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Broad Agreement on a Faroese Legal Education

Education and enhancement of capabilities are at the top of the agenda in the knowledge based societies. The Faroese people have also realised that education is key to the future. The social priorities the last few years indicate a willingness to educate people and to support them in acquiring knowledge. A targeted approach has been used in developing existing and new educations. In basic areas we are however still sent to other countries to acquire knowledge and educate ourselves. A result of this is that there is neither legal education, nor legal research in the Faroe Islands at a higher level.

This appears strange as we live in a highly regulated society where even politics more often than not seem to be a matter of legal stipulations rather than a question of dealing with social aspects of life in the Faroe Islands. The Faroese are keen on discussing bills, which are presented to Parliament, and legal matters are also discussed in the administration, in industry, in the media and in our homes. In view of this it is curious that we do not grant ourselves an organized, professional consideration of the laws of the land. The laws, which organize the society and define our duties and rights in all aspects of life and in society.

The Faroe Islands have always had their own legal tradition and although many Danish laws and parts of the ancient Norwegian Law still apply, we have our own laws and customs in many areas. The Faroese Parliament passes more than one hundred laws in every sitting of Parliament and Faroese authorities make decisions and render judgements in matters regarding Faroese citizens every day.

A main conclusion following the eighties was that the Faroese administration was not up to its task and it was widely asserted that the capabilities of the Faroese administration were not up to par. The administration and the capabilities of the civil servants will not get

better based on this conclusion alone and whilst the number of assignments for the administration increases, the formal education still lacks. We are still being educated in foreign countries and other societies and this may very well be one of the reasons why we are not able to create and develop our own systems and laws. It could be argued that Faroese lawyers – at the best – are basically not more than self-educated experts in Faroese law.

Before our times, scholars pointed out that it is fortuitous if a particular law can be used in another society than the society for which it was created. The simple reason is that a particular piece of legislation mirrors the conception of law in the society for which it has been created and therefore it is only reluctantly that other societies adopt it. Although we could probably all agree that the best solutions are reached by discussing one's own matters based on one's own conditions, the Faroese people cannot insulate itself in the north Atlantic. We are a part of the Nordic family, but we are also a part of the international community, which all the more frequently needs to create laws for the entire world. From these laws we must gain our rights but at the same time we will accept responsibilities. It is therefore crucial that we continually and consciously discuss and adapt our own systems and legislation to the wider world.

The consciousness of a special Faroese conception of law appears to get stronger by the day. Our elected officials have for several years together with professionals discussed the one particular law, which it is intended shall be above all other laws of the Faroe Islands. It is realized that there is a need to gather knowledge regarding law and customs of the courts and administration in an organized and professional manner. The University of the Faroe Islands has realized this and the Department of Social Sciences concludes in its development plan that parts of the *raison d'être* of the department is to enhance, develop and preserve knowledge in the Faroe Islands on amongst other things legal matters. The University of the Faroe Islands also wishes to be the institution to which persons seeking legal education or knowledge turn to as their first choice.

The possibilities for specific cooperation with foreign universities in order to build legal education in the Faroe Islands are also at an

advanced level and in the last Budget presented to Parliament it was proposed that the University of the Faroe Islands be granted sufficient funds to start a targeted approach towards a master of law and ph.d.-studies in law.

For the last two winters a basic legal course has been organized at the University of the Faroe Islands as part of studies in political science. The courses have been very popular and this proves the interest and need for an organized professional treatment of legal matters. One of the intentions with this publication, which saw the light of day for approximately 3 years ago, was that the publication should form the basis for legal studies in a Faroese law school. In continuation of this FLR will within a short time take new steps and will enter into cooperation with foreign publications and publishing houses in order to build a legal library. The hope is that the library will with time contain laws, judgements and decisions rendered by Faroese authorities.

When these lines were written, negotiations were held with a view to forming a new administration following recent Faroese elections. It would be fitting to remind ourselves of two aspects, which were frequently mentioned in the election campaign, *conditions* and *broad agreements*. It is therefore our hope that Faroese politicians in a broad agreement will continue to create the proper conditions for legal education, information and research in the Faroe Islands.