Welcoming foreign students at the Toulouse Faculty of Law

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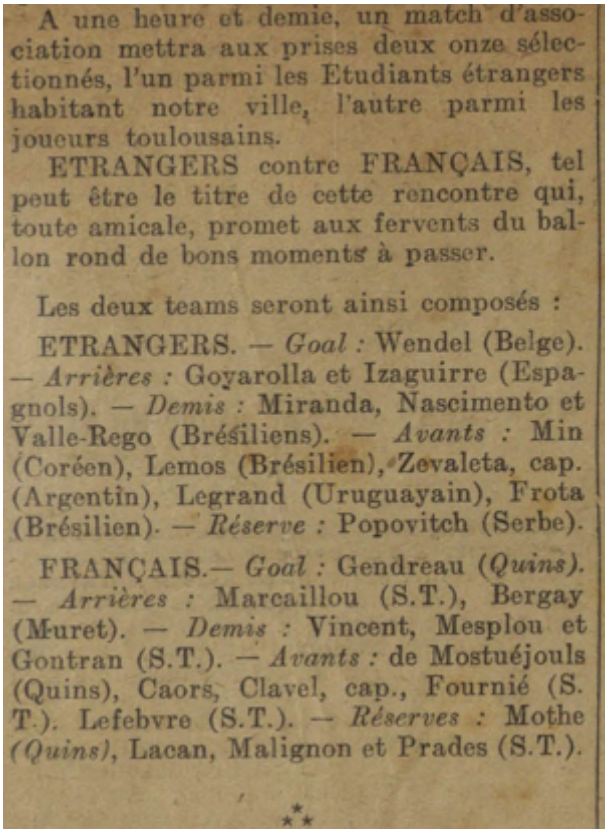

A une heure et demie, un match d'association mettra aux prises deux onze sélectionnés, l'un parmi les Etudiants étrangers habitant notre ville, l'autre parmi les joueurs toulousains.

ETRANGERS contre FRANÇAIS, tel peut être le titre de cette rencontre qui, toute amicale, promet aux fervents du ballon rond de bons moments à passer.

Les deux teams seront ainsi composés :

ETRANGERS. — *Goal :* Wendel (Belge). — *Arrières :* Goyarolla et Izaguirre (Espagnols). — *Demis :* Miranda, Nascimento et Valle-Rego (Brésiliens). — *Avants :* Min (Coréen), Lemos (Brésilien), Zevaleta, cap. (Argentin), Legrand (Uruguayain), Frota (Brésilien). — *Réserve :* Popovitch (Serbe).

FRANÇAIS.— *Goal :* Gendreau (*Quins*). — *Arrières :* Marcaillou (S.T.), Bergay (Muret). — *Demis :* Vincent, Mesplou et Gontran (S.T.). — *Avants :* de Mostuéjouls (Quins), Caors, Clavel, cap., Fournié (S. T.). Lefebvre (S.T.). — *Réserves :* Mothe (*Quins*), Lacan, Malignon et Prades (S.T.).

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To talk about this theme shows how the academic environment has changed in very few generations of students. How many generations was it by the way?

For the Toulouse Faculty of Law, the inflection point may be associated with a change in status, in power seat, in symbol. In 1971, the Toulouse Faculty of Law and Economics became the University of Social Sciences; the last dean, Professor Marty, was the first president of the new entity; the place of power shifted from the “old college” of regulars to the spaces perceived as sanitized by the “new university”, quickly

decorated with the name inherited from the old military power that had inhabited it since the Revolution: the Arsenal.

In the new academy, foreign students were no longer just individualities, a few handfuls from far or very far away, come to frequent the *Alma mater*. Today, the exchange programs alone, including Erasmus, gather around 600 students each year, both those in incoming and outgoing mobility.

At a time when the percentage of foreign students enrolled in university training was a highly sought-after indicator of the attractiveness of the institution, 19% and more of students at Toulouse-Capitole University in 2017 were foreigners. Compared to the 3,603 students enrolled in 2017, the few dozen students (according to Caroline Barrera) seemed to weigh little statistically, less than 1% of the total before 1910. But the parameters to consider are quite different to draw the true picture of an unbiased comparison between yesterday and today.

First, the number of students enrolled in the faculty. There were only a few hundred of them a year on the long term, and it remained so until the early 1930s. This period even seemed to return to the late 1950s. With the impact of the war years and the arrival in Toulouse of the “retreated students” as Edgar Morin was, the numbers of the faculty had increased significantly. When the small age groups of 1935 and the following years integrated the faculties, and especially the Faculty of Law, some of the old masters believed in the return of the small numbers of students of the past. However, in 2018, 21,300 students were enrolled at Toulouse-Capitole University, the majority of whom were admittedly on the registers of the Faculty of Law.

Then, yesterday’s faculty was a small circle of a world. The social reproduction was strong. It used the networks of kinship and notability woven by the common practices of the law of the time. Generations of notaries, solicitors, bailiffs, clerks, lawyers and magistrates sat on the venerable benches of the Faculty of Law. The latter precisely adulates its medieval roots, without noting that the French Revolution destroyed this continuum, a continuum rebuilt by Napoleon I without any real concern for historical accuracy. The regulated or monopolistic professions – the ministerial officers in particular as they emerged from the wishes of First Consul Bonaparte, later Emperor Napoleon – were strong citadels that the common folk could not hope to claim, nor integrate except in special cases. Of course, the list of exceptions was always drawn up

as the Republic later adores them to show that, precisely, the humble too and especially are her children. Coming from the people, the son of a baker from Revel, holder of a scholarship, brilliant student, lawyer, became minister of the Front Populaire and president of the Fourth Republic: Vincent Auriol (1887-1966) is a prominent example.

The faculty was generous. It was for foreigners as well. Special provisions, however, reserved all or part of the access of monopoly professions to nationals. This meant that foreigners, unlike scientific training based on exportable technical knowledge, must precisely calculate their law project. It must be admitted that, at the beginning of the 20th century, the influence of the French model, including its legal dimension, led to many opportunities to promote its Toulouse scrolls. Thus, in a world steeped in a tradition of improvement, foreign students were one of the components of the faculty: a minority, yes, but a pampered one. The *peregrinatio academica* of the medieval period can be interpreted, and can be accommodated with a much more modern sauce by welcoming for example Martín de Azpilcueta (1492-1586) and much later, when the law school was recreated (1805) and the faculty after it, the long academic robes were again the clue and the insignia of a particular apostolate reserved for quality guests, the *extranei*.

A panorama of the 20th century

Over the course of the 19th< century, there were never more than 10 foreign students per academic year before 1895. It was only after the Restoration (1814-1830) that the volume of these foreign presences can really be established through the archives preserved.

The roles of the Toulouse Faculty of Law are then little furnished in this area when we observe the first decade of the last century: between 6 and 16 foreign students enrolled each academic year, which was well below 1% of the total enrollment at the time. Bulgarians especially and Romanians – two new countries at that time were in the lead. With the Egyptians, whose social elites often thought and spoke in French from the Suez Canal, they formed the essence of the small phalanx. This time was that of the last years of peace, those of the Belle Époque, the Beautiful Era – a consecrated expression full of intense nostalgia. The number of foreign students rose to 31 in 1913-1914 (about 5% of those enrolled), but collapsed to 4 in 1916-1917: Egypt, Great Britain, Greece and Russia each provided one student. A symbolic sort of presence.

By the end of the conflict, the Faculty of Law had opened its arms to Serbian and even more American students. Serbs (25 registered in 1917-1918; 41 the following year; 28 again in 1919-1920; 13 in 1920-1921) increased the volume of foreign registrants. Little Serbia, crushed by the Central Powers, had aroused intense sympathy in France. The Serbian troops evacuated from their invaded country had been re-equipped by France. Also refugees, the Serbian secondary school students were warmly welcomed at the middle school of Gaillac, Tarn and its “Serbian section” between 1916 and 1918; the students of this country were also taught by the Faculty of Law, and by other Toulouse structures.

The young Americans, the 167 Sammies who spent the spring of 1919 on the benches of the faculty while waiting for their demobilization, were truly emblematic of a changeover. These students, whom Professor Alée Dugarçon (1879-1932) looked after for the Faculty of Law, are the fruits of an operation decided at national level, even if Toulouse was not the only university city concerned. Unable to fight the subjugated German enemy who had asked for the Armistice finally signed on November 11 in Rethondes, the Americans also brought a new wind to Toulouse: their orchestra Stilley’s Jazz, with its 10 boys, all white besides, brought sounds unknown on the square; their newspaper, *Qu’est-ce que c’est ?* was a real editorial success.

But beyond that?

Peace arrived, along with a “Spanish flu” that despaired families and health authorities. The flu, which actually was no more Spanish than anything else, ended in a global death toll higher than that of the war itself.

Foreign students brought to the banks of the Garonne by the war returned home. In the 1920s, there were only 14 to 50 of them each academic year. They were almost all European (including a strong contingent of Poles at the end of the time period), with the exception of the Egyptians, long loyal to the French legal culture. In 1929-1930, the last year in France of a peaceful reconstruction, and a recovery well rendered by the consecrated term of the Années Folles, the “Crazy Years”, the foreign students of the Faculty of Law were there, studious and dedicated.

There were 79 of them, including 17 Chinese, the nation most represented, far ahead of Romania (11 students). *L’Annuaire de l’Université de Toulouse 1929-1930*, printed by

Édouard Privat, “University printer”, gave foreign candidates the practical modus operandi of the new life chosen by them. The detailed process of applying for and obtaining an equivalence is not the least important of the topics discussed. Once they had crossed state borders and arrived in Toulouse, the first step was to declare their residence at the police station. Upon delivery of the receipt to the Faculty Secretariat, the registration process may continue.

Annuaire de l’université de Toulouse 1929-1930, by Privat, publisher-bookshop of the university

Flexible organizations and associations listening to students from abroad

Among the associations were the Association des étudiants bulgares, Association des étudiants égyptiens, Association des étudiants polonais, Association des étudiants roumains and Association des étudiants yougoslaves. Poland and Yugoslavia were among the cherished children of our foreign policy. The former hates Germany and the former Austrian Empire – powers perceived as responsible for Poland’s past servitude between 1795 and 1918; the latter hates at least as much the same memory of Austria – Sarajevo in 1914.

There was also an association of Jewish students, as well as an association of Catholic students. A Franco-German club was at work on its side, at a time when Franco-German reconciliation was tangible, without any national-socialist involvement.

The devotion of the masters

The masters too went out of their way, through the Franco-Foreign University Committee, to ” faciliter les relations entre étudiants français et étudiants étrangers [facilitate relations between French and foreign students]”. At his head, historian and talented medievalist Joseph Calmette (1873-1952), who came from the *École des Chartes* and settled in Toulouse. The faculty of humanities was also on the ranks, of course, in order to welcome these new talents. It encompassed the Institut normal d’études françaises, founded in 1920. The latter aimed to provide teaching of French language and culture, intended both for foreign teachers teaching French in their country of origin, and for foreign students wishing to better handle the language of their studies in Toulouse. Sessions were even organized at the Villa Formose in Pau – a

large, affluent estate surrounded by a park – during periods of academic holidays.

An essential address: 56, rue du Taur

This was the address of the University Office, and its “telephone number 26-83?, at a time when automatics are far from being widespread. The Office responded to all requests from ” étudiants français et étrangers sur tout ce qui se rapporte à leur vie intellectuelle et matérielle [French and foreign students on everything relating to their intellectual and material life]”, ” pourvue [sic] qu’elle soit accompagnée d’un timbre français ou d’un coupon-réponse international [provided that it was accompanied by a French stamp or an international response coupon]”. The Office responded to students wishing to come to Toulouse, but also ” aux familles désireuses d’envoyer leurs enfants faire leurs études à Toulouse, et les aide à trouver la chambre ou la pension qui leur convient [to families wishing to send their children to study in Toulouse, and helped them find the room or board that suited them]”.

Other Toulouse addresses

29, rue des Potiers, Maison des étudiants

A nice corner building, rue des Potiers and rue des Jardins, in a 19th-century neighborhood on the edge of the old urban core. Three levels, clear and bright: there stood the *Maison des étudiants* opened in 1924. You could eat there, and this service admitted students of all genders and all origins. Professor Joseph Calmette of the Faculty of Humanities oversaw the *Maison*‘s activities.

20, rue Saint-Jacques, Comité de patronage des étudiants [Student Patronage Committee]

This postal address is that of the rectorate of the Academy of Toulouse.

This Committee holds illustrations of the official, academic and diplomatic life of the city, “des consuls, des notabilités toulousaines et de professeurs de l’université [consuls, Toulouse notables and university professors]”. The consuls obviously referred back to the heart of our topic: they held the keys to visas and passports, and therefore to the possibility of first access to the faculty. The president of the committee was the president of the university, the vice-president, Joseph Calmette, whom we saw at the

student house. For the Faculty of Law, Professor Jean Plassard (1892-1940), raised by the Faculty of Humanities and later converted to Law, was the general secretary of the organization. The latter must ” encourager toute œuvre conçue dans l’intérêt des étudiants [encourage any work designed in the interest of students]”.

This ecumenism, however, does not last. The economic downturn in France during the year 1930 was a more general reflection of the crisis that began in the United States. However, the geographical horizon opened in the early 1930s. China sent its sons, 37 of the 107 foreigners enrolled in the year 1930-1931: a quantitative climax, where foreigners represented 10% of the total enrollment of the faculty. This volume then fell steadily until 1938, the year of the Munich agreements, when it stood at 1.2%.

A violent wind had risen, the wind of retreat.

An ill wind indeed…

This wind was the one that started blowing in 1935. That year, and unanimously, the Faculty of Law of Paris adopted on January 24, 1935 a vow of which we remember the following, ” Depuis quelques temps, de nombreux étrangers viennent en France avec l’intention de s’y fixer définitivement et de s’y faire une situation en utilisant des diplômes français [For some time, many foreigners have come to France with the intention of settling permanently and to make a situation for themselves there using French degrees]”. Of course, the text goes on, the professions of the civil service and the bar were closed to these newly naturalized citizens who had to wait ten years before applying. But the avowed, or at least obvious goal was to block all access to higher intellectual professions to individuals perceived as unfair competitors. In scientific formations, the outcry was very strong.

The Armbruster Law of April 21, 1933 thus aimed to build a barrier against the eruption of foreign graduates: it required nationality and a French diploma to practice medicine, and the art of dentistry. With regard to the arrival of foreigners on the national soil, all were well aware of the range of terms adopted according to the effect sought in the statement: the irruption, the wave, the tide, the flow, the invasion, depending on the mood or the perceived magnitude of the supposed threat.

The vow of the Paris Faculty of Law was adopted unanimously by the eleven professors present on March 18, 1935 by the assembly of the Toulouse Faculty of Law. However,

there were only 35 foreigners on the faculty's benches, representing 2.7% of the total student body for the year. A wave? A flood? Rather, the imagined image of the "metic". It must be said, moreover, that the clouds that covered Europe gave the Republic of Letters and Law and the rule of law a very dull complexion.

The Second World War would devote the massive, deliberate, premeditated attacks to what lawyers call "the law of nations." During the Occupation, about thirty foreign students walked by the Faculty each year, of which Belgians and Poles (although Poland no longer exists) provide the most numerous groups, 6 to 7 nationals at best for each of the two countries.

From the Glorious Thirty to Erasmus

Published in 1979 by Fayard, the title of Jean Fourastié's (1907-1990) work has become almost proverbial.

Were these Glorious Thirty, the three decades of the post-war boom in France, those of the consecration of the international opening for law schools (and business schools starting in the 1960s)? The answer is very measured. On the one hand, the masters recorded without pain or noticeable reaction the loss of their distant ultramarine settlements. These spaces where they had been expected, celebrated, welcomed, like the bearers of a very old legal culture, were lost, and their students brought back to the common lot, hailing from faraway lands. This was the case of Indochina. A master like Professor Jean Couzinet (1900-1977), a publicist who first practiced his talents in Bordeaux before joining the Alma mater in Toulouse, had spent a long and fruitful stay in Hanoi at the Ecole supérieure de droit (1935-1936). Created by a decree of September 11, 1931, it welcomed within its walls many promotions, several hundred registrants in the early 1940s. These students were not strictly speaking students of the Toulouse Faculty of Law, but some continued their studies there. This was very different in Rabat.

In Protectorate Morocco, a Center for Legal Studies had been created, under the direction of the three faculties of Algiers, Bordeaux and Toulouse (1927). Students attending the courses were registered in one of these three faculties. Recurrent debate during the colonial era, was it good to also promote the horizontality of the formations, that is to say, be content to deliver a basic baggage by reserving the noble

specializations to the *Alma mater*? Or on the contrary, would it be better “verticalize”, by generating a complete curriculum – what the local elites generally aspire to, but often enough to confront the reluctance of the mother faculty?

The Center grew in influence, and was run by professors from the Toulouse Faculty of Law, which eventually exercised control over the Rabat Center. With the end of the Protectorate, the Center became the matrix of the new Mohammed V University. But since independence, the bonds that had lasted for a generation had been totally abandoned. The faculty of the time, with some exceptions, did not perceive in the least the interest of these distant students and ignores them.

Why is that?

In the 1960s, the faculty saw an increase in enrollment, which was constant from 1963 to 1990, with a surge of 10 to 15% per year and a number of students rising from 1,370 to 18,000 in this period of time. Among them, of course, foreign students. But they were neither a priority nor a component perceived as rewarding in the immediate future. Geopolitical developments weakened or suppressed well-established academic habits and the institutions grafted onto them. Cairo in Egypt; Beirut in Lebanon were no longer destinations, neither to make a career (for teachers at the Ecole française de droit located in the two capitals), nor to facilitate the coming to Toulouse of students from these spaces. Decolonization in Africa had distorted ties, even though agreements built in Paris and since Paris organized them on a new footing. The agreements signed with the new nations and the scholarships offered by the French Government directed a large audience to the law school, who wanted to receive an education before returning home. Associations, always moving within sometimes difficult relationships, aimed to gather and welcome to Toulouse these academic passengers. Thus, in 1966-1967, the student booklet of the Faculty of Law and Economic Sciences lists the Toulouse addresses of the associations of foreign students, Cameroonian; Congolese; Ivorian; Laotian; Lebanese; Malagasy; Vietnamese, with sometimes the wish to federate them on a geographical basis: the Federation of students of French Black Africa – the title smells of the influence of the tutelary and recently colonial power. For many students from territories formerly under French sovereignty, the time of reverence was long gone. The speeches were often anti-imperialist, handled in a brutal manner and devoid of nuances, important in the former colonial metropolis the tensions and divisions of the

country of origin.

The faculty of Toulouse felt then very distant from the vast program of international relations as we can imagine it today.

Thus the faculty did not respond to repeated requests made in 1962 by the University of Yaoundé, Cameroon, to organize a common curriculum, despite the insistence of the French Ministry of National Education.

Thus, in the 1960s, the presence, assignment or secondment of young French professors who had recently joined the new African universities, particularly Dakar and Abidjan, did not translate, or very little, into a desire to build renewed partnerships.

Students from North Africa – Moroccans in particular – or from Black Africa, are many on the benches of the faculty. The economic sciences, for their part, drain aspirations to new formations, and new audiences, including those from distant horizons.

Of course, Erasmus changed the maps in the budding Union. This program, which was intended by the highest summits of the State in France as well as by the European Community, has been operational since 1987.

In 2018, Erasmus attracted a hundred times more students to its programs than when it was created in 1987, 300,000 compared to 3,000 initially. A small fraction of them, a few hundred, of course study at UT- Capitole, continuing their training there in 2017-2018. Beyond that, 19% of university students are now foreign nationals, or 3,600 out of 21,000.

Certainly another era for the “foreigners” of Toulouse-Capitole University.

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