

The World Humanities Report

# Case Study: Legal Agenda

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# Case Study: Legal Agenda

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Legal Agenda is a nonprofit organization with offices in Beirut and Tunis, working to promote social justice in the Arabic-speaking region through a specialized media outlet focused on sociolegal issues, strategic litigation, advocacy, and sociolegal action research.<sup>1</sup> It was founded in 2009 by a group of legal professionals, scholars, and human rights activists. They focus on developing legal means to “secure the rights of marginalized groups and strengthen social justice discourse.”<sup>2</sup>

At the core of Legal Agenda’s approach is its advancement of the judiciary’s role in society. It aims to study the relationship between the law and social practices, demystifying its teachings, and offering them to the general public in an accessible manner—in addition to unpacking the power dynamics that shape current understandings and implementations of the law in Lebanon and Tunisia. In that sense, Legal Agenda’s approach addresses the structural deficiencies surrounding legal knowledge production and teaching.

By privileging social dimensions of the law, Legal Agenda recognizes that social spheres are where battles for individual and collective rights occur on a daily basis. As such, they become contested spaces—often battlegrounds—where social justice discourse can mature and arguments and verdicts can interact to advance social dialogue. The organization’s strategic litigation activities work to promote social change and social awareness through the courts. So far, they have supported more than fifty strategic litigation court cases in Lebanon. They also publish legal pleadings to model human rights–based legal arguments and research for use in court. Their media activities are designed to incorporate their watchdog and multidisciplinary research activities into public discourse. In addition to its online platform, which serves as its main media outlet, the organization publishes two print magazines: *The Legal Agenda–Lebanon* and *The Legal Agenda–Tunisia*.

To support their mission to defend social justice, Legal Agenda founders recognized the need for empirical, philosophical, social, and humanistic research evidencing the way the law works and could work in practice. Rather than studying legal interpretation only at the textual level, they explore how lawyers, judges, and others understand and use the law.

<sup>1</sup> See <https://english.legal-agenda.com/>.

<sup>2</sup> “Who We Are,” Legal Agenda, <https://english.legal-agenda.com/about-us/>.

In the World Humanities Report survey, they explained the current status of legal thought and pedagogy in the region:

The intellectual isolation of legal thought in Arab countries has led to a very technical and uncritical approach to legal issues, thus depriving legal public debates of very important sociological, political, and economic insights and blinding them to power struggles and socio-economic dynamics behind legal practices and institutions.<sup>3</sup>

The founders recognize that legal education in the area is based on uncritical technical training that reproduces rather than challenges inequities. Meanwhile, people outside the profession question whether the law exists at all, especially in contexts where the “failed state” framework prevails. In such scenarios, the law becomes a weapon for political elites to further their interests. Marginalized communities are left with a perception of the law as useless or as a continuation of power, one more tool of oppression. One of Legal Agenda’s goals is to provide critical knowledge of the law for empowering societies to defend the public interest.

Opposing the idea of law as a theoretical abstraction, Legal Agenda works to help communities understand how their lives are shaped and controlled by the institutions meant to serve them, thus reframing the power dynamics that underpin law and society and removing the former from the grasps of the political elite. This type of awareness-building approach is at the heart of sociopolitical transformations. As Samer Ghamroun notes, while Arab universities remain focused on teaching the law in a technical manner, “the real encounter between the law and Arab [humanities and social sciences] is . . . happening at the epicenter of political and activist action.”<sup>4</sup> Specifically, he notes the inclusion of Legal Agenda’s research outputs in university courses, its advocacy for reinterpreting the notion of *devoir de réserve* in the Lebanese judiciary,<sup>5</sup> its comparative and cross-regional methodologies, and its work on reinterpreting Article 534 of the Lebanese Penal Code as examples of such cross-disciplinary work.<sup>6</sup>

In 2020 Legal Agenda was one of three nongovernmental organizations,

<sup>3</sup> Jessica Chemali, Legal Agenda, responses to the Humanities Initiative online survey by the Arab Council for the Social Sciences / World Humanities Report, 2020.

<sup>4</sup> Samer Ghamroun, *Law and the Humanities: Academic Impossibilities, Activist Necessities?* (World Humanities Report, CHCI, 2023), 7.

<sup>5</sup> “*Devoir de réserve* is understood as the professional duty of judicial representatives to exercise self-restraint or discretion when revealing information concerning the work of the court.” Ghamroun, *Law and the Humanities*, 9.

<sup>6</sup> This article is often used to criminalize homosexual relations in Lebanon.

along with the Bangladesh Environmental Lawyers Association and Colombia-based Dejusticia, to win the Taiwan-based Tang Prize for Legal Advocacy. The committee said that Legal Agenda “successfully strengthened judicial independence and the rule of law in Lebanon through a multidisciplinary approach.”<sup>7</sup> The prize committee also praised Legal Agenda for speaking up for marginalized groups and establishing major “legal precedents in order to advance the legal protection for migrant workers, refugees, the LGBTQI community, and the families of the victims of forced disappearance.” The committee likewise noted Legal Agenda’s efforts to “broaden the public’s knowledge of the rule of law and strengthen their legal defense.”

Because governments and corporations shape and are shaped by transnational processes, Legal Agenda has sought to work with people and organizations in other parts of the Arab region and the Global South to raise awareness and spread knowledge about rights, duties, and laws. They noted in the WHR survey that:

Arab-Arab partnerships have been central to the development of LA in the past few years, and we are pursuing similar strategic ties within broader South-South relations in order to develop a common knowledge and expertise about Law & Society issues between areas of the world that share many structural similarities despite their numerous and enriching differences.<sup>8</sup>

<sup>7</sup> “Rule of Law,” Tang Prize, 2020, [https://www.tang-prize.org/en/owner\\_detail.php?cat=13&id=1423](https://www.tang-prize.org/en/owner_detail.php?cat=13&id=1423).

<sup>8</sup> Chemali, responses to the ACSS/WHR survey.

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