

COMPARATIVE ANALYSIS OF THE ROLE OF CLINICAL LEGAL EDUCATION IN ADDRESSING GENDER-BASED VIOLENCE IN UGANDA AND NIGERIA

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ABSTRACT

Direct participation of law students in pro bono community-based courses is seen as key for training within the legal education field, in order to provide students with a basic understanding of the social nature of law and the tools to ensure that law will serve as an instrument of justice. The facilitation of partnerships between higher education institutions and the community in which students learn about gender-based violence through courses offered during the clinical year should become the main objective of clinical education. These efforts form part of the broader social struggle against the establishment of the systems that facilitate the continuance of violence, aimed at changing societal norms and facilitating attitudinal changes, in turn aimed at minimizing gender-based violence. The study aimed to explore the experience of domestic violence survivors in educating clinical law in Uganda and Nigeria. To achieve this, the research used a qualitative method by employing the use of comparative research of different CLE methods aimed at exposing law students to the problem of domestic violence in Nigeria and Uganda. The study found that one of the leading reasons for the ineffective enforcement of laws protecting survivors of gender-based violence is that legal professionals seldom have training on this matter. Interestingly, these professionals are the first individuals whom survivors of gender-based violence encounter when they report the crimes. In addition to numerous other challenges, confidentiality is indispensable, a training that medical students do not traditionally receive. The study concludes and recommends that interdisciplinary education may resolve problems and gaps that experienced professionals encounter in their daily work with survivors of gender-based violence.

Keywords: Clinical Legal education, Gender-based violence, Law Students, Survivors

1. Introduction

The clinic is an experiential legal training through which law students and legal professionals are exposed to real legal problems by helping indigent clients, thereby bridging the gap between legal theory and practice¹. Clinical legal education is obtained

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through clinical legal programs, also known as legal aid, and involves law teachers and students of law as part of their course experience while using their knowledge in the legal profession to serve the community². It plays an important role in legal reform, administration, wider societal justice, representation of social interests, and education of legal professionals. It prepares law students using client-based teaching methods, helping them apply theories from the elitist position during their course of work, and ensuring social justice in the legal education process.³ The murkiness in the substantive content of gender-based violence in the traditional core law curricula underplays the important role that could be played through clinical legal education in responding to the needs of clinical legal education.^{4 5}

The relevance of a clinical legal program to the community at large could make it a lasting success and not a mere documentation of political correctness⁶. Some existing clinical legal programs involve gender-based violence aspects, and yet others are proactive and explicitly target these.⁷ We contend that clinical curricula may include a significant gender-based violence dimension, and this paper aims to demonstrate this. Ideally, each of these organizations should have a gender-based violence portfolio that seeks to address justice by taking a gender-based violence approach. Such a portfolio may include gender-based advocacy, policy work, research, representation, or gender-based violence incidents. This study relates the journeys through three clinical programs in Nigeria and Uganda.

3. Theoretical framework

Various theoretical bases underpin the place of CLE in addressing GBV, which include: **Experiential Learning Theory**: whereby law students acquire practical legal skills using actual cases.⁸

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¹ Olawunmi Obisesan, 'Experiential Learning And Alternative Dispute Resolution (ADR) Law Clinics: A Case Study Of Redeemers University Adr Law Clinic' (2024)

ResearchGate<https://scholar.google.com/citations?view_op=view_citation&hl=en&user=sOBg8XMAAAAJ&authuser=1&citation_for_view=sOBg8XMAAAAJ:ldfaerwXgEUC> accessed 22 February 2025.

² *ibid.*

³ *ibid.*

⁴ Ana Speed, 'Clinical Legal Education as an Effective Tool for Improving the Accessibility of Protective Injunctions for Victims of Domestic Abuse: A Case Study Example of the Models of Support Available at Northumbria University'. 2021. 2(2). International Journal of Clinical Legal Education. 66.

⁵ Kayliegh Richardson and Ana Speed, 'Promoting Gender Justice within the Clinical Curriculum: Evaluating Student Participation in the 16 Days of Activism against Gender-Based Violence Campaign' (International Journal of Clinical Legal Education, 2019) 87.

⁶ Sanjeev Ghanghash, 'Community Outreach Programme as an Integral Part of Clinical Legal Education: A Socio-Legal Study'. (Law and Safety, 2023) 77.

⁷ Jeni Klugman, 'World Development Report 2017: Gender Based Violence and the Law' (2017) Semantics Scholar <<https://www.semanticscholar.org/paper/World-development-report-2017-%3A-gender-based-and-Klugman/f9c67be9f8c0da9b42c5a684e2d2fedc9ebaa45b>> accessed 4 February 2025.

⁸ Helen Kruuse, 'Substantive Second-Level Reasoning and Experiential Learning in Legal Ethics' (2012) Semantics Scholar <<https://www.semanticscholar.org/paper/Substantive-second-level-reasoning-and-experiential-Kruuse/8366edd835ea21491bc3b6bd55bd30fb5bb06b54>> accessed 8 February 2025.

Access to Justice Theory: which positions CLE in providing direct legal services to the marginal survivor.⁹¹⁰

Feminist Legal Theory and Social Justice Theory: where GBV is set within a systemic context and uses survivor-centered and rights-based approaches.¹¹¹²

Transformative Learning Theory: Inspires critical consciousness regarding students becoming socially responsible lawyers,¹³

Community Lawyering: empowers survivors by working organically at the grassroots level.¹⁴

Restorative Justice Theory: examines nonpunitive, healing-centered justice responses. All these positions CLE as a critical tool for legal advocacy, policy reform, and survivor empowerment in the fight against GBV.¹⁵

4. Conceptual Framework

In defining law as a social institution and taking on a global and comparative perspective of its regulation, analysis, and implications, clinical legal education seeks to help students understand the values, dynamics, and ethical responsibilities of the profession, as well as the institutional, political, and administrative dimensions of the role they will adopt when they become practicing lawyers, prosecutors, judges, or politicians.¹⁶ Clinical legal education constitutes an important social justice project. It seeks to fulfill two central imperatives: developing a critical understanding of the profession and enhancing access to justice.¹⁷

The particular community justice challenges of the rule of law concept are related to the purpose of a common, fair, and just legal framework, which includes monitoring and regulating its effectiveness, and ultimately allows human beings to live with one another in a hospitable environment that respects the dignity and humanity of all.¹⁸ At the same time, the rule of law and human rights education should offer dimensions that allow professional excellence while regulating and enforcing legal certainty and trustworthiness,

⁹ Amy M Magnus and Frank A Donohue, 'Reimagining Access to Justice through the Eyes of Rural Domestic Violence Survivors' (2022) 26 *Theoretical Criminology* 434.

¹⁰ Olawunmi Opeyemi Obisesan, 'An Overview of Health Care Support of Intimate Partner Violence Survivors' (2024) 3 *Research Output Journal of Public Health and Medicine* 15.

¹¹ Ibid

¹² Abiodun Paul Afolabi and Edwin Etieyibo, 'Gender Relations and Social Justice in Africa: Toward a Duty-Based Approach to Gender-Based Violence' (2023) 42 *South African Journal of Philosophy* 230.

¹³ Alperhan Babacan and Hurriyet Babacan, 'Enhancing Civic Consciousness through Student pro Bono in Legal Education' (2017) 22 *Teaching in Higher Education* 672.

¹⁴ Suvarna Menon and Nicole Allen, 'Empowering Practices With Domestic Violence Survivors in India' (2022) 28 *Violence Against Women* 1008.

¹⁵ Nilakshi Reeta and Monika Rathi, 'Empathy Over Retribution: Examining The Role Of Restorative Justice In Domestic Violence Cases' (2023) 4 *ShodhKosh: Journal of Visual and Performing Arts* 1592.

¹⁶ Mariette Du Plessis, 'The Role of Clinical Legal Education in Developing Ethical Legal Professionals' (2021). 54 *De Jure* 1.

¹⁷ Jacqueline Weinberg, 'Preparing Students For 21st Century Practice: Enhancing Social Justice Teaching In Clinical Legal Education' (2021) 28 *International Journal of Clinical Legal Education* 5.

¹⁸ Ibid

remedies, and compensation in the exercise of state action and public power in a democratic society that respects the general equality of all its citizens.¹⁹ In either case, clinical legal education must raise awareness of both the legal norms and the needs of society, addressing the formal as well as substantive, procedural, and institutional dimensions of the above objectives.²⁰ It must establish specific methodologies to foster the learning objectives addressed.

In addressing gender-based violence and in teaching or assisting to respect the participation of communities by creating gender incorporation, clinical legal education has focused on not just the furtherance of gender incorporation as a social justice initiative but on experientially educating students in understanding both the urgency and the values that call for gender-based violence to be eradicated in pursuit of this purpose.²¹ Combating gender-based violence is crucial.²² As such, our clinical legal education has multiplied in the region in response to the urgent need for the eradication of gender-based violence. Our context analysis represents the effort to make the invisible visible by comparing the role of clinical legal education among all societal categories and by highlighting gaps and weaknesses in the institutional legal framework that inhibit effective legal operations in the broadest possible manner²³.

At the very heart of our context is a shared and enduring belief that clinical legal education is an engine of change for responsive teaching but also for the practice and advocacy in the protection of human rights and gender justice at the same time.²⁴ To this end, our contextualization of the role and influence of clinical legal education in the fight against violence against women is a social justice initiative rooted in pivotal observations.²⁵²⁶²⁷ First, clinical legal education is well-positioned to give concrete life to the idea that the rule of law concerns cannot exist in isolation from concerns of a fair and just society. Second, with a commitment to theorize and practice situated in the critique of gender social, economic, legal, and political hierarchies²⁸, as clinical legal educators, it is not just resistance but also the economic responsibility that legitimizes our positions as educators

¹⁹ Radu Ciobanu, 'Standards of Efficiency in Reconceptualizing the Professionalism in Law' (2020) Semantic Scholar <<https://www.semanticscholar.org/paper/Standards-of-efficiency-in-reconceptualizing-the-in-Ciobanu/02263cd568fbc228e439b2548b0ccf0d3bf2c489>> accessed 8 February 2025.

²⁰ *Ibid.*

²¹ Olanike Adelakun, 'The Influence of Community Leaders on the Criminal Justice System of Gender-Based Violence in West Africa: A Case Study of Nigeria and Ghana' (2021) Comparative and International Law Journal of Southern Africa <<https://unisapressjournals.co.za/index.php/CILSA/article/view/7482>> accessed 8 February 2025.

²² *Ibid.*

²³ Godswill Owoche Antai, *Methods of Judicial Cooperation and the Procedure for Enforcement under International Law; Identifying the Nexus between Theory and Practice*. (2024). Newport International Journal of Current Research in Humanities and Social Sciences.
<<https://doi.org/10.59298/NIJCRHSS/2024/4.3.8088>> accessed 8 February 2025

²⁴ Omar Madhloom and Irene Antonopoulos, 'Clinical Legal Education and Human Rights Values: A Universal Pro Forma for Law Clinics' (2022) 9 Asian Journal of Legal Education 23.

²⁵ Ogundipe (n 18).

²⁶ *Ibid*

²⁷ *Ibid.*

²⁸ Saminu Abacha Wakili and others. [Legal Framework and Challenges Concerning Forensic Evidence in Nigeria](https://doi.org/10.59568/KIULJ-2025-7-1-08). Trunojoyo Law Review Vol 7 issue 1. (2025).

when teaching and developing clinical legal education materials, as well as the responsibility to think critically about the systemic instabilities that fall along such gradients²⁹.

Clinical legal education (CLE) is an innovative teaching method that combines theoretical knowledge with practical legal experience.³⁰ It aims to develop students' legal ethics, professional responsibility, and problem-solving skills through hands-on learning in real-world scenarios.³¹ CLE employs interactive teaching methods and evaluation techniques, enabling students to enhance lawyering skills, understand legal theories, and recognize the limitations of the legal system.³² This approach aligns with educational reforms and qualifications frameworks in countries like Thailand.³³ While CLE has gained global success, it lacks a unified jurisprudence due to its diverse forms and conceptualizations.³⁴ However, efforts are being made to develop a coherent clinical jurisprudence that integrates various strands of thinking.³⁵ To remain effective, CLE must adapt to technological advancements and address current, specific legal issues while fostering international cooperation among universities.³⁶

Gender-based violence (GBV) is a complex social issue affecting individuals based on their gender or perceived gender norms.³⁷³⁸ It encompasses physical, psychological, sexual, and economic violence in both private and public spheres.³⁹⁴⁰ GBV primarily targets women but can also affect men and LGBTQ individuals.⁴¹⁴² The concept emerged in the scientific

²⁹ Godswill Owoche Antai. An Appraisal of the Historical Development of the African Response to Extradition. (2024). Newport International Journal of Current Research in Humanities and Social Sciences. <<https://doi.org/10.59298/NIJCRHSS/2024/4.3.2735>> accessed 8 February 2025

³⁰ Zhao Hui, 'On Clinical Legal Education' (2000). Semantic Scholar <<https://www.semanticscholar.org/paper/On-Clinical-Legal-Education-Hui/e7e44a3dea613d3b239d11705e1d2eb0f44120ae>> accessed 8 February 2025.

³¹ Panarairat Srichaiyarat, 'Clinical Legal Education and the National Qualifications Framework for Higher Education' (2012). Semantic Scholar. <<https://www.semanticscholar.org/paper/Clinical-Legal-Education-and-the-National-Framework-Srichaiyarat/cd53e72118c4ab898b3db3c94fc9a805a3a77d57>> accessed 8 February 2025.

³² *ibid.*

³³ *ibid.*

³⁴ Kwame Akuffo, 'Evolving Jurisprudence in Clinical Legal Education - A Contemporary Study in Theory and Practice' (2019) 26 International Journal of Clinical Legal Education 46.

³⁵ *ibid.*

³⁶ Tomy Michael, 'Legal Education - An Education Of Recurring Legal Needs Or Habits?' (2023) <<https://www.semanticscholar.org/paper/Legal-Education-An-Education-Of-Recurring-Legal-Or-Michael/b678ad598d820e7b7b9a2741024d854e07ee90a5>> accessed 8 February 2025.

³⁷ Obisesan and others (n 10).

³⁸ Michelle K Ryan and others, 'Reducing Gender-Based Violence' (2013) SAGE Publications Ltd. <<https://sk.sagepub.com/reference/the-sage-handbook-of-gender-and-psychology/n22.i2887.xml>> accessed 8 February 2025.

³⁹ *Ibid*

⁴⁰ Serene Yadav and Rana Zaidi, 'Three Major Aspects of Violence: Physical, Emotional and Psychological Violence': (2020). Semantic Scholar. <<https://www.semanticscholar.org/paper/Three-major-aspects-of-violence%3A-physical%2C-and-Yadav-Zaidi/267519837ba27a4ea07bd272c2a726d38970a626>> accessed 8 February 2025.

⁴¹ *Ibid*

⁴² Obisesan and others (n 26).

literature in 1968, introduced by Robert J. Stoller.⁴³ GBV is rooted in unequal power relations, outdated stereotypes, and societal norms. It manifests in various forms, including intimate partner violence, sexual abuse, traditional practices like female genital mutilation, and human trafficking.⁴⁴ GBV violates human rights, restricts freedoms, and undermines personal dignity and societal stability.⁴⁵ Despite global efforts, no country has fully addressed GBV due to the persistent challenge of achieving complete gender equality.⁴⁶

Gender-based violence (GBV) remains a significant issue in Nigeria and Uganda, deeply rooted in patriarchal societal structures and cultural practices.⁴⁷⁴⁸⁴⁹ Various forms of GBV, including intimate partner violence, sexual assault, and child marriage, persist in both countries.⁵⁰ Factors contributing to GBV include socio-cultural norms, lack of political will to implement effective laws, poverty, and illiteracy.⁵¹ In Uganda, despite efforts to address GBV, injury rates due to GBV have not significantly decreased from 2012 to 2016, with females being more affected than males.⁵² The Northern and Eastern regions of Uganda experience higher GBV-associated injury and burdens compared to other regions.⁵³ GBV has severe consequences on health, social well-being, and economic productivity.⁵⁴ While women's economic empowerment is a popular approach to preventing GBV in Uganda, it alone is insufficient.⁵⁵

5. Legal Framework and Policies

⁴³ Yuliuva Hernández García, 'Acerca Del Género Como Categoría Analítica. (2006) Semantic Scholar' <<https://www.semanticscholar.org/paper/Acerca-del-g%C3%A9nero-como-categor%C3%ADa-anal%C3%ADtica-Garc%C3%ADa/53a0136b70364ac027c19c23a501aa2f2a1fff9d>> accessed 8 February 2025.

⁴⁴ Ibid

⁴⁵ Clarisa Bencomo, Emily Battistini and Terry McGovern, 'Gender-Based Violence Is a Human Rights Violation: Are Donors Responding Adequately? What a Decade of Donor Interventions in Colombia, Kenya, and Uganda Reveals' [2022] Health and Human Rights <<https://www.semanticscholar.org/paper/Gender-Based-Violence-Is-a-Human-Rights-Violation%3A-Bencomo-Battistini/221da98f9239c05b2738e55ceb532c1e1e5d91af>> accessed 8 February 2025.

⁴⁶ Ibid.

⁴⁷ Ibid

⁴⁸ Sutarman Sutarman, 'Research of Face-To-Face Learning Class Actions during the COVID-19 Pandemic at Smpn 3 Ngamprah, West Bandung Regency'. (2021) Saudi Journal of Humanities and Social Sciences <DOI:10.36348/sjhs.2021.v06i1.006> accessed 8 February 2025.

⁴⁹ Peter Ocheme, Gloria Shajobi-Ibikunle and Namaganda Zuweni, 'A Critical Overview of Gender – Based Violence in Uganda' (2020) American Journal of Humanities and Social Sciences <<https://www.worldscholars.org/index.php/ajhss/article/view/1028>> accessed 8 February 2025.

⁵⁰ Ojemeiri Karl Airaoje, Aruaye Afeye Obada and Aondover Eric Msughter, 'A Critical Review on Gender Based Violence in Nigeria: Media Dimension' (2023) 3 Middle East Research Journal of Humanities and Social Sciences 9.

⁵¹ ibid.

⁵² Claire Biribawa and others, 'Trends of Injuries Due to Gender Based Violence, Uganda, 2012 – 2016, a Retrospective Descriptive Analysis' (2020) 3 Journal of Interventional Epidemiology and Public Health <<https://www.afenet-journal.net/content/article/3/7/full/>> accessed 8 February 2025.

⁵³ ibid.

⁵⁴ Catherine Pauline Anena and Solava Ibrahim, 'Revisiting Economic Empowerment as a Sufficient Remedy for Gender Based Violence: The Case of Jinja District in Uganda' [2020] Gender Online <http://genderonline.cz/doi/10.13060/gav.2020.003.html>, <<https://doi.org/10.13060/gav.2020.003>> accessed 8 February 2025.

⁵⁵ ibid.

Uganda has implemented legal frameworks to address gender-based violence (GBV), including domestic violence. The Domestic Violence Act aims to protect victims and prosecute perpetrators.⁵⁶ The legal framework also extends to refugee populations, where sexual violence persists despite UNHCR guidelines.⁵⁷ Nigeria has made progress in addressing gender-based violence (GBV) through legislation, particularly the Violence Against Persons (Prohibition) Act (VAPPA) of 2015.⁵⁸⁵⁹ The VAPPA expands the definition of rape and imposes stricter sentences for offenders.⁶⁰⁶¹⁶² However, challenges persist in implementing this law, including delays in the court system, insufficient resources, and inadequate protection for survivors.⁶³⁶⁴ The legal framework against GBV in Nigeria also includes the Child Rights Act, Criminal and Penal Codes, though their application varies across states.⁶⁵⁶⁶⁶⁷ Despite these efforts, GBV remains prevalent, with approximately 20% of women reporting sexual violence in childhood.⁶⁸ Nigeria and Uganda have ratified international conventions on children's and women's rights, but face challenges in implementing gender equality.⁶⁹ Both countries have enshrined fundamental human rights in their constitutions, with Uganda's provisions being more comprehensive.⁷⁰ Despite progress in policy formulation and agency creation, Nigeria struggles with gender discrimination due to cultural practices, religious beliefs, and legal barriers.⁷¹ Child marriage remains a significant issue in both countries, contributing to high morbidity and

⁵⁶ School of Law Kampala International University, Uganda and Mutumba Fred, 'Examining the Legal Framework Regulating Domestic Violence in Makindye Division of Uganda' (2024) 9 IDOSR JOURNAL OF BANKING, ECONOMICS AND SOCIAL SCIENCES 38.

⁵⁷ Ibid

⁵⁸ Ibid

⁵⁹ Ibid

⁶⁰ *ibid.*

⁶¹ Ibid

⁶² Theresa Uzoamaka Akpoghome, 'Analysis of the Domestic Legal Framework on Sexual Violence in Nigeria', *Journal of Law and Criminal Justice* (2016) <<http://jlcjnet.com/vol-4-no-2-december-2016-abstract-3-jlcj>> accessed 8 February 2025.

⁶³ (n 44).

⁶⁴ Olutoyin Opeyemi Ikuteyijo and others, 'Stakeholders' Engagement with Law to Address Gender-Based Violence in Southwest Nigeria: A Qualitative Study Using Normalisation Process Theory to Explore Implementation Challenges' [2024] *BMJ Public Health* <<https://bmjpublichealth.bmj.com/content/2/2/e001326>> accessed 8 February 2025.

⁶⁵ Olawunmi Obisesan and Kiu Publication Extension, 'Appraisal of the Relevant Laws, Health Care Policies, and Legal and Institutional Frameworks for the Health Care Support of Intimate Partner Violence Survivors in Nigeria' (2024) 4 18.

⁶⁶ Ibid

⁶⁷ Akpoghome (n 62).

⁶⁸ Emeka Ekweozor, 'An Urgent Need to Extend the Frontiers of the Legal Regime on Gender-Based Sexual Violence Against Women in Nigeria' (2020) (Social Science Research Network) <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3628147> accessed 8 February 2025.

⁶⁹ Michael Addaney and Onuora-Oguno Azubike, 'Education as a Contrivance to Ending Child Marriage in Africa: Perspectives from Nigeria and Uganda'. (2017). *Amsterdam Law Forum*. <<https://amsterdamlawforum.org/article/10.37974/ALF.297/>> accessed 8 February 2025.

⁷⁰ Bello Lateefat Ayodeji and Aderemi Opeyemi Ade-Ibijola, 'The United Nations Women and Gender Equality in Nigeria: Challenges and Prospects' (2022) 14 *African Journal of Stability and Development (AJSD)* 137.

⁷¹ *ibid.*

school dropout rates.⁷²⁷³ The UN Women initiative has made efforts to promote gender equality in Nigeria, focusing on peace and security, economic empowerment, political participation, and ending violence against women.⁷⁴⁷⁵

To support the promotion and protection of women's rights under the Transforming Leadership for 21st Century Africa Program, the young academics will be trained to proactively advance the course to overcome the many challenges preventing women from full participation in the social, economic, cultural, and political development of their country. However, while the countries have signed and ratified these international and regional conventions, providing that no society can achieve its full potential while leaving half of its citizens behind, implementation remains lacking.⁷⁶ This is due to a myriad of reasons including the limited awareness of the rights promulgated by the conventions, rampant social attitudes including harmful stereotypes, practices and norms, weak legal systems, and poor implementation of the law, and an absolute lack of legal information or clarity on what type of services are or should be available.⁷⁷

6. Role of Clinical Legal Education in Addressing Gender-Based Violence

Clinical Legal Education (CLE), also known as Law Clinic or Legal Aid Clinic, is a major contemporary approach to legal education.⁷⁸ Law students are the primary beneficiaries of the services offered under Clinical Legal Education, gaining practice-oriented experiences while also providing legal services to clients.⁷⁹ This form of legal education has international recognition as the most effective model in the education of lawyers.⁸⁰ A major advantage of Clinical Legal Education is that students learn in the context of real life, thereby creating what is commonly referred to as "law-in-action". CLE promotes the training of "social justice-oriented lawyers", which is a core value of an organization aimed at promoting Public Interest Law in Africa, and has a competent teaching model that facilitates where the institution is located within the society, involving collaboration with communities and wider stakeholders.

In Uganda, Makerere University School of Law has multiple law clinics, including the Public Interest Law Clinic (PILAC), the Business Law Clinic (BLC), and the MakTLC., while in Nigeria, there is, among others, the University of Ibadan Women's Law Clinic (UI-WLC). The study finds a resemblance in the offering of GBV services at the two institutions. Makerere University Law Clinic is a legal aid clinic for the Department

⁷² n. 65

⁷³ Michael Addaney and Onuora-Oguno Azubike, 'Education as a Contrivance to Ending Child Marriage in Africa: Perspectives from Nigeria and Uganda', *Amsterdam Law Forum* (2017) <<https://amsterdamlawforum.org/article/10.37974/ALF.297/>> accessed 8 February 2025.

⁷⁴ n. 65.

⁷⁵ Bello (n. 70)

⁷⁶ Ibid

⁷⁷ ibid.

⁷⁸ 'Experiential Learning and Alternative Dispute Resolution (ADR) Law Clinics, A Case Study Of Redeemers University ADR Law Clinic'. (2021)

<https://scholar.google.com/citations?view_op=view_citation&hl=en&user=sOBg8XMAAAAJ&authuser=1&citation_for_view=sOBg8XMAAAAJ:ldfaerwXgEUC> accessed 22 February 2025.

⁷⁹ ibid.

⁸⁰ ibid.

of Public and Comparative Law at Makerere University, Kampala, Uganda, staffed with law students who have no prior practice experience serving as counselors, case managers, and litigators in the Ugandan process under the regulation, supervision, and mentorship of legal practitioners. Makerere University Law Clinic services legal cases such as labor and employment, defilement, and GBV cases under the supervision of a legal practitioner, providing practical experience. An observer at Makerere University Law Clinic notes, "Most Clinical Legal programs around the world are built around the basics of clinical legal education, teaching areas of evidence before students are taught evidence at the law school."

Nigerian Legal Aid Clinic, a law center offering the Bachelor of Laws (LLB), provides student practice under the regulation, encouragement, and mentorship of legal practitioners who supervise and serve the Nigerian community by mirroring how law graduates practice, as they have no prior practice experience since Nigerian law students are not allowed to hold menial jobs. Nigerian Legal Aid Clinic provides legal aid services to indigent persons within its geographic locales, serves as a community resource center, and provides practical experience. Nigerian Legal Aid Clinic services legal cases in the areas of business associations, such as new company registration. It started by offering legal services in the areas of defendant and petitioner but with its wide range and noble scope, has found an interest in GBV as a service under the supervision of a legal practitioner from the Dean's Chamber and a local law firm⁸¹.

7. Benefits and Challenges

Upon discussing the use of clinical legal education in gender-inclusive training to address legal gender-based disparities, a clear distinction was drawn between the use of clinical legal education to address non-gender-based disparities through mass strategies on the one hand and individualized strategies on the other. It was also observed that, while mass strategies could be used efficiently to sensitize women about their rights and obligations and the legal means of accessing justice, individualized strategies offer qualitative results, comprising not only legal advice from skilled student-clinicians but also various forms of specialized psychological and emotional support from the legal clinic team, which is made up of not just faculty supervisors but social workers with an academic background in law that is always met with mixed reactions in the legal fraternity⁸². It was observed that several challenges accounting for the lack of indigenization and/or institutionalization of the clinical legal education approach in addressing gender-based disparities exist, including the lack of female law facilitators to encourage students to come and address gender issues that favor male students and the inadequate opportunities available for female students to interact with female access-to-justice-seeking clients. Another challenge was the

⁸¹ Olawunmi Opeyemi Obisesan, [The challenges of health care support for survivors of abuse by an intimate partner: scrutiny of law and policy in Nigeria](https://scholar.google.com/citations?view_op=view_citation&hl=en&user=sOBg8XMAAAAJ&citation_for_view=sOBg8XMAAAAJ:ZHo1McVdvXMC). (2024). *KIU Interdisciplinary Journal of Humanities and Social Sciences* https://scholar.google.com/citations?view_op=view_citation&hl=en&user=sOBg8XMAAAAJ&citation_for_view=sOBg8XMAAAAJ:ZHo1McVdvXMC

⁸² Olawunmi Opeyemi Obisesan *and others*. The incorporation of artificial intelligence in legal practice in Uganda: Prospects and socio-economic issues. *KIULJ*. (2024) <https://kiulj.kiu.ac.ug/article-view.php?i=130&t=the-incorporation-of-artificial-intelligence-in-legal-practice-in-uganda-prospects-and-socio-economic-issues> accessed on the 19 April 2025

conservative attitude of most women clients who visited the clinical legal education program offices, which discourages female students from pursuing law programs⁸³.

As such, the review of literature, reflection, and clinical legal education experience discussed indicated that the clinical legal education approach could be improved through indigenization, which should regularly include nuanced critiques of traditional theories and deconstruct negative power narratives and symbolisms associated with African women, especially in societies where women are still fighting gender-based disparities through performative state programs instituted by post-colonially male-dominated governments. The paper agreed with the position that transformation in governance requires transformed laws, that transformed laws require transformed people, and that laws and social practices need to be created, understood, and implemented free of gendered bias, and that clinical legal education could become a main ally of those who actively promote a critical pedagogy, feminist jurisprudence, and gender transformative education, referred to as 'critical praxis of teaching'.

8. Comparative Analysis of Clinical Legal Education in Uganda and Nigeria

These two case studies demonstrate how clinics design and implement programming focused on supporting survivors of violence in Uganda and Nigeria, and to what extent that programming is effective in advancing gender law learning goals for students. The analysis demonstrates overall that while CLE can be a powerful pedagogical tool in combining both conflict resolution skills and substantive law learning, the approach clinics take can significantly impact the extent to which they can provide legal assistance to survivors in criminal legal matters as a means of building students' gender empathy and other core gender law learning goals⁸⁴. Schools with more robust programming focused on doing so through direct criminal defense of clinic clients are better able to advance these goals because students gain exposure to the law in action and the penalties associated with noncompliance. In contrast to these schools, programs focused on engaging women and men through the work of the cooperative may fall short in achieving clinical learning goals associated with gender law, in part because students may find it difficult to identify and appropriately distinguish between what is wrong with the current state of the law and how the law is intended to work⁸⁵. Beyond that, however, both approaches to integrating gender content, as this case study demonstrates, will always be more effective in advancing gender content goals if also paired with a robust academic legal curriculum focused on this content.

⁸³ Antai, Godswill Owoche and others. The Challenge of Rapid Development Amidst International Debt in Sub-Saharan Africa: Nigeria's Legal Framework and Pathways to Sustainable Debt Management. (2024). NIU Journal of Social Sciences.
<<https://www.kampalajournals.ac.ug/ojs/index.php/niujsoc/article/view/2025>>
<https://doi.org/10.58709/niujs.v10i4.2025>.
accessed 14 January 2025. doi:

⁸⁴ n. 82

⁸⁵ [Dominic Chukwuemeka Onyejebu](#) and others. How Nollywood Can Facilitate Criminal Justice Responses to Herdsmen Issues in Nigeria. (2024) [Journal of African Films & Diaspora Studies](#). DOI:[10.31920/25162713/2024/7n3a14](https://doi.org/10.31920/25162713/2024/7n3a14) accessed on 20 February 2025.

8.1. Institutional Structures and Support

The status of the CLE programs with respect to the institutional structures determines the quality of the program and affects its ability to achieve the desired impact. Though clinical legal education has been institutionalized in some universities and law colleges, and law clinics have been established, there are a number of challenges that continue to affect the nature, development, support, and sustainability of the programs. Some of the challenges are inherent in the institutions in which clinical programs are domiciled. For example, at Makerere University, the Law Development Centre is the only institution that is subjected to the full cycle of clinical legal education in Uganda. At universities, law clinics do not cover a wide spectrum of areas in clinical legal education that are incorporated in law courses in other disciplines, including criminal law, tort, and family law.

CLE might be mainstreamed within the law schools, but it lacks full support and commitment from their respective management⁸⁶. Even when law clinics are originally established to enable students to engage in assistance to vulnerable communities or persons, the financial and material support that is attached to law clinics is inadequate, and sometimes, sources of funding are not sustainable. At universities, it is required that in providing the right training and enough support, senior faculty members teach at the law clinics that require prior extensive preparation. However, in practice, teaching loads, the nature of deployment of faculty, and the general attitude towards clinical programs militates against the full realization of this requirement by the students⁸⁷. Some university programs languish from a lack of sufficient staffing with appropriate skills in practice and teaching. Furthermore, one of the requirements for the clinical reports is that they should have been vetted or supervised by the supervisor or any faculty member of the host institution, which may not be practical. This is so because many of the students live in areas with no faculty accommodation and lack the financial capacity to move near their law schools for daily supervision.

8.2. Curriculum and Teaching Methods

These two universities incorporate different teaching methods in their clinical legal programs to achieve their goals, whether by requiring students to create workshops for their communities, participate in human rights studies, or work with women's groups. This study has already noted that clinical legal education is very important in ameliorating gender-based violence. Legal education that sensitizes law students to the issues, and in which they can participate in practice by learning and engaging with the issues in a way that encompasses their views, opinions, and skills. Not only are law students involved in the practice of human rights before they graduate, they also have the opportunity to learn a variety of skills. These opportunities should be reflected in the curriculum and through

⁸⁶ Godswill Owoche Antai and others. Legal Framework and Mechanism for Combating International Crimes: A Comparative Analysis between Nigeria and Uganda. (2024). NIU Journal of Social Sciences. doi: <https://doi.org/10.58709/niujs.v10i1.1943>. accessed on 20 February 2025.

⁸⁷ Olawunmi Opeyemi Obisesan. Experiential Learning and Alternative Dispute Resolution (ADR) Law Clinics: A Case of Study of Redeemers University ADR Law Clinic. (2023). The Dialectics of Alternative Dispute Resolution Selected Essays in honor of His Lordship Hon. Justice Adedotun A. Grace Onibokun Ph.D, FCARB, CFDE., Judge, High Court of Osun State. pp 41-43

teaching methods. The clinical programs reviewed in this study incorporate a number of different learning methods, such as tutoring, questioning, mootings, in-class exercises, brainstorming, reflection and preparation, discussion, role-play, writing, feedback, oral presentations, and production of clinical materials. These teaching methods can be used in clinical law to teach human rights, and specifically to teach human rights with reference to gender issues⁸⁸. Whether it takes the format of formal or informal mentoring by the clinic supervisor, working in a preexisting case or legal project, the assignment of responsibility for the conduct of practical work, or participation in court proceedings, practical activities can entail review sessions of different aspects of the work undertaken by students. The choice of teaching method will depend on pedagogic, methodological, practical, temporal, value-based, age, and interest considerations.

8.3. Case Studies and Best Practices

The importance of clinical legal education cannot be overemphasized in its ability to provide practical and experiential knowledge for law students, giving them the much-needed skills that will prepare them for legal practice. This importance can be seen clearly in helping law students develop a passion for legal issues from a very early stage in their careers. Many law schools offer clinical programs to supplement classroom teaching in an attempt to improve students' practical knowledge and skills. In addition to the importance of practical skills development and exposing law students to the professional culture of the hard work that a litigation practice may require, one especially critical role clinical education plays is to introduce students to the degree to which law can be used to intervene in the myriad human dilemmas of injustice, abuse, and victimization that form the focus of the law⁸⁹.

This role of opening students' eyes to the creative ways that the power of lawyering can be focused to identify and then to address injustices and abuses—is of equal importance in countries wrestling with citizens' need for protective laws, for access to such laws, and for lawyers who are appropriately prepared in the knowledge base as well as the skills vital to this practice. An acute sensitization to local traditions, to the realities of entrenched power, and the level of an often-casual respect for persons lacking financial self-sufficiency requires the framing and continuous tracing of student experience to these local realities to instill respect for client experiences now, and to carry this respect into the students' future practice. Clients' experiences in disputes are not only the departure point for directing skills training, but also the touchstone for developing contextual knowledge, often involving not only legal issues but also societal stigmas and cruelties⁹⁰. It is these case study examples that underscore the instructive value of experiential opportunities in clinical education, and

⁸⁸ Osuagwu Chukwudi, Omoniyi Bukola Akinola, & Olawunmi Opeyemi Ogundipe: *Mental Health Challenges and Access to Justice in Nigeria, 21st Century Judiciary; Wither Justice and Judicial Independence*. (2023). Essays in honor of The Hon. Justice J. N Akpughunum, Judge, High Court of Rivers State. at pp 135.

⁸⁹ Olawunmi Opeyemi Ogundipe and Cheluchi Onyemelukwe. *An Appraisal of the Violence Against Persons Prohibition Act of 2015 vis-à-vis the Health care Provisions for IPV Survivors in Nigeria*. (2022) 4(1), *Carnelian Journal of Law and Politics*, 32.

⁹⁰ Cheluchi Onyemelukwe and Olawunmi Opeyemi Ogundipe. "Mandatory Reporting and Health Care Support of Intimate partner violence survivors in Nigeria". (2023). *Babcock University Socio-Legal Journal*. P. 55, 2(12)

these examples can be used to illustrate to all students the breadth of clinical education's focus.

8.4. Successful Initiatives in Uganda

In Uganda, especially, some innovative, however localized initiatives appear to succeed in addressing violence against women using additional legal education, but also involving a wide range of other actors apart from legal professionals. Some of these include the Gulu District Manual for Traditional Leaders and the participation of community-based paralegals in addressing some of this violence. While most clinical legal education in Nigeria still follows a so called law and casebook method, it is time to implement an educational model based mainly on student experience that implements holistic community collaboration in providing legal services in the defense of violence against women, and one that reflects an interdisciplinary link to provide high-quality education⁹¹.

In Uganda, the problem of violence against women is exacerbated not only by the weakness of the country's legal authorities but also by traditional leaders, namely, community leaders. In Gulu, the failure of the armed forces and the local administrative bodies responsible for the system of transitional justice to provide proper remedies for human rights abuses against women meant that community leaders were the most powerful legal authority they knew. Despite the temporary nature of the village and clan leaders, their integrity regarding the statements of women's rights and their commitment to finding solutions highlighted a persistent understanding in the text and spirit of transitional justice agreements⁹².

8.5. Successful Initiatives in Nigeria

The first set of initiatives in Nigeria that have been successful in addressing gender-based violence was the police gender desk. The unique aspect of this initiative is the involvement of the police. While it has been assessed as successful, it has its pitfalls primarily due to lack of funding, inadequate staffing, and 24/7 responsiveness. This suggests that it is not enough to set up a gender desk; the gender desk should operate optimally. The percentage of women involved is under the international recommendation, meaning that a larger number of male policemen deal with female victims. This is an issue that has not been part of the discourse on gender-based violence. Finally, the reluctance of victims of violence to report has been heightened by the perception that the victim would be violated, thereby affording room for the police to exploit the victim under the guise of investigation⁹³.

⁹¹ Olawunmi Opeyemi Ogundipe and Omoniyi Bukola Akinola. "Covid 19 and the Challenges of Access to Justice in Nigeria". (2020). 3(1) *The Redeemer's University Law Journal (RUN LAW JOURNAL)* pp388-403.

⁹² Olugbemi Fatula, Aderanti Adepoju and Olawunmi Opeyemi Ogundipe. "Hate speech, Freedom of Expression and State Security Laws in Nigeria". (2018). 1(2) *The Redeemer's University Law Journal (RUNLAWJ)*. 109-116

⁹³ Olugbemi Fatula, Abiodun Amuda – Kannike and Olawunmi Opeyemi Ogundipe. "Suicide and the right to life". (2018). 1(3). *The Redeemer's University Law Journal (RUNLAWJ)* Vol.1, Pt II. College of Law, Redeemer's University, Ede, Nigeria, pp635-642.

The second initiative is the Access to Justice project, set up and managed by a well-resourced law firm that runs pro bono legal services specializing in domestic violence cases. The first note is that everyone deserves the benefit of legal assistance; we could argue that the initiative serves mostly the indigent who cannot afford paid services. This project has been more successful because it is a non-governmental organization and does not have the bureaucracy associated with government. This, however, is one of its pitfalls that create its nature. Other nongovernmental organizations carry out similar activities. The paragraph about the police points out that the societal attitude toward gender-based violence is not limited to violence, but also about the handling of the issue by other organs of the state that should support measures for redress. Unfortunately, these organizations do not mean the end of the problem; some of their methods and tactics in dealing with the problem are lacking. Finally, a lack of confidence in the police institution is why this initiative is a success⁹⁴. Confidence in the force could prevent the violence being spoken about, but this does not happen as a result of the behavior of the police and societal attitudes.

8.6. Impact Assessment and Evaluation

Impact assessment and evaluation form an integral part of the research process. Both quantitative and qualitative research methods utilize outcomes of the evaluations for different purposes. Various organizations adopt different evaluation methods based on the needs and the organizations' mission and resources. The data should not stop at the evaluation stage because it can provide educators and learners with an immediate opportunity for reflection. In addition, ongoing evaluation can offer a more comprehensive and holistic account that can call attention to any issues regarding learning and affective impact. If the model is implemented correctly, it can play a strategic role in societal change, especially in countries that are rebuilding themselves into a democracy from the ruins of dictatorship. Clinical legal education will not solve the vulnerability of the poor and the marginalized⁹⁵, but through participation in the processes of legal education reform and the implementation of legal education, it can equip teachers and students to offer invaluable assistance to society and their country. With specific reference to gender-based violence, marginalized groups will have developed some level of trust with legal institutions and the rule of law.

8.7. Methodologies and Indicators

A desk review of literature, statutory materials, constitutional provisions, guiding frameworks, reports, and policies and laws that govern the establishment of university and law school-based clinical legal education in both Uganda and Nigeria was employed to unearth the existence of laws and regulations prohibiting gender violence and promoting gender equality, the overlap between doctrinal and clinical teaching, public interest

⁹⁴ Godswill Owoche Antai and others. 'Exploring Mechanisms for Enforcing Human Rights within the Context of International Law: Issues and Challenges.' (2024). NIU Journal of Legal Studies. <<https://ijhumas.com/ojs/index.php/NIUJLS/article/view/1943>> accessed 11 February 2025.

⁹⁵ Godswill Owoche Antai. 'Universality versus Cultural relativism in International Human Rights: A Case Study of the Anti-Homosexuality Act of Uganda 2023'. (2024). <<https://doi.org/10.59298/IAAJAM/2024/112.11400.00>> accessed 11 February 2025.

lawyering, and addressing gender violence in clinical models in Uganda and Nigeria. The desk review also unearthed the challenges of implementing laws and professional training in both countries, including the differentiation between different models of clinics. The clinical descriptions draw from experiences at Makerere University, Uganda, and several law faculties at the University of Nigeria Nsukka, as well as extensive use of secondary research from various stakeholders in Uganda. Other methods included conducting an extensive qualitative survey of practicing attorneys, lawyers, students, and socio-legal scholars who are familiar with clinical legal education. Officials from different ministries, such as Justice, Gender, and Education, also contributed to the survey. Specific questions were asked about the clinical legal models in law faculties across Uganda and Nigeria.

In addition, in-depth interviews were conducted with law faculty members, including clinic heads, faculty researchers at the faculty level, and institutional leaders, including vice chancellors, about the best ways of learning the law. This research also included gathering data on public interest lawyering and the relationship between clinics and the local, business, and global bar. Experiences from serving communities in major cities and rural areas in both countries were also used in the report. To further compare the role of law schools in Ugandan law reform, a review of different strategies law schools in Africa are using to modernize their learning models was carried out. Some of the laws, policies, principles, and guidelines that both the Ugandan and Nigerian governments proposed to use for public interest law, including models on gender violence, public interest lawyering, bar requirements, and their implementation, were also utilized. Several methods were used to analyze the results of the comparative analysis and report both fixed and random models' incidence risks.

9. Challenges and Future Directions

Although this chapter has identified areas that need improvement, it is important to keep in mind that the approach of promoting the use of clinical legal education as a means of addressing gender-based violence is a relatively new and novel concept in both Nigeria and Uganda, and several institutions are eager to integrate it as a part of their curriculum. These are the initial observations from our own experiences and are preliminary to the more rigorous research studies, which must be carried out in order to actually determine whether the role of clinical legal education is indeed as effective as it was intended. Although certain areas need improvement, the shift from mere conventional theoretical classroom teaching to practical legal education through clinical legal education is an important first step. Indeed, this approach holds promise in instilling students with the broader social and ethical standards, which the legal profession expects of them, besides the enhancement of the legal profession through substantial gains in the application and interpretation of social justice principles⁹⁶.

The elevation beyond technical precision in the application of domestic and international law to function as a deterrent to gender-based violence also involves the understanding and appreciation of the legal principles and procedures that the laws apply. The law schools

⁹⁶ Toyin Afolabi Majekodunmi and others. Issues and Challenges concerning access to Justice in Nigeria: Clinical Legal Education Aid as a Panacea. (2024). 10 (2), NIU Journal of Legal Studies 37-50

can also guide legal professionals towards enhancing desirable social standards that the law seeks to achieve⁹⁷. Therefore, an in-depth understanding of gender-based violence, its outcomes, and intervention mechanisms will empower legal professionals to play a leading role in addressing gender-blind discrimination, stemming from anti-social socio-legal values, norms, attitudes, and the structure of society.

The first challenge is the maintenance of interest. While several underline the enthusiasm of students and the effect of the transformative power of the lived experience to learn more and do more, no long-term follow-through exists for the sustainability of their commitment to change. The potential for the transformative power of experience simply means that unless that experience is frequently reiterated in a context in which an emphasis on pro bono work is the cultural norm, there is a significant risk that a disconnect will occur between the proposed beneficiaries of challenging experiences and the resultant careers that law students will maintain. Without nurturing this interest through increased contact with practice, reports indicate that students tend to return to standard law firm practice and to undervalue the empathy and affective capacity they had developed over this period. Part of the antidote is to provide opportunities for clinical students to have meaningful exposure to the lives and experiences of the clients they serve, which in turn should facilitate the development of empathy. It is more explicit in advocating that contact with challenging situations develops deep affective understanding, which in turn requires a year alternatively spent in less challenging, preferably paid work to buffer against the psychological trauma experienced by frontline legal social justice workers⁹⁸.

Second, the financial cost of delivering legal services within a clinical program raises particular concerns around the ultimate sustainability of services that students provide. This is most pronounced in programs that struggle with fundraising due to a lack of name recognition in university and law school rankings or a recognized focus on clinical work. While some argue that the need for volunteer lawyers is so great that efficiency is adequately addressed as a consequence of need, others are concerned that supply remains inflexible or variable. A third concern focuses on the long-term viability of the model. Public interest law organizations emphasize that work undertaken by law students, however well-intentioned, does not replace the work needed to be done by trained advocates who understand the relevant supports and meet the requirements and considerations that marginalized groups. There appears to be limited support from clinical programs that provide specialized, three- or four-year postgraduate professional qualification programs that will continue to admit marginalized or economically disadvantaged students and base their work on serving other similar people.

10. Conclusion/Recommendation

This research has shown that clinical legal education has a transformative role to play in the growth and development of law students and human rights clinicians as well. While this has been said before, what is novel in this article is that clinical legal education can

⁹⁷ n. 86

⁹⁸ Godswill Owoche Antai and others. An Examination of the African Response to International Crimes and Extradition vis-a-vis Inter-Regional Cooperation. (2024). 3 (2) African Journal of Law and Justice System (AJLJS). 5-16

play a central role in the prevention of GBV, in addition to the vital role that clinical legal education already plays in assisting victims of sexual and gender-based violence. This study shows that law students and community partners could be provided with the necessary tools, knowledge, and skills on GBV, with the potential to expand the interaction of law students with the practice of law about gender-based violence. The results of the research, in addition to challenging the initial empirical hypothesis, contribute to a constructivist conception of learning among law students and show that habits, skills, and a propensity have been acquired.

These findings offer specific insights that can be useful in policymaking for the enhancement of clinical legal education work in the area of addressing gender-based violence and mediating the justice gap. In doing so, we elucidate the underlying factors that facilitate and impede clinics' success in responding to gender-based violence. We distill from the analysis insights that motivate such practices and policy recommendations. Below, we discuss challenges highlighted by the shortcomings identified and discuss the imperatives for advancing the positive traits prevalent in clinical best practices.

Inculcate transformative lawyering through clinical education. Many students are exposed to only traditional legal education, where the prime focus is doctrinal, only meant to challenge students to know the law but not to do justice, especially for the plights of criminal defendants. Students have no space during the traditional law courses to reflect on and understand different ways the law intersects with people's lives and how to leverage lawyering skills to transform people's circumstances. Inculcating a justice-focused lawyering spirit in such students can bridge the widening justice gap and attract a wealth of support for clinical courses in legal education.