

1952

## Notes on Legal Education in Mexico

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### Repository Citation

Cormack, Joseph M., "Notes on Legal Education in Mexico" (1952). *Faculty Publications*. 954.  
<https://scholarship.law.wm.edu/facpubs/954>

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# NOTES ON LEGAL EDUCATION IN MEXICO

JOSEPH M. CORMACK \*

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.<sup>1</sup> 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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<sup>1</sup> 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 sombrero  
 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.