

BAYREUTH: DEVELOPMENT AND TRENDS IN A NEW UNIVERSITY

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BAYREUTH - A UNIVERSITY TOWN?

Most people associate the city of Bayreuth with Richard Wagner, who lived there from 1872 until his death in 1883. It is, in fact, thanks to the annual Wagner festival, which has been held there since 1876, that Bayreuth became known throughout the world. Wagner apart, the city is the capital of the province of Upper Franconia in Bavaria. Situated about 40 miles north-north east of Nurnberg, it's a two hour drive from Munich, and has a population of roughly 70,000 inhabitants.

The University occupies a very modern and still-growing campus on the outskirts of the town. The location of the campus is an indicator to the fact that the University of Bayreuth is very much a brand-new university,¹ opened in the mid-seventies with the object of creating a new cultural centre. Siting the university in this part of Bavaria was indeed part of an effort to counter disadvantages inherent in Upper Franconia's regionalism.

Being so newly-established, the University of Bayreuth, with a population of only 3000 students, is one of the smallest in Germany. This, however, is not without its advantages: smaller numbers of students make for more manageable lecture and study-groups and thus facilitate increased individual attention.

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Since one is not so exposed to the anonymity of mass lectures in overcrowded lecture-theatres, first-year students, fresh from the extremely structuralised and organised German secondary school system, find it easier to orientate into university life.

It is easy to understand, on the other hand, that one cannot quite describe Bayreuth as a typical university town. Student life that has established roots and traditions over hundreds of years in towns like Heidelberg and Gottingen has yet to develop. Rather than deter prospective under-graduates keen on university life, this ought however to encourage students to make the most of initiative and creativity and help build up another university centre. Student attitudes, individual and collective, constitute the prime factor that determines the success or otherwise of university life and will be examined in greater detail further along in the article.

ADMISSION TO AND STRUCTURE OF THE UNIVERSITY

Over the 'sixties and 'seventies more and more people availed themselves of growing opportunities to take up university studies. This led to such a swelling of the German university population that it became desirable to regulate and distribute student intake on a national, as opposed to a regional or local level. In this way, universities all over Germany would establish the number of vacancies in any given course of study, if the places available in the university of the student's choice would be filled, the student would still be able to study the same subject in another university which would still have openings in that field of study. This necessitated the setting up of the 'ZVS', a central establishment charged with the allocation of students to universities throughout the Federal Republic. When submitting an application to the ZVS, one has to list at least two preferences of university to be attended, otherwise the allocation of university may be made rather arbitrarily.

Once again the fact that the University of Bayreuth is still very young comes into play; since it has not yet reached the planned student population level of c.5000, one may apply directly² to the University of Bayreuth. In addition to this, the intake and population level of Law and Economics courses have increased enormously over the past years and therefore Bayreuth gets its fair share of students from 'ZVS' allocations.

Before focussing discussion on to the Law Course, it is worth mentioning that the University of Bayreuth offers the following facilities³:

1. Faculty of Mathematics and Physics
2. Faculty of Biology, Chemistry and Geoecology
3. Faculty of Law and Economics
4. Faculty of Languages and Literature
5. Faculty of Culture
6. Africanology
7. General courses for auditors

Students follow an academic year which is divided into two terms: the summer term lasting from May to August and the winter term from November to March.

THE LAW COURSE

To enter a law course at the University of Bayreuth, one must have obtained at least pass standard in the final High School examinations⁴ (=Abitur - roughly equivalent to British General Certificate of Education Advanced Level). It is hitherto unnecessary to be over-concerned about the grades obtained at 'A' Level (as long as these grades constitute at least a pass), since no 'numerus clausus' as yet exists to restrict entry into law courses. The increasing number of law students however, will almost certainly lead to the introduction of such a 'numerus clausus', as is already the case with prospective medical students.⁵

The law course first opened in the winter term of 1977/78 and a peculiarity of the Bayreuth Law faculty is that an additional Economics course is integrated into the Law course.

In Bayreuth, as in most German universities, law can be studied in two different ways: the single phase system or alternatively the two-phase system. The first four terms are common to students following both systems but from then onwards the systems differ considerably. In the single phase system the two and a half years of attending the Courts required for qualification for the post of probationer/law clerk are integrated into university studies. The two-phase system, on the other hand, follows the traditional pattern wherein the students first complete four years of university studies and take their first State examinations. They then spend two and a half years at the Courts after which they take their

second and final State Examination. Either way the law course is at least six and a half years long.

The single-phase system was introduced in German universities around ten years ago, after repeated complaints from lawyers and judges, that law students newly graduated from university, were unable to cope with the reality of a lawyer's life since this was a far cry from the realm of theory which they had so recently left. The single phase system still has to prove its worth however, since only a few students have so far opted for this method of education. Although both systems are approved of, in public, there is a tendency towards preference of **two-phase** lawyers when it comes to post-graduate employment.

To qualify as a lawyer one must pass the Final State Examination. To be admitted to these Final Examinations, it is necessary to prove proficiency in certain basic aspects of law as well as some optional field of study. (Minimum requirements include two certificates in each of Civil, Penal (Criminal) and Constitutional Law.) The subjects covered in the Law Course would include:

1. Civil Law/Civil Procedure
2. Penal Law/Criminal Procedure
3. Constitutional Law/Constitutional Procedure
4. Administrative Law/Administrative Procedure
5. Commercial and Labour (Industrial Relations) Law
6. History of Legislation and Constitution
7. Philosophy of Law
8. International Civil Law
9. European Law
10. Economics/Accountancy
11. Financial and Tax Law

The popularity of the Law Course is quite understandable on realisation that graduation may open the doors to the following occupations:

Legal : Judge; prosecutor; barrister; solicitor; notary;

Others⁶: Business Management

Civil Service: international administration; public commercial interests/corporations; tax and financial authorities; banking;

Chartered accountants; tax consultants;

STUDENT LIFE

As a preliminary to examining the attitudes and trends amongst law students, one must consider two important factors that fashion the atmosphere of student life: the student's financial resources and the reason for entering the law course.

As a rule, students are either maintained by their parents or else receive financial aid from the State when the parents' inability to finance their children's studies is adequately proved. Financial resources are of great importance not only because of expenditure on books, clothes etc. but also because many students do not live with their families (especially when the University is not in one's home town) but in student lodgings, small apartments close to the University campus. This entails further expenses due to rent, transport, food etc. Thus, when not working throughout the summer or winter holidays (and many students take up such work), money is usually received from the parents. In the many cases where families cannot afford to maintain a son or daughter at University, one may apply to the agency of Educational Furtherance in order to receive a study grant. According to the law regulating this Institute, the students'/parents' financial situation is investigated through a form of 'means test' and a decision is reached as to the monthly amount of financial aid, if any that may be granted. At present the maximum amount of financial aid that one may receive is the equivalent of LM115 per month.

The present Christian Democrat-led Government is in the process of changing the extent and nature of financial aid received by students. These reforms are two-pronged - on the one hand the criteria which determine who receives aid and how much, have been changed in a way that may qualify less students for such aid; on the other hand the aid given will no longer take the form of a grant but rather a loan, which will be paid back to the Government after completing one's studies. These reforms are understandably at present the source of considerable controversy within the student community.

Financial aid sometimes comes in the form of scholarships from state governments: during the final term in grammar schools some of the more able students are chosen to sit for a test set by the State Culture Bureau. Candidates who attain a certain level are awarded a scholarship. Once at university, students may also apply for scholarships which enable them to study in a foreign country for six months or even a year.

Most of the law students at Bayreuth University begin their university studies immediately after having passed their High School examinations or after having completed the prescribed term of military service in the Federal Defence: the average age of course entry thus lying between 19 to 22. Few people enter university after having already served an apprenticeship. It is only exceptionally that one finds older people taking up a law course after having already worked in a profession for some time. At this stage, other than considerations of age, it is also interesting to note that when a course starts off, males and females are more or less equal in number. There apparently exists however, a greater tendency to drop out amongst female students than among their male counterparts. This is evinced by the predominance of male students amongst the candidates who take the final examinations.

It is difficult to determine the reasons why people choose to study law. It has been suggested that most law students are undeniably attracted by that which the Romans would have politely termed **lucrum**. This ought not of course to discourage those who are interested in reputation and power, and who believe that becoming a lawyer is a suitable means to these ends. An ever-decreasing number of students combine their studies with the idealistic hope of being able to improve a legal system which has always been - and still is - described as "lagging behind" the social and political efforts to achieve progress and better living conditions. At least **some** law students take up law because they wouldn't know what to study otherwise but at the same time still wish to further their education. An added attraction is that since no restrictive 'numerus clausus' as yet exists, the Law Course is still relatively easy to enter into.

Whatever the reason that prompted entry into the law course in the first place, it is quite amazing to note the number of law students whose outlook and conduct (even within the first term) earn them the label of 'typical lawyer'. Early inclinations towards elements of conduct that constitute part of the popular image of the 'typical lawyer' do nothing to enhance the reputation and standing of law students amongst the students of other faculties. This is not only the case in Bayreuth but also in many other German universities.

In spite of a growing student community, social life in Bayreuth does not follow patterns established by hundreds of years of tradition as in other older German universities. There are a number of factors which may have hindered the growth of the camaraderie, the vitality of academic inquisitiveness, the sporting rivalry

that are the shining lights of university life.

When discussing entrance to University, reference was made to the fact that many law students end up studying in Bayreuth as a result of 'ZVS' allocation. These students, who would come from home towns distant from Bayreuth, sometimes describe themselves as "victims of ZVS". They usually live in small apartments or students' residences⁷, depending on their financial means. Although this would certainly provide the opportunity to lead a free and self-determined student life, these people either tend to stick to their studies, rather uneager to help build up a social community within the students; or else leave Bayreuth as often as possible to be with family and friends. Their contribution towards 'student life' may therefore be quite negligible.

An even larger number of students come from Bayreuth or surrounding areas. They therefore, do not have to change their way of life while at university, since they are able to stay with their families and keep their old friends.

In spite of the yet under-developed social aspect of university life, politics and student politics are as evident in the University of Bayreuth as in other German universities. Bayreuth comes under the jurisdiction of the Bavarian State Government and is deep in Christian Democrat heartland. It is therefore hardly surprising that student activities depend to a great extent on RCDS, an association of Christian Democratic students which is sponsored by the Bavarian political party CSU⁸. The RCDS is at present the one and only organisation which promotes student activities such as special lectures, festivals and excursions. When the general elections for students' representatives to the assembly and senate take place every July, the RCDS obtains nearly all the votes; the few other existing parties have not yet been able to break ground. All organized political and social activity depends on RCDS, the inherent political nature of which, does not appear to lend itself to the creation of a more unified and enlivened student community, however great the support that it enjoys amongst students.

This short paper is only intended to provide an insight into the day-to-day life of law students in a modern German university, rather than an in depth study of German legal education. The latter subject requires an evaluation of the concepts behind such education as well as the techniques adopted in their imple-

mentation on a national and regional level. There are however many factors, economical, political, sociological, geographical etc. that motivate and in turn affect the successful implementation of the fundamental concepts of legal education. The practical experience gained from day-to-day student life as outlined above, serves to identify such factors and highlight their importance. Certain aspects and problems mentioned in this paper are peculiar to Bayreuth, others are fairly representative of the situation prevalent in universities throughout Germany. One may however draw certain basic conclusions. Every specialised field of education poses its own particular difficulties and Law is no exception. Yet, broadly speaking, the problems of law students may not always be isolated from those of the rest of the student community, especially with regard to financial aid, self-determination and social life.

Large universities and small universities have limitations and advantages dictated by their very size. On the existence or otherwise of long-established traditions of university life depends the extent to which the disadvantages imposed by size may be compensated for, if at all. In either case, in order that law students be able to help each other to improve the current situation, it is imperative that they form part of a serious association within their own faculty that is linked to similar associations in other universities. In this way, an effective exchange of ideas and information would co-ordinate the efforts of different student communities. An important step in the right direction would also be to increase the number of student exchanges on the international level. An increased presence of foreign students⁹ on the Bayreuth campus, in the midst of a better organised student community, may help realise the goal of creating a new cultural centre in Upper Franconia.

NOTES

1. General background information on the University of Bayreuth:

- 1969** The committee of the University Foundation Council chooses Bayreuth from amongst other cities, when considering the siting of a proposed new university.
- 1970** The Bavarian **Diet** (State Parliament) meets to decide on the choice of Bayreuth as the site where the next regional university is to be built.
- 1972** The Law establishing the University of Bayreuth, passed by the Bavarian Diet in 1971, comes into operation.
- 1974** The Bavarian Prime Minister lays the foundation stone.

1975 Minister of State for Education opens the university.

1977 The first meeting of the University's Assembly. Diet's decree on the setting up of the "Students' Association Upper Franconia" in Bayreuth.

1981 Opening of Africa Centre.

2. An exception is the course of studies in Biology in which case applications have to be addressed to the ZVS.

3. The following are some statistics for the winter term 1982/83:

Course of Study	Total	Male	Female	Foreign Students
Mathematics				
1	69	49	20	3
2	8	7	1	2
3	30	12	18	-
4	104	67	37	..
Physics				
1	164	149	15	4
2	5	4	1	-
3	3	3	-	-
4	50	41	9	-
Biology				
1	186	113	73	5
2	23	13	10	2
3	92	18	74	-
4	81	24	57	-
Chemistry				
1	163	127	36	1
2	17	14	3	1
3	6	3	3	-
4	54	16	38	-
Geography				
1	113	75	38	-
2	7	4	3	-
3	63	23	40	1
4	95	52	43	1
Geoecology				
1	139	100	39	1
Economics				
1	503	362	141	5
2	10	10	-	-

Course of Study	Total	Male	Female	Foreign Students
Law				
2	7	5	2	1
6	771	509	262	2
7	112	82	30	-
Africanology				
2	2	2	-	1
5	3	-	3	-
8	10	7	3	3
English				
2	1	1	-	1
5	17	5	12	3
German				
2	6	4	2	3
3	124	26	98	-
4	38	25	13	7
5	32	15	17	11
History				
2	3	3	-	-
Sports				
3	13	6	7	-
4	150	71	79	1
Music				
2	1	-	1	1
3	17	5	12	1
4	39	17	22	11
Philosophy				
5	11	8	3	1
Political Science				
2	1	1	-	1

Key:

- 1 = Diploma
- 2 = Degree/Graduation
- 3 = Certificate course - Primary School Teacher
- 4 = Certificate course - Secondary School Teacher
- 5 = Master's Degree
- 6 = Final State Examination (one-phase system)
- 7 = Final State Examination (two-phase system)
- 8 : Post-graduate studies

4. People who do not take the final High School examinations but who later wish to study at university, may do so through a "second course of education", which is mostly carried out in evening courses or night schools.
5. The 'numerus clausus' operates on the criteria of overall performance by the student in the final High School examination, i.e. the **Abitur**. The performance in Abitur is graded 1,2,3,4,5 and so on, with 1 being the highest grade attainable. The present average Abitur grading for prospective medical students (calculated as an average of the grades obtained in different subjects), which is good enough to ensure entry into the course stands at a very high 1.2.
6. Entry into these other professions is greatly aided by the additional studies in Economics.
7. A student residence is usually accommodation provided by local governmental authorities. A typical example comprising a small bed cum study room with a shower closet and toilet would cost about LM25.00 a month.
8. Christian Social Union - Right-wing Christian Democrat party.
9. Opportunities Available to Foreign Students
The University of Bayreuth is a member of the following associations, which help enhance its international contacts.
 - Conference of vice-chancellors and vice-presidents of European universities (CRE)
 - International Association of Universities
 - German Academic Exchange Union (DAAD)
 - German Research Association (DFG)

Foreign students who wish to study at the University of Bayreuth (and other German universities) have to apply directly to the university. Every university supplies extra facilities for foreign students who wish to enroll. If the course applied for is overcrowded, the student's qualifications may determine his/her admission or otherwise.

Average requirements are:

- certificate(s) that entitles the student to study at college/university including grades e.g. Abitur; 'A' Levels etc.
- certificates/qualifications previously obtained in other universities/colleges, where applicable.
- proof of knowledge of the German language.

Foreign students may not, as a rule, rely on scholarships/bursaries given by German universities. To a limited extent, the DAAD does distribute scholarships that may only be applied for outside Germany, or through the representatives of foreign countries within Germany. As a rule however, it is usually up to the students themselves to finance their studies. It is very difficult, not to say impossible, to find a job. Information as to scholarships offered/tuition fees where applicable is available at embassies of the Federal Republic of Germany throughout the world.