

Strengthening Legal Education in Timor-Leste



The Asia Foundation, Stanford Law School, and USAID have partnered with local institutions to strengthen legal education in Timor-Leste. The partnership provides accessible, dynamic educational textbooks to increase knowledge and understanding of the laws of Timor-Leste.



Since achieving independence in 2002, Timor-Leste has been busy drafting and passing new laws to address pressing issues. While new legislation represents an important step, the educational materials necessary to train the next generation of legal professionals has lagged behind.

The vast majority of educational and reference materials available to East Timorese lawyers and law students are written on the laws of other countries, such as Portugal and Indonesia, or center on the country's international treaty obligations. Almost none of these texts are written in Tetum, the main language of Timor-Leste.

The need for legal education materials on the domestic laws of Timor-Leste, written in both official languages and broadly accessible to lawyers and lay persons alike, will continue to grow as the country's legal system matures.

THE TIMOR-LESTE LEGAL EDUCATION PROJECT

Founded in March of 2010, the Timor-Leste Legal Education Project (TLLEP) seeks to help remedy this gap in understanding and implementation of the law. TLLEP is a partnership

between The Asia Foundation and Stanford Law School funded by USAID through its Access to Justice Program. The project's goal is to institutionalize ways for local actors, in close partnership with The Asia Foundation and Stanford Law School, to positively influence the development of domestic legal education in Timor-Leste.

TLLEP currently focuses on creating textbooks on the laws of Timor-Leste. These texts are written in clear, concise prose, and draw on hypothetical legal situations, discussion questions, and current events. Such a writing style makes these texts accessible to the largest possible audience, from seasoned lawyers to young students. These first-of-their-kind-texts are published in Tetum, Portuguese, and English, so they are broadly accessible to students, government officials, members of civil society, and the international community.

BUILDING THE RULE OF LAW ONE BOOK AT A TIME

The process of textbook creation is collaborative from the beginning. The first step in the production process is to identify the textbook's subject matter. The Foundation organizes discussions with key institutions in Timor-Leste, such as the



TIMOR - LESTE

The Asia Foundation has been implementing programs in Timor-Leste since 1992 and established an office in 2000.

TLLEP is a broad-based partnership between The Asia Foundation and Stanford Law School that works closely with local institutions to strengthen legal education in Timor-Leste.

National University of Timor-Leste (UNTL), the lawyers' association, judges, and NGOs. These consultations ensure that TLLEP materials address the most pressing legal issues.

Then a talented group of Stanford Law students, selected through a competitive application and interview process, begin researching and drafting the text. The team includes American students as well as international students with expertise on the civil law and fluency in Portuguese.

Throughout the drafting process, the Foundation provides feedback, support, and local context. After the completion of initial drafts, the texts undergo a rigorous vetting process, whereby civil law experts at Stanford and in Timor-Leste review the accuracy and clarity of the textbook in all three languages. Local stakeholders, including non-governmental organizations, private lawyers, justice sector officials, and prominent legal scholars, are asked to comment on the text. The completed text is then printed and distributed free of charge to students, government officials, and interested members of civil society. All texts are updated as the legal landscape changes. The most recent version is always available for download online free of charge.

CURRENT EDUCATIONAL INITIATIVES

After extensive consultations, TLLEP initially focused on the professional responsibilities, or ethics, of the legal profession and state administration. This groundbreaking text addresses the professional responsibility laws of private lawyers, civil servants, magistrates, prosecutors, and public defenders. The final draft of the professional responsibility text was published in September 2011. Other textbooks currently in progress include a text addressing contract law and another on civics, or the structure and function of government in Timor-Leste, and a general introductory text that examines a wide range of legal subjects.

The project's transformative potential is already apparent in Timor-Leste and the United States. Dr. Tome Xavier Geronimo, UNTL's Law Faculty

Dean, has observed that these materials promote understanding and ethical behavior within an institutional context so that students and professionals alike understand their roles clearly and act in accordance with the law.

TLLEP also supports exchange between educators and students in Timor-Leste and SLS. Each year SLS students travel to Dili, the capital of Timor-Leste. While in Dili, students meet with lawmakers, professors, civil servants, and, most importantly, their student-peers at UNTL. These discussions allow the students to further develop the project, receive feedback on current and future texts, and integrate the local legal context into their research and writing.

Two prominent UNTL law faculty members traveled to Stanford in May 2011. They attended several SLS classes and lectured on issues of transitional justice and the legal environment in Timor-Leste. Their visit allowed two of Timor-Leste's leading legal educators to observe legal education in a different country and provide direct project guidance to TLLEP members. Based on the first trip's success, an additional visit is planned for 2012.

LOOKING TO THE FUTURE

This partnership combines the knowledge and resources of The Asia Foundation and Stanford Law School with the vital support of local institutions in Timor-Leste to produce the first textbooks addressing domestic law in the country's official languages. While the cultivation of legal education takes time, positive change is clearly visible on the horizon. Much work remains to be done, but these texts have the potential to spur a virtuous cycle by giving the East Timorese people the means to empower themselves with a greater understanding of the laws of their newly independent country in both official languages.

For more information on the Timor-Leste Legal Education Project, please contact: Geoffrey Swenson, Legal Advisor, Access to Justice Program, The Asia Foundation Timor-Leste, gswenson@asiafound.org, Tel. (670) 331-3457

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