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Law clinics at African universities: An overview of the service delivery component with passing references to experiences in South and South-East Asia

Summary

Modern forms of live client university law clinics developed in South Africa, Zimbabwe, Ethiopia, Tanzania and Uganda during the 1970's, in Botswana and Nigeria in the 1980's, in Kenya in the 1990's, and in Lesotho, Zambia, Mozambique, Malawi, Rwanda, Somaliland and Sierra Leone during the new millenium. Not all the clinics survived and several have been recently revived. Some law clinics are student-run, several are run by universities on a voluntary basis, and more recently many have been incorporated into the formal law faculty or law school curriculum. Most of the African law clinics are general practice advice clinics, a few engage in specialist or public interest work, and even fewer undertake litigation. The majority operate on university campuses, but some involve farming students out to other agencies, and a few operate off-campus. Many of the clinical programmes also include a legal literacy or Street law component. A component missing from most African law clinic programmes is the South and South East Asian 'community law clinic' concept — a model that could be ideally suited to many African countries. These models have been successfully applied in the Philippines, India and Bangladesh and require law students to live with the local people in poor or vulnerable communities — often in rural areas; to identify the legal and social problems faced by the communities; to develop solutions to the community's problems together with the community; and in some instances, to publish the results of their research and proposed solutions. For many middle class law students living and working with disadvantaged or marginalised communities has proved to be a life-changing experience. The socio-economic environment of many South and South East Asian countries mirrors those of most African countries and the 'community law clinic' model is well worth consideration by African law faculties and law schools.

Regsklinieke by universiteite in Afrika: 'n Oorsig oor die dienslewering aspek met verwysing na die ondervinding in Suid en Suid-Oos Asië

Die moderne vorm van die regscliniek het gedurende die 1970's in Suid Afrika, Zimbabwe, Ethiopië, Tanzanië en Uganda, gedurende die 1980's in Botswana en Nigerië, gedurende die 1990's in Kenia en aan die begin van die nuwe millennium in Lesotho, Zambië, Mosambiek, Rwanda, Somaliland en Sierra Leone ontwikkel. Sommige van hierdie regsclinieke was nie suksesvol nie. Verskeie dormante regsclinieke is die afgelope tyd weer op die been gebring. 'n Aantal regsclinieke word deur regstudiante bestuur terwyl ander klinieke deel vorm van 'n vrywilliger program van 'n regs fakulteit. In sommige gevalle vorm betrokkenheid by die

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regskliniek deel van die fakulteit se kurrikulum. Die meerderheid regsclinieke in Afrika is algemene praktyke waar regsadvies verskaf word. Baie min regsclinieke spesialiseer of is betrokke by werk wat in die openbare belang is en nog minder regsclinieke spesialiseer in litigasie. Die meerderheid regsclinieke is geleë op universiteit kampusse, maar in sommige gevalle werk regsstudente by ander organisasies. Enkele regsclinieke se kantore is nie geleë op kampusse nie. Die regsgeletterheidprogram, *Allemansreg*, vorm 'n deel van sommige regsclinieke. Die konsep gemeenskapsregskliniek wat gevind word in Suid en Suid-Oos Asië ontbreek in die meeste regsclinieke in Afrika. So 'n model sal ideaal wees vir verskeie Afrika lande. Die gemeenskapsregskliniek model word suksesvol toegepas in die Filippyne, Indië en Bangladesh. Hierdie model vereis van studente om vir 'n gegewe tydperk in weerlose en arm gemeenskappe (meestal in landelike gebiede) te bly ten einde die regs en sosiale probleme van die gemeenskap te identifiseer en om saam met lede van die gemeenskap oplossings te vind vir hul probleme. In sommige gevalle word die bevindings van die studente se navorsing gepubliseer. Betrokkenheid by die gemeenskapsregsklinieke was vir sommige studente 'n lewensveranderende ondervinding. Regsfakulteite in Afrika kan baat vind by die implementering van gemeenskapsregsklinieke aangesien die sosio-ekonomiese omgewing in baie lande in Suid en Suid-Oos Asië die toestande in verskeie Afrika lande weerspieël.

1. Introduction

The provision of legal services and access to justice, (while at the same time teaching law students practical skills),¹ has been the driving force for the establishment of university law clinics involving live clients in most African countries. Such clinics are often termed 'live client' clinics to distinguish them from simulated clinics and from practical legal training courses which tend to use simulated clients instead of real clients. Universities in Africa are often surrounded by a sea of poverty and cannot afford the luxury of running purely simulated clinical legal education programmes as is sometimes done in the developed world.

The genesis of modern law clinics in the United States during the 1960's² and the South African clinical movement in the 1970's³ were both closely linked to access to justice. Indeed the element of social justice education tends to distinguish clinical law courses from ordinary practical legal training courses. As a result the present writer would define clinical legal education as 'teaching legal skills in a social justice context' in order to relate the teaching of legal skills to the social justice issues that law students experience through dealing with indigent and marginalised clients. This article focuses on the delivery aspect of law clinic work.⁴

Any service- and access to justice-oriented clinical law programme needs to consider how it will operate to accommodate both practical legal training and service delivery. A variety of clinical legal education models involving service

1 This article is concerned with service delivery by university law clinics only. It does not focus on teaching methods. It also does not discuss other types of law clinics that may be run by non-governmental organisations or bar associations.

2 See Franklin 1986:66.

3 McQuoid-Mason 1982:139-163; cf Haupt 2006:232.

4 On the educational aspects see generally, De Klerk *et al* 2006.

delivery exist, depending on the client target group and the mode of delivery. Client target groups may vary from individuals requiring legal aid to specialised cases, to public interest law matters, to people requiring street law-type legal literacy programmes. The location of law clinics may vary from campus clinics to off-campus clinics, to mobile clinics, to farm-out clinics.

The service delivery work done by the clinics varies from simply giving advice and writing letters, to a full legal service that includes litigation, to documenting the problems of communities, to providing legal literacy, and to using alternative means of resolving disputes such as negotiation and mediation. The type of work and nature of the clinic, and its educational objectives, will influence the number of students that can be accommodated in the clinic.⁵

Most African universities with law clinics concentrate their work in campus and off-campus clinic offices. However, these are not the only locations. Other models that are less common in Africa that exist in developing countries elsewhere — such as the community-based law clinics found in South and South-East Asia — are worth discussing in the African context.

This article will focus on the service delivery aspect of clinical legal education, and will provide a brief description of the physical locations that can be used for different law clinics such as campus clinics, off-campus clinics, mobile clinics and farm-out clinics and some of the challenges associated with them. The specific types of clinics such as general practice, specialist, public interest and street law-type clinics will also be discussed. A survey of the geographical location of university law clinics in Africa will be made and then a short description provided of the community-based law clinic models that have been developed in India, Bangladesh and the Philippines. The article concludes that the South and South-East Asian models are suitable for Africa and consistent with the African values of *ubuntu*⁶ and communalism.

2. Physical location of law clinics

Law clinics may be located on or off the campus. They may also take the form of mobile clinics or clinics where law students are farmed-out to other organisations.

2.1 Campus law clinics

Campus law clinics operate on university campuses in premises closely linked to a law school or elsewhere on the campus. As a result they are much more accessible to law students and staff than off-campus clinics. The client target groups in campus law clinics may be individual clients attending a general practice clinic, clients with problems requiring special expertise or clients who wish to bring actions in the public interest.

5 McQuoid-Mason & Palmer 2007:36.

6 See *S v Makwanyane* 1995 3 SA 391 (CC), where Mokgoro J referred to *ubuntu* as meaning 'humaneness' (at para 309), and Langa J said 'The dominant theme of [*ubuntu*] is that the life of another person is at least as valuable as one's own' (at para 225).

Operational strategies for campus clinics may vary from general practice clinics to specialist and public interest law clinics, but it is probably true to say that most law clinics in Africa provide legal aid on an individual basis to people who qualify in terms of a “means test” or some other indication that a person cannot afford a lawyer. Clients often attend on a “walk-in” basis. Campus clinics are usually the best-resourced clinics, and the most beneficial for law clinic staff and students, because of easy access to library and faculty administration facilities. They also have access to academic staff who may be able to assist with cases in their respective areas of expertise. However, campus clinics will only benefit the communities they serve if they are easily accessible to clients by public transport. Their success will often depend upon the geographical location of the university or law faculty.

The challenge for campus law clinics is to ensure that they are accessible to the public from off the campus (e.g. by bus or taxi). It is also a challenge to locate the clinic in a user-friendly part of the campus so that is easily found by the public once they reach the university campus. Another challenge is to keep the law clinic operational during university vacations and examination periods. A final challenge is to ensure that law students keep up to date with their files and that there is a proper system in place to monitor their work.⁷

2.2 Off-campus law clinics

Off-campus clinics operate away from the university campus and the law school. They are usually much less accessible to students and staff than campus clinics. However, depending on their location, they tend to be more accessible to clients than campus clinics.

Off-campus clinics may have the same operational strategies as campus clinics regarding their clientele. They may operate as general practice, specialist or public interest law clinics. Off-campus clinics have the advantage of being located in places convenient to clients such as in busy areas of the city where there is easy access to public transport or in suburbs or communities where the target clients live. There also has to be easy access for the law students who assist at the clinic. The work done by off-campus clinics is often the same as that done by campus clinics.

The challenges for off-campus law clinics are the same as for campus law clinics concerning accessibility for clients by public transport and the location of the building. The other challenge is to ensure that the clinic is easily accessible to law students so that they can comfortably balance their clinic service with their classroom requirements. The challenges regarding the work done are the same as for the campus clinics.⁸

7 McQuoid-Mason & Palmer 2007:40.

8 McQuoid-Mason & Palmer 2007:45.

2.3 Mobile law clinics

Mobile law clinics are clinics that move away from the campus or off-campus clinics and visit the communities they serve. They often work on a circuit basis in that they may visit a particular community or neighbourhood on a regular day of the month (e.g. the first Saturday of each month).

Mobile law clinics may also have the same operational strategies as campus and off-campus clinics regarding their clientele. Mobile clinics travel to convenient meeting places in the communities they serve. Usually mobile filing cabinets are used. The filing cabinets and files are taken to the site of the clinic on the day. Master files and a control diary are kept at the main clinic. Supervised students deal with existing files and new matters at the venue of the mobile clinic. All files are followed up and monitored on a regular basis at the main clinic. The work done by mobile law clinics is often the same as that done by campus and off-campus clinics.

The biggest challenge facing mobile law clinics is to ensure that files are properly monitored and a master filing system exists at the main clinic to prevent files being lost. An effective diary system is required so that all files can be tracked from the moment they leave the main clinic for use in the mobile clinic until their return to the main clinic. Students have to be taught to be particularly scrupulous in this regard. The other challenges facing mobile law clinics are the same as those affecting campus and off-campus clinics depending on the type of work of the clinic.⁹

2.4 Farm-out law clinics

Farm-out law clinics are based on cooperation or partnership agreements between law schools and outside bodies such as NGO's, other private bodies or government departments. They differ from campus clinics, off-campus clinics or mobile clinics in that administrative control of the clinic vests in the host organisation.

Farm-out law clinics usually involve students working in a legal or paralegal NGO or government office involved with the administration of justice or correctional services. Students are required to serve a certain number of sessions with the institution concerned under the supervision of the management of the organisation. They are supervised by the personnel of the host organisation and usually have to produce a written report on their work and experiences regarding the administration of justice or correctional services.

The main challenge regarding farm-out law clinics is to make sure that the law students who are farmed out to NGO's and publicly funded bodies involved in the administration of justice and correctional services are properly supervised. Farm-out law clinic programmes may lighten the supervision load of staff at the main clinic — depending on how well the students are supervised by the host organisation. Supervision by outside bodies needs to be carefully monitored to

9 McQuoid-Mason & Palmer 2007:46-47.

ensure that students receive the type of practical experience and community service that is required by the programme.¹⁰

3. Types of clinics

3.1 General practice clinics

General practice clinics tend to give law students exposure to the wide variety of poverty law problems that affect people in their daily lives. These clinics require law students to be trained in dealing with a broad spectrum of poverty law problems, that may include labour matters such as wrongful dismissals, unemployment insurance and workmen's compensation for injuries; consumer law problems such as credit agreements (hire-purchase), defective products, loan sharks and unscrupulous debt collection practices; housing problems such as fraudulent contracts, non-delivery and poor workmanship; customary law matters such as emancipation of women and succession rights; maintenance; and, criminal cases.

The greatest challenge for general practice clinics is how to limit the numbers of clients so that the clinics do not become overwhelmed. If the number of clients exceeds the capacity of a clinic both the clients and the clinic will suffer. The clients will suffer because they will not receive proper advice and service. The clinic will suffer because its reputation will be harmed and its staff and students demoralised. Intakes need to be limited and clients referred to other agencies once the clinic reaches its capacity.¹¹ In recent years there has been a move towards more specialist law clinics, although most clinics still retain some general practice components.¹²

3.2 Specialist law clinics

Some university law clinics specialise in particular types of problems such as criminal law, labour law, women and children's rights, refugees, environmental law etc. These clinics require the students to be trained in the particular field in which the clinic specialises,¹³ in the same manner as students in public interest law clinics.

The challenge to clinics serving clients who require special expertise is to ensure that both students and staff develop the necessary expertise. This is particularly difficult if the speciality offered by the clinic is not offered as part of the law curriculum. In such cases it may be necessary to mount remedial classes covering the relevant area of the law.¹⁴

10 McQuoid-Mason & Palmer 2007:47-49.

11 Generally for the types of cases handled by law clinics in South Africa during the early years of the clinical movement, see McQuoid-Mason 1982:139-161.

12 See McQuoid-Mason & Palmer 2007:18; De Klerk & Mahomed 2006:306; Du Plessis 2006:284; Haupt 2006:229, 238-241.

13 For instance, at the law clinics at the Universities of KwaZulu-Natal, the Witwatersrand and Pretoria (see respectively McQuoid-Mason & Palmer 2007:18; De Klerk & Mahomed 2006:306; Du Plessis 2006:284; Haupt 2006:229, 238-241).

14 McQuoid-Mason & Palmer 2007:40.

3.3 Public interest law clinics

Law clinics that specialise in public interest matters only accept cases that impact on the lives of large numbers of people. The categories are similar to those in the specialist clinics and include such matters as those affecting constitutional issues, the administration of justice, prisoners' rights, refugees' rights, consumer law, environmental law, housing and land rights, women and children's rights, legal aspects of HIV/AIDS, administrative justice etc. Public interest law clinics focus on issues that impact on large numbers of people. This approach has been adopted by some South African clinics. As in the case of specialist clinics students have to be trained in the particular area of law in which the public interest matters arise.

The challenges facing public interest law clinics are similar to those that affect specialist law clinics — for instance, the area of law that is being litigated may not be covered in the curriculum. Matters are complicated further, however, if the variety of public interest law claims handled by the clinic is not limited. Whereas a specialist law clinic may specialize in one area of the law, a public interest law firm may litigate in a number of different fields of law. The challenge is to limit the number of specialist fields the clinic can handle without undermining its objectives.¹⁵

3.4 Street law-type clinics

Street law-type clinics are clinics that train law students to teach people legal literacy using interactive teaching methods. Depending on the objectives of the clinic, street law-type clinics train law students to teach schoolchildren, prisoners and members of the public about law, human rights and democracy. Law students are usually required to teach a certain number of lessons in high schools or prisons using pupil-centred learning techniques. During the lessons the students frequently have to deal with questions about the law. Some street law programmes may also incorporate an advice-giving component by the students themselves or in conjunction with a campus or off-campus legal aid clinic.¹⁶

Street law students are often required to teach a series of interactive lessons on areas of the law such as an introduction to law and the legal system, criminal law and juvenile justice, consumer law, family law, socio-economic rights, family law, human rights, democracy and HIV/AIDS and the law, at high schools and prisons.¹⁷ They also have to be able to answer questions on relevant areas of the law.

Street law-type clinics involve challenges similar to those experienced by farm-out programmes. This is particularly true in respect of programmes where students are required to teach in schools or prisons. Here the clinic organisers

15 McQuoid-Mason & Palmer 2007:40. On other aspects of specialist law clinics, see generally De Klerk & Mahomed 2006:306; Du Plessis 2006:284; Haupt 2006:229, 238-241.

16 McQuoid-Mason 1992:559, 561.

17 For the position in South Africa, see generally McQuoid-Mason *et al* 2004.

often have to rely on supervision and monitoring by the outside bodies serviced by the street law programme. For instance, in the case of high schools and prisons it may not be possible for the street law course instructors and administrators to visit all the schools or prisons involved. They may have to rely on reports from schoolteachers and prison administrators.

Another challenge for street law-type clinics is to train students in how to teach schoolchildren and prisoners about law, human rights and democracy using interactive teaching methods rather than lectures. The challenge is made difficult by the fact that law students are confronted on a daily basis by law faculty staff using lecture methods. It is necessary to get the students to make a clean break from lectures, and to have the confidence to embrace experiential learning using interactive methods. Students also need to be taught how to think and answer questions on their feet.¹⁸

4. Geographical location of law clinics in Africa

Modern forms of law clinics were established in developing countries in Africa during the 1970's, for example, in Ethiopia, Uganda, Tanzania, South Africa, and Zimbabwe. Today law clinics are to be found in Southern, East and West African countries.¹⁹

4.1 Southern Africa

Live client law clinics began operating in Southern African countries such as South Africa and Zimbabwe in the early 1970's, and Botswana in the mid-1980's. More recently law clinics have been established in Lesotho, Namibia, Zambia and Mozambique, while Malawi has been in the process of setting up a clinic during the past two years.²⁰

4.1.1 South Africa

The first legal aid clinic in South Africa was established by law students at the University of Cape Town in 1972.²¹ The first law faculty staff-initiated law clinics were established at the Universities of the Witwatersrand and Natal (Durban) in 1973.²² The Ford Foundation funded a legal aid conference in South Africa in 1973 which was the catalyst for the law clinic movement in the region — including Zimbabwe. At the time of the conference the only clinics in the country

18 See generally Tibbitts 2001.

19 For some examples, see generally Iya 2000:13. It should be borne in mind that under traditional African law there is no role for lawyers in chief's and headmen's courts, and law clinics can only assist potential litigants by giving advice (cf McQuoid-Mason 1985:68).

20 McQuoid-Mason 2007: para 25.2.

21 McQuoid-Mason 1982:139-140.

22 McQuoid-Mason 1982:148, 153.

were at the Universities of Cape Town and the Witwatersrand, but within two years five others had been established.²³

In chronological order the following law clinics had been established at South African universities by 1981: Cape Town (1972), the Witwatersrand (1973), Natal (Durban) (1973), Port Elizabeth (1974), Natal (Pietermaritzburg) (1974), Western Cape (1975), Stellenbosch (1975), Durban-Westville (1978), Zululand (1978), Rhodes (1979), the North (1980), Pretoria (1980), South Africa (1981), and Rand Afrikaans University (1981).²⁴

At present nearly all law faculties and law schools at universities in South Africa operate live client law clinics²⁵ independent of the state-funded law clinics that were absorbed into the Legal Aid Board's²⁶ justice centres.²⁷ The university clinics employ directors who are practising attorneys or advocates. If the director is a practising attorney or advocate, the clinic will be accredited by the local law society, and where the clinic employs suitably qualified attorneys candidate attorneys may be employed as legal interns doing community service for admission purposes.²⁸ Funding for law clinics is generally provided by outside donors with contributions from some universities. The Attorneys Fidelity Fund²⁹ subsidises accredited legal aid clinics by providing funds to enable them to employ a practitioner (attorney or advocate) to manage the clinic.³⁰ The Association of University Legal Aid Institutions (AULAI) set up the AULAI Trust with an endowment from the Ford Foundation to strengthen the funding of the clinics.³¹ The AULAI Trust has encouraged law faculties and law schools to include the funding of law clinics in their university budgets and has focused on providing

23 McQuoid-Mason 1982:139.

24 McQuoid-Mason 1982:139-163. Also on the development of law clinics in South Africa, see De Klerk 2005:929.

25 Law clinics exist at the Universities of Cape Town, the Western Cape, Rhodes, University, the Witwatersrand, Johannesburg (formerly Rand Afrikaans University), Pretoria, the North West (formerly the Universities of Potchefstroom and Bophuthatswana), Venda, Limpopo (formerly the North), South Africa, KwaZulu-Natal (formerly Natal and Durban-Westville), Zululand, the Free State, Stellenbosch, Fort Hare and Nelson Mandela Metropolitan (formerly Port Elizabeth) and Walter Sisulu (formerly Transkei) Universities (cf McQuoid-Mason 1992:569 footnote 1; De Klerk 2005:929-950).

26 The Legal Aid Board was established by the *Legal Aid Act* 22 of 1969 section 2.

27 McQuoid-Mason 1992:569 footnote 1.

28 Maisel 2004:977.

29 The Attorneys Fidelity Fund is a fund that has accumulated out of the interest paid on monies held in attorneys' trust accounts. It is used to compensate members of the public who have suffered loss as result of fraud by practising attorneys, but also makes money available for legal education. The Fidelity Fund is similar to IOLTA (Interest on Lawyers' Trust Accounts) programme that is in place in Australia, Canada, New Zealand and the United States. However, while IOLTA programmes directly fund legal aid the Fidelity Fund only supports legal education and accredited university legal aid clinics as it believes that legal aid should be funded by the state (cf McQuoid-Mason 2003:32).

30 McQuoid-Mason 1986:193.

31 Golub 2000:38.

training and capacity building workshops for law clinics. Poland and Nigeria have set up organisations based on the South African AULAI model.³²

Most South African law clinics began as general practice clinics and many still do general practice work.³³ Since 1994, however, the types of poverty law problems that continue to arise, such as housing, the quality of police services, and social security now involve constitutional issues.³⁴ As a result several clinics have begun to challenge the failure of the State to provide basic services as required by the socio-economic provisions of the Constitution.³⁵ At the University of KwaZulu-Natal, Durban, for instance, the law clinic specialises in problems concerning women and children, social justice and HIV/AIDS. The clinics at the Universities of the Witwatersrand and Pretoria also have specialist programmes.³⁶ The University of the Witwatersrand specialises in family law, labour law, criminal law, delict³⁷ and consumer law.³⁸ The University of Pretoria has specialist clinics dealing with debt relief, women and children and small crimes.³⁹ The clinics at the Universities of KwaZulu-Natal, the Witwatersrand and Pretoria still retain some general practice work, and it seems that generally fewer restrictions are being imposed by the law societies on general practice work by law clinics.⁴⁰

Candidate attorneys may do their mandatory internships as community service in accredited law clinics instead of as articled clerks with private law firms. The *Attorneys Act*⁴¹ was amended in 1993⁴² to allow aspiring attorneys to 'perform community service approved by the society concerned' — provided that the person who employs them is a practising attorney. The latter must be

in the full-time employment of a law clinic, and ... the council of the province in which that law clinic is operated, [must certify] that the law clinic concerned complies with the requirements prescribed by such council for the operation of such clinic.⁴³

The South African law clinics provide free legal services to the needy and use the Legal Aid Board's means test as a flexible guide. The university law clinics are represented on the Legal Aid Board through members who belong

32 The Legal Clinics Foundation (see <http://fupp.org.pl>) and the Nigerian Network of University Legal Aid Institutions (NULAI) (see NULAI 2007).

33 See also Iya 2000:24-27.

34 *Constitution of the Republic of South Africa Act* 108 of 1996 Chapter 2; see Mhlungu 2004:1005.

35 For instance, breaches of the rights to health care, food, water and social security in terms of section 27 of the Constitution.

36 See for instance, De Klerk & Mahomed 2006:306; Du Plessis 2006:284, Haupt 2006:229, 238-241.

37 De Klerk & Mahomed 2006:312.

38 Du Plessis 2006:284.

39 Haupt 2006:239-241.

40 McQuoid-Mason & Palmer 2007:18.

41 *Attorneys Act* 53 of 1979 section 2 (1A) (b).

42 By section 2 of the *Attorneys Amendment Act* 115 of 1993.

43 Section 3(1)(f); cf McQuoid-Mason 2005:229 footnote 165.

to AULAI and six law clinics in the country have entered into co-operation agreements with the Legal Aid Board⁴⁴ to service clusters of paralegal advice offices, and to provide services in civil matters where the Board does not have the capacity to do so.

4.1.2 Zimbabwe

The University of Zimbabwe law clinic was established in 1974 and was used as the core component of the final year of the post-graduate LLB degree.⁴⁵ The introduction of the Legal Practitioners Act of 1981 resulted in fusion of the attorneys and advocates professions. After 1985 the University of Zimbabwe law degree was the only means of admission to the legal profession. This meant that the LLB degree became a practical degree. Articles of clerkship were abolished and the law clinic was required to provide practical training for law graduates before they entered the legal profession.⁴⁶

By 1983 Zimbabwean law students were providing legal advice and assisting with the drafting of pleadings for litigation up to the pre-trial stage. They were also able to attend pre-trial conferences involving clients and lawyers.⁴⁷

In recent years, although students are excluded in first year, they already begin to work on cases in their second and third years. Work in the law clinic is compulsory for third and fourth year law students. By their fourth year, the better law students can take cases in the High Court with the permission of the Attorney General — a possibility not available to South African students. During the summer breaks, Zimbabwe's clinical students are 'farmed out' to private law firms, the Attorney General's office and other private sector work such as insurance companies.⁴⁸

As a result of the wide-spread human rights abuses in the country human rights cases have become a very important area of work for the law clinic at the University of Zimbabwe.⁴⁹

4.1.3 Botswana

The University of Botswana introduced the LLB degree in 1984/1985 and the law clinic was established at the same time as 'a legal aid service' institution.⁵⁰ All final year law students were required to do the clinical law course and to spend a period of time either working in the Campus Law Clinic or with some other organisation that provided legal services — including NGO's. The students

44 These are the clinics at the Universities of Pretoria, the Witwatersrand, KwaZulu-Natal, the Free State, the Western Cape and Stellenbosch (Legal Aid Board 2006:26).

45 McQuoid-Mason 1982:161-163.

46 Smith 1985:48-53.

47 Smith 1985:49.

48 McQuoid-Mason & Palmer 2007:20.

49 Open Society Justice Initiative 2004:9.

50 University of Botswana 2000:3.

have to write up their experiences in a case book which is then submitted for examination.

In the Campus Clinic students assist with interviewing, giving legal advice, researching legal issues, writing letters of demand, drafting pleadings and other legal documents, participating in negotiations, and referring clients to appropriate governmental or non-governmental legal or social welfare agencies. Students are subjected to a final oral examination.⁵¹

The University of Botswana law clinic is one of the main sources of legal aid for indigent people in the country.

4.1.4 Lesotho

The law clinic in Lesotho was established at Roma University together with a clinical law course in 2000.⁵² Students are trained to conduct interviews and give advice, as well as to do legal research. They are also placed in internships where they are monitored.⁵³

4.1.5 Namibia

The law clinic in Namibia was established in 2002, and operates off campus in Katurura, a suburban township. It is a general practice clinic that provides legal advice, counselling and representation before the courts of law. The clinic is staffed by two supervisors and enrolls about 30 students a year. Students are taught skills in interviewing, drafting of documents and advocacy.

Work in the law clinic counts 15% towards the accredited clinical law course. Students spend two hours a week in seminars and two hours a week working in the clinic. The clinic handles about 40 clients a year.⁵⁴

4.1.6 Zambia

The legal aid clinic at the University of Zambia works closely with the Law Association of Zambia. The clinic trains students in counselling and the giving of advice. The clinic also trains paralegals and conducts legal awareness programmes. Students are placed in government internships.⁵⁵

51 University of Botswana 2000:22. Cf Iya 2000:22.

52 Letsika 2002:2.

53 Open Society Justice Initiative Report 2004: Annexure 1.

54 Information provided by Sam K Amoo, Dean and Coordinator of the Legal Aid Clinic, in OSJI Survey of Clinical Programs in Africa Questionnaire 2006.

55 Open Society Justice Initiative 2004: Annexure 1.

4.1.7 Mozambique

The legal aid clinic at the Centre for Practical Legal Studies at the Eduardo Mondlane University in Mozambique was established in March 2002. The clinic is located on the university campus and deals with labour law, civil law and criminal law. The types of services provided are legal advice and counselling and representation before the courts.

The clinic enrolls 16 to 20 students a year who are supervised by four members of staff — one as a general supervisor, and one each for labour law, criminal cases and civil cases. The course is not accredited and there are no formal lectures. However, students are exposed to a variety of lawyering skills in seminars on topics such as professional ethics; the regulations of the legal profession; the work of the court notary's office, registry office and other legal institutions; civil, commercial and pre-trial proceedings; criminal proceedings; labour matters; contracts; administrative law; and land problems. The students are exposed to 72 hours of seminars in the first semester and 128 hours of service in the second semester. The clinic handles about 200 clients a year.⁵⁶

4.1.8 Malawi

In 2004, although the Faculty of Law at the University in Malawi had a Department of Practical Legal Education it was still setting up a clinic. Offices and space has been allocated for the clinic in the old court building about 10 kilometres from the University but it needs to be refurbished. By 2007 the clinic had still not moved into the building. The Department of Practical Legal Studies has three faculty members and plans to mainstream clinical law into the LLB programme.⁵⁷ At present an informal street law-type clinic is run by law students.

4.1.9 Swaziland

A co-operation agreement was entered into between the Department of Law at Swaziland University and the Department of Legal Aid at the Council of Swaziland Churches in 1990. The Department has three functions: (a) it educates people regarding their legal rights; (b) it provides limited legal aid to indigent people; and (c) it does limited research into family law and inheritance issues. The agreement allowed law students to work in the Department on a voluntary basis.⁵⁸

56 Information provided by Elysa Vieira, Co-ordinator of the Centre for Practical Legal Studies, in *OSJI Survey of Clinical Programs in Africa Questionnaire* 2006.

57 Open Society Justice Initiative 2004: Annexure 1. McQuoid-Mason 2007: para 25.2.

58 Iya 2000:22.

4.2 East Africa

4.2.1 Kenya

Law clinics exist at two universities in Kenya — the University of Nairobi and Moi University.

4.2.1.1 University of Nairobi legal aid clinic

The legal aid clinic at the University of Nairobi is run by law students who network with NGO's that deal with children's rights, violence against women and land matters. Students consult with members of the faculty of law and work with live clients in the NGO's. Where necessary the NGO's refer matters to lawyers who do *pro bono* work.⁵⁹

4.2.1.2 Moi University legal aid clinic

The legal aid clinic at Moi University divides its students into law firms. Students are exposed to preparatory clinical components of legal studies in the first three years of the LLB degree, with practice at the clinic reserved for final year students in their fourth year. Students conduct live client interviews in the clinic and are also farmed out to NGO's. The clinic is integrated into the course work but students receive no academic credit for their work in the clinic.⁶⁰

4.2.2 Uganda

Early attempts were made to set up law clinics in Uganda in the 1970's. However, the clinics did not survive the political turmoil that affected the country.

The law clinic at the Law Development Centre, which provides post-graduate training for aspiring legal practitioners, was established in 1998.⁶¹ The clinic provides legal advice, counselling, legal representation, legal awareness training and development of materials. The clinic is expected to accommodate over 400 students a year and is supervised by five full-time members of staff. Practitioners and other lecturers are employed as part-time supervisors.

All law school students have to attend a one week clinical course where they are taught interviewing, counselling, legal writing, trial advocacy and research skills. The students then have to be placed for a two or three week period in a legal environment such as the prisons, the courts etc. Students are divided into firms of 20 to 30 each and, because of their numbers, are difficult to manage and monitor. A method needs to be found to deal with large numbers of students without compromising standards. The course lasts 50 hours and is

59 Open Society Justice Initiative 2004: Annexure 1.

60 Open Society Justice Initiative 2004: Annexure 1.

61 Iya 2000:21.

not accredited. However, it is a requirement for graduation from the law school. The clinic serves about 300 clients a year.⁶²

4.2.3 Tanzania

Tanzania has had a law clinic at the University of Dar-Es-Salaam since 1978.⁶³ The clinic focuses on human rights issues and also arranges student internships.⁶⁴ The programme is administered by the Legal Aid Committee of the Faculty of Law and has three components: (a) it provides legal aid to indigent persons — including advice, and limited representation in civil cases; (b) it provides Street-law type public legal education on human rights — including publishing a bulletin and training paralegals; and (c) encourages law reform through public debates and discussions on legal policy. Student participation is voluntary and not for credit.⁶⁵

4.2.4 Ethiopia

The University of Addis Ababa had a legal aid clinic in the 1970's which closed down after the overthrow of Emperor Haile Selassie.

In 2002 a law clinic was established at Mekelle University which provides general legal advice as well as advice on women's issues. It also runs a public awareness programme.⁶⁶

4.2.5 Rwanda

There is a legal aid clinic (*clinique juridique*) at the National University of Rwanda that was established in the academic year 2000-2001. The clinic educates the public about its rights, helps them to assert their rights and attempts to provide easy access to justice. The clinic provides legal advice, assistance with court cases, assistance when dealing with administrative bodies, and providing mediation services for family disputes. The clinic operates out of a multipurpose hall in the Southern region where third year students registered for the legal clinic course and fourth-year interns provide assistance to the public on Thursday afternoons. However, the clinic operates throughout the year from a permanent office.

During 2005 the clinic dealt with 600 cases, in which it helped people prepare arguments in court, negotiate with insurance companies, institute claims in court etc. These cases included 70 minors who had been raped for whom the clinic provided lawyers to represent their interests in the criminal trials.⁶⁷

62 Information provided by Theodora Webale, Clinic Manager, in *OSJI Survey of Clinical Programs in Africa Questionnaire 2006*.

63 Iya 2000:19.

64 Open Society Justice Initiative 2004: Annexure 1.

65 Iya 2000:19.

66 McQuoid-Mason & Palmer 2007:24.

67 Information provided by Aimable Havugiyaremye, Director in Charge of the Clinic, in *OSJI Survey of Clinical Programs in Africa Questionnaire 2006*.

4.3 West Africa

4.3.1 Nigeria

Initiatives had been made in the 1980's to establish law clinics in Nigeria but these did not succeed. The latest initiative for clinical legal education had arisen as a result of funding and training initiatives following the Open Society Justice Initiative sponsored First All African Clinical Legal Education Conference at the University of Natal (now KwaZulu-Natal) in Durban in June 2003. A Nigerian Law Clinicians Conference was held in Abuja in February 2004, and the Network of University Legal Aid Institutions (NULAI) was established. The Council of Legal Education has recognized clinical legal education as part of the law curriculum. There are law clinics operating at four universities where students work on a voluntary basis without academic credit.⁶⁸

4.3.1.1 Akungba law clinic, Adekunle Ajasin University

The Akungba law clinic was established in 2004 and is located on the university campus. The clinic focuses on general practice, human rights, public interest law matters, and Street law/community education. About 25 students enroll in the clinic programme which is supervised by three supervisors. The students receive four academic credits for the course and attend for two hours — three times a week. The average number of clients served a year is over 60.⁶⁹

4.3.1.2 Absu law clinic, Abia State University

The Absu law clinic was established in September 2005 and is located on the university campus. The clinic deals with general practice and provides legal advice and counselling, legal representation before administrative bodies, human rights and law awareness education. It also does research. The clinic enrolls 21 students who are placed under the supervision of five clinical law teachers and two volunteer supervisors. The students receive two academic credits for the course and are required weekly to attend four hours of instruction and eight hours in the clinic. During its first six months the clinic served 12 clients.⁷⁰

4.3.1.3 University of Uyo law clinic

The University of Uyo law clinic was established in November 2005 and is located on the university campus in a faculty of law lecture hall. The clinic does general practice work, and provides legal advice and counselling, legal representation

68 NULAI 2007:37-45.

69 Information provided by Olugbenga Oke-Samuel, Legal Aid Clinic Co-ordinator/Director, in *OSJI Survey of Clinical Programs in Africa Questionnaire 2006*.

70 Information provided by Sampson Erugo, Clinic Co-ordinator, in *OSJI Survey of Clinical Programs in Africa Questionnaire 2006*.

before courts of law, and human rights and law awareness education. The work includes legal drafting, landlord and tenant matters, and criminal cases. The clinic enrolls 50 students a year and is supervised by seven law teachers. The students receive four academic credits for the course and are required to attend three hours a week in seminars and at the clinic.⁷¹

4.3.1.4 University of Maiduguri law clinic

The University of Maiduguri law clinic was established in December 2005 on the university campus. The clinic does human rights, street law, alternative dispute resolution (ADR), labour law matters, and women and children's rights. It trains the students in legal advice and counselling and how to teach human rights awareness. The students are taught such skills as ADR, ethics, legal writing, client counselling, trial advocacy, office management, and aspects of civil and criminal proceedings. The course enrolls 20-25 students who are supervised by two clinical law teachers. The students receive three credits for the course and are required to attend seminars and work in the clinic for 48 hours. At the time of writing the clinic had served 20 clients.⁷²

4.3.2 Sierra Leone

The Fourah Bay Law Clinic at the University of Sierra Leone is a student-run operation with premises on the University campus. The clinic runs a number of projects, including legal aid and assistance in the Human Rights Centre; schools education through Human Rights Clubs; a newsletter entitled *Human Rights Watch*; human rights on the campus, through panel discussions, mock trials, symposiums and public lectures; and internship programmes whereby students do a 14 day placement.⁷³

5. SOME EXPERIENCES FROM SOUTH AND SOUTH-EAST ASIA

African law students study at elite university institutions that are often surrounded by a sea of poverty. As has been mentioned, most African law clinics handle individual cases as general practice or specialist clinics, as well as engage in street law-type legal literacy programmes. However, there are a number of community-based law clinic models that have been used in South and South East Asian countries that have similar poverty problems to many African countries. Such community-based law clinic programmes are consistent with African notions of *ubuntu*⁷⁴ and communalism. Universities in South and South East Asia have

71 Information provided by Uwem Emmanuel Udok, Clinic Co-ordinator/Supervisor, in *OSJI Survey of Clinical Programs in Africa Questionnaire* 2006.

72 Information provided by Ibrahim Nguru Labaran, Clinic Co-ordinator, in *OSJI Survey of Clinical Programs in Africa Questionnaire* 2006.

73 Open Society Justice Initiative 2004: Annexure 1.

74 See footnote 6.

used community-based law clinics, alternative law group clinics, law clinic student camps and alternative dispute resolution clinics.

5.1 Community-based law clinics

Community-based law clinics involve law students living in a community during vacations or on weekends, in order to identify and record the types of legal problems encountered by the community. They are then required to research the problems and provide appropriate solutions.

The operational strategies adopted when running community-based law clinic programmes will depend upon whether the students have to work in communities during their vacations or on week-ends. In addition a decision has to be made whether the students are required to identify systemic rather than individual problems in the community. The types of problems identified will determine whether the solutions will be individual-based or systemic. Students in community law clinic programmes are required to write up their experiences and solutions. They also have to follow-up with action from the main law clinic or other role-players who can assist. Community-based law clinics in which law students are required to live in communities during their vacations to assist in problem solving have been used very successfully in India,⁷⁵ Bangladesh⁷⁶ and the Philippines.⁷⁷

Community law clinics, like farm-out clinics, need careful monitoring. They may also give rise to logistical challenges such as how to fund travel, accommodation and subsistence for the students. One method of overcoming these challenges is for students to carry out their work in their home community in which case no additional costs will be incurred except for expenses directly related to the research (e.g. the cost of questionnaires).⁷⁸

The challenge for community-based law clinics is to train students in how to conduct empirical research (e.g. how to draft and use questionnaires), and how to lobby. They also need to be provided with the necessary tools to develop practical solutions to the problems encountered by them. They must be taught how to use their research and solutions for lobbying purposes, and how to present them for publication.⁷⁹

Community-based law clinics are ideally suited to conditions in many African countries where students from poor communities could be asked to spend time in their communities during university vacations to help their communities identify problems and then to research possible solutions on their return to the law faculty during the academic year. In cases where the majority of law students come from middle class urban families they can be sent to selected poor communities to carry out the same exercise. This is a practice used to varying degrees in India, Bangladesh and the Philippines.

75 For instance, at the National Law School in Bangalore (see McCutcheon 2000:273).

76 See for instance Rahman (ed) 2003; Rahman (ed) 2004; Rahman (ed) 2006.

77 See Ateneo Human Rights Centre 2006:6-7.

78 McQuoid-Mason and Palmer 2007:51.

79 McQuoid-Mason and Palmer 2007:51.

5.2 Alternative law group clinics

Alternative law groups (ALG's) are organisations consisting of lawyers, law students and paralegals that is unique to the Philippines. ALG's promote development by enhancing popular participation in lawmaking, policy development and other activities by state departments.⁸⁰ ALG's see clients as partners in development rather than as individuals, and their mission is to help communities develop their own legal and political strategies.⁸¹

Law students in clinical programmes attached to ALG's live in the communities concerned and help their members become empowered through legal literacy, street law-type programmes that equip the members of the communities with legal and political problem-solving skills. The aim is to make communities self-reliant and not solely dependent on lawyers to solve their problems.

The Ateneo University-based Ateneo Human Rights Center has set up a clinical law programme linked to ALG's and helped other universities outside Manila to do likewise. Internships for law students from 11 law colleges across the Philippines have been provided for.⁸² ALG clinic programmes in the Philippines have provided law students with 'life-changing experiences'.

Challenges for ALG's are similar to those for other community-based clinics. Arrangements have to be made to fund travel, accommodation and subsistence for the students. As in the case of other community-based law clinic programmes, this problem can be overcome by requiring students to work in their home communities during vacations or on weekends in which case no additional costs will be incurred.

The involvement of law clinics in an ALG holistic approach to legal assistance that goes beyond individual client support and extends to community problem-solving is another model that would seem to be suitable to the African context for the reasons set out above in respect of community-based law clinics.⁸³

5.3 Law student clinic camps

Law student clinic camps usually involve law students in street law-type activities and legal research. One of the best examples from South Asia is the annual Human Rights Summer School held in Bangladesh during which students spend two weeks learning about different aspects of human rights — internationally, regionally and nationally. At the end of the camp 15 of the top students are chosen to investigate the problems of a specified poor community in Bangladesh and to help them find solutions. The students live in the community and help them to identify the problems and possible solutions. The research conducted by the law camp students into the problems of the communities concerned and the possible solutions to them is published annually in a monograph that can be used for lobbying purposes.⁸⁴

80 Golub 2000(1):199.

81 Golub 2000(1):201.

82 Golub 2000(1):206. See also, Ateneo Human Rights Centre 2006:6-7.

83 See above para 4.1.

84 See for instance Rahman (ed) 2003; Rahman (ed) 2004; Rahman (ed) 2006.

A major challenge for law student clinic camps is to find funds for travel, accommodation and subsistence for students during the period of the camp, and for the subsequent research publications. Law student clinic camps would provide African law students with an opportunity to assist communities in problem-solving⁸⁵ as well as providing valuable research that can be communicated to lobbyists and policy-makers.

5.4 Alternative dispute resolution clinics

Alternative dispute resolution clinics train students in how to use non-legal methods to resolve disputes. In order to achieve this students have to be taught how to use negotiation and mediation skills when dealing with clients in the clinic.

In India law clinic students have been used in a highly structured alternative dispute resolution programme. The law students are involved in the *lok adalats* or “people’s courts” where they assist with the functioning of such courts on week-ends or public holidays. The *lok adalats* try to settle disputes referred to them by the courts for resolution by negotiation, arbitration or conciliation. The law students do all the preparatory work of interviewing the parties in order to obtain a negotiated settlement. If this does not work the parties attend the *lok adalat* presided over by a panel consisting of a district court judge or magistrate, a lawyer and a social worker. The proceedings are conducted informally and the parties, (and their lawyers if they are represented), appear before the panel in an attempt to reach a solution.⁸⁶ In some states the *lok adalats* are organized by the state legal aid bodies, while in others the co-ordination is done by paralegal organizations or even the courts.⁸⁷

The challenge for alternative dispute resolution clinics is to train law students to change their behaviour from the traditional adversarial approach usually adopted by lawyers to an alternative dispute resolution model that encourages consensus. This is not always easy because the adversarial approach is reinforced on a daily basis by teachers at law schools and it requires techniques in behaviour-modification to train law students in negotiation and mediation skills. For instance, one of the most difficult things for law students, (and lawyers), to appreciate in the mediation process is that they must not give legal advice!⁸⁸

The University of Maiduguri law clinic in Nigeria has a major alternative dispute resolution component in its programme.⁸⁹

85 For example, in South Africa ‘Green Street law’ camps were held during the early 1990’s whereby high school children — mainly from disadvantaged backgrounds — were taught about law, human rights and democracy as well as life skills such how to purify river water to make it potable (Personal knowledge of writer).

86 Aggarwal 1991:1.

87 Aggarwal 1991:3-7. See also Muralidhar 2004:121-122.

88 McQuoid-Mason & Palmer 2007:57.

89 See para 3.3.1.4.

6. Conclusion

Live client university law clinics began developing in South Africa, Zimbabwe, Ethiopia, Tanzania and Uganda during the 1970's, in Botswana and Nigeria in the 1980's, in Kenya in the 1990's, and in Lesotho, Zambia, Mozambique, Malawi, Rwanda, Somaliland and Sierra Leone during the 21st century. In some countries student law societies operate law clinics, while in others the clinics are run by law faculty staff for students who wish to volunteer to assist the poor. In South Africa and Zimbabwe law clinics have been incorporated into the academic programme of law faculties for many years, and more recently this has become the trend in East and West Africa.

Most African law clinics are general practice clinics — many of which only give legal advice. Apart from law clinics in South Africa, few clinics in other African countries engage in specialist or public interest work, and even fewer undertake litigation. The majority of law clinics operate on university campuses, but some clinics farm students out to other agencies, and a few operate off-campus offices, as happens in South Africa. Many of the clinical programmes in Southern, East and West Africa also include a legal literacy or Street law component.

India, Bangladesh and the Philippines — like many countries in Africa with large poor populations — have devised community-based law clinic models that have not been used in Africa. The South and South East Asia models include community-based, alternative law groups, law clinic student camps and alternative dispute resolution clinics.

For example, the alternative law groups in the Philippines focus on empowering whole communities to use the law to advance their interests. The law clinic camps in Bangladesh enable students to live in marginalised communities in order to help the communities to identify and solve their legal and other problems. The alternative dispute resolution clinics, such as those in India, take the form of *lok adalats* that try to settle disputes referred to them by the courts for resolution by negotiation, arbitration or conciliation.

The Asian models provide some useful examples for the future development of law clinics in Africa. The Asian models that focus on community empowerment are also consistent with the African values of *ubuntu* and communalism.

Bibliography

- AGGARWAL N
1991. *Handbook on Lok Adalat in India*. New Delhi: University of Delhi.
- ATENEO HUMAN RIGHTS CENTRE
2006. *Ateneo Human Rights Centre*. Manila: Ateneo University Law School.
- DE KLERK W
2005. University law clinics in South Africa. *South African Law Journal* 122: 929-950.
- DE KLERK W *et al.*
2006. *Clinical law in South Africa*. 2nd ed. Durban: LexisNexis Butterworths.
- DE KLERK W AND MAHOMED S
2006. Specialisation at a law clinic: The Wits experience. *De Jure* 39:306.
- DU PLESSIS M
2006. A consumer clinic as a specialised unit. *De Jure* 39:284.
- FRANKLIN N
1986. The clinical movement in American legal education. *Natal University Law and Society Review* 1:66.
- GOLUB S
2000. Battling apartheid, building a new South Africa. In McClymont M and Golub S (eds) *Many roads to justice: The law-related work of the Ford Foundation grantees around the world*. New York: Ford Foundation: 19-54.
- 2000(1). Participatory justice in the Philippines. In McClymont M and Golub S (eds) *Many roads to justice: The law-related work of the Ford Foundation grantees around the world*. New York: Ford Foundation: 197-231.
- HAUPT FS
2006. Some aspects regarding the origin, development and present position of the University of Pretoria law clinic. *De Jure* 39:229.
- IYA PF
2000. Fighting Africa's poverty and ignorance through clinical legal education: Shared experiences with new initiatives for the 21st century. *International Journal of Clinical Legal Education* 1:13.
- LEGAL AID BOARD
2006. *Annual report*. Johannesburg: Legal Aid Board.
- LETSIKA OA
2002. The future of clinical legal education in Lesotho: A study of the National University of Lesotho's legal education and its relevance to the needs of the administration of justice in Lesotho (unpublished LLM Thesis). Durban: University of Natal.
- MAISEL P
2004. An alternative model to United States bar examinations: the South African community service experience in licensing lawyers. *Georgia St U L Rev* 20:977.
- McCUTCHEON A
2000. University legal aid clinics: a growing international presence with manifold benefits. In McClymont M and Golub S (eds) *Many roads to justice: The law-related work of the Ford Foundation grantees around the world*. New York: Ford Foundation: 267-282.
- McQUOID-MASON DJ
1982. *An outline of legal aid in South Africa*. Durban: Butterworths Ltd.
1985. Legal aid clinics as a social service. In McQuoid-Mason DJ (ed) *Legal aid and law clinics in South Africa*. Durban: School of Law, Howard College, University of KwaZulu-Natal: 64-69.
1986. The organisation, administration and funding of legal aid clinics. *Natal University Law and Society Review* 1:193.

1992. The role of law clinics in assisting victims of crime. In Schurink WJ, Snyman I, Krugel WF and Slabbert L (eds) *Victimisation: Nature and trends*. Pretoria: Human Sciences Research Council: 559-572.
1994. Reducing violence in South Africa through street law education of citizens. In Kirchoff GF, Kosovski E and Schneider HJ (eds) *International debates of victimology*. Monchengladbach: WSV Publishing: 347-371.
2003. The Legal Aid Board and the delivery of legal aid services in South Africa. In Public Interest Law Initiative, Interights, Bulgarian Helsinki Committee and Polish Helsinki Foundation for Human Rights (eds) *Access to justice in Central and Eastern Europe*. Budapest: Public Interest Law Initiative, Interights, Bulgarian Helsinki Committee and Polish Helsinki Foundation for Human Rights.
2005. Legal aid in small and developing Commonwealth countries: Some lessons from South Africa. *Obiter* 26: 229.
2007. Assessment of legal aid in the criminal justice system in Malawi (unpublished report). Lilongwe: Penal Reform International.
- MCQUOID-MASON DJ AND PALMER RW
2007. *African law clinicians manual*. In press. Budapest: Open Society Justice Initiative.
- MCQUOID-MASON D, LOTZ L, COETZEE L, JIVAN U, KHOZA S AND COHEN T
2004. *Street law South Africa: Practical law for South African students*. 2nd ed. Kenwyn: Juta and Company.
- MHLUNGU T
2004. Educating and licensing lawyers in South Africa. *Georgia St U L Rev* 20:1005.
- MINISTER OF JUSTICE AND DEPARTMENT OF JUSTICE
1998. Enhancing access to justice through legal aid: Position article for the National Legal Aid Forum (unpublished). Pretoria: Ministry of Justice.
- MURALIDHAR S
2004. *Law, poverty and legal aid: Access to criminal justice*. New Delhi: LexisNexis.
- NULAI
2007. *NULAI Nigeria 2004-2006 Activities Report*. Abuja: NULAI.
- OPEN SOCIETY JUSTICE INITIATIVE
2004. *Report of the First All Africa Colloquium on Clinical Legal Education, 23-28 June 2003*. Budapest: Open Society Justice Initiative.
- RAHMAN M (ed)
2003. *A community in transition: The Biharis in Bangladesh*. Dhaka: ELCOP.
2004. *Combating the Khosi uprooting: Humanity cries*. Dhaka: ELCOP.
2006. *The Garos: Struggling to survive in the Valley of Death*. Dhaka: ELCOP.
- SMITH F
1985. The legal aid clinic, University of Zimbabwe, Harare. In: McQuoid-Mason DJ (ed) *Legal aid and law clinics in South Africa*. Durban: Faculty of Law, University of Natal: 48-53.
- SWART N
1994. Entry into the profession: What about articles? (unpublished) Pretoria: Law Society of South Africa.
- TIBBITTS F
2001. *Manual for street law-type clinics*. Budapest: COLPI.
- UNIVERSITY OF BOTSWANA
2000. *Faculty of Law handbook*. Gaborone: University of Botswana.