The Social Profile of Swedish Law Students

National Divisions and Transnational Strategies

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Abstract

The current trend of changing strategies among individuals, social groups and educational institutions in higher education is not only determined by, but is also contributing to the so called globalisation and internationalisation processes. This is especially clear in the case of legal education, which is greatly affected by these processes whilst playing an important part in the related development of professional careers, competences and skills. This paper explores the dispersion of Swedish students, and especially law students, on different programmes and courses, and the significance of studies abroad and international connections. One conclusion is that law studies abroad contribute significantly to the domestic social differentiation among individuals, social groups and educational institutions, whereas only a small number of those is capable of taking part in the competition on foreign or international arenas.

Keywords: Internationalisation, Globalisation, Law, Higher Education, Legal Education, Sociology of Education, Bourdieu, Field, Correspondence Analysis

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1. Introduction

An increasingly important—and not sufficiently investigated—aspect of the phenomena that are commonly labelled globalisation concerns the way they affect the educational system and educational strategies, and vice versa.[1] This is especially true for higher education. The growing number of students studying abroad contributes to the overall flow of individuals and ideas across national borders and to the development of transnational elites. Moreover, representations and interpretations of globalisation processes are produced and disseminated within the academic institutions together with different kinds of competences and techniques that are indispensable to the pursuit of international relations and business. Legal education plays a crucial role in this context. Yves Dezalay (1995 [1990]) has for example demonstrated how the neo-economic globalisation of the 1980s was in part made possible by a revolution of the law.

In the following, we examine the case of Swedish law studies. Legal practices in Sweden are obviously marked by general trends. The head lawyer of the Confederation of Swedish Enterprises, Jan Persson, has stressed that the legal profession has changed drastically. Due to the "globalisation" of the economy, lawyers need to invest more in learning about other national legal systems and European Law. These types of investments have also been given a higher status in the legal field. (Jan Persson 1999)

This transformation affects legal education as well. Although very stable in content throughout most of the twentieth century, its orientation has changed. In conjunction with Sweden's entry into the European Union in 1994, the massive focus on national issues, in the curriculum as well as in relation to the students' future professional careers, has been challenged by more international concerns (Håkan Hydén & Eva Anderberg 1995:245-247). One example, internationalisation is one of five key areas to be addressed in the national evaluation of legal education undertaken by the Swedish National Agency for Higher Education (Högskoleverket 2000:19).

The flow of students across national borders is one aspect of the internationalisation of higher legal education. Our main argument in this article on Swedish law students is that in order to understand the significance of their studies abroad, it is crucial to take the structure of the national educational space into account. This paper is also a contribution to a long series of related studies undertaken by Pierre Bourdieu and his collaborators and followers. In this tradition, correspondence analysis provides a statistical method for capturing differences and distances in multidimensional spaces.

We begin with the flow of students leaving Sweden to study abroad, paying special attention to those studying law, followed by an analysis of the entire space of Swedish higher education referring to the autumn of 1998, based on data concerning the students' social background. We then return to the students who study law abroad, and examine their positions in the space of higher education in Sweden, as well as within the subspace of Swedish legal education. Finally, as a complement to the overall view supplied by these statistics, we discuss some interview results with the aim of clarifying the differences between the main types of transnational investment in legal education.

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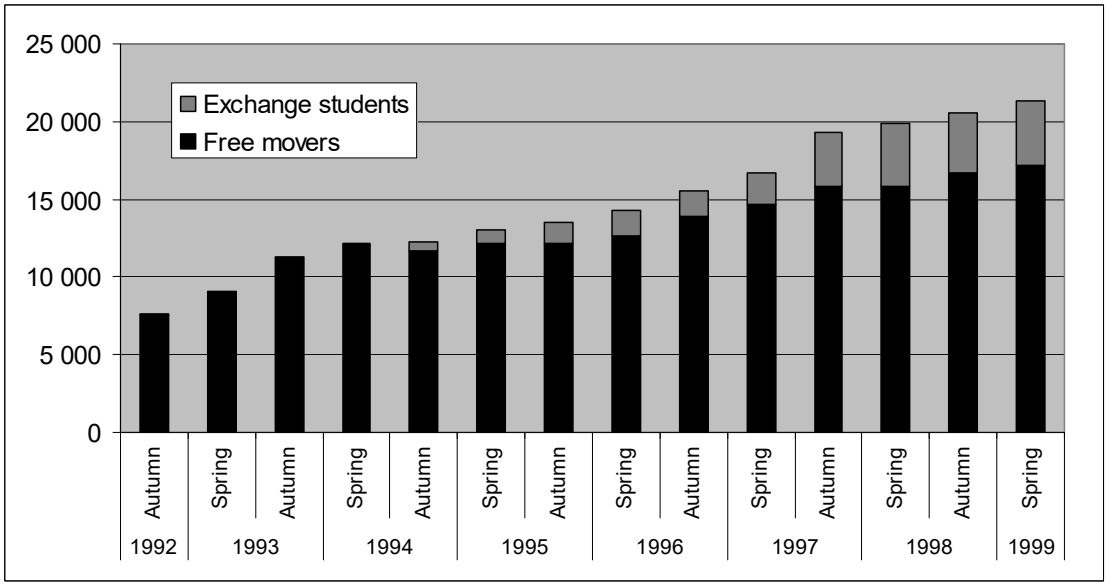
[1] Parts of this text have been presented at the International Conference on Correspondence Analysis and Related Methods (CARME 2003), Universitat Pompeu Fabra, Barcelona, 29 June–2 July 2003 and at Colloque international « Lire les intellectuels à travers la mondialisation. Trajectoires, réseaux, modes d'action, productions », l'Université de Pau et des Pays de l'Adour, 17–19 Mars 2005. The article is written within the context of a research project entitled 'The Struggle for Students. The Swedish Field of Higher Education and the Recruitment Strategies of the Institutions,' funded by the Swedish Research Council (Vetenskapsrådet).

I Expansion and Exchanges

The Internationalisation of Higher Education in Sweden

In terms of student flows, the internationalisation of Swedish higher education has been rapid during the last two decades. The number of Swedish students studying abroad was just over 1,000 in the late 1980s, but well over 25,000 ten years later.[2] Today, approximately ten per cent of the Swedish students spend at least three months studying abroad each year. (Högskoleverket 2004:25-27). One important reason for this expansion was the by international standards extremely generous Bill that was passed in 1989, which granted state student loans for studies abroad provided that the foreign institutions of higher education were recognised as such by the foreign national or regional authorities.[3] Another factor was that the Swedish institutions of higher education in 1992 were given the opportunity to participate in EU exchange programmes.

Despite the improved situation for exchange studies, most of the students who invest in foreign education are still so-called 'free movers,' which basically means that they have organised their studies abroad themselves. During the autumn of 1994, two years after Sweden joined the EU exchange programmes, less than five per cent of all Swedes studying abroad were exchange students. Four years later, in the autumn of 1998, the portion had grown to 20 per cent. To study abroad as a free mover or within an exchange programme imply two different kinds of educational strategies. The former involves a more wholehearted investment in a foreign diploma, while the latter constitutes a dual investment allowing the results of the studies abroad to be added to a Swedish diploma. Thus, here the term 'internationalisation' has two socially disparate meanings. (Börjesson 2005)



[2] See also Figure 1 for the development 1992–1999, for which period we have information relating to each Swedish student that is studying abroad.

[3] Before the Bill of 1989, study loans were issued only for educational programmes abroad that were not offered in Sweden or in areas where, as in the case of for example medical programmes, the limited number of student places available within the Swedish educational system did not match the demand.

Number of Swedish students studying abroad, free movers and exchange students, autumn 1992 to spring 1999.

To Swedish higher education institutions, student exchange programmes are competitive instruments in their aspirations to attract suitable students. While most institutions are merely concerned with recruiting a sufficient number of students in order to survive, the major ones offer exclusive student exchange programmes in order to gain advantages on the national level by attracting the most coveted students. The small number of prestigious institutions making up the very top of the Swedish educational hierarchy uses the exchange programmes and other transnational co-operation arrangements not only in the domestic competition but for quite a different purpose: to enter into the competition within the growing transnational educational market. One observation from our previous studies is that a Swedish educational institution must be able to present itself as a top institution within the national hierarchy in order to be recognised as a serious player within the transnational space of higher education. This arena only has room for one Swedish prominent business school, one medical school, one or two engineering schools, and so forth (Börjesson 1998).

Legal Studies Abroad and in Sweden

The number of law students studying abroad has increased significantly during the 1990s. In 1992, which is the first year for which we have access to data on an individual level, 94 law students were studying at foreign universities. Six year later, the number had increased almost fivefold to 568. The increase in the number of students studying law outside Sweden has in fact been above average: in 1992, 1.2 per cent of all Swedish students studying abroad were law students, six years later the figure was 2.8 per cent.

For our purposes it is useful to divide legal education into three categories:

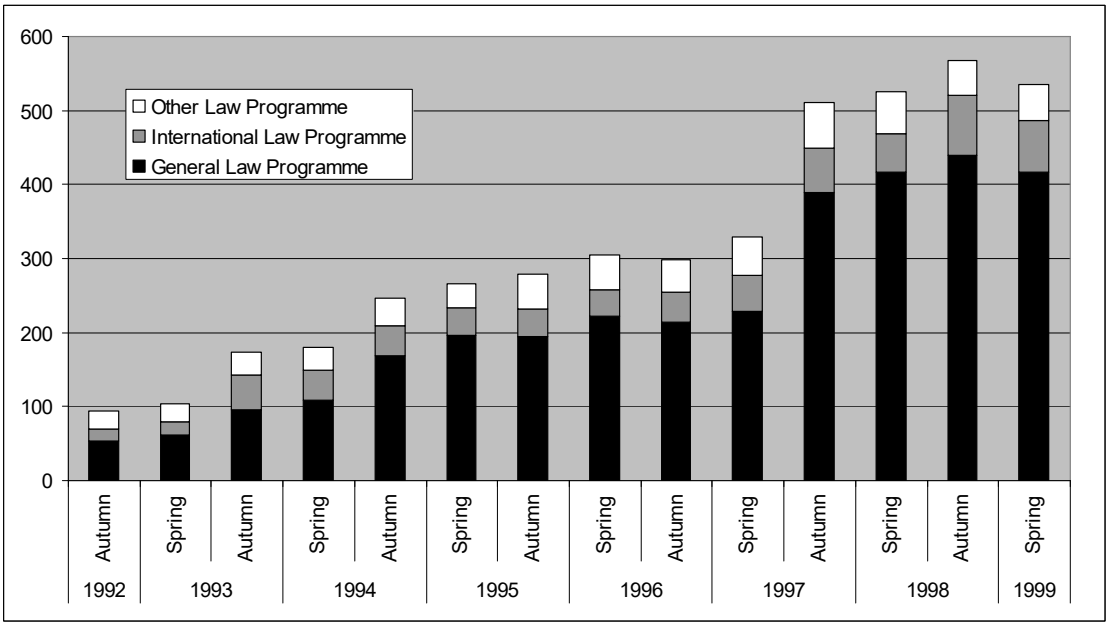
1) **General Law Programmes** (programmes leading to a professional law degree)
2) **International Law Programmes** (specialising in international law, but not leading to a professional law degree)
3) **Other Law Programmes** (not leading to a professional law degree)

These three types of legal education have evolved in different ways. Most students take General Law Programmes, and this share has grown during the period, increasing from approximately 60 per cent around 1993 to between 75 and 80 per cent in the late 1990s. At the same time, Other Law Programmes has lost in relative importance, with numbers falling from 25 per cent to ten per cent. International Law Programmes remain relatively stable at around fifteen per cent.

Most law students are taking part in educational programmes leading to, at least, a first professional degree or a bachelor's degree.[4] The figures for autumn 1998 are 559 out of 568 students, i.e. 98.4 per cent. The proportion of all Swedish students studying abroad on equivalent or higher levels was 65 per cent in 1998, whereas 35 per cent study on languages courses and other educational programmes on a post secondary level that do not have status as higher

[4] ISCED (International Standard Classification of Education) level 6 or higher (ISCED-76).

education. (When comparing Swedish law students abroad with other Swedish students abroad we will hereafter refer only to the ones pursuing "proper" higher education studies.)

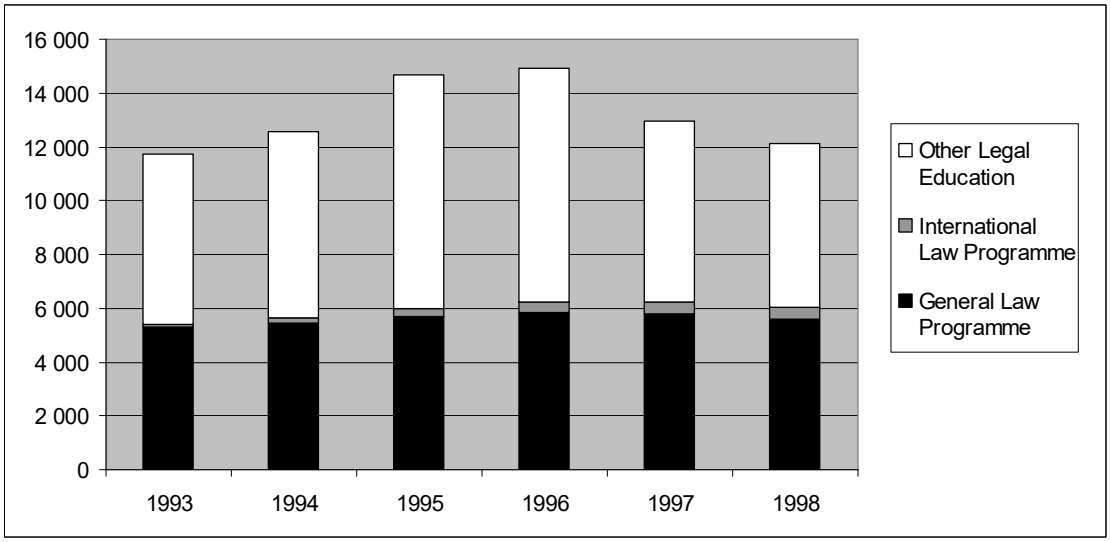


Number of Swedish students studying law abroad, autumn 1992 to spring 1999.

Swedish higher education expanded rapidly during the same period. Between 1993 and 1998, the total number of students increased by 23 per cent, from 258,000 to 318,000. The number of law students in this period, however, only increased by three per cent, from 11,700 to 12,100 (there was a rapid expansion up until 1996, when the figure peaked at 14,900, but almost the whole gain was lost two years later)—see 0. The proportion of law students within the whole student population has consequently fallen from 4.6 per cent in 1993 to only 3.8 per cent in 1998.

Furthermore, General Law Programmes—the only law programmes in Sweden leading to a professional degree and which are taught only at the traditional and major research universities—have despite an increase in absolute numbers, from 5,300 to 5,600 between 1993 and 1998, fallen in relative proportion from 2.0 per cent to 1.8 per cent. It is worth noticing that the numbers have remained fairly stable over time.

By contrast, the courses and programmes belonging to the category Other Legal Education have expanded considerably. They are, contrary to General Law Programmes, taught also at university colleges (42 per cent of the law students are found there), i.e. institutions that are more likely to comply to student demands when it comes to number of admissions—and more likely to accept a less selected student population. This flexibility is visible in the statistics where these programmes and courses grew rapidly in number between 1993 and 1996, only to result in a lower number of students in 1998 than in 1993. The International Law programmes and courses are very marginal in Sweden, with only between one and four per cent of the law students.



Number of Swedish students studying law in Sweden, autumn 1992 to autumn 1998.

Let's try some alternative explanations as to why the number of Swedish students studying law abroad has increased. Could the reason be that the Swedish system is unable to offer enough places? That seems to be true for the General Law Programmes that have lost ground compared with other higher education programmes in Sweden, at the same time as they have become more popular among Swedish students studying abroad in absolute as well as relative terms. It is still clear, however, that most of the students attend courses in Sweden. Only eight per cent of the Swedish general law students study abroad.

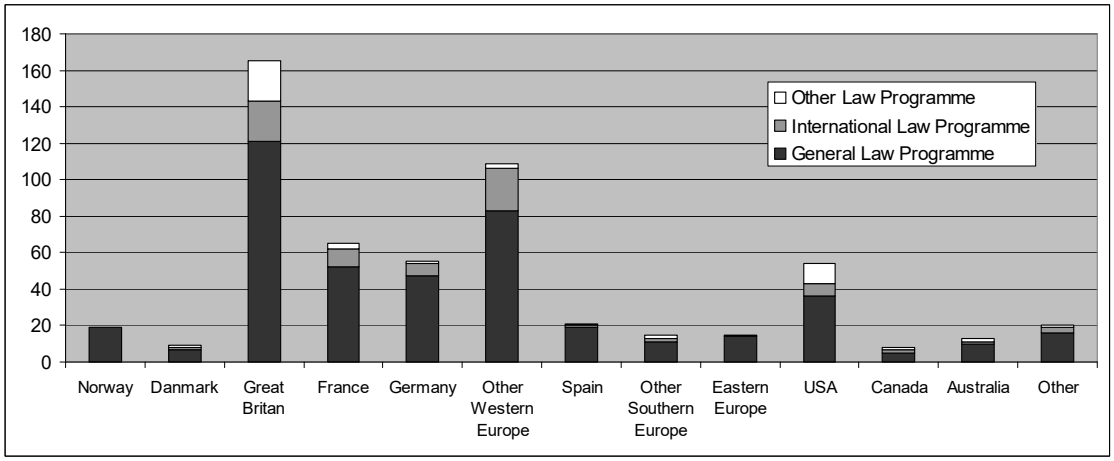
Another argument that undermines the hypothesis that the increasing number of students studying law abroad is reflecting the way the demands of Swedish students are met, is that the majority of Swedish students who are studying law abroad do so within the framework of an exchange programme, which means that they have first been admitted to a law programme in Sweden. The proportion of Swedish law students that are exchange students is in fact larger than the proportion of exchange students in the student population as a whole (58 versus 29 per cent). This means that the free movers only constitute three per cent of the number of students in General Law Programmes in Sweden. They can thus hardly be regarded as a serious threat to the recruitment base.

Nevertheless, to study law abroad—be it as a free mover or as an exchange student—is an attractive option for a growing number of Swedish students. Some countries are, however, more attractive than others.[5] Great Britain is by far the most popular country (29 per cent, or 163 out of the 559 Swedish foreign law students studied in Great Britain in the autumn of 1998). The category Other Western European Countries[6] is preferred by 19 per cent, followed by France, eleven per cent, and Germany, ten per cent. The United States only attracted nine per cent. There is thus a clear emphasis on European countries that have traditionally constituted attractive alternatives on the educational market, especially Britain but also France and Germany.

[5] We are aware of the large differences in legal education between countries, but are not able to address them in a paper of this scope. For a general comparison of legal education within the EU, see Julien Lonbay (1995).

[6] Other than Great Britain, France, Germany and the Scandinavian countries, and where the Netherlands is the single most important country.

Compared with the entire population of Swedish students studying abroad, the law students going to the US are fewer and those going to Germany are more numerous than expected[7].



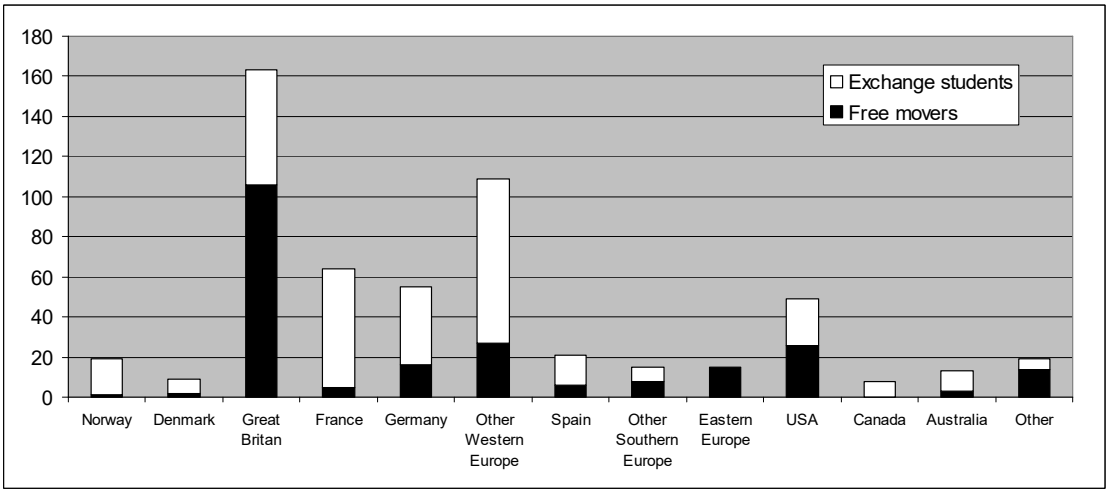
Number of Swedish students studying law abroad, by country and field of study, autumn 1998, only higher education (n=559).

The proportion of free movers and exchange students varies from country to country (see 0). Among the more important ones in terms of law studies Great Britain (65 per cent) and the USA (53 per cent) have the highest shares of free movers, much higher than France (eight per cent), Norway and Denmark (eleven per cent), and Other Western European Countries (25 per cent).[8] The exchange students are more evenly distributed among the countries, the largest share is found within Other Western European Countries (25 per cent), followed by France (eighteen per cent), Great Britain (seventeen per cent), and Germany (twelve per cent).[9]

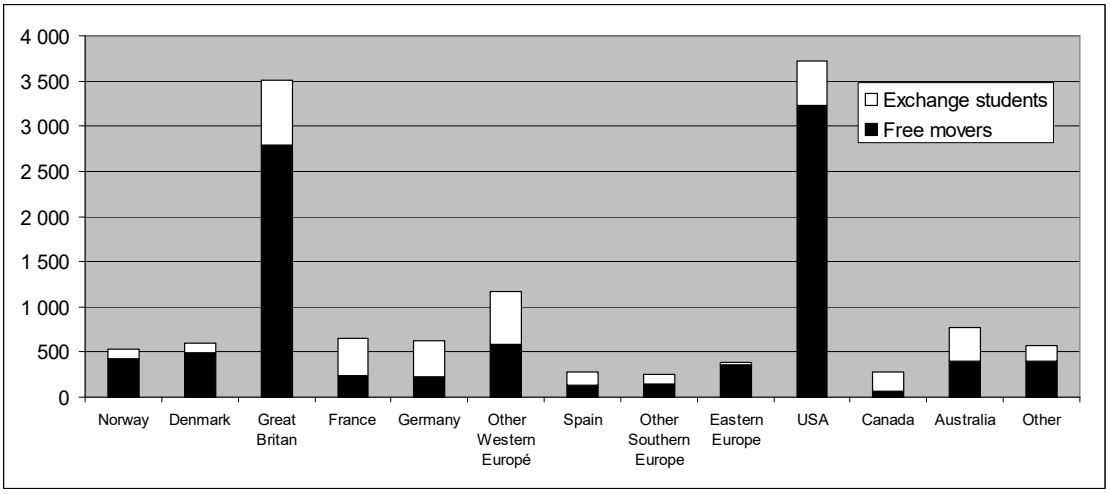
[7] That is, if they would have been distributed according to the average of the total population of Swedish conducting university studies (cf. footnote 4) abroad. Within this population, the US accounts for 28 per cent, Great Britain for 26 per cent and Other Western Europe for nine per cent. France and Germany are chosen only by five per cent respectively.

[8] Based on all free movers studying law, 46 per cent choose Great Britain and eleven the US, but no more than two per cent are found in France and only one per cent in Norway or Denmark.

[9] Among the total population of Swedish exchange students at university levels, nineteen per cent study in Great Britain, fifteen in other Western European countries, thirteen in the US, eleven in France and ten in Germany. As to free movers, there is a strong concentration to the US, 34 per cent, and Great Britain, 29 per cent, which makes these two countries the choice of more than six out of ten students. Other Western European countries account for six per cent, and Eastern European countries for four per cent. For France, the figure is three per cent, and for Germany two per cent. This uneven distribution of free movers and exchange students across the countries can be noted also when we take all Swedish free movers and not only those studying law into account. Among the population of free movers as a whole, the emphasis on Great Britain and the US is even greater, although the relationship between these two countries is reversed, while the European dominance is stronger among law students than among all exchange students.



Number of Swedish students studying law abroad, by country and status, autumn 1998, only higher education (n=559).



Number of Swedish students studying abroad, by country and status, autumn 1998, only higher education (n=13,369).

From this brief description of the increase in Swedish students studying law abroad, the relative stagnation of the number of law students in Sweden, the uneven balance between free movers and exchange students and the overrepresentation of the latter in comparison with the entire Swedish student population studying abroad, we will shift the perspective to a more structural understanding of legal studies and examine the social recruitment.

II Legal Studies within the Space of Higher Education in Sweden

This section presents results from sociological analyses of the entire higher education system in Sweden in 1998, and the positioning of law studies. For some more details, please consult the appendix. We will start with a few methodological remarks.

The methods employed in the analyses of the space of higher education in Sweden were first used in Pierre Bourdieu's and his collaborators' analyses of the French space of higher education in the 1980s.[10] The structure of such a space is made up by the relationships between the positions occupied by all the significant institutions, each of which is defined by the social composition of its clientele. Hence, in the French space, the position of, let's say, the humanities section at l'École normale supérieure at rue d'Ulm was defined by its proportion of descendants of industrial managers, secondary school teachers, farmers and so on.

In order to construct a space of this kind it is necessary to utilize sufficiently differentiated data both on social origin and on the various educational programmes and courses. It would make little sense to include the child of a university professor of Latin and the child of a sales manager in one and the same socio-economic category, the upper middle-class, since their educational strategies in all probability are extremely dissimilar. Our data sets currently comprise data on all students in Swedish higher education during the years 1993–1999. In many analyses, including the ones presented below, we distinguish 33 social groups, viz. the offspring of physicians, engineers, journalists, lawyers and so forth. When categorised according to sex, i.e. dividing them into daughters and sons, a total of 66 categories are obtained. Besides the parents' respective occupations, the data set contains other information on the students' social background, such as data on the parents' education, income, and the type and size of their homes. Furthermore, we possess data on the students' own previous educational careers, for example type of upper secondary education, grades in different subjects and scores from Swedish National University Aptitude Test (Högskoleprovet).

The foundation of the analyses below is, however, the distribution of the students across over 1,200 educational programmes and courses (the smallest, with less than fifty registered students, are excluded). The educational programmes and courses are specified in great detail. A master programme in law at Uppsala University is distinguished from the same programme at Lund University or at Stockholm University, and Law as a course (implying studies of modules of one semester at the time) is separated from Law as a programme (usually four and a half years of studies leading to a professional diploma).

The statistical method used both in the French pioneering studies from the 1980s and in the analyses reported below is correspondence analysis[11]. In our Swedish case the analyses were based on a table with 66 columns (information on the students' social background) and more than 1,200 rows (representing the programmes or courses), summarising the distribution of the 250,000 students attending higher education in Sweden 1998. This information is used to establish the spatial structure. Within this structure additional so-called supplementary variables—such as choice of programme in upper secondary education, grades from upper

[10] See Pierre Bourdieu & Monique de Saint Martin (1987), Pierre Bourdieu (1987), and the synthesis in Pierre Bourdieu (1989). One of our own early attempts to map the space of Swedish higher education was Donald Broady & Mikael Palme (1992). More recent analyses are found in Donald Broady, Mikael Börjesson & Mikael Palme (2002) and Mikael Börjesson (2005).

[11] The most authoritative recent account of this tradition is Le Roux & Rouanet 2004. On correspondence analysis, see p. 36ff et passim. The French statistical package SPAD was used for our correspondence analyses.

secondary education, scores on the Swedish National University Aptitude Test, the annual income of the parents, and the parents' highest level of education—are introduced to enable a more detailed interpretation of the results. In the figures supplementary elements are represented by italics.

The Space of Higher Education in Sweden

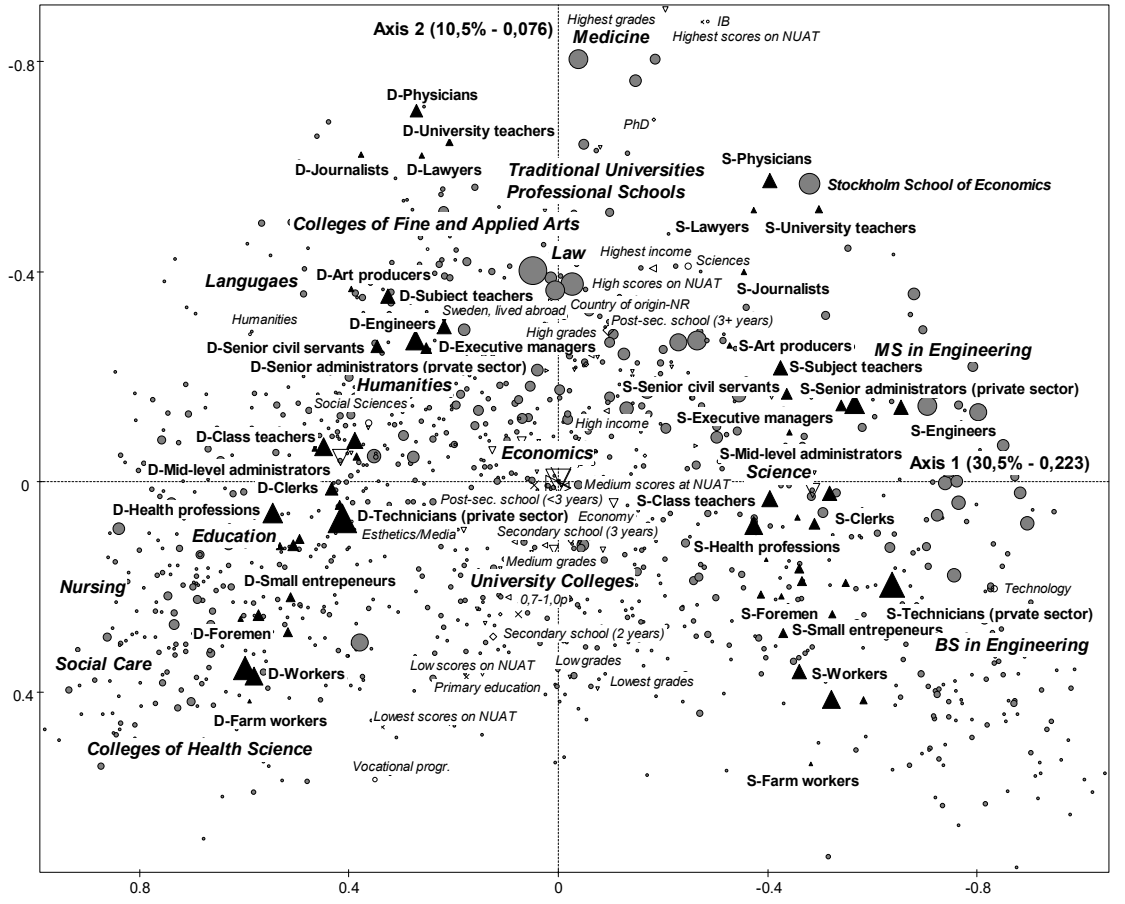
A Gendered and Socially Structured Space

On basis of two correspondence analyses the Swedish higher education can be described as a space with three dimensions, a gender one as the most important, a social hierarchical one as the second most crucial, and a third division according to possessions of cultural or economic assets. In Figure 7, a simplified version of the outcome of a correspondence analysis of the Swedish space of higher education is presented with the two most important dimensions displayed. The space is divided into a female section (left) and a male (right). In the middle, there is a balance of female and male students. The second most important axe, the vertical in the figure, is a social hierarchical dimension. Social groups with large amounts of resources, especially educational capital, are found in the top of the figure, while groups with small quantities of economic, social and cultural assets, are positioned at the bottom of the figure. The middle classes are situated in the centre of the figure.

The educational programmes and courses as well as the seats of higher education are not randomly distributed in the space. Along the gender axis, engineering programmes to the right are opposed to programmes in education, nursing and social care to the left. Programmes in economy, law and medicine are positioned in the middles, indicating a balance of male and female students. The social hierarchical dimension differentiates the traditional universities, such as the universities in Uppsala and Lund, and traditional professional schools (for instance Stockholm School of Education, Karolinska institutet, and Royal Institute of Technology) at the top from university colleges and colleges of health science at the bottom. Also the educational programmes follow certain logic. Long and selective programmes leading to traditional professions, such as doctors, lawyers and engineers, are situated at the top of the figure, clearly contrasted by the shorter programmes in nursing, education and engineering in the lower sector of the space.

The two primary dimensions combined form a two-dimensional space, within which the educational programmes and courses are positioned in a triangular shape. The uneven distribution between the sexes is most evident at the base, dominated by students of working class background (some of these programmes display a 90/10 ratio between the sexes). Sons and daughters of the social elites meet at some of the most prestigious educational programmes, especially the medical programme.[12]

[12] There are no clear-cut male or female dominated elite programmes, but when it comes to the economic programmes, the Stockholm School of Economics distinctively sets itself apart as being the only programme dominated by men with an upper middle-class background, while women from the same background dominated international economy programmes with a French language specialisation.



Active variables:

▲ Social groups.

● Educational programmes/courses by institution of higher learning.

The size of the triangles and circles is proportional to the number of students.

Supplementary variables:

◁ Total annual income of the parents.

◊ Highest level of education for parents.

o Upper secondary education.

x Scores at the national university aptitude test.

, Grades from upper secondary school.

The space of higher education in Sweden, autumn 1998, 33 social groups divided by sex and 1,213 educational programmes/courses.

Law Programmes in a Dominant Position

Within this spatial structure, we can now trace the position of law studies (see 0). The General Law Programmes are located in the upper part, and are defined by their recruitment of students

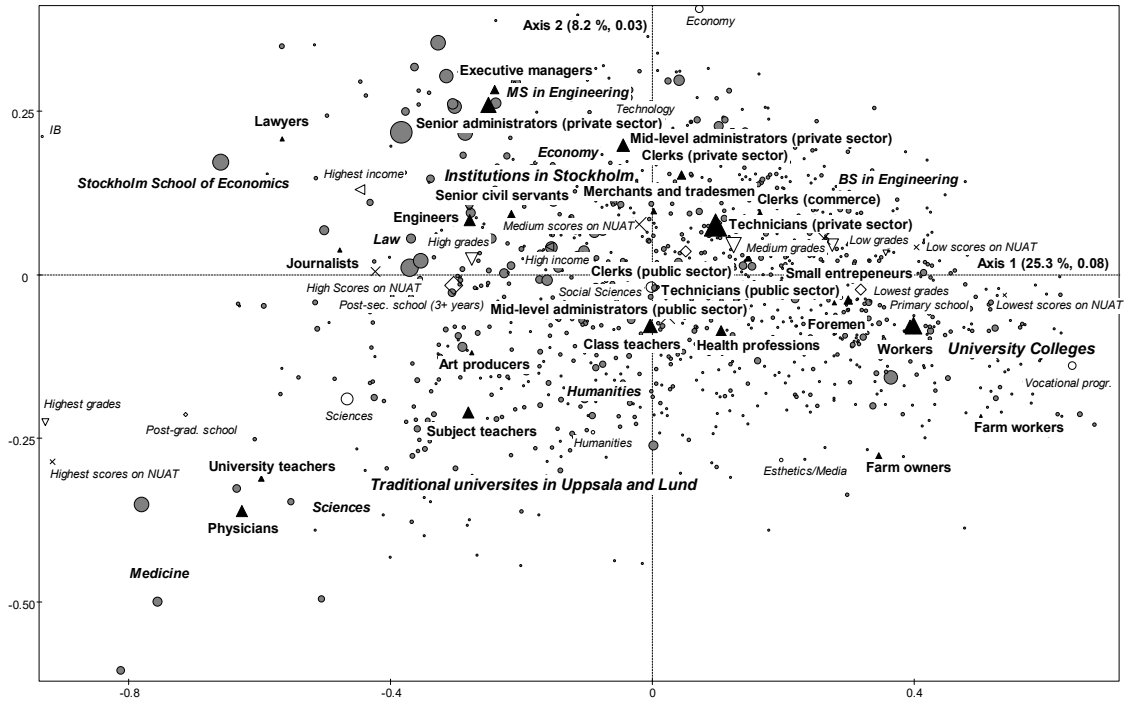
with an upper middle-class background, showing a fairly equal distribution of men and women towards the middle. Regarding the establishments, the General Law Programmes at the universities of Uppsala, Lund and Stockholm end up in almost exactly the same position, whereas the corresponding programme at Gothenburg is found further down, indicating a less socially selective recruitment base.[13] The law programmes at Linköping University and Umeå University, both founded in the 1960s, attract more students of less privileged social origin than the programmes at the traditional universities in Uppsala and Lund, and are close to the centre of the figure. The General Law Programmes are without exception separated from the other law programmes and courses as well as from the International Law Programmes, which all, especially at regional university colleges, tend to have a less selective social recruitment.

A Culture/Economy Opposition

When omitting the gender differentiated social group variable for a gender neutral variable dividing the students into 32 social groups regardless of their sex, the third dimension in the space becomes apparent, see Figure 8. The first axis is the social hierarchical one, which formed the second dimension in the analysis above. The second axis adds something new to our understanding of the space. Above all, it differentiates the social elites into two fractions. At the bottom of the figure, student originating from social groups with substantial investments in education—sons and daughters of doctors, university teachers and secondary school teachers—are concentrated and distanced from students with parents mainly working in the economic field: senior administrators in the private sector, executive managers, civil engineers and lawyers. This axis can be interpreted as a culture/economy opposition. It also contains a sector division. The cultural elite are predominantly employed in the public sector, while the economic elite thrive in the private sector.

These two fractions of the social elite have different preferences when it comes to educational investments. For the offsprings of the cultural elite, the traditional universities in Uppsala and Lund are the most important seats of learning, while professional schools such as Stockholm School of Economics and Royal Institute of Technology and Stockholm University are preferred by the sons and daughters of the economic elite. Also the orientation of the studies differs. The medical programmes, programmes in the natural sciences, studies in the humanities are the highly esteemed by the students from the cultural pole. Economy, engineering and law are preferred by the students from the economic elite.

[13] The three currently most socially selective general law programmes are also the oldest. Legal studies were offered at the traditional universities of Uppsala and Lund from the start, and Stockholms högskola was in 1907 the third institution to offer legal education. In the 1930s, the social recruitment to legal education was dominated by students from a more privileged social background, sons of academics, civil servants, and business executives. Uppsala University had a more socially selective student body compared to Lund University due to a more pronounced strategy of national recruitment. Stockholm, that more than any other university recruited local students, had nevertheless the largest proportion of students from more privileged social backgrounds, which is explained by the concentration of social elites to the capital. Stefan Andersson (1995:134ff).



The space of higher education in Sweden and legal education, autumn 1998, 33 social groups and 1,213 educational programmes/courses.

Legal Education Drawn Towards the Economic Pole

In the culture/economy-dimension legal studies are positioned somewhat nearer to the economic pole (see 0). This is an important clarification of the first two axes where law studies are positioned at the centre, in a position similar to that of medicine, although socially less prestigious. There is also an interesting difference between the general law programmes offered at the universities of Uppsala and Lund on the one hand and of the ones offered in Stockholm on the other: the two former take up a neutral position in the culture/economy dimension while Stockholm University is located closer to the economic pole. The law programme thus follows the general pattern of an opposition between the old seats of learning at Uppsala and Lund and the institutions in the capital, which are more oriented towards the private sector.

The International in the National

Correspondence analysis allows one set of data to be related to another. We will here use this option by relating the legal studies that Swedish students pursue abroad (supplementary individuals in the analysis) to the whole structure of Swedish higher education (active individuals in the analysis) using a gender-based distribution of social groups for each educational programme. This enables us to obtain a structural comparison, where one structure is related to the other. Furthermore, the comparison provides the means for comparing the national and international levels—two levels that are usually kept separate when higher education is investigated, both in the data collection and in the research.

When it comes to the space of higher education in Sweden, legal studies abroad are visibly set apart, and are frequently found at the upper level, indicating an overrepresentation of students originating from more privileged backgrounds as well as an under-representation of students of more modest backgrounds (see 0). There are small variations between most of the receiving countries in the social hierarchical dimension (the vertical) and almost all countries are found in higher positions than law studies in Sweden.[14]

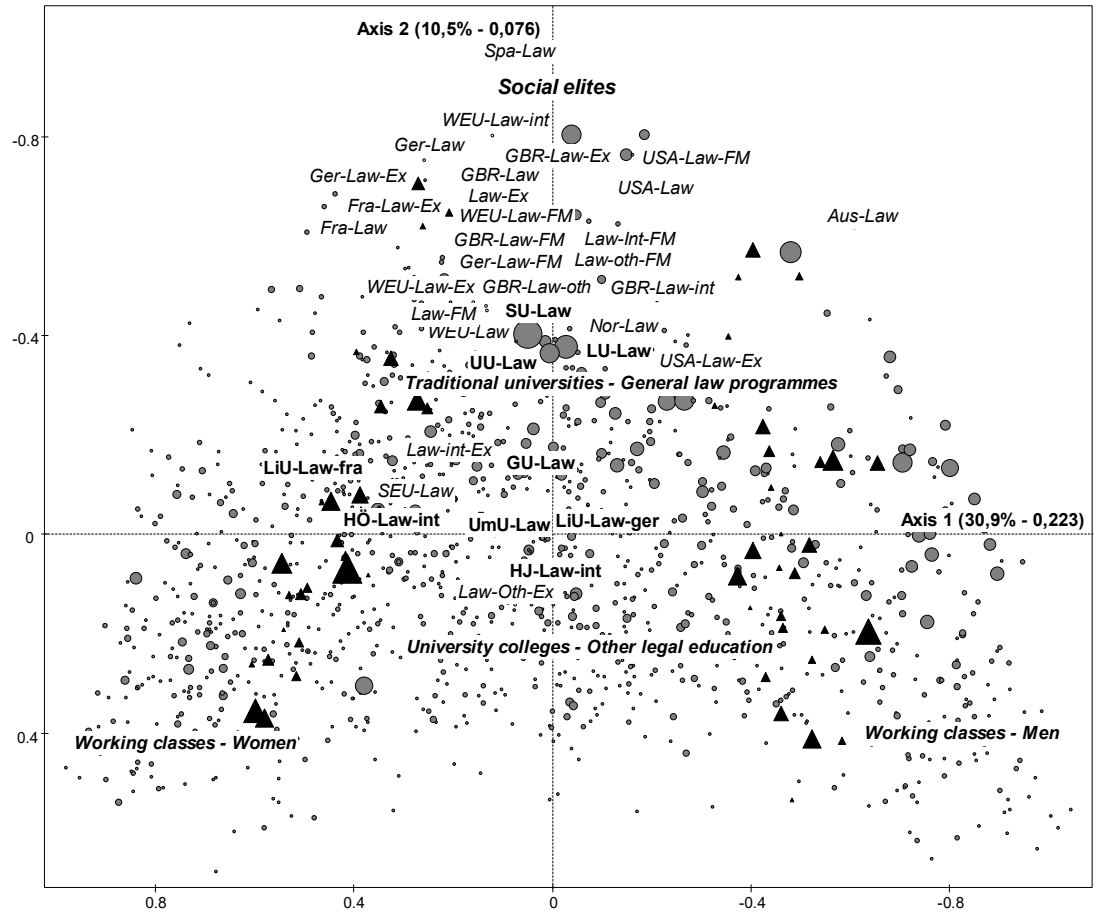
As to the cultural-economic opposition, see 0, law studies abroad are most important for the students belonging to the economic elite. The majority of the students that study abroad are found in the upper left-hand section. The preferred countries to students originating from the economic elite are France, the US (free movers) and Norway. Exchange students studying international law in Great Britain, and law in Australia and in the US represent positions closer to the cultural pole. The different social recruitment base relating to free movers in the US as opposed to exchange students requires further examination. One hypothesis is that the cultural elites have a competitive advantage due to their greater academic success rate (school grades constitute one important selection criterion for exchange studies), while students from wealthy families are among the few who can afford a whole legal education in the US.

The obvious conclusion based on the correspondence analyses is that there is a greater segregation within the selection process for legal studies abroad than for legal studies in Sweden. We might qualify this statement further by noting that law students on exchange programmes generally have a more privileged social background than free movers.[15] In fact, all free movers in legal education, regardless of country, occupy positions similar to those of the law programmes at the universities at Uppsala, Lund and Stockholm—the most socially dominant law programmes in Sweden, while the positions for all law students on exchange programmes are found higher up in the structure. This means that students that are selected for exchange programmes tend to posses more inherited resources than their counterparts in Sweden and the Swedish students who study law abroad as free movers.

As we have seen above, the vast majority of Swedish law students studying abroad do this as exchange students. This implies that they are accepted at Swedish law programmes, and the fact that they also tend to have more privileged backgrounds than their fellow students leads to the conclusion that the internationalisation of law studies first and foremost is a matter of an internal differentiation of the Swedish students, where studies abroad, apart from being an advantage education-wise, also function as a social marker. We will develop this argument further below.

[14] The two outstanding categories are Other Southern European countries, found in a lower position, and Spain, in the highest position, but these comprise a small number of students (n=11 and n=18), and the figures need to be interpreted with caution (the positions need to be confirmed by analyses conducted over a number of years).

[15] On a more detailed level there are differences among the countries. In the US and in Other Western European Countries, the free movers have a more privileged background than the exchange students. The opposite is true for Great Britain and Germany. For France, Spain and Norway, the question of the relationship between free movers and exchange students is pointless since the number of free movers is too insignificant.



The space of higher education in Sweden and legal education, autumn 1998, 33 social groups divided by sex and 1,213 educational programmes/courses, international education as supplementary elements.

Abbreviations

Swedish Institutions with Legal Education:

Universities:

GU	Gothenburg University
LiU	Linköping University
LU	Lund University
UmU	Umeå University
UU	Uppsala University

University Colleges:

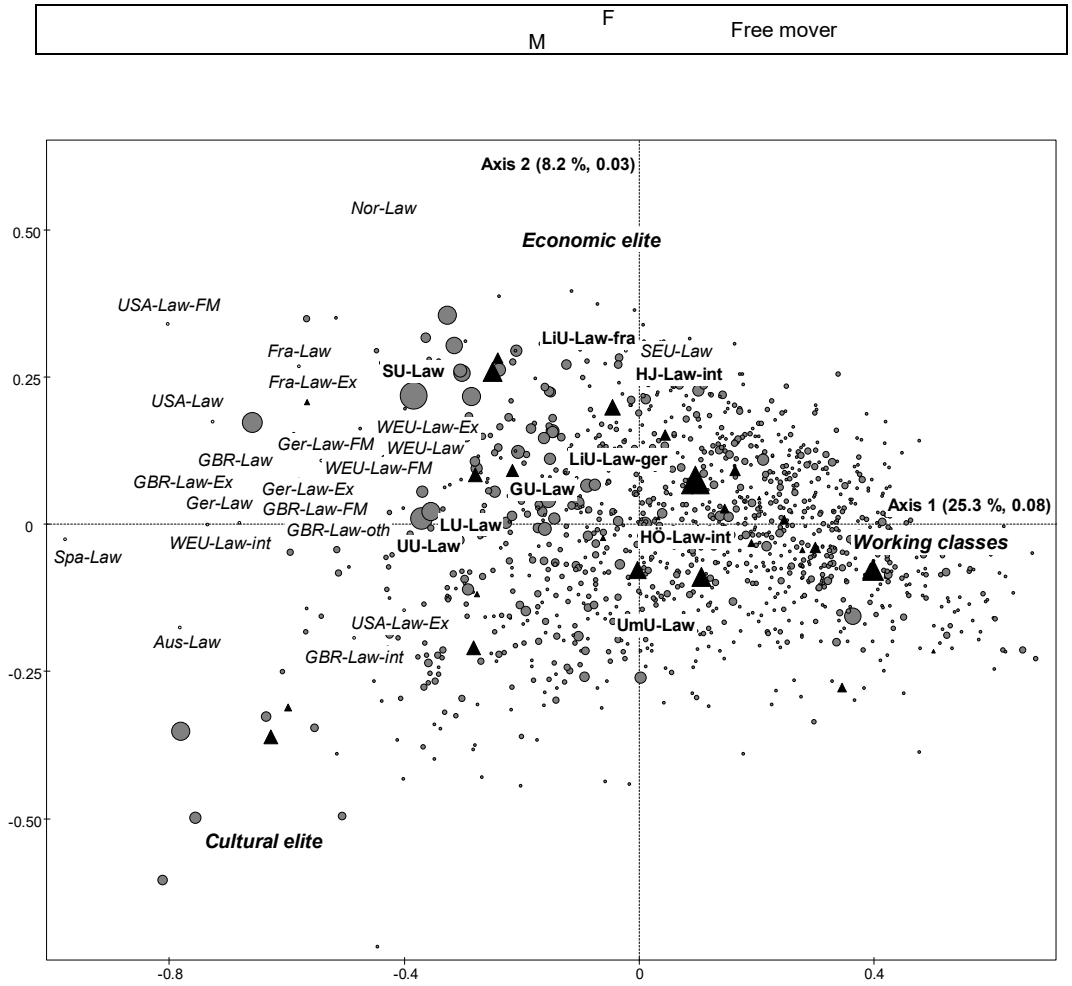
HÖ	Örebro University College
HJ	Jönköping University

Countries and Regions

No	Norway
Fr	France
GBR	Great Britain
Ger	Germany
WEU	Other Western Europe
Sp	Spain
SEU	Other Southern Europe
USA	USA
Au	Austraila

Types of Studies

Ex	Exchanges studies



The space of higher education in Sweden and legal education, autumn 1998, 33 social groups and 1,213 educational programmes/courses, international education as supplementary elements.

III Types of Transnational Educational Investments

As we have stressed, there is a fundamental difference between exchange students and free movers. We will examine these two alternatives to studying abroad in more concrete terms, focusing on the types of investments with the help of interviews with Swedish law students currently studying abroad or with former experience of studies in other countries. Furthermore, other aspects such as choice of country, school and the subfield of law, will be related to the students' educational trajectory and estimated professional careers. We will further discuss what the studies abroad entail in terms of acquired capital as well as the relation between initial and gained resources.

Additional versus Alternative Strategies

Most students who study law abroad participate in an exchange programme. We may label these types of investments *additional*. The value of the studies abroad is added to the value of studies in Sweden, like a surplus to the initial educational investment. Those studying abroad as free movers describe a different sort of investment. In their case, the studies instead function as *alternative* investments. As we are able to conclude from studies of the overall population of Swedish students in Paris and in North-eastern United States, a heavy investment in the Swedish educational system seems to be the most profitable. To gain access to, especially, the French *Grandes Écoles*, but in many cases also the American Ivy League universities, it is practically obligatory to participate in exchange programmes organised by leading Swedish institutions (the less prominent institutions in Sweden in practice lack exchange programmes with top universities abroad). Swedish students who are studying abroad as free movers tend to be found in the less prestigious parts of foreign educational systems, such as the universities and not at the *Grandes Écoles* in France, and low-ranking city or state universities or private colleges instead of high-ranking research universities, such as Harvard, Yale or Johns Hopkins, in the US, that recruit students both on a national and on an international level. (Börjesson 2005)

One important difference between these two types of investments is that they give access to different sorts of careers. In the case of exchange students, the studies abroad may primarily serve as a competitive advantage on the national labour market. They may serve as a ticket to a future international career, but it is probably more likely that this is something that will be organised by law firms or organisations in Sweden. International investments tend to be a more risky endeavour for free movers. It could be the case that their studies are not recognised in Sweden, and that the Swedish students have problems competing on a French or American labour market since they are likely to lack social capital and other resources—linguistic competences, economic and cultural capital, for example. But the investments may prove to be profitable, serving as a short cut to an international career. It may also be possible to obtain intermediary positions, as international 'power brokers,' as Dezalay and Garth (2002:7) label people with access to multiple national arenas.

These two investment strategies may also be combined. With the harmonisation of national systems in accordance with the Bologna process, it is likely that adding a master's degree from a foreign seat of learning to a national bachelor's degree will be a more common phenomenon in the near future. This means that students may add a more substantial international investment to the national one, whereas exchange programmes today do not normally lead to a foreign degree. Instead, the studies are incorporated into the national degree.

Educational and Other Gains

To study law abroad does not always imply substantial educational investments.[16] Swedish legal studies are based on reading literature and discussing cases. There is often a focus on the practical sides of legal practice. This stands in sharp contrast to much of the teaching that is being conducted in many European countries, where a specialised course literature is lacking, lectures dominate over other forms of teaching and there is a clear difference in status between

[16] Some critical points have been raised by Bruno de Witte, who argues that students studying abroad are not in a position to understand the wider context of foreign legal systems and that it would be more appropriate to provide training in other legal systems at home. Bruno de Witte (1994:76).

the young (normally around their twenties) students and their teachers. One student who studied law in France as an exchange student noted:

> I have a friend who studied at the same [French] university the year before and […] some other friends and acquaintances who have studied abroad and everyone said 'Don't expect that the studies will be advanced, because you will not get that,' and I felt that it was very much that I loved France, I really wanted to live another year in France, and the language training is always useful and legal French is very different from ordinary French. So I felt that I will always have learnt that and also something about the French legal system. I also took many courses in European Law, which is always useful since it is applicable also in Sweden.

For this student, studying a year in France is not a sufficient international investment. She has been admitted to a master's programme in European Law at the European University in Florence and is aiming for a career as a lawyer specialising in European Law, yet being based in Stockholm. She is already doing her final year of the law programme, working part-time at a major law firm in Stockholm. As part of her international orientation, she has joined the EL§A, the European Law Student Association, through which she has been able to attend several international conferences, which has helped her build up an international network of contacts.

As a contrast to the exchanges studies described above, we will now turn to a female student who has chosen to take a law degree in Paris, where she at the time of the interview already has spent five years studying law. The studies are much more demanding for her since she is regarded as a French student (exchange students normally benefit from tailor-made courses, and the teachers apply more lenient standards when correcting exams). The free movers are studying on equal terms with the French students. This implies, for example, that they always run the risk of being excluded from the studies if they do not meet the requirements—each year a significant proportion of the students are not admitted to the next level. In Sweden it is the opposite situation. The selection is made on admission and not during the course of the studies. Alternatively, they are asked to retake a year, as was the case with this female student. This meant that she had to double her courses in order to obtain financial support from The Swedish National Board of Student Aid (CSN).

Despite the hard work and all her efforts to succeed, she believes that her French law degree will probably not further her chances of entering a professional career in Sweden. She argues that the main problem is not to obtain status as a lawyer in Sweden, there are tests, but instead that she by studying abroad has not gained enough insight into the Swedish legal system. To her, the studies abroad function as an alternative to her studies in Sweden. She applied for the general law programme at all the Swedish universities, but was not admitted, since her total grades were only 3.9 (3.0 is average and 5.0 the highest) whereas 4.1 or 4.2 was required to get in. She began studying international law at a regional university college but did not find it challenging enough. She therefore applied for an exchange programme with a French university and was accepted. After a year, she decided to stay on and continue her law studies in Paris. After five years within the French system, she is planning a career in either France or elsewhere outside of Sweden. Her immediate aim is to pass the *concours d'avocat* in Paris and thus become a lawyer within the French system. Thereafter she would very much like to study for a Master of Laws (LL.M.) at a top American law school. She argues that this would give her a chance of pursuing an international career in a way that a Swedish or a French degree does not permit. Another important difference is that she, if she is admitted, will be able to master the language and use legal English.

Another female Swedish student, who has a law degree from Sweden, is studying at a similar Master of Laws programme at one of the most prestigious law schools in New York. She finds it more demanding than in Sweden, but at the same time more interesting. They use the Socratic method and thus discuss much more than in Sweden. She also says that the organisation of the studies is 'more professional.' The perhaps most important difference in her eyes lays in the future. She is planning to take the bar exams in order to be able to work in the US. If she succeeds and is employed by one of the big law firms, she will probably earn a salary five times higher than she would get in Sweden. But the higher status that American lawyers enjoy is equally important to her, she says. "In Sweden lawyers are not recognized for their competence," in America they have some social esteem.

A Consecration of Initial Resources

The trajectories of the three Swedish students presented above all describe some important aspects of studying abroad. All three come from well to do families, and the international dimension of their careers is almost self-evident. But they also show important differences in the composition of resources. Like her parents, the exchange student in France is born in Sweden. There is nevertheless a strong international orientation in her trajectory. Her family (her father works as lawyer and her mother as a clerk) used to spend their summer holidays in Europe, travelling independently and visiting relatives in Germany and Switzerland. She also has a career as an elite athlete behind her, competing all over the world. She describes some of her more recent international experiences as follows:

> If I exclude holiday trips… let's see… I went to England on a language course when I was 16, then a school trip to France for a month during the summer vacation, and after secondary school, I was very keen to study abroad, so I spent a year in France [studying French]. Then I went to Italy three years ago and studied Italian for a month in the summer, and then Madrid last autumn studying Spanish for a month.

The student studying for a Master in Laws in New York was also born in Sweden by Swedish parents. Her father is a civil engineer and her mother a civil servant. She spent some years of her childhood living abroad due to her father's international career, and she has travelled extensively both with her family and on her own. Before deciding to study for an LL.M., she was working as a lawyer in Sweden for several years. After completing her studies she will be able to combine a secure Swedish position (upper middle-class background, a Swedish law degree and a successful career in Sweden) with substantial international investments (living abroad, extensive travelling, a Masters in Laws from an American university). Career-wise, she seems to have everything going for her.

The third female student differs from the other two in some important respects. She shares her social background with the others (her father was an officer, her mother a nurse), but she was not born in Sweden. Her family moved there when she was about ten years old. The elites in her home country send their children to French schools, and she also spent her first years of school in the French system, which made it easier for her to study law in France. It is a very international family. They speak three languages, Arabic, French and Swedish, and her two sisters both study abroad. She regards herself as a cosmopolite, and a wide variety of nationalities are represented among her friends. Compared to the other two students, she has invested less in Sweden and she is the one who has concentrated entirely on an international career.

What all three students have in common is their resourceful background, a combination of inherited and acquired assets, as well as national and international investments (in the last case, the French investments could be regarded as national, and the idea is to add an American law degree). In all three cases one fundamental aspect of the law studies abroad is the existence of substantial initial social and international resources. This is also true for the majority of Swedish students who study law abroad and who posses extensive capital, acquired as well as inherited. To study law abroad has a dual function, it provides the students with skills and techniques that are difficult, sometimes impossible, to acquire within the Swedish system, and it offers them a means to distinguishing themselves from other Swedish students who have restricted their investments to Sweden only.

Conclusion

The current transformation of law studies is greatly affected by, as well as contributes to, current globalisation and transnationalisation processes. Not only has legal studies to an extent shifted focus from national towards international issues, but an increasing number of Swedish students have pursued an education abroad. Furthermore, the globalisation of the field of law itself is crucial to the development and transformation of people, providing skills needed in all kinds of international communicative situations and business life.

Despite the increased importance of legal expertise within the globalisation process, the internationalisation of legal education in Sweden seems to primarily be a domestic affair. In the 1990s, legal studies were normally conducted as part of an exchange programme, and the value of the international investment was primarily added to the value of the national diploma. The international investment is predominantly a way of distinguishing these students from other students within a domestic Swedish context. In this respect, it is worth noting that students who were admitted to student exchange programmes more often came from more privileged social backgrounds than their fellow students—exchange studies therefore serve as a social marker, distinguishing these students from other law students. There are, however, other important aspects of the internationalisation of law studies that point in other directions. It is likely that by adding a master's degree from a foreign university, preferable one of the leading American law schools, to a national degree the students are preparing themselves for an internationally oriented career. This development is likely to become even more important as a result of the Bologna process.

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Appendix

The Space of Higher Education in Sweden—A General Overview

A Triangular Structure in the First Two Dimensions

Figure 7 presents a simplified version of the outcome of a correspondence analysis of the Swedish space of higher education. The first and most important dimension (the horizontal axis) established by the correspondence analysis is a division according to sex – women on the left, men on the right. The second dimension (the vertical axis) represents an opposition between on the one hand social groups with considerable amounts of capital (from the middle up), and on the other social groups lacking such resources (from the middle down). The supplementary variables give a clear indication of the differences. The highest educational level of the parents is almost perfectly distributed according to a social hierarchical logic. At the bottom of the figure are found parents with a low level of education (primary school 6 years, primary school 9 years, and upper secondary school 2 years, i.e. vocational training). The level of education increases the higher you get (upper secondary school 3 years, post-secondary education less than 3 years, post-secondary education 3 years or more and, finally, graduate school at the top). Economic capital is not dispersed as perfectly as the educational capital. Though higher incomes are distinctively located in the upper part of the space, the distribution of lower and medium incomes are more diffuse and therefore not contributing significantly to the structuring of the space.

The correspondence analysis thus demonstrates that the parents' educational capital is much more fundamental to the structure of the space of higher education than their economic capital. This is also apparent when we study the positions of the social groups. The most dominating positions in the social hierarchical dimension are occupied by social groups where the educational capital is built into the definition of the groups, that is to say professions such as doctors, lawyers and university teachers. Social groups that are primarily dependent upon economic capital, like senior administrators in the private sector, engineers, and executives, are positioned much further down in relation to doctors, lawyers and university teachers and are also clearly distanced by some social groups that can be classified as middle class, journalists and artists, and that hold comparatively more dominant positions.

The importance of the educational capital is also stressed by the fact that the students' own educational capital, whether indicated by upper secondary school grades or by scores on the National University Aptitude Test, almost completely correlates with their place in the social hierarchy. In fact, the students' credentials are a more decisive factor in structuring the space of higher education than their social background.[17] Another aspect of the students' former educational investments is the programmes that they have attended in upper secondary school. These are also structured in accordance with the social hierarchical logic. The by far largest and most important elite programme at the upper secondary level, the science programme, is set apart from all the other larger programmes leading to university studies (humanities, social sciences,

[17] At the most prestigious educational programmes, all students have the highest possible grades or scores, but not everyone has a privileged social background. There are four or five times as many students with elite backgrounds, which corresponds to approximately 60 per cent of the student body.

economics and technology). At the bottom of the figure are found the vocational training programmes.

So far the students' characteristics. The two-dimensional space corresponds to a structure of investments in higher education. The social elites (comprising both cultural and economic elites) are over-represented at the traditional universities (Uppsala, Lund, Stockholm and Gothenburg) and well-reputed professional schools (Stockholm School of Economics, Karolinska institutet, Chalmers University of Technology, Royal Institute of Technology, Swedish University for Agricultural Science, National Academy of Mime and Acting, Royal University College of Fine Arts, Royal University College of Music). At the intermediate level, where students with a middle-class background dominate, the more recently founded universities at Umeå and Linköping are positioned together with some of the more dominant university colleges, such as Södertörns högskola (a university college), located in the southern part of Stockholm, Växjö University College and Örebro University College.[18] At the bottom of the figure, we find the less prestigious university colleges and the colleges of health sciences, attended by a larger proportion of students from less privileged social backgrounds.

The social hierarchical dimension sets the most profitable educational programmes in terms of professional careers (Medicine, Architecture, Engineering Physics, Engineering and Business Administration, Economics at Stockholm School of Economics, Law) apart from less profitable ones (Social Care, Nursing and Education). The former are long programmes, generally ranging from 4.5 years to 5.5 years. These are the most competitive and admit only students who are able to present very good school results or excellent scores at the National University Aptitude Test. The latter are shorter programmes, recently upgraded from (mostly) two years to three years of studies, which are non-selective, admitting almost all applicants, and rather distant from the traditional university world.

Moreover, the opposition contains both temporal and spatial dimensions. The traditional universities and traditional professional schools, often distinguished by being the oldest institutions of their kind in Sweden, and educational institutions that are concentrated to the traditional university towns of Uppsala and Lund or to the capital, Stockholm, as well as the second largest city, Gothenburg, are found at the top end of the figure. Almost all of these are thus located in one of the three major urban conglomerations, the Uppsala–Stockholm region, the Gothenburg region, and the Malmö–Lund region. Conversely, most of the institutions of higher education that are located far away from these regions are found at the dominated pole. This is to some extent a result of the distribution of social groups within geographical space—groups possessing large amounts of various forms of capital are concentrated to the major urban regions, while less well to do groups are over-represented in more sparsely populated areas of the country. Even more important, however, is the geographical recruitment. The most prestigious institutions recruit nation-wide, while the students at the dominated institutions mainly originate from the surrounding region.

A Third Dimension—Culture vs. Economy

We have thus established the crucial importance of the distribution between men and women within the space of Swedish higher education. In order to explore further other dimensions, besides social hierarchy and the differentiation according to sex, we have chosen to omit the

[18] The latter two, together with Karlstad University College, obtained university status in 1999.

division of female and male students and only focus the social origin, which enables us to discern a third dimension (the vertical axis in Figure 9) that divides the dominant class. Here there are two poles: groups that are more dependent upon educational and cultural capital than on economic capital for keeping their place in society are opposed to groups with the reverse composition of capitals—doctors and university teachers, on the one hand, versus lawyers, senior administrators in the private sector, and executive managers, on the other. This polarity is also split between social groups mainly employed in the public sector (university teachers, subject teachers, and doctors), and social groups exclusively or predominantly working in the private sector (lawyers, executive managers and senior administrators). Please also note that in this third dimension, lawyers (who are more oriented towards the economic pole) are separated from doctors and university teachers (most clearly positioned at the cultural pole), whereas all three categories occupy similar positions in the first two dimensions (see 0).

The supplementary variables, indicated by italics in Figure 9, support an interpretation of this opposition in economic and cultural terms. We find that high grades from upper secondary school and high scores on the National University Aptitude Test, as well as post-graduate studies at the highest educational level on the part of the parents, appear closer to the cultural pole, while high income-earners appear closer to the economic pole.[19]

Regarding the educational programmes and courses, medicine, veterinary, music, theatre, and architecture programmes are set against programmes specialising in international economy including French, engineering, business administration and economics.

[19] The upper secondary school programmes are differentiated according to the same logic. The science programme, which is the most demanding programme and the royal road to academic studies, is positioned at the cultural pole, distinctively separated from the economic programme and the technology programme that both constitute the most typical background for the economic fraction of the middle class. For the cultural fractions of the middle classes, humanities studies sum up previous educational investments, while the social sciences at the upper secondary level seem to be much less of a distinguishing factor.

Tables

Swedish students studying abroad, broad field of studies, autumn 1992 to spring 1999.

	1992	1993	1994		1995		1996		1997		1998		1999	
	Autumn	Spring	Autumn	Spring	Autumn	Spring	Autumn	Spring	Autumn	Spring	Autumn	Spring	Autumn	Spring
N	7,585	9,048	11,323	12,132	12,267	12,992	13,471	14,268	15,494	16,722	19,305	19,895	20,608	21,326
General studies	4,3	4,6	4,9	4,6	4,3	4,2	4,3	4,5	4,6	4,6	4,5	4,7	4,8	4,6
Education	1,1	1,1	1,2	1,3	1,3	1,3	1,5	1,6	1,7	1,6	1,7	2,2	1,7	2,0
Humanities	45,7	46,6	45,8	46,0	41,7	41,9	41,0	39,9	42,4	42,2	40,6	39,3	39,5	38,1
Social sciences	28,2	27,3	27,2	27,3	29,6	30,0	29,2	30,4	28,4	29,0	29,4	29,7	30,3	31,4
Where:														
General Law Programmes	0,7	0,7	0,8	0,9	1,4	1,5	1,4	1,6	1,4	1,4	2,0	2,1	2,1	2,0
International Law Programmes	0,3	0,3	0,3	0,2	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,2	0,2
Other Law Programmes	0,2	0,2	0,4	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,4	0,3
Law - total	1,2	1,1	1,5	1,5	2,0	2,0	2,1	2,1	1,9	2,0	2,6	2,6	2,8	2,5
Science	3,2	3,1	3,1	3,4	3,9	4,2	4,4	4,8	4,6	4,6	4,9	5,0	5,6	6,0
Technology	5,9	5,5	5,4	5,1	6,1	5,9	7,4	6,9	6,5	6,1	8,1	7,8	7,8	7,7
Forestry	0,8	0,7	0,7	0,8	0,8	0,7	0,8	0,8	0,9	0,8	0,8	0,9	1,0	0,9
Medicine and health	4,9	4,7	4,9	4,9	5,3	5,2	4,7	4,8	4,5	4,4	4,3	4,3	4,1	4,2
Service	5,4	6,0	6,4	6,4	6,8	6,4	6,5	6,3	6,4	6,6	5,4	5,1	4,9	4,6
Unknown	0,4	0,5	0,3	0,3	0,2	0,2	0,2	0,2	0,2	0,2	0,3	0,8	0,5	0,5
Total	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

Swedish students studying in Sweden, broad field of studies, autumn 1992 to autumn 1998.

	1993	1994	1995	1996	1997	1998
N	257,903	278,506	306,231	322,143	313,774	318,189
General studies	0,0	0,0	0,0	0,1	0,0	0,0
Education	14,4	13,8	12,5	12,2	12,5	12,7
Humanities	15,4	16,1	16,7	16,5	15,1	14,2
Social sciences	27,0	27,8	27,9	27,6	26,4	26,4
Where:						
General Law Programmes	2,0	2,0	1,9	1,8	1,8	1,8
International Law Programmes	0,0	0,1	0,1	0,1	0,1	0,1
Other Legal Education	2,5	2,5	2,8	2,7	2,1	1,9
Law – total	4,6	4,5	4,8	4,6	4,1	3,8
Science	10,9	11,3	11,7	11,9	11,6	11,5
Technology	16,8	15,9	15,9	16,8	18,2	19,1
Forestry	0,8	0,6	0,6	0,7	0,7	0,7
Medicine and health	13,3	12,9	13,0	12,5	13,7	13,6
Service	1,1	1,2	1,3	1,4	1,5	1,4
Unknown	0,3	0,5	0,3	0,4	0,3	0,3
Total	100,0	100,0	100,0	100,0	100,0	100,0