become that you combine an open eye for the world in its global dimension with an awareness of your origins. In whatever form you will have to do with the challenges of globalisation, it will be fundamental to keep these two perspectives together. The same is true for our societies: we open up for the 21<sup>st</sup> century by not forgetting what we are and where we come from. This gives us the steadfastness we need to be really tolerant and open for others.