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Access to Justice Through Clinical Legal Education: A Case Study of the Faculty of Law, UKLO Bitola, North Macedonia

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Abstract: *Clinical education in law schools is a pivotal mechanism for enhancing access to justice, particularly for marginalized populations. This educational model combines theoretical learning with practical, hands-on experience, enabling law students to engage with real cases under the supervision of experienced practitioners. Like many law faculties, the Faculty of Law at the University "St. Kliment Ohridski"- Bitola (UKLO) in the Republic of North Macedonia traditionally relied on lecturing methods to impart legal education to students. This approach predominantly emphasized theoretical teaching with minimal attention to practical aspects. However, clinical legal education at this faculty started in 2017 by establishing a legal clinic for free legal aid. This clinic operates within the faculty premises, aiming to provide legal services to marginalized groups, thereby improving their lives, ensuring justice, and advancing civil, political, economic, social, and cultural rights. The article examines the concept, activities, and challenges faced by clinics like those analyzed at the Faculty of Law, mainly due to clinical legal education not being a compulsory module in their bachelor's curriculum. Finally, it can be concluded that clinical legal education is one of many institutional innovations and reforms that will progressively enhance the legal system.*

Keywords: *Access to Justice; Legal Education; Free Legal Aid; Law; Students; Legal Clinic*

INTRODUCTION

Legal education is a continuous process that never ends with completing formal education. However, acquiring practically applicable knowledge during education is extremely important because it guarantees efficient and successful working skills for various legal jobs in the future. Practical and usable legal education implies a good knowledge of positive legal regulations, theoretical institutes, and many other legal skills (such as legal ethics and professionalism, drafting legal documents and providing legal advice, psychology, and communication skills, etc.). One of the most effective ways for law students to acquire practical knowledge and improve their practical skills during their studies is to work at legal clinics at law faculties.

First, clinical educational methods are based on a new concept focused on acquiring practically usable knowledge, achieved by applying learning methods based on the "learning-by-doing" principle. Using these methods is particularly important to increase students' sensitivity to other people's feelings and experiences to different intellectual and social perspectives. Experience shows that working at the clinic develops the ability to express empathy, strengthens students' self-confidence, increases "social sensibility", and develops tolerance, understanding, trust, and other skills necessary for professional work and everyday life

(Petrusic et al. 2008). In interaction with experienced legal practitioners engaged in the clinic, students adopt ethical standards and values of the legal profession, rules of professionalism, and personal responsibility and genuinely understand the role and significance of legal professionals. In this sense, clinical legal education represents a link between legal science and practice, which most directly regulates various social relations.

However, clinical legal education provides educational benefits for students, helping to develop their skills, and serves as a social tool that improves access to justice for the most marginalized citizens. By offering free or low-cost legal assistance, clinical education helps bridge the justice gap for those unable to afford legal representation. Moreover, clinical education fosters a sense of professional responsibility and ethical commitment in future lawyers, encouraging them to pursue public interest careers and engage in community service. This is especially important because the traditional method of teaching law often fails to make students aware of challenges to social justice and access to justice, and it does not adequately equip law graduates with the necessary legal skills, knowledge, and values to address these issues.

This paper examines clinical legal education, specifically focusing on the legal clinic at the Faculty of Law, University "St. Kliment Ohridski"- Bitola (UKLO), Republic of North Macedonia. It explores its significance and impact on legal education in North Macedonia, highlighting its role in advancing social justice.

LITERATURE REVIEW AND METHODS

Access to justice through clinical legal education has been extensively explored in academic literature, with studies focusing on various dimensions of its impact, effectiveness, and challenges. Research related to the concept of clinical legal education dominates, and the research of the authors Aksamovic and Qentyis is worth analyzing. In their paper, they discuss the history of clinical legal education in Central and Eastern Europe and examine the experiences of clinical programs in countries of CEE and some of the challenges these programs have faced in achieving sustainability (Aksamovic et al. 2014). Teremetskyi and Duliba have researched the development of the clinical legal movement in Europe and the peculiarities of legal clinics in European countries. They indicate that today, legal clinics operate in almost every country in Europe and that the introduction of clinical legal education as a way to bridge the gap between theory and practice has led to the recognition of legal clinics as the best forms of education that motivate students to develop a sense of professionalism and ethics (Teremetskyi et al. 2021). In this context, the authors Marson, Wilson, and Hoorebeek, in their paper about the necessity of clinical legal education, emphasize that clinical legal education is a method of improving the student experience and offers various advantages, but it must be fully integrated into the university administrative setup (Marson et al. 2005).

The impact of clinical legal education on students and the wider community is discussed in the paper "Clinical Legal Education in Europe and Implementation of Sustainable Development Goals". The authors consider that clinical legal education attempts to bridge the gap between classroom education and the reality of professional practice, emphasizing the sensitization of students as future professionals to social justice problems and fostering a sense of social responsibility (McKeown et al. 2022).

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This topic is perhaps the most relevant for research in the most socially endangered countries in the world, so strengthening access to justice through clinical legal education is often analyzed through a Nigerian, Kenyan perspective, etc. The Nigerian experience has revealed that clinical education is a sustainable teaching and service practice. This service has proven to be quite useful in increasing access to justice, and their model is recommended to jurisdictions with provisions and a legal environment similar to Nigeria's (Erugo 2016).

From the Balkan countries, such research and analysis have been done in Croatia.They clearly emphasize the important fact that legal clinics still tend to work as pro bono projects that depend entirely on the enthusiasm and dedicated work of certain individuals (coordinators and students) and that one of the possible ways to sustain this promising concept is the integration of clinics into the law schools' curricula (Jelinic 2017).

These studies have significantly enhanced our comprehension of the topic's significance and its broader implications. However, it remains imperative that further research and analysis be conducted to elucidate the specific circumstances within each country. Notably, such analyses have not yet been conducted within the Republic of North Macedonia, underscoring the paramount importance of this endeavor.

This scientific research paper includes both theoretical and empirical approaches to data collection. The theoretical framework draws upon existing domestic and foreign literature, professional reviews, magazines, and other relevant collections. The empirical component utilizes secondary data from official client records of the legal clinic at the Faculty of Law at the University "St. Kliment Ohridski" - Bitola (UKLO) in the Republic of North Macedonia.

The research employs several scientific methods, including hypothetical-deductive, analytical-deductive, statistical, and comparative approaches. The research sample comprises all cases from the specified period available in the legal clinic's archive of the Faculty of Law, UKLO Bitola. Content analysis serves as the operational method, facilitating the collection of data necessary to elucidate the demographics of the served clients and the types of services provided. These data are subsequently organized and analyzed using descriptive statistics.

ACCESS TO JUSTICE AS A FUNDAMENTAL HUMAN RIGHT

Access to justice, a fundamental human right essential for fostering a fair and democratic society, ensures that individuals, irrespective of their personal circumstances, can assert their legal rights. Despite its pivotal role in promoting equity and parity, access to justice remains a challenge for many globally.

Around two-thirds of the world's population does not have access to justice. While people in all countries are affected, the burden of this injustice is not randomly distributed. The justice gap is both a reflection of structural inequalities and a contributor to these inequalities. Women and children, poor people, people with disabilities, and people from minority ethnic communities are among the vulnerable groups that find it most challenging to access justice. Their experience of injustice increases the likelihood that they will continue to be left behind (CIC 2019).

Historically, access to justice has been understood in a narrow sense, relating to the most fundamental barriers people face in accessing a legal process, such as access to advice, access to legal representation, access to legal aid, and issues around standing (SHRC2023). But, access to

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justice is more than improving an individual's access to courts or guaranteeing legal representation. Access to justice is defined as the ability of people to seek and obtain a remedy through formal or informal institutions of justice for grievances in compliance with human rights standards. There is no access to justice where citizens (especially marginalized groups) fear the system, see it as alien, and do not access it; where the justice system is financially inaccessible; where individuals have no lawyers; where they do not have information or knowledge of rights; or where there is a weak justice system. Access to justice involves normative legal protection, legal awareness, legal aid and counsel, adjudication, enforcement, and civil society oversight (USIP 2009).

It is essential to stress that "Legal aid is a crucial component in ensuring access to justice for all. It promotes equality, fairness, and justice in the legal system by providing legal assistance to those who cannot afford it. Legal aid is essential in promoting the rule of law and upholding basic human rights" (The Importance of Access to Justice 2024) (Figure 1).



Figure 1: The Role of Legal Aid in Ensuring Access to Justice - Access to Justice: Ensuring Horizontal Equity in Legal Systems (Source: The Importance of Access to Justice 2024)

Therefore, access to justice refers to the substantive and procedural mechanisms in a particular society designed to ensure that citizens can seek redress for violating their rights within the legal system. It is a fair and equitable legal framework that protects human rights and ensures justice delivery. In other words, it simply means that people need help finding effective solutions from accessible, affordable, comprehensible justice systems, which dispense justice fairly and speedily without discrimination, fear, or favor and have a more significant role in alternative dispute resolution (Ladan 2010). For there to be adequate access to justice, the system must:

- be just in the result it delivers;
- be fair in the way it treats litigants;
- offer appropriate procedures at a reasonable cost;
- deal with cases at a reasonable speed;
- be understandable to those who use it;
- be responsive to the needs of those who use it;
- provide as much certainty as the nature of the particular case allows;
- and be effective, adequately resourced, and organized (Kenechukwu 2011).

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CLINICAL LEGAL EDUCATION: A SHORT OVERVIEW

Historically, legal education has predominantly relied on the traditional classroom model, emphasizing theoretical knowledge and doctrinal study. This method, featuring lectures, case studies, and Socratic questioning, aimed to cultivate critical thinking and a profound grasp of legal principles. However, critics argue that this method frequently fails to adequately prepare graduates for the practical challenges of legal practice. The disparity between theoretical knowledge and practical skills has sparked calls for reform in legal education (Krannichet al. 2009).

Clinical legal education emerged as a response to the inadequacies mentioned above of traditional legal education. The movement gained significant momentum in the United States in the 1960s and 1970s, influenced by the broader social justice movements of the time, and has since spread to law schools around the world (Barnhizer 1977).

Clinical legal education aims to foster students' development from "thinking like a lawyer" to developing practical skills to serve clients effectively (German et al. 2017). It has been used to provide students with an understanding of the legal environment which awaits them upon graduation. It is a style of education that integrates practical application with academic legal education. By working on real cases, students apply legal theories to actual problems, gaining a deeper understanding of legal principles in context. This integration fosters a more comprehensive legal education, where students learn not only the "what" of the law but also the "how" and "why". Its goal is to help students collect lessons from their personal experiences and introspection about those experiences.

Clinical legal education significantly enhances the student community by fostering essential professional skills and providing practical experience in the legal field. It also underscores the critical importance of social, moral, and ethical values within the legal profession.

Students can establish professional connections with judges, practicing attorneys, and other legal professionals by participating in clinical work. These interactions provide valuable mentoring and networking opportunities and help students build relationships that will benefit their future careers. Still, the primary goal of clinical legal education is to inspire students and instill a sense of responsibility toward serving the community. The clinics, which combine science, service, and activism, offer comprehensive and rigorous training in law, specifically focusing on promoting human rights and advocating for social justice.

THE LINK BETWEEN ACCESS TO JUSTICE AND CLINICAL LEGAL EDUCATION

Access to justice is impeded by two issues, each of which can be effectively and sustainably resolved through clinical legal education. First, underprivileged and marginalized groups frequently lack the financial resources, legal knowledge, or comprehension necessary to access the legal system and their rights. The result is a sense of injustice throughout societies in which a growing rift divides those with financial and legal means and those without. Secondly, the conventional approach to teaching law fails to generate law graduates with the legal expertise, understanding, and moral principles needed to address issues related to social justice and access to justice (Franz 2023).

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Clinical legal education, which integrates practical experience into legal education, has emerged as a promising solution to this complex challenge. By providing law students with hands-on experience in delivering legal services to underserved communities, clinical programs address the need for legal representation and the demand for experiential learning opportunities for future legal professionals.

Many universities and law schools have begun to incorporate legal clinics not just as an essentially approved aspect of their legal education or a course of study that involves different approaches to learning but also as a practical mechanism for providing unmatched pedagogy that focuses on different lawyering skills to law students and which they, in turn, maximize in providing realistic legal aid to indigent and vulnerable people (Nwedu 2017). This way, clinical legal education gives a window of opportunity to students by getting them out of the classroom into the real world of law, from which they return with a deeper understanding of how legal doctrine and legal theory work or do not work (Wizner 2002). This fosters civic engagement and instills a sense of social duty.

Hence, it is essential to emphasize that clinical legal education, through law clinics, trains law students in the spirit of social justice and public service, providing desperately needed legal services to poor communities and underprivileged individuals. Law clinics serve to fill a gap not adequately addressed by governmental legal aid programs, addressing issues of poverty and other governance-related factors that deprive ordinary individuals of legal protection (Bamgbose 2015).

North Macedonia is a positive example of an educational system that works on the integration of legal clinics into the system to ensure equal access to justice for all. Namely, in the Law on Free Legal Aid, legal clinics are recognized as potential providers of primary free legal aid to vulnerable categories of citizens. According to the Law, primary legal aid covers initial legal advice on the right to use free legal aid, general legal information, general legal advice, assistance in completing the request for secondary legal aid, assistance in filling out various types of forms, and also drafting petitions to the Commission for Protection against Discrimination and to the Ombudsman and requests for the protection of freedoms and rights to the Constitutional Court of the Republic of North Macedonia. All these forms can be provided by students or members of legal clinics (Law on Free Legal Aid 2019).

Authorized free legal aid providers can only be legal clinics registered in the Register of Law faculties authorized to provide primary legal aid maintained by the Ministry of Justice of the Republic of North Macedonia. Currently, eight legal clinics are registered.[1]

Unification of the concept of the work of these legal clinics does not exist, which means it is left to the creativity of their coordinators. However, something familiar to all of them is that, in addition to the teaching staff from the faculties, they work closely with long-term practitioners, representatives from institutions, non-governmental organizations, etc. Also, all of these legal clinics are not part of the mandatory activities in the study programs of legal studies

[1]Seven private and state universities in Republic of North Macedonia have registered legal clinics. Each university has one legal clinic, including University "Goce Delchev" in Shtip, University of Southeast Europe in Tetovo, University American College in Skopje, University "St. Kliment Ohridski" in Bitola, International Balkan University in Skopje, and the University of Tetovo. Additionally, the Faculty of Law at University "St. Kiril and Metodij" in Skopje has two registered legal clinics. All informations regarding these legal clinics are publicly available on the website of the Ministry of Justice: https://pravda.gov.mk/clinic

but extracurricular activities in which the students are involved at their own will, which is a big problem in maintaining the quality and quantity of the obligations undertaken in providing access to justice.

ACCESS TO JUSTICE: ROLE OF THE LEGAL CLINIC OF THE FACULTY OF LAW, UKLO BITOLA

The Faculty of Law at UKLO Bitola established the Department for Clinical Legal Education - Legal Clinic as its separate organizational unit in the academic year 2017-2018. The main motive for establishing the legal clinic was to implement clinical legal education as an organized interactive education model for law students. This model aims to enhance their knowledge with practical skills through hands-on experience. It is an"experiential learning" or "learning by doing" method. Moreover, working in this clinic allows students to learn to take responsibility for significant matters concerning their clients. This includes considering the general legal norms and the ethical principles necessary for the legal profession's conscientious, responsible, and dedicated practice. This type of clinical education has two main goals:

1. The first goal is for students to acquire practical skills and professional responsibility, allowing them to apply the law in real-life situations and thus become aware of their responsibility before clients, the court, and their profession. In this way, students develop analytical and critical thinking skills, which is especially important for every lawyer.
2. The second goal is to provide free legal assistance to all those groups of citizens at some social risk. In this way, the clinic strengthens the practical abilities of students to work with vulnerable groups, solve their legal problems, and build institutional capacities to advance legal support mechanisms at the local level.

The activities of the legal clinic are realized through:

1. "A General Training Program" is a program where students work interactively with experts (practitioners) from various legal fields on legal professionalism and ethics topics, draft legal submissions, advise clients, and represent their rights before appropriate system institutions. Students are trained to provide legal assistance to real clients by applying simulations and other interactive work methods and a temporary stay in an adequate institution. For this purpose, the Faculty of Law has established cooperation with the Basic and Appellate Courts, the Basic and Higher Public Prosecutor's Office, the Office of the Ombudsman, the Bar Association, the Center for Social Affairs, the Employment Agency, the Pension and Disability Insurance Fund, the Real Estate Cadastre Agency, the Central Registry, and other institutions whose employees can offer their knowledge and experience in the professional training of student-clinicians.
2. "A Program for Practical Work" is a program in which student-clinicians, with mentoring help and support, are trained to provide free legal assistance to socially endangered categories of citizens by providing legal information and advice and drafting submissions. This program also includes applying previously acquired knowledge to prepare manuals and brochures to inform citizens about exercising and protecting their rights.

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Participation in the work of the legal clinic is voluntary. At the beginning of each academic year, the faculty publishes a call for applications. Candidates submit their professional resume and a motivation letter. After reviewing the applications, 20 to 30 students are selected for the current academic year. These selected students receive personalized identification cards issued by the legal clinic.

Upon completing their engagement at the legal clinic, student-clinicians receive a Certificate for Participation in the work of the legal clinic. This certificate serves as confirmation and proof of their involvement in clinical activities. In the context of the Bologna model of studies, this certificate grants them 2 ECTS credits. These credits are utilized within the practical teaching component of the study program at the Faculty of Law at UKLO Bitola.

However, as of July 2020, the legal clinic has obtained official registration from the Ministry of Justice of the Republic of North Macedonia. On the faculty's premises, students and clients of the legal clinic have their own convenient and easily accessible workspace. However, we are not tied to an office, and to solve someone's problem, we also work in the field according to the principle, "If you can't come to us, we will come to you".[2]

The legal clinic's activities in improving access to justice for vulnerable categories of citizens, predominantly at the local level, are depicted in Table 1.

Table 1:Total Number of Clients by Year (Source: Authors' depiction)

2020	2021	2022	2023	Total
13	10	89	60	172

During the COVID-19 and post-COVID-19 pandemic periods, the legal clinic served a significantly reduced number of vulnerable citizens at the local level. This decrease occurred because the legal clinic did not offer alternative service provisions in response to restrictions on people's movement and institutional operations.

In the total number of applicants, men dominate. However, it is important to note that in marginalized communities, women continue to live within a patriarchy where husbands are traditionally considered the heads of families. As such, women often seek legal aid after consulting with and obtaining approval from their husbands on significant family matters and decisions. Nevertheless, the number of women seeking legal aid remains notably high (Table 2).

Table 2: Total Number of Clients by Gender (Source: Authors' depiction)

Man	Women	Total
108	64	172

Also, the legal clinic of the Faculty of Law at UKLO Bitola mainly works with people from the Roma ethnic group (Table 3). This is not at all surprising if we take into account the fact that

[2]Marginalized communities do not feel comfortable and accepted in formal environments. Conversely, they can access legal aid providers much more easily and efficiently when services are brought closer to their residential areas. For this reason, members of the legal clinic at the Faculty of Law at UKLO Bitola often venture into rural and predominantly Roma-inhabited areas, conducting scheduled meetings to assist those in need of legal aid.

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the Roma population in the Republic of North Macedonia, although represented by 2.34% of the total population (SSO 2022), is still the most vulnerable minority in the country, as a community that faces both institutional discrimination and various social prejudices. These people have generally low educational qualifications and legal awareness of their rights, hence the numerous problems arising from such situations.

Table 3: Total Number of Clients by Ethnicity (Source: Authors' depiction)

Macedonian	Albanian	Roma	Total
27	2	143	172

All clients of the legal clinic are informed about the possibilities available to them according to the Law on free legal aid and the type of legal assistance they can receive within the legal clinic (Table 4).

Table 4: Total Number of Clients by Type of Primary Legal Aid Provided (Source: Authors' depiction)

Legal advice on the right to use free legal aid	All
General legal information	41
General legal advice	82
Assistance in completing the request for secondary legal assistance	7
Assistance with filling out various types of forms	41
Drafting petitions and requests for the protection of freedoms and rights	1
Total	172

Most of the clients of the legal clinic receive general legal information or general legal advice. General legal information means a form of free legal aid containing general and principled instructions and information about the method, conditions, and procedure for exercising a specific right. On the other hand, general legal advice is advice on the method and possibilities for solving the legal issue, on the legal regulation, the possibility of an out-of-court settlement, on the rules and costs of the procedure, on the execution of the decisions of the procedure, familiarization with the rights and obligations of the claimants and users of free legal aid, as well as the method of providing legal assistance in judicial and administrative proceedings (Law on Free Legal Aid 2019).

Assistance in filling out various types of forms is also a frequently used form of primary legal assistance in the legal clinic office. It is often used when filling out social assistance or pension requests, in administrative procedures for identification documents, etc. At the same time, the legal clinic mediates between clients and lawyers as providers of secondary legal assistance. When clients meet the legal conditions to be assigned a free lawyer, we help them prepare the request for secondary legal aid, which is submitted to the regional departments of the Ministry of Justice of the Republic of North Macedonia.

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From the total number of clients, those who have problems related to property and status issues dominate. However, the office of the legal clinic also addresses legal issues in the fields of labor relations, the protection of human rights, and matters related to gender-based and domestic violence.

Since 2023, with financial support from the US Embassy in Skopje (North Macedonia), the International Development Law Organization has started to work on a separate clinical legal education program on criminal law and criminology. Students work with a lawyer specializing in criminal law at least once a week at the faculty and his office. During working hours in their office, students can work on actual legal cases and help clients with their legal problems. Furthermore, they have field visits to public institutions whose work is connected to criminal law and criminology. This semester, they have visited the Basic Court in Bitola, the Public Prosecutor's Office in Bitola, the Public Prosecutor's Office for prosecuting Organized Crime and Corruption in Skopje, the Penitentiary Institution in Stip, and the Judicial Ward of the Psychiatric Hospital in Demir Hisar.

As part of their clinical legal education on criminal law and criminology, students can be part of the National Moot Court competition for simulations of criminal procedure cases. Those included in the activity have the obligation to write written official documents, choose the sanctions, and finish the court procedure with a verdict. This is another example of how practical activities could help future professionals to develop their legal skills.

CONCLUSION

In conclusion, the case study conducted at the Faculty of Law at UKLO Bitola underscores the pivotal role of clinical legal education in enhancing access to justice. Combining insights from a comprehensive literature review with empirical data extracted from client records at the Legal Clinic, this research has illuminated the profound impact of practical legal education. By providing students with hands-on experience and offering essential legal assistance to clients, the Faculty prepares future legal professionals and contributes significantly to the broader mission of democratizing access to justice within the community.

In North Macedonia, the advancement of clinical legal education and its application in assisting marginalized groups in accessing justice is an ongoing process. While the legal framework, such as the Law on Free Legal Aid, provides a solid foundation for the operation of legal clinics as recognized providers of primary free legal aid, challenges related to student motivation persist. Community participation in clinics is often extracurricular, so sustaining student engagement throughout their studies remains crucial. Therefore, we advocate for integrating legal clinics into formal study programs, possibly as optional subjects emphasizing practical education. This approach would ensure consistent student participation in the legal clinics and foster deeper engagement in these essential activities.

This paper represents a modest step in advancing these efforts, aiming to contribute to realizing equal access to justice through clinical legal education. Looking forward, the continued development of institutional innovations and reforms, including robust support for clinical legal education, will undoubtedly play a pivotal role in gradually enhancing the effectiveness and inclusivity of the legal system.

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In conclusion, while challenges remain, the commitment shown by the Faculty of Law at UKLO Bitola exemplifies the potential of clinical legal education to drive positive change. By equipping students with the skills necessary to navigate complex legal landscapes and advocate for societal justice, clinical legal education enriches legal education and fosters a more equitable society grounded in fairness and accessibility.

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CRediT AUTHOR STATEMENT

Ivona Susak Lozanovska: conceptualization, writing-original draft preparation, methodology, data collection, formal analysis**. Angelina Stanojoska:** data curation. **Ice Ilijevski:** formal analysis, data collection. **Goran Ilik:** supervision.

All authors have read and agreed to the published version of the article.

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