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NOTES ON LEGAL EDUCATION IN MEXICO

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These notes are based upon observations while auditing courses at the law school of the University of Mexico. The first surprise that I received was to learn that 300 of the students (the school is coeducational) were planning to become social workers.

The course requires five years, and the curriculum includes non-legal subjects. "Civil" law, as they use the term in building the curriculum, refers to domestic relations, etc., governed by the state Civil Codes, as distinguished from the subjects of the national Mercantile Code, controlling most business transactions. 1 The curriculum is as follows, courses of particular interest being italicized.

First year

*Sociology
Political Economy, first course
Roman Law, first course
Introduction to the Study of Law
Civil Law, first course

Second year

*Political Economy, second course
Roman Law, second course
General Theory of the State
Civil Law, second course
Civil Procedure, first course
Criminal Law, first course

Third year

Constitutional Law
Civil Law, third course
Civil Procedure, second course
Criminal Law, second course
Administrative Law, first course

Fourth year

Criminal Procedure
Labor Law, first course
Contracts
Mercantile Law, first course
International Law
Administrative Law, second course
Constitutional Guaranties and Appeals

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1 This basic distinction in the civil law is examined in Barker and Cormack, The Mercantile Act: A Study in Mexican Legal Approach, 6 So.CALIF.L.REV. 1 (1932).
Fifth year

Mercantile Law, second course
Conflict of Laws (Private International Law)
Legal Medicine
Labor Law, second course
Legal Philosophy
Court Practice
Agrarian Law

Seminars

Legal Philosophy
Private Law
Public Law
Procedural Law
Constitutional and Administrative Law
Labor Law
Criminal Law
Mercantile and Banking Law

Optional courses

Banking Law
Mining Law
Comparative Law
History of the Mexican Law
Admiralty
Military Law

In view of the nature of the historical development of the civil law from the Roman, through codes and the writings of jurists, the case system would be contrary to its basic methods of thought. Consequently the instruction is entirely by lectures. Both faculty and students ask a small number of questions, but the give-and-take discussion is very limited.

In ability and culture the faculty impressed me as being above our level. The lectures were carefully prepared and very scholarly, all the professors seeming perfectly at home with the thoughts of Continental writers using several languages. Their familiarity with foreign writers is partially explained by the paucity of legal texts in their own and other Latin American countries—it is a tragedy that Latin America is split into so many and such poor countries. One professor, after several sessions of straight lecturing, devoted the next hour to asking the students questions. At the end of the hour he told them that they had been doing so little work that they were not competent to understand what he had been telling them. I felt that the lectures were not nearly as stimulating to the students as the case system of instruction. While one of the students told me that their examinations were very hard, I felt that they did almost no extra-class work, except for a brief period at the close of a course.

All but six of the many professors were practicing attorneys, with classes meeting in the early morning, some at seven, or in the late afternoon or evening. I would estimate that they averaged twenty minutes late in arrival, and that one fifth of the time they failed to meet their classes. On those
occasions no notice was given the students, and after thirty or forty minutes they would drift away. When one of the professors surprisingly appeared on time, he found one student and myself present, and answered questions until a respectable number of others had come. One professor had quite a reputation, apparently favorable, because at the hours set for his classes he was present, and locked the door.

The attention given to seminar work is much greater than with us. Each of the eight seminars has a spacious room, well equipped with tables and typewriters and a specialized library. A member of the faculty (in all but two instances a full-time professor) is present for consultation several hours a day, and the rooms are diligently used.

The seminar work is encouraged by the requirement that each graduating student present a thesis. The theses are printed, and are of surprisingly high quality, being given serious consideration by mature scholars in their writings. Our Library of Congress has many of the theses, and I have found them helpful.

In Mexico every lawyer is known through his life as "Attorney," placing "Lic." (Licenciado) before his name (engineers likewise "Ing."), regardless of the work in which he is engaged. This causes the obtaining of a degree as such to have more importance than with us, and I assume increases the number of those who study law without intending to engage in practice.

TRIVIA

The presence of a graying bald-headed professor in their midst appealed to the sense of humor of the Mexican students. My hat would be surreptitiously purloined, and at the end of the hour would be reposing in some remote part of the classroom (none of them wore hats, although one wore a beret with a bright button in the center). The drawing of a donkey would be pinned to the back of my coat, together with an inscription appropriate to such a professorial animal, for example, "I'm not very much of a fool, isn't that so?" I shall preserve one of the poetical gems for posterity:

Soy un genuino gringuito
Con gran fama de tontito
Escondo mi sombrerito
Pa' no verme peloncito.

Translated:
I am a true little gringo
I have great fame as fool also
I hide my little sombrero
So no-one my bald head may know.

A few days after my arrival a notice on the bulletin board stated that six law students had been expelled. They had been leaders in instigating a university-wide student strike (a common practice in Latin America), which had made necessary postponement of the closing of the college year for thirty days. The law students held a meeting later in the day to discuss the expulsions. The next night my professors failed to meet their evening classes. Before leaving the building I stopped at the men's room located on the ground floor at the northwest corner of the large interior court.
The court is several stories high, the only exit being at the center of the south side. Suddenly I heard what sounded like a bomb bursting. Other explosions rapidly followed. I discovered that students on the upper floors were expressing their disapproval of the dean by hurling giant firecrackers at his office on the ground floor in the southwest corner. The explosions, continuing in a steady stream, were at least sufficiently powerful to be dangerous to sight and hearing, so I found myself marooned, together with a student. After forty minutes or so the stream of missiles slackened to occasional bursts, and we gingerly edged our way, close to the north, east and south walls, until we reached the entrance on the south side. A few more firecrackers were thrown the next night. Two days later the dean resigned. Shortly thereafter one of the leading members of the faculty, a distinguished jurist, was suddenly discharged, and one of the full-time professors told me that he might be gone any day. I told an American resident of Mexico City about these occurrences, and he remarked, “Oh, there’s always open season on deans and pedestrians here.”

In closing, I may remark that in the nineteen Latin American countries which I have visited I have yet to meet a Latin American who could speak English unless he had lived in an English-speaking country.