Panel on Promoting Public Interest Law in Europe: Past, Present and Future
Hosted by the Office of Global Programs in conjunction with NYU Law in Paris’ EU Public Interest Law Clinic

Thursday, October 15, 4:00-6:00 PM
Vanderbilt Hall, Room 216

Public interest law in Europe
Public interest law, understood as an inter-related set of professional activities with the common goal of enhancing access to justice, (e.g. pro bono, impact litigation, university law clinics, street law, legal aid, public defense), has a fairly recent history in Europe. While Europe has its own strong liberal legal traditions, particularly in the context of state-sponsored legal aid, the idea that the legal profession as a whole has a unique role to play, not just in meeting unmet legal needs, but also in actively advocating for progressive social and political transformation is a relatively recent idea. Since the fall of the Berlin wall in 1989, US funding organizations and NGOs (particularly the Ford Foundation, Open Society Institute, American Bar Association and especially the Global Public Interest Law Network – PILnet), have played a pivotal role in fostering a community of public interest lawyers in Europe. Unquestionably, legal culture and practice in vast parts of the continent have been radically altered. For example, this effort has resulted in the establishment of scores of transnational and domestic public interest law NGOs all across Europe, pursuing socially transformative impact litigation and providing legal aid to the needy. It has resulted in the brokering of thousands of pro bono partnerships between private sector lawyers and European NGOs. It has resulted in the passing of legal aid laws and the establishment of government funded legal aid programs. It has resulted in the establishment of hundreds of university law clinics all across Europe. While success has certainly not been universal, these are no small achievements.

The rise of the European Union
Separately, the emergence of the EU legal and institutional order in the 1950s following the devastation of WWII has had profound effects on Europe and all of its inhabitants. The supranational EU governance structure, and in particular its major institutions have become immensely powerful and now play a huge role in shaping the everyday experience of living in Europe, from regulating the currency we use and what we buy, eat and drink to influencing how we travel and who we vote for in national elections. The rising power and importance of the EU institutions has also seen an expansion of financed lobbying activity in Brussels, which increasingly begins to resemble D.C. From tobacco companies and food manufactures to airlines and banks, Big Business is now very keen to have the ear of the EU institutions and not afraid to invest vast sums of money to ensure favorable policy outcomes.

NYU Law in Paris’ EU Public Interest Law Clinic
NYU Law in Paris’ EU Public Interest Law Clinic emerges at the intersection of growing public interest law practice in Europe and the rising importance and power of the EU. The clinic takes inspiration from a model of public interest law that was first pioneered by Ralph Nader in the 60s and 70s. These public interest lawyers saw themselves as “citizen representatives” (or citizen lobbyists), taking aim at the Kafkaesque inaccessibility and opaqueness of various US governmental bureaucracies and the corporations they were mandated to regulate. The goal was to open up these agencies by enhancing public awareness and promoting the engagement of citizen groups and organizations (e.g. consumer groups) in the decision-making process via lobbying and litigation. The clinic applies this brand of public interest lawyering to the EU institutional and policy context. As a result of the growing sophistication, power and complexity of the EU machinery and the expansion of well-financed lobbying activity within the EU policy process, the EU citizenry are in desperate need of their own “citizen representatives”.