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# The Impact of Basic Research on Legal Education: a Case Study of the Polish National Science Centre’s Projects<sup>9</sup>

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## Abstract

This article analyses the impact of legal research on the education of future lawyers in Poland, focusing in particular on legal regulations and educational practices. The study aims to explain how the findings of research projects, especially of those funded by the National Science Centre (NSC)<sup>10</sup>, can be applied in teaching. The

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<sup>10</sup> The National Science Centre is an executive agency established to support scientific activity in the field of basic research, i.e. empirical or theoretical work aimed at gaining new knowledge about the foundations of phenomena and observable facts without being translated into direct commercial application. Cf. *Tasks of NCN*, National Science Centre, <https://www.ncn.gov.pl/o-ncn/zadania-ncn> (accessed: 11.11.2024).

authors hypothesise that basic research has a minimal effect on legal education, which may result from the applicable legislation and internal conditions within university. The research involved an analysis of legal documents, a literature review, as well as surveys and interviews with academic staff. It examined the relationship between research and teaching activities in the context of higher education reform. The findings indicate that while most academics perceive their teaching and research as synergistic, there exist barriers in this areas – such as low motivation for research among students. The authors emphasise the need for reforms to better integrate research with teaching, which is crucial for enhancing the quality of legal education.

**Keywords:** basic research, legal education, integration of teaching and research, student motivation, impact of research on teaching.

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## Wpływ badań podstawowych na edukację prawniczą: studium przypadku projektów Narodowego Centrum Nauki<sup>11</sup>

### Streszczenie

Artykuł analizuje wpływ badań prawniczych na kształcenie prawników w Polsce, koncentrując się na regulacjach prawnych oraz praktykach edukacyjnych. Celem badania jest zrozumienie, jak wyniki badań, szczególnie tych finansowanych przez Narodowe Centrum Nauki (NCN), mogą być wykorzystywane w dydaktyce. Autorzy zakładają, że wpływ badań podstawowych na edukację prawniczą jest minimalny, co może wynikać z ustawodawstwa oraz wewnętrznych uwarunkowań uczelni. Badania obejmowały analizę dokumentów prawnych, przegląd literatury oraz ankiety i wywiady z nauczycielami akademickimi. Skoncentrowano się na relacji między działalnością badawczą a dydaktyczną w kontekście reformy szkolnictwa wyższego. Wyniki pokazują, że większość nauczycieli postrzega swoje działania jako synergiczne, jednak istnieją bariery w integracji tych obszarów, takie jak niska motywacja studentów do badań. Autorzy podkreślają potrzebę reform dla lepszego połączenia badań z dydaktyką, co jest kluczowe dla jakości edukacji prawniczej.

**Słowa kluczowe:** badania podstawowe, edukacja prawnicza, integracja dydaktyki i nauki, motywacja studentów, oddziaływanie badań naukowych na dydaktykę.

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<sup>11</sup> Niniejszy artykuł jest częścią projektu badawczego finansowanego przez Narodowe Centrum Nauki w ramach projektu naukowego *Oddziaływanie prawniczych badań podstawowych na kształcenie prawników na przykładzie badań podstawowych finansowanych przez Narodowe Centrum Nauki w Polsce*, nr rej. 2021/41/B/HS5/03317.

## Introduction

The relationship between research and tertiary education has been analysed for many years, taking into account different cognitive and scientific perspectives, and involves, among other things, the essence, types, distinctiveness and relationship between research and teaching activities of academic teachers, the effects on the participants of the educational process (academic teachers and students) and the university institution, and implementation strategies in the practice of academic education.<sup>12</sup>

The aim of the article is to systematise the existing knowledge on the impact of basic legal research on legal education in the 21<sup>st</sup> century as illustrated with the example of Poland. The authors assumed that basic research influences legal education to a negligible extent, which may be caused by e.g. the legislation in force and university-specific internal factors. In addition, it was assumed that basic research directly and indirectly influences legal education and that the degree of this influence depends on the long- and short-term strategies resulting from the state's policy adopted in the area of science.

This study seeks to address the observed lack of empirical research in Poland on the relationship between research and teaching activities among academics.<sup>13</sup>

<sup>12</sup> See e.g. European Commission/EACEA/Eurydice, *Modernisation of higher education in Europe: academic staff – 2017*, Luxembourg 2017; B.R. Clark, *Creating Entrepreneurial Universities: Organisational Pathways of Transformation*, Oxford, New York 1998; M. Simons, J. Elen, *The 'research-teaching nexus' and 'education through research': an exploration of ambivalences*, "Studies in Higher Education" 2007, 32(5), pp. 617–631; U. Teichler, A. Arimoto, W.K. Cummings, *The changing academic profession. Major findings of a comparative survey*, Dordrecht, Heidelberg, New York, London 2013; L. Leister, J. Enders, H. de Boer, *The balance between teaching and research in Dutch and English universities in the context of university governance reforms*, "Higher Education" 2009, 58(5), pp. 619–635; R. Anderson, *The 'Idea of a University' today*, "History & Policy" 2010, 1, pp. 22–26; E. Mägi, M. Beerkens, *Linking research and teaching: are research-active staff members different teachers?*, "Higher Education" 2015, 72(2), pp. 241–258; M. Elken, S. Wollscheid, *The relationship between research and education: typologies and indicators. A literature review. Technical report*, Nordic Institute for Studies in Innovation, Research and Education (NIFU), 2016; J. Dickinson, K. Ferris, J. Marson, *Students as researchers: the effects of employing law students on an empirical research project*, "The Law Teacher" 2022, 6(2), pp. 158–170.

<sup>13</sup> See e.g.: J. Wolszczak-Derlacz, *Kształcić czy prowadzić badania naukowe? Analysis of educational effectiveness and scientific effectiveness on the example of selected public higher schools in Poland*, "Education" 2013, 2(122), pp. 20–33; M. Korytkowska, *Research versus didactics*, "Polish Academy of Skills" 2018, 5, pp. 21–26; A. Szymanik, *Research vs. didactics, idea vs. practice – is there a "golden mean"?*, "Forum Dydaktyczne" 2011, 7–8, pp. 161–173; J. Jabłońska-Bonca, *O szkolnictwie wyższym i kształceniu prawników*, Warszawa 2020, pp. 134–141.

It focuses on the interplay between research and education in legal sciences. The study offers an analysis of legislation and literature, an examination of study programmes, as well as self-administered questionnaires and individual in-depth interviews conducted with a sample of academic teachers.

The authors analysed the legal regulations in force between 2011 and 2021, along with the literature on the use of findings and experiences from basic research in higher education in Poland and selected European countries (Germany, France, United Kingdom), with a particular emphasis on legal sciences.<sup>14</sup>

International<sup>15</sup> and EU law<sup>16</sup> recognise the right to education and the freedom of research, but do not define a clear relationship between these areas. In countries such as the UK, Germany, and France, there are noticeable differences in the existing models of legal education, reflecting the varying significance of research-based theoretical teaching versus practical legal teaching. The way research is funded and evaluated affects the extent to which research and teaching are integrated. Humboldt's concept of the 'unity of research and teaching', formulated more than two centuries ago, is still recognised as an essential element of high-quality educational institutions, though its interpretation varies across countries.<sup>17</sup> In 2018,

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<sup>14</sup> See: M. Perkowski, I. Kraśnicka, A. Drabarz, W. Zoń, M. Oksztulski, M. Skórzewska-Amberg, E.M. Kwiatkowska, *The Higher Education Transformation and Legal Framework of the Research-Teaching Regulations in the Polish Higher Education System*, "Transformations" 2022, 3.

<sup>15</sup> See e.g. The 1988 Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education adopted in 1988 by the World University Service on the 40th anniversary of the Universal Declaration of Human Rights, <https://www.wusgermany.de/sites/wusgermany.de/files/userfiles/WUS-Internationales/wus-lima-englisch.pdf> (access: 11.11.2024); the 1988 Magna Charta Universitatum <http://www.magna-charta.org/magna-charta-universitatum> (access: 11.11.2024); the 1990 Dar es Salaam Declaration on Academic Freedom and Social Responsibility of Academics, Adopted by African academics, <http://hrlibrary.umn.edu/africa/DARDOK.htm> (accessed: 11.11.2024); the 1990 Kampala Declaration on Intellectual Freedom and Social Responsibility, <http://hrlibrary.umn.edu/africa/KAMDOK.htm> (accessed: 11.11.2024). See also: A. Arimoto, T. Ehara (eds.), *International comparison of the academic profession*, Tokyo 1996; A. Arimoto, *The Teaching and Research Nexus from an International Perspective*, [in:] W. Cummings, U. Teichler, (eds.), *The Relevance of Academic Work in Comparative Perspective. The Changing Academy – The Changing Academic Profession in International Comparative Perspective*, 13, Cham 2015.

<sup>16</sup> See e.g. Article 9, Treaty on the Functioning of the European Union, OJ C 202 26.10.2012; Communication from the Commission Europe 2020, COM(2010) 2020; Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a renewed EU agenda for higher education, 31.05.2017, COM(2017) 247.

<sup>17</sup> C. Gellert, ONE: *The German Model of Research and Advanced Education*, [in:] B.R. Clark (ed.), *The Research Foundations of Graduate Education: Germany, Britain, France, United States, Japan*, Berkeley 1993, pp. 5–44; U. Teichler, *Teaching and Research in Germany: the Notions of University Professors*, [in:] J.Ch. Shin, A. Arimoto, W.K. Cummings, U. Teichler (eds.), *Teaching and Research in Contemporary Higher Education: Systems, Activities and Rewards*, Springer 2013; L. Highman, *Remapping French Higher Education: Towards a Multi-tiered Higher Education System?*, "Tertiary Education and Management" 2020, 26, pp. 199–214; C. Mus-selin, *La longue marche des universités françaises*, "Presses de Sciences Po" 2022, p. 12; M. Augustyniak, *The Model of Legal Education in France: History and the Present Day*, "Prawo i Wiadomości" 2022, 2(40); S. McIntosh, J. McKinley, A. Mikołajewska, *Critical Examination of the Teaching-Research Nexus: Academic Contracts in UK Universities*, A Report for the British Academy 2021, pp. 12–18; J. McKinley, A. Harris, M. Jones,

Australian researchers found that in researcher-led law schools, this relationship has largely disappeared, leading to increasingly individualistic and competitive work environments.<sup>18</sup>

## Quantitative scale of legal projects funded by the NSC in 2011–2020

One of the stages of the research involved an analysis of the results of the National Science Centre's calls for proposals, including justifications for projects funded in 2011–2020 within the social sciences panel (NSC panel: HS5), with particular emphasis on the field of legal sciences. The aim was to gather information on the funded projects, especially their subject matter, descriptions, implementers, and the affiliations of project leaders.

In the years 2011–2022, a total of 463 projects were implemented under the HS5 panel (social sciences), with a total funding amount of PLN 138,386,135, including 282 projects classified as legal sciences – receiving a total of PLN 79,047,916 in funding.<sup>19</sup> The abstracts of projects available in the NSC project database<sup>20</sup> have been reviewed. Based on data concerning the subject of the grants, project leaders, and their affiliations, it was possible to narrow down the pool of those eligible for further research. This enabled the selection of researchers for individual studies, which included a survey conducted by means of self-administered questionnaires, followed by individual in-depth interviews. The authors of the projects identified as legal based on their descriptors<sup>21</sup> were not always scholars specialising in the field of legal sciences, holding a relevant academic degree. Such projects were also carried out by political scientists, public administration specialists, and historians. Notably, the Supreme Audit Office pointed out that the weakness of the process

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S. McIntosh, L. Okpevba Milligan, *An Exploration of the Teaching-Research Nexus in Humanities and Social Sciences in Higher Education*, 2018. Available from: <https://www.thebritishacademy.ac.uk/documents/4094/McKinley-et-al-An-Exploration-of-the-Teaching-Research-Nexus.pdf> (accessed: 11.11.2024). See also M. Perkowski, I. Kraśnicka, A. Drabarz, W. Zoń, M. Oksztulski, M. Skórzewska-Amberg, E.M. Kwiatkowska, *Relations of Research and Teaching in Legal Education: International Legal Framework and Selected National Solutions*, "Krytyka Prawa" 2023, 15(2).

<sup>18</sup> A. McKenzie, L. Griggs, R. Snell, G.D. Meyers, *The Myth of the Teaching-Research Nexus*, "Legal Education Review" 2018, 28(1), p. 2.

<sup>19</sup> Projects for which a contract has been signed – data obtained in response to an enquiry addressed to NSC. Response of the National Science Centre of 14.09.2022 to a request for public information, ZRP.0151.10.2022.

<sup>20</sup> NSC-funded projects, <https://projekty.ncn.gov.pl/?home> (accessed: 11.11.2024).

<sup>21</sup> See *Dictionary of links between NCN descriptors and scientific disciplines*, <https://www.ncn.gov.pl/sites/default/files/pliki/Slownik%20powiazan%20miedzy%20deskryptorami%20ncn%20a%20dyscyplinami%20naukowymi.xlsx> (accessed: 11.11.2024).

of qualifying applications is the arbitrariness of the opinions of the experts evaluating them. The decisions of these experts are not subject to any appeal procedure, which effectively eliminates the possibility of scientific debate. A negative evaluation automatically renders the project ineligible for funding.<sup>22</sup>

## Survey results

In the next stage of the research, a group of selected academic teachers implementing NSC-funded projects between 2011 and 2020 in the social sciences panel (NSC panel: HS5, field of legal sciences) completed a set of self-administered questionnaires. The aim of the survey was to gather information on their experience with using research findings in academic education and, indirectly, to select a group of academics for in-depth interviews.

In order to avoid the so-called sponsor effect, the survey was commissioned by the Centre for Public Opinion Research (CBOS). From 16 June to 12 July 2023, the survey was distributed among 150 selected researchers, including 75 NSC grant leaders and 75 non-NSC grant leaders (reference sample). The method used was self-administered questionnaire. Responses were provided by 34 individuals – including 20 NSC grant leaders and 14 non-directors of NSC grants. The survey was therefore exploratory in nature. The following research conclusions were formulated:

- ❑ “Of the scientists participating in the survey, the majority define themselves equally as a researcher and a teacher. Those directing NSC grants identify with research activities to a slightly greater extent.
- ❑ The vast majority of respondents define teaching and research work as synergistic areas, interacting with each other in a positive way. This opinion is closer to those directing NSC grants.
- ❑ Those participating in the survey who teach share most of the statements included in the questionnaire regarding the inclusion of elements of scientific research in their teaching. The exception is the introduction of issues that are the subject of their scientific research as a topic for individual courses for students, which is not done by almost half of the researchers surveyed.
- ❑ Of the opportunities included in the survey for students to participate in a variety of research activities, academics primarily confirm those that relate to reading and studying research-based texts. Less frequently, opportunities are provided for students to conduct their own research or to prepare for it.

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<sup>22</sup> See *Financing of basic research*, Supreme Chamber of Control, Warsaw 2020, pp. 16–20.

Occasionally, activities that enable students to connect with other researchers and participate in research conducted by them take place.

- ❑ The need for professional development in integrating research into student learning is somewhat more acutely felt by the participating researchers not directing NSC grants. The area most often indicated in this context is learning new methods and strategies for integrating research into student education process”.<sup>23</sup>

To obtain additional responses, it was also decided to conduct a survey using the Google Forms tool. Pre-selected researchers managing and not managing NSC grants – those who did not participate in the CBOS survey – were contacted between 14 March and 10 April 2024. Responses were provided by 8 individuals, including 6 persons managing NSC grants and 2 persons not managing NSC grants. The results obtained confirm the conclusions drawn from the earlier survey.

## Individual in-depth interviews

Based on the findings of the survey and the analysis of the study programmes, individual in-depth interviews were to be conducted among a sample of academics implementing NSC-funded projects in 2011–2020 (NSC panel: HS5, field of legal sciences).

Ten individual in-depth interviews were conducted with academics who implemented the grants. Upon analysing their responses, it was possible to see the variety of methods used by them in teaching, including:

- ❑ the use of scientific research as an exemplification of the content presented during lectures;
- ❑ the organisation of workshops and discussions that engage students and enable them to actively participate in the educational process;
- ❑ encouraging students to carry out independent research, which can foster their development and involvement in the learning process;
- ❑ the use of other scientists’ research, which can enable students to expand their knowledge of the latest developments in the field.

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<sup>23</sup> CBOS, *Impact of legal basic research on legal education on the example of basic research financed by the National Science Centre in Poland. CAWI survey report*, July 2023. Data will be deposited in the Open Data Repository – RepOD: <https://reod.icm.edu.pl/>.



The diverse approaches prove the creativity of academics in combining theory and practice, which is crucial for the effectiveness of education of future lawyers. At the same time, this content is elusive in the course syllabuses or study programmes. Respondents strive to integrate their research experiences into their teaching, which can have a positive impact on student engagement. However, there are significant challenges in motivating students to engage in research activities. According to the respondents, students often engage in research activities mainly through scientific student groups, but their activity does not always translate into actual research. The main reason for students to undertake research is tangible benefits, e.g. extra points for scholarship applications, rather than a genuine desire to explore and acquire knowledge. In addition, some topics may not be adequate to students' current level of knowledge. Students choose autonomous areas of interest, which may limit their involvement in the research projects offered by the university. It is also possible to notice a difference between the organisational and scientific involvement of students. Although students are willing to participate in the organisation of conferences or workshops, they rarely engage in actual scientific research. This points to the need for a change in the approach to engaging students in the more scientific aspects of research activities. The main identified barriers to incorporating research findings in teaching include: a lack of student interest, as many are more focused on building their future legal careers than on expanding their knowledge; limited involvement due to the highly specialised nature of basic research; universities' reluctance to offer optional courses based on basic research findings due to limited funding; and grantees' unwillingness to engage students in ongoing research projects due to concerns about the reliability of the latter's approach.<sup>24</sup>

## Study plans, programmes, and course syllabuses

Taking into account the research findings obtained, an analysis was conducted of the available programmes and plans of single-cycle master's degree studies in law and of the course syllabuses adopted for these programmes for the period 2011–2021. In addition, the analysis covered also teaching materials and textbooks indicated by a group of academic teachers implementing projects funded by NSC in 2011–2020 (NSC Panel: HS5, field of legal sciences).

The results of the surveys indicate that the links between ongoing research and teaching are rather weak. No dedicated courses directly linked to ongoing research

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<sup>24</sup> The data will be deposited in the Open Data Repository – RepOD: <https://repod.icm.edu.pl/>.

have been developed. An analysis of legal study programmes offered at 13 public universities, where academic staff implementing NSC grants are affiliated, has revealed only very general connections – primarily linking the subject matter of the grants to broad areas of law, such as European Union Law or Criminal Law. In practice, there are no courses specifically designed around the funded research projects.

A full analysis of all syllabuses was not possible due to access limitations. Universities rarely make complete syllabuses publicly available, and key details – such as course topics – are often inaccessible. Moreover, access to archived versions is highly restricted, which makes it difficult to track changes in particular study programmes over time. Occasionally, references to project-related literature could be found in some course materials. However, even when syllabuses were available, it was impossible to determine the standard structure, which had made meaningful comparisons unfeasible. The Polish Accreditation Committee (PAC)<sup>25</sup>, which the authors of the study addressed with an inquiry regarding the mandatory content of course syllabuses, responded as follows: “Syllabuses are not subject to mandatory PAC assessment. As part of the PAC programme evaluation, the study programme is analysed. The mandatory elements of the study programme are defined in the Regulation of the Minister of Science and Higher Education of 27 September 2018 on degree programmes (i.e. Journal of Laws 2023, item 2787). It is customary for universities to incorporate the content required by the indicated regulation into the course syllabuses, which makes the syllabuses an integral part of the study programme. It is possible to conduct studies without developing separate documents in the form of syllabuses. Syllabus is a colloquial term, which does not function in the acts of universally binding law regulating the system of higher education in Poland. Therefore, one cannot speak of guidelines for the assessment of syllabuses. PAC’s programme evaluation is guided by the criteria established in the regulation of the Minister of Science and Higher Education of 12 September 2018 on the criteria for programme evaluation (Journal of Laws, item 1787)”.<sup>26</sup> This response is somewhat surprising, as universities are advised in their self-assessment reports to describe the available library resources in relation to access to literature recommended in syllabuses when undergoing programme evaluation.<sup>27</sup>

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<sup>25</sup> Institution responsible for assessing the quality of education at Polish, cf. Polish Accreditation Commission, <https://pka.edu.pl/> (accessed: 11.11.2024); Article 251, Act of 20 July 2018. Law on Higher Education and Science, Journal of Laws 2024 item 1571.

<sup>26</sup> Regulation of the Minister of Science and Higher Education of 12 September 2018 on the criteria for programme evaluation, Journal of Laws. 2018 item 1787; Reply of the Polish Accreditation Commission of 4.03.2024 to a request for public information, ZK.0122.03.2024.AS.

<sup>27</sup> Programme evaluation. All-academic profile. Self-assessment report, Appendix no. 1 to Resolution no. 66/2019 of the Presidium of the Polish Accreditation Committee of 28 February 2019 as amended;

## Reports on programme evaluations of single-cycle master's degree programmes conducted by PAC in 2011–2021

The study involved also an analysis of the reports on programme evaluations of single-cycle master's degree programmes in law, conducted by PAC between 2011 and 2021.

The PAC programme evaluation process consist of several stages and culminates in the adoption of a resolution by the PAC Presidium, which includes an assessment of the study programme and a set of recommendations.<sup>28</sup> The Regulation of the Minister of Science and Higher Education of 12 September 2018 on the criteria for programme evaluation<sup>29</sup> specifies 10 criteria for programme evaluation. According to Article 256 (1)(3) of the Law on Higher Education and Science of 20 July 2018, these criteria are further detailed in the PAC Statute. In the context of programmes with a general-academic profile, the specified educational standards are outlined by a comprehensive set of criteria that reflect key aspects of educational quality assessment and improvement.<sup>30</sup>

Under criterion 1, which concerns the design of the study programme, the stated educational concepts and objectives must be linked to the scientific activities carried out at the university within a given discipline, ensuring that study programmes are up-to-date and respond to the needs of the labour market and the socio-economic environment.

Criterion 2, which focuses on the implementation of the implementation of the study programme (including curricular content, time-frame, class organisation and format, teaching methods, professional placements, and the structure of the teaching and learning process), requires that the curricular content aligns with

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Programme Assessment. Practical profile. Self-assessment report, Annex No. 2 to Resolution No. 66/2019 of the Presidium of the Polish Accreditation Committee of 28 February 2019 as amended.

<sup>28</sup> The programme evaluation process includes the preparation of a self-evaluation report by the HEI (higher education institution), after which the evaluation team conducts a visit and a detailed analysis of the programme. On the basis of the collected data, the Presidium of PAC prepares a report containing the assessment and recommendations concerning the quality of education, which is then submitted to the HEI – which is also offered the possibility of presenting its position. The procedure ends with a resolution of the PAC Presidium, which eventually determines the assessment of the programme and possible recommendations. The HEI has the right to appeal, which strengthens the transparency of the assessment process. See Appendix No. 1 to Resolution No. 66/2019 of the Presidium of the Polish Accreditation Committee of 28 February 2019, as amended, Programme evaluation, General academic profile, Self-evaluation report, access mode: <https://pka.edu.pl/dla-uczelnii/wzory-raportow-samooceny/>. Statute of the Polish Accreditation Commission, op. cit., par. 17-22.

<sup>29</sup> Item 1787.

<sup>30</sup> Statute of the Polish Accreditation Commission, Annex to Resolution No. 4/2018 of the Polish Accreditation Commission 13 December 2018. pp. 22-28, access mode: <https://pka.edu.pl/wp-content/uploads/2024/04/statut-PKA-tekst-ujednoczony-marzec-2024.pdf> (accessed:18.07.2024).

the learning outcomes. It also mandates that it reflects the current state of knowledge, research methodology, and scientific findings within the discipline(s) to which the major is assigned. Moreover, the adopted methods of education are to be student-oriented and should encourage students to actively participate in the learning process, particularly by preparing them for or involving them in scientific research.

Criterion 3, which covers student enrolment, verification of achievement of the expected learning outcomes, semesters and year progression, and graduation, enables the monitoring of student progress and the assessment of the extent to which students achieve the desired learning outcomes – including their preparation for academic activity.

Criterion 4 concerns e.g. the competence, experience, and qualifications of academic staff. It assesses the extent to which academic staff incorporate the results of their research into teaching, actively involve students in scientific activities, and translate their research work into effective teaching practices.

Criterion 5 is about educational infrastructure and resources, which play a crucial role in fostering an environment that integrates research with education, directly affecting the quality of students' knowledge and skills. Modern facilities, access to up-to-date library and information resources, and appropriate research equipment all enhance students' interest in participating in the research conducted at the university.

Criterion 8 address the issue of supporting students in their learning and academic development, as well as expanding and improving forms of this support, which also plays an important role in integrating research with education. Elements of this support may include: facilitated access to academic staff, individual and group consultations, research mentoring, and initiatives to promote student participation in research projects.

In summary, PAC's educational quality standards underscore the importance of combining research with the teaching process, which not only improves the quality of education, but also prepares students for active participation in scientific activities. However, a key question remains: to what extent is basic research considered in practice when assessing compliance with PAC's educational quality criteria and standards? The answer to this question is provided by an analysis of PAC's programme evaluation reports.

A total of 36 PAC programme evaluation reports have been analysed, covering single-cycle master's degree programmes in law at both public and non-public higher education institutions. The reports were obtained from the database of evaluations

of HEIs, units, and majors.<sup>31</sup> All reports available in the database covering PAC’s programme evaluation processes in 2010–2021 were reviewed.<sup>32</sup>

The analysis shows that the reports do not explicitly use the term ‘basic research’; instead, they make use of more general terms such as ‘research’, ‘grant’ or ‘project’.<sup>33</sup> Within the descriptions of how specific programme evaluation criteria and educational quality standards were met, research was directly included under criteria 1, 2, 8, and 9.

A summary of the integration of research within PAC’s programme evaluation and educational quality standards is presented in Table 1.

**Table 1.** Integration of conducted research within the criteria for programme evaluation and educational quality standards in PAC reports

Evaluation criterion	How to include ongoing research in the evaluation criterion	Number of reports
1. Study programme design: concept, learning objectives, learning outcomes	■ linking the programme and learning outcomes to the research conducted	22
2. The implementation of the study programme: curriculum content, time-frame for the implementation of the study programme, forms and organisation of classes, teaching methods, placements, organisation of the teaching and learning process	■ linking educational content to research	21
	■ dissemination and implementation of research results in the teaching process,	13
	■ linking the content of syllabuses to ongoing research	2
	■ recommending to students the scientific studies resulting from the research in the canon of primary and secondary literature of the subject	4
	■ linking specialised subjects, lectures, seminars, and pre-seminars to scientific research	16

<sup>31</sup> Database of university, unit and course evaluations, access mode: <https://pka.edu.pl/ocena/baza-uczelni-jednostek-i-kierunkow-ocenionych/#> (accessed: 11.11.2024).

<sup>32</sup> PAC programme evaluation reports from 2010 (the boundary year of the establishment of the EOSW) to 2021 were analysed. (the year prior to the implementation of the research grant: “The impact of legal basic research on legal education on the example of basic research funded by the National Science Centre in Poland”, access mode: [https://projekty.ncn.gov.pl/index.php?projekt\\_id=523537](https://projekty.ncn.gov.pl/index.php?projekt_id=523537), accessed: 11.11.2024).

<sup>33</sup> Although the reports do not directly indicate fundamental research, it should be assumed that all references to grants, projects, and research papers refer to this category of research. This is because fundamental research is a fundamental element in the development of science and is an integral component of research activities carried out by academics. For a more extensive analysis, see: A. Kiebała, *Kariery nauczycieli akademickich*, [in:] S. Waltoś, A. Rozmus, *Szkolnictwo wyższe w Polsce, Ustrój, Prawo, Organizacja*, Warszawa 2016, pp. 363–388.

8. Support for students in their learning, social, academic or professional development and entry into the labour market; development and improvement of the forms of support	■ involving students in research work	30
	■ involving students in the preparation of research-related publications	15
	■ involving students in research-related conferences/seminars	13
	■ delivery of student presentations at research-related conferences/seminars	9
	■ use of tutoring/mentoring to promote ongoing research	4
	■ linking the activities of scientific circles to the research carried out	10
	■ using the research carried out to create educational materials for students (textbooks/cases)	3
	■ student participation in departmental meetings where scientific discussions on the research projects take place	1
9. public access to information about the study programme, the conditions for its implementation and the results achieved	■ making research results available to students (e.g. through a dedicated research platform)	1

Source: W. Hryniewicka-Filipkowska, *Impact of basic research on the quality of higher education in Poland – as reflected in the programme evaluation reports of the Polish Accreditation Commission*, “Prawo i Więź” 2024, 6 (based on an analysis of the PAC evaluation teams’ reports).

The analysis of how conducted research is incorporated into the programme evaluation criteria and educational quality standards in PAC reports for law degree programmes indicates that the integration of basic research into the educational process is insufficient. Although research is an important element in supporting the development of students, not all HEIs make full use of its potential. Many universities fail to establish strong links between research and study programme design, curriculum content, and the broader teaching process. This, in turn, translates into a poorer quality of education and a lower level of preparation of students for the academic challenges ahead. Enhancing the integration of basic research into legal education is therefore necessary.

## Recommendations – instead of a summary

The following measures are proposed to improve the level of integration of research into legal education:

1. Introducing clear legal regulations

It seems reasonable to establish regulations that clearly define the relationship between research and teaching in higher education. The absence of such regulations leads to the dominance of research over teaching (as evidenced by extensive discussion on the principles of evaluation of the scientific activity of universities and the rather limited debate on teaching activities), and this imbalance negatively affects the quality of education.

2. Changing the funding model

Modifying the university funding model should be considered to ensure a better balance between research and teaching. Universities should be encouraged to carry out activities that integrate research findings into their study programmes.

3. Supporting academic staff in teaching

Support programmes should be introduced to benefit academic staff pursuing a teaching-oriented career path, promoting the development of teaching skills and fostering active participation in research. This should include training opportunities and mechanisms for collaboration with other institutions.

4. Promoting the concept of the “unity of research and teaching”

Humboldt’s principle of the “unity of research and teaching” should be promoted within and among international educational institutions as a key component of high-quality education. This should enable better use of research findings in the teaching process and increase student involvement. To this end, discussions should be initiated within international forums addressing the issue of higher education and research.

5. Enabling students to participate in research

There is a need to create, develop, and promote initiatives that enable students to actively engage in research<sup>34</sup>, which will not only help them acquire more knowledge, but also increase their motivation to learn. Encouraging students to conduct their own research and participate in research projects can contribute to their academic and professional development.

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<sup>34</sup> A good example is the ‘Student Research Circles Create Innovation’ programme, <https://www.gov.pl/web/nauka/program-studenckie-kola-naukowe-tworza-innowacje> (accessed: 11.11.2024).

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