

Lawyering for Change 2022 Conference

SUMMARY

How to involve young generations towards change through legal clinics?

Workshop session - Thursday October 13th 2pm-3:20pm

Speakers:

- **Fathiya Saida** – General Secretary of the African Feminist Action Union at Tanger (Morocco)
- **Younous Arbaoui** – Assistant professor at Vrije Universiteit Amsterdam (Netherlands)
- **Ulrich Stege** – Director of the IUC Clinical Legal Education Programme (Morocco)
- **Titouan Berhaut-Streel** – Equality Law Clinique, Université Libre de Bruxelles (Belgium)

Moderated by **Arnaud Dandoy**, Knowledge & Learning Manager for the Euro-Mediterranean region, ASF (Tunisia).

In many contexts, ASF has observed that justice systems are slow, that judicial guarantees are not respected, that judicial decisions are influenced by the executive power, and that populations are turning away from it. Facing this diagnosis, the emphasis is rarely placed on lawyers who, however, have an important role in enabling litigants to access their rights and justice. This is due to the education and training process of young lawyers, which is very expensive and selective, and which contents is based on theory and doctrine and provides very little practical guidelines. In some contexts, this training process is even completely disconnected from the existing knowledge and from the needs of vulnerable populations.

Efforts to improve access to justice are deeply connected to initiatives to reform judicial trainings in countries of the South. Since the end of the 1990s, an increasing number of international cooperation actors (ASF included) have financed the diffusion and local application of legal clinic models and standards to be followed in this matter.

Over the past 30 years, we have, indeed, observed a reorientation of development aid towards support for rule of law, among other things. In the reengineering of this aid, international cooperation programs have made the reform of legal system and the reform of legal education, in particular, a priority of public action.

Different models of legal clinic have been developed. Most of them are based on the traditional model, developed across the United States, which focuses on the building of professional legal and technical skills. This model works as a legal dispensary providing legal advices to a target audience. Other clinics are specialized in a specific matter such as environmental law, Human Rights or migration law, while other specialize in advocacy or legal representation services.

All of these clinics, regardless their model or specialization, have a dual purpose: pedagogical because they make practical learning of the law possible; and social

because they enable law students to apply their learning early on for the benefit of vulnerable populations.

But this « clinical shift » did not always bring the expected results. There are many examples of clinics in Eastern or South American countries that have received a financial support from international donors, and then had great difficulty developing, due to a lack of funds, but also to a certain resistance from teachers.

This workshop aimed at questioning structures and processes that are leading this global reform, the interactions between different actors involved (North and South), the potential deadlocks, the problems of legitimacy, etc. The question to be asked is: « How can we manage to establish a clinic in a local, university context with voluntary students who are also active citizens and critical of the world around them? ».

For more details on the answers of the speakers to these issues, you can read the full report of the session and their PowerPoint presentations.