

Centre for Social Justice

Engaging with Young Lawyers and Paralegals

Over the years, CSJ has emerged as a pioneer in the realm of training and pedagogy for grassroots lawyers and paralegals. Through its experiences of operationalizing access to justice interventions at the grassroots levels, the organization has gained crucial insights into the linkages between access to justice, poverty and development. These learnings have informed and steered training and pedagogical practices developed by CSJ, thereby grounding them in grassroots realities and experiences.

CSJ in the past has tried various models of capacity building and training including long engagements, handholding, and intensive pedagogical techniques such as reading, assignments etc. The purpose of the trainings is to operationalize a person to become leaders in their own communities. CSJ has also conducted trainings based on thematic and has also taken into fold young lawyers from the elite law schools of the country. With the intent of gaining a better understanding of how other organisations approach the same issue, CSJ on 6th November 2013 organised a one-day workshop on experiences of engaging with and training young lawyers and paralegals. The objective of the workshop was to capture the learnings of practitioners who are engaged in training young lawyers and paralegals on human rights issues, laws and procedures. A succinct overview of the learnings/insights have been shared below:

1. Focus of Training for Young Lawyers

- Rekindling lawyers' interest and passion for the profession
- Training of prosecutors who face various problems of infrastructure, human resources, back up support, etc.
- Providing lawyers with basic information and awareness
- Interface of lawyers with other authorities, e.g. how the police station works, etc.
- Training judges with the same training content and methodologies used for lawyers, since both form part of the same segment.

One common principle, which came across is that one-shot training programs don't work. Further, there are three arenas, which have emerged as important components of a training program:

- i) Learning the practice of law: Content
- ii) Self-identity
- iii) Context-exposure

So the question that emerges is that, in a given time frame how does one design a training program by taking all three dimensions into account and in what proportion does the design of the programme focus on each of these elements?

2. Role of Mentors in Engaging with Young Lawyers

- It is crucial there be not much focus on the role of a mentor since it is possible that this could undermine the interests of the individual who is being mentored or trained.
- Mentoring should be done through a channel for training and empowering. This channel is the law, so the mentor has to promote law as a tool for empowerment. The central theme revolves around the idea of empowerment. It has to be transferred instead of the individual being the repository of empowerment.
- Mentoring could be given different names: accompanying, handholding, etc. But the point is to mediate the idea of mentoring by the understanding of law, the subject, the skills, etc.
- If mentoring is ignored all together, than the journey of the mentor-trainee also becomes more problematic. This journey is typically one of **dependence: co-dependence: independence: inter-dependence**, and hence the relationship of the mentor-trainee must pass through these phases.
- Further, the *absence of an institutional framework* can actually create problems in this respect e.g. the benefit of a social justice lawyering bar, etc. The births of institutions are seeded in university/educational spaces, which are not seen consciously by educational institutions. These institutions should serve the role of mentoring, since there are no institutional frameworks, identity building does not happen.

3. Some Questions Regarding the Sustainability of Training Programs

- Follow-up of the progress of individuals
- Institutional building
- Challenges in putting a training program together
- How many at trainees to be trained at one-go?
- Infusing market-based solutions/financial
- In terms of time how does one design an entire programme taking into consideration all the above-mentioned aspects?

4. Components of the Training Program: Self, Content and Context

Self

- When working on self and identity it is important that the 'I' is broken into different fragments of a new 'I'. In other words, processes must aim at building an identity through a meaning making process.
- In this regard, learning, challenging and creativity are three thresholds.
- *Assumption*: any individual who is not in touch with one's own historicity is not being creative.
- It is crucial to ask questions such as *who am I* and *where do I want to go?* This gap is where the self has to be worked on. The historicity journey is very powerful. Individuals must be made more receptive to change, look at one's own identities and want to build new identities.
- It is in breaking the shackles of deficit at different points that one needs the support of mentors.

- *Going to the field is not just context building but also identity building.* People who don't want to work on their identity will not want to go to the field since the experience can be supremely unsettling and difficult.
- No fixed method, start with the self, focus keeps decreasing until one reaches an obstacle, and focus on the self-returns.

Context

- It is found that field exposures are the best places for context building.
- But many participants come from the field themselves. There is a misconception that if you are a dalit, you know everything about dalits. However, this is just a shackle of deficit, where the field exposure just reinforces the identity that the individual is comfortable with. *Field exposures for such individuals have to be designed differently.*
- So, is the field as an exposure to a new culture where you have to find a new identity? How does one weave the ability to look at one's own culture dispassionately?
- *Field exposure is just not about context building. If this is not linked to identity then it can be a dangerous phenomenon where one claims that they know everything.*

Content

- One learns best when they are in a problem, or placed within a context. So in one way, context drives the content.

5. Future Plan

- How do we build a practice to help train people to use the law and institutionalise it?
- Question of follow up and how do we sustain it?
- How do we formulate a process of training trainers?
- Creating a hub or knowledge sharing system etc.
 - putting common material on an e resource system
 - sharing resources
- Institutionalising the idea of training young lawyers/paralegals or individuals who want use law for social justice as a *collective* on lines of the national training laboratories, etc. (institutional framework).
 - Building a body of knowledge: documenting practices
 - Creating training methodologies, etc.
 - Meeting twice a year to conduct trainings, etc.
 - Continued support

6. Insights from Capacity Building of Lawyers/Paralegals

One Value which was Upheld	One Life-Giving Force Present	One Shackle which was Unshackled	What could have been better?	What worked?
1) Non-Exclusion 2) Synergetic Connection (not alone, part of something bigger)	1) Focussed and Sustained Intervention 2) Not Giving Up and Fighting/Battling Spirit 3) Love	1) Feeling of Loneliness 2) Fear of Rejection 3) Feeling of Difference	1) Continued Follow-up: Should remain connected for a long period of time 2) Inter-personal Dialogue	1) Mentoring (not top-down): might not work out 2) High Self-Motivation 3) Sharing personal stories
1) Persistence and dedication 2) Flexible approach	1) Amplification/Replication	1) Socio-economic condition	1) Better understanding of community/individual 2) Personalising the law	1) Alternative methods/tools 2) Understanding poverty/discrimination through the self
1) Possible to change 2) Intervention in the life/situation of another distressed person in a personal/professional capacity is not just possible but also essential.	1) Doing + Making=Difference 2) Compassion/seeing change	1) Patriarchal/feudal mindsets 2) The perception of yourself in your professional role as set out by your seniors or peers society.	1) Designed exposure at the outset and not at the end of the programme. 2) Emerging as a leader in law 3) Institutional follow up	1) Exposure to discrimination/options 2) Experiencing poverty/discrimination 3) Interface with the actual situations of the people who will be affected by your actions.