Navigating Legal Cultures: The limits of Self-help for Immigrants at a Law Clinic in Norway

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Introduction

Equal access to justice, i.e., people have the freedom and possibility to access legal systems independent of their ethnicity, gender, age, or migratory background/status, remains a challenge in the world. Particularly people that live in poverty with lower levels of education are usually unaware of their rights, have difficulties to pay a lawyer, and therefore are not equally covered by the law.\(^1\) According to a survey made by the World Justice Project in 2011 among 66 countries in the world, access to legal counseling is one of the main problems in high-income countries like Canada, United States and Norway.\(^2\)

Being able to consult a lawyer and obtain information and representation to claim one’s rights is not an open possibility in many countries.

Norway has one of the best rankings in the world with regards to the protection of the rule of law, nevertheless, the World Justice Project (2011) states that the country has problems to guarantee access to justice for ethnic minorities and/or immigrants.\(^3\)

Immigrants faced hurdles to appeal decisions of expulsion, once they get asylum status they need legal advice to apply for family re-unification, but they may also experience difficulties in issues related to work and student visa, among others. Lack of knowledge about their rights, bad economic conditions, and language barriers, exacerbate the capacity of immigrants to access justice.\(^4\)

Immigrants in Norway, to say people born outside of

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\(^3\) We used the definition of immigrants used by the Norwegian National Centre for statistics, Statistikk Sentralbyrå that includes people born outside of Norway or with two parents born outside Norway. See: http://www.ssb.no/en/innvbel/ (accessed on May 1, 2013).

\(^4\) These studies show some of the difficulties experienced by immigrants to access justice. DAVIS, R. C., EREZ, E. & AVITABILE, N. 2001. Access to Justice for Immigrants Who Are Victimized: The Perspectives
Norway or with two parents born outside of Norway are 12 per cent of the population while in Oslo, the capital of Norway, the proportion is almost three times higher, with 30.4 per cent of the entire population in the city.\(^5\)

In order to understand why immigrants face barriers to access legal counseling when they need to claim their rights in a country like Norway, we conducted a field study at the JussBuss, one of the biggest law-student clinics providing free legal advice in the city of Oslo, the capital of Norway. This non-profit organization provides free legal aid to more than 5,000 people a year regardless of nationality, legal status, gender, class, ethnicity, etc. In the last years the number of immigrants consulting this legal aid organization has increased substantially, and in 2012, about 40 per cent of the cases were brought by people with a citizenship other than Norwegian.\(^6\)

The main aim of this study was to understand what are the legal aid problems that immigrants bring for legal advice and how are their cases handled by legal aid-students, working at the JussBuss. Using the statistics from the Juss-Buss reports from 2019 to 2012 and semi-structured interviews with eight out of the twenty students working full-time at this law clinic, we tried to understand the circumstances in which immigrants can access legal aid and legal counseling. This is an exploratory study and therefore results were analyzed using grounded theory to provide an empirical explanation about legal advice at law clinics in Norway.

The results of this study show that legal aid at the JussBuss in Norway is mostly based in self-help mechanisms in which clients are provided with verbal advice and they have to make the legal claims by themselves. Self-help is considered to be important for clients because it allows them to understand the legal system and to solve their conflicts. However


\(^6\) In 2012, the JussBuss received 5594 cases, from which 2279 were brought by people with a citizenship other than Norwegian. See Årsrapport 2012. Oslo. Available at http://www.jussbuss.no/ (Accessed on May 28, 2013).
self-help has limitations to promote access to justice for vulnerable groups and according to the legal aid workers at the JussBuss in some cases people are left alone with their problems.

The most interesting finding of this research is the concern that law students at the JussBuss have about the effectiveness of self-help for immigrants. According to most of the students working at the JussBuss, for people coming from a different legal culture, using self-help is not enough to access justice because the rules of the new legal system are not designed to answer their needs. Immigrants in Norway faced legal exclusion and difficulties to access legal justice. In many cases the rules do not apply to their cases or are based in stereotypes, as in cases when a Norwegian citizen gets married with a person from certain African countries and the migration authorities refuse family reunification.

This article will illustrate how self-help mechanisms like the ones provided by the Juss-Buss are not enough to guarantee access to justice. Self-help plays an important role in legal empowerment for immigrants because it helps to improve their awareness about their rights and the new legal system. However is not enough to guarantee access to justice, when the law is unclear and further legal reasoning an argumentation is needed. Self-help at the JussBuss seems to answer to lack of resources and not to the legal needs of the clients and besides its empowering role has great limitations.

Using the concept of vulnerability developed by Martha Fineman, we were able to illustrate that immigrants are not vulnerable because of their condition as being immigrants per se but because of the individual limitations that hinders them to understand the new legal culture of Norway. Thus, self-help is limited in its approach to empower immigrants because the complexities of the new legal system often requires for people to use special legal argumentation in order to effectively protect their rights.

Self-help in Access to Justice for Vulnerable Groups
Access to justice is a right that allows individuals to seek remedy when their rights have been violated and for that reason access to justice is essential to protect other rights. The Universal Declaration of Human Rights established that “Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted by the constitution or by law”, Article 8.\(^7\) Universal access to justice is challenged when people do not have the economic resources to pay for legal advice and representation, and for that reason the right to legal aid is connected to access to justice.\(^8\)

Legal aid was part of the first wave in the access to justice movement from the 1970s and is based in the assumption that legal institutions in most places of the world are not used by the poor because of lack of access to lawyers and legal counseling.\(^9\) More recently, a growing literature shows that legal aid for people with lower-income has an impact not only in access to justice, but also in terms of economic and social benefits.\(^10\) Some of the examples used by Abel and Vignola include the reduction of domestic violence among women that can access legal aid, the reduction of re-arrest among children that received legal representation to claim social benefits after criminal conviction, and the prevention of eviction among tenants that were informed about their rights.\(^11\) These are just some examples that would justify the existence of free or subsidized legal aid for civil cases.

We focus on the vulnerable conditions of immigrants to access justice, since they are one of the vulnerable groups in Western societies, identified by the World Justice Project survey and they are specifically relevant for the case of Norway. Statistics from 2013 indicate that 12 percent of people living in Norway are immigrants or born from both

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\(^7\) The text of the Universal Declaration of Human Rights can be consulted at: http://www.un.org/en/documents/udhr/


immigrant parents. Immigrants can be vulnerable because of lack of language skills and/or lack of knowledge about the legal culture. They may come from a legal culture with governmental corruption, authoritarian or oppressive states and these conditions can in turn affect their possibility to trust the state to claim their rights. Immigrant communities without access to justice have fewer chances to be integrated to the system and to their new society.

Legal aid has experienced a decrease in funding from the state in different places in the world. Besides the economic and social impact of legal aid services, there has been a decrease in the state expenditures for legal aid, arguing that taxpayers’ money should be used for the provision of social services instead of the payment of lawyers. At the same time, cuts in legal aid for civil cases have impacted the increase of self-represented litigants in court. Legal representation and access to legal counselling is not available for most of the civil cases and the number of self-represented litigants is rising in countries like the United States, Canada, Australia and the United Kingdom.

In Norway, almost all civil cases must be taken first to the conciliation boards (forliksråd) and therefore legal representation does not necessarily happen at the first stage of the legal process. The conciliation boards are mediation bodies where the parties affected by a civil dispute can bring their case to look for a solution. They are present in

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12 This data was taken from the Statistik Sentralbyrå in Norway and it is available at: http://www.ssb.no/en/innvbef/ (accessed on May 1, 2013).
each municipality and they are a mechanism that allows widespread access to justice regardless of the geographic location. Self-representation is common in the conciliation board and people do not require special legal knowledge, or a lawyer to solve their legal problems. The conciliation board received about 230,000 cases in 2003 and is considered to be one of the main mechanisms of access to justice for small civil claims in Norway. The importance of conciliation in Norway is directly related to the use of self-help since in the Norwegian legal culture it is common to make a claim without the need to have a lawyer. The system is designed to allow the parties to look for advice and represent themselves.

**Self-help as an instrument of empowerment**

Self-help mechanisms have become a predominant approach to legal aid, particularly in areas of civil law. Self-help is defined as a ‘legal service that involves the consumer taking personal responsibility for completing all or part of the relevant legal transaction’. Self-help is related to the principles of do-it-yourself, autonomy and empowerment. It is an important mechanism because it costs less than legal representation and it promotes the empowerment of the users of the legal system.

Legal empowerment is a process that enables individuals to defend their rights and therefore legal aid is considered essential, because it allows disadvantaged groups to use the legal system to expand their opportunities. Self-help can be a tool of legal empowerment because it allows clients to understand their problems and become active parts in the legal process. Instead of seeing clients as recipients of legal aid, this approach strengthens people’s voices and experiences, which are important for the process of giving legal

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20 Ibid.
Moreover, self-help can foster empowerment, because it gives the conflict back to the parties and facilitates the use of conciliation and mediation. It can also provide the client with the possibility to understand the legal system in order to be able to prevent future legal problems.

However self-help is not always seen as a tool of empowerment. The findings of Giddings and Robertson in Australia suggest that there is a big risk of misuse of self-help mechanisms in which vulnerable clients are left alone under the assumption that they are empowered.

The problems of Self-help in access to justice

There is disagreement on whether self-help is enough to guarantee access to justice for vulnerable groups. Studies show that litigants without a lawyer face worst results than those with legal representation. Studies summarized by Engler conclude that representation has a strong correlation with success in court cases about eviction, custody, and debt collection. Therefore, one of the main risks with self-help is that people cannot access justice in practice, due to their lack of knowledge about the legal process.

The other reason that limits the effectiveness of self-help is the individual condition of the client and the personal capabilities of the person making use of self-help, which play a crucial role in access to justice. Lack of literacy and language barriers limit the access to judicial systems in host-countries. Additionally people with mental disabilities or mental

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26 A randomized experimental study that compare the results of access to justice from tenants with legal counsel and self-represented litigants in New York, showed that the result of the cases are strongly correlated to legal representation independent of the merits of the case. For instance, only 22 percent of represented tenants lost their cases, compared with 51 percent of self-represented tenants. FRANKEL, M., SERON, C., VAN RYZIN, G. & FRANKEL, J. 2001. Impact of Legal Counsel in Outcomes for Poor Tenants in New York City's Housing Court: Results of a Randomized Experiment. Law & Society Review, 35.
disorders often do not have the capability to receive self-help services and sometimes legal aid workers are not aware of people having these limiting conditions. On one hand self-help mechanisms can empower vulnerable groups but on the other hand can also leave them alone to navigate a complex legal system.28

Since self-help can limit the access to justice for vulnerable groups, legal aid workers providing self-help should identify the conditions of vulnerability that hinder access to justice and refer these clients to legal representation when possible.

**Self-help for immigrants**

We analysed the reports of the JussBuss from years 2012, 2011, and 2010 in order to see what are the main difficulties experienced to provide effective legal advice for immigrants.

In cases of family reunification:

“The communication to Norway is difficult and opportunities for obtaining sufficient documentation are small. Because of language and cultural differences have often foreigners a greater extent than Norwegians difficult even to maintain their procedural rights - the need for legal aid is therefore greater.” Year report 2012: 34

“The cases can be difficult, because the applicant often located in countries where infrastructure is weak. The communication of Norway becomes difficult and the possibility of obtaining sufficient documentation is small. Because of language and cultural differences have often foreigners a greater extent than Norwegians difficult even to maintain their procedural rights - the need for legal aid is therefore greater. When the timing of the cases, it can take a very long time from clients contacting us, the case has been given a final outcome through toinstansbehandling with the immigration authorities (several years).” Year report 2010.

In cases of expulsion:

“the cases offer difficult legal and factual questions. Clients in these cases are very disadvantaged, both in terms of personal and and financial ressurser. They are

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often unable to protect its own interests in an expulsion. Still, a large majority foreigners either no or inadequate assistance through the public system and must contact us. On Juss-Buss so we particularly an increase in deportation cases when legal aid to foreigners with deportation orders as a result of violations of criminal law was taken out of the public legal aid scheme.

Using the vulnerability approach to determine the use of Self-help

The vulnerability approach developed by Martha Fineman departs from the idea that since we are all humans and can, therefore, experience misfortune at different times in our lives.\textsuperscript{29} Starting the day we were born we are exposed to risks in our health, lack of material resources, and natural or man-made disasters. The condition of vulnerability is not necessarily connected to certain identities like class or gender, but is present across all groups and experienced at the individual level. Because of our common condition of vulnerability, we need to ensure that state institutions work to reduce vulnerability and inequality. Fineman insists that being vulnerable is usually associated with the terms victimhood, deprivation, dependency, or pathology, which denies the fact that our human nature make us all vulnerable and dependent on others, such as our families and later on society. Vulnerability is “universal and constant, inherent in the human condition".\textsuperscript{30}

However, even though vulnerability is universal and societies are concerned with decreasing human vulnerability, some groups remain more vulnerable than others, such as immigrants, who experience difficulties to access justice for different reasons. Fineman discusses the reasons why elderly people experience vulnerability because age means loss of capacity.\textsuperscript{31} Similarly, explains Ani Satz how people with disabilities experience a

\textsuperscript{30} Ibid.
vulnerability that is constant and inherent to our human condition, but they still have to deal with the consequences in many cases without the protection of the state.\textsuperscript{32}

Immigrants can be vulnerable not because of their migration status but because of lack of certain rights, lack of knowledge about the new legal culture, and in some cases language barriers.\textsuperscript{33} The vulnerability approach is useful to understand that these barriers are not related to their identity as immigrants but instead the result of the change in the legal culture.

Legal culture is used in many comparative studies to understand that similar institutions like legal aid and courts sometimes play a different role in different countries and societies. Legal culture looks not only into the formal legal institutions and how the legal system works, but also into patterns of behavior and the attitudes of people towards law and justice.\textsuperscript{34} Understanding that some groups like immigrants are vulnerable not because of the migration status per se, but because of their lack of knowledge about the new legal culture is important in order to provide empowering legal advice to this group without victimizing them.

Law clinics in Norway: The Case of the JussBuss in Oslo

The principle of self-help at law clinics in Norway

Law clinics in Norway provided legal advice to more than 16,000 people during 2010.\textsuperscript{35} This includes not only immigrants, but the majority of people seeking advice at the Norwegian law clinics are Norwegian citizens. The type of legal advice given includes family and cohabitation law, social law, social security law, tenancy law, administrative law, property law, contract law, tort law, labour law, prisoners’ law and immigration law.

\textsuperscript{35} This statistic is taken from each of the reports in 2010.
Most of the legal advice is provided before and during the Conciliation Board (forliksradet) instance in the Norwegian legal process. If the case progresses to higher courts, the client will be referred to a lawyer.

From the available statistics on legal advice provided and cases solved by either verbal or written advice, we found that most of the cases are solved though verbal advice since most people require only some guidance and specific answers about their legal rights. Additionally most of the law clinics provide their users with brochures and forms that allow them to understand their rights.

Law clinics play an important role in access to justice for vulnerable groups, because they are open to anyone who needs to know about their rights. Immigrants can come to the law clinics and request advice in their legal claims without having to show their legal status and this allows them to feel more secure than for example in government offices. For that reason, we decided to study the role of law clinics that bridge the gap of access to justice for immigrants in Norway. There are five law clinics that are associated with University law faculties in Norway, the ‘JussBuss’ and ‘Jurk’ in Oslo, ‘Jussformidligen’ in Bergen, ‘Jusshjelpa i Nord-Norge’ in Tromsø, and ‘Jushjelpa i Midt-Norge’ in Trondheim. Law students working at the different law clinics determine what type of legal advice is given.

We choose to study JussBuss in Oslo, the biggest law clinic in Norway, in order to gain a deeper understanding of the work of the law students in the provision of legal advice. Migration issues have become very important in the work at the JussBuss in the last five years and in 2012 they received 1264 cases in this area. These cases accounted for 23 per cent of the total number of cases at Juss-Buss. For law-students at the JussBuss people with a different cultural background pose a challenge in navigating the bureaucratic and legal system in Norway.

In this section, we will present the results of this field study, including the use of self-help at a law clinic in Norway, and the perceptions of law students at the JussBuss about the use of self-help for immigrants, a particularly vulnerable group.

The JussBuss was founded in 1971 by law professors and students that are connected to the faculty of law at the University of Oslo. JussBuss is run by law students who provide
free legal advice.\textsuperscript{36} Moreover, the JussBuss organizes rights awareness campaigns; its members write debate articles for newspapers; write documents that provide legislators and policy maker with insights about the rights of disadvantages populations. The Oslo JussBuss works with thematic groups of housing and debt law; immigration law; prisoners’ rights; and social and employment rights.

The fieldwork was conducted in the months of February and March of 2012 using recorded interviews with the students working at the JussBuss\textsuperscript{37} and observations while students were taking cases in the areas of migration and prison law.\textsuperscript{38} We also conducted a focus group with law professors and researchers at the department of Sociology of Law, at Oslo University.\textsuperscript{39}

\textit{The ideology of Self-help at the JussBuss}

One of the main results of this case study is the prevalence of self-help over representation in the provision of legal aid services at the JussBuss. The statistics from 2007, 2008 and 2009 reveal that a majority of cases were handled through verbal advice. In 2008,\textsuperscript{40} out of 5,069 cases, 4,134 were handled with verbal help, 430 with short written information, and 316 with representation.\textsuperscript{41} This fact illustrates the importance and prevalence of the principle of self-help at the JussBuss.

According to the students at the Juss-Buss self-help is useful except in cases when people have difficulties to understand the legal system, the different bureaucratic

\textsuperscript{36} See: http://www.jussbuss.no/
\textsuperscript{37} The interviews were conducted in February 23 and 28 of 2012, with 8 students from the JussBuss working as legal aid workers. The names of the interviewees are kept under confidentiality to allowed them to express their opinion and views freely.
\textsuperscript{38} These observations include first the participation on February 23, 2012 during the reception of seven cases at the migration group. Additionally, the visit to the Ullersmo prison outside of Oslo, on the 5\textsuperscript{th} of March, 2012, and the participation during the reception of five cases there.
\textsuperscript{39} The objective of this meeting was to discuss with a group of researchers in sociology of law and criminology at Oslo University the reasons why Norway has a very low rank in international statistics about access to affordable legal aid for vulnerable groups. This was useful to uncover the perceptions of a well-qualified group about access to justice in Oslo and legal aid.
\textsuperscript{40} We used the data of the report from 2009 since the report from the following years do not provide statistical information about the type of legal advice: verbal, written or representation.
\textsuperscript{41} The report did not have information about the type help provided for the rest of the cases, a total of 189. Report available at http://jussbuss.no/ (Accessed on May 1, 2013).
institutions, and to understand Norwegian language. Following this interpretation of the limits of self-help one could imagine that most immigrants would not be able to effectively use self-help since many of them have difficulties to navigate through the legal system in their new country of residence. However according to the statistics of the Juss-Buss the number of people without a Norwegian citizenship that consult the Juss-Buss is much higher than the cases they represent. In 2009, the Juss-Buss represented a total of 454 clients while there were 1729 clients without a Norwegian citizenship. In other words while one third of the clients at the Juss-Buss should qualified to receive more than self-help, since they have difficulties to navigate the Norwegian legal system, less than one tenth of the total clients receive representation regardless of their migration background. The following chapter illustrates this situation:

The principle of self-help appears in many of the documents that explains the work at the JussBuss and it was mentioned in all of the interviews with the legal aid workers. It is a principle that is part of the ideology of the JussBuss in the sense that it is a comprehensive vision about the role of students and their work as legal aid providers. According to a report
from the JussBuss in 2003, “Juss-Buss believes it is important to consciously pursue self-help as part of the proceedings…It is better for clients to acquire a new skill than a new addiction.”\(^{42}\) Self-help is a guiding principle used at the JussBuss and about 80 per cent of the cases are resolved through verbal advice that aims to help people to be able to solve their legal problems by themselves.

When a person comes to the JussBuss, the law student in charge of the case has to evaluate the conditions of vulnerability of the client and determine whether or not self-help is enough. If the law student considers that the client is not capable of handling the legal problem on their own, the students are supposed to report this and provide written advice or representation. If the client is capable of handling their problems, then the student gives a verbal explanation on what to do in order to solve the case. According to the students interviewed, many of the cases that come to the JussBuss can be handled with verbal advice because people just need an explanation. Short written advice is also used when the client requires further help for instance in drafting a request, so the caseworkers at the JussBuss make the draft for the client. However, it is the client’s responsibility to use the written forms or advice, and follow up on the result. Finally, if clients seem to be incapable of conducting the case by themselves, the students at the JussBuss provide representation and make the claims in the name of the client.

**Arguments in favour of self-help**

From the interviews we were able to identify three main reasons for the use of self-help at the JussBuss. They include the need to provide legal advice to a broader number of clients, giving the parties the possibility to solve the conflict by themselves, and the possibility to empower clients to prevent future conflicts.

Self-help is the only option because of lack of human and economic resources at the JussBuss. Since the foundation of the JussBuss in 1971, the demand for legal advice and legal aid has been very high. However, the JussBuss has a limited capacity and therefore self-help is a working strategy to be able to receive all cases. There are usually 20 students

working full time in the reception of cases and 10 students, often more experienced and advanced in their studies, who work part time helping the others to determine the type of legal advice needed. Considering the number of cases in 2009 a single student has about 285 cases a year, which explains the reasons why representation for example in the Conciliation Boards, even if necessary, is not possible due to lack of human resources.

Another reason why self-help is considered as being beneficial for the clients is that allows them to solve their problems without the involvement of a third party. It is a long-term solution that provides knowledge and confidence to people to be able to understand better the system and act on their own. In fact the idea of bringing the conflict back to the parties and promote conciliation has been present for a long time in the Norwegian legal culture and it has been useful to increase access to justice, decrease the costs of courts, and prevent delays in the legal system.\(^4\) According to one of the legal aid workers at the JussBuss, “It is easier in many cases to come to a solution when the parts can discuss the problem by themselves, without a lawyer involved. In many cases they just need the information about their rights.” Thus, expanding the capacity of people to be aware of their rights is one of the main advantages of self-help from a legal empowerment perspective.

The role of students to determine the use of self-help for vulnerable groups

Since the effectiveness of self-help mechanisms depends on each subject, the role of legal aid workers i.e., the law-students is essential because they are in direct contact with the client and can determine their capabilities to develop legal claims. To determine whether a person should receive verbal advice, written advice, or representation, the legal aid workers at the JussBuss evaluate the capacity of the client. However there are not specific rules and students determine the vulnerability of their clients based on subjective criteria, such as?.

From the interviews we identified two main conditions that must be met for a person to be able to develop the legal claim on their own: complexity of the case and personal

capacity of the client. Our findings are similar to the ones of Giddings and Robertson in Australia and insist in the need to look into the specific qualities of the client and the complexity of each case in order to determine the use of self-help.\(^{44}\)

When cases are too complicated or the law is unclear, students at the JussBuss consider that self-help is not enough. In these cases students represent the clients. Sometimes the legal system is complex, and different laws can be applied to the same case. Therefore the knowledge of a legal expert is required; people without a legal background will have problems to make claims and present arguments without the assistance of someone with legal knowledge.

In addition, the client must be capable of making the claim and understanding the system. Looking into the vulnerability of the clients is useful to determine the condition of each person. When a person comes to the JussBuss the legal aid worker tries to provide self-help first. However, if the person does not understand Norwegian or does not have an acquaintance that can help with the translation, the person receives representation from JussBuss.

**Conclusions**

Self-help plays an important role in the provision of legal advice in Norway. Providing legal advice gives people the tool to help themselves, and it is commonly used by law clinics that provide legal counseling for, among others, vulnerable groups. Self-help is cheaper than representation and allows law clinics to attend to and help more clients. In addition, it can empower the clients to learn about the legal system and prevent future legal problems. Self-help mechanisms in legal aid are consistent with the Norwegian legal culture of promoting conciliation and letting the parties to solve the problems by themselves. Self-help is particularly useful for small civil cases that are taken to the

conciliation boards because allow the parties to look for a practical solution while being able to understand their rights.

However, self-help is not always adequate. In Norway, the principle / guiding concept of self-help is applied universally at the law clinics, but it frequently fails to meet the needs of vulnerable groups. For that reason it should be carefully used for vulnerable groups, such as immigrants, because it might lead to the contrary of legal empowerment that it tries to promote. It can cause the disempowerment of vulnerable groups. Immigrants are one of the groups that can face limitations to use self-help. From the fieldwork at the JussBuss in Oslo we were able to identify the reasons why immigrants are vulnerable when it comes to the possibility to claim their rights. They experienced language barriers and difficulties to understand the new legal culture. They are a vulnerable group not because of their migration status per se but because of the specific conditions of the legal system that requires certain level of familiarity with the legal institutions.

The increase of immigrants in Norway in the last years, poses a challenge to the legal institutions that are necessary to achieve access to justice not only for people that have good knowledge about Norwegian language and legal culture, but also for people with different cultural backgrounds. Equal access to justice is one of the main principles of any libertarian democracy and lack of legal knowledge can hinder the ability of vulnerable groups to claim the protection of their rights.

References


TREBILCOK, M., DUGGAN, A. & SOSSIN, L. 2012. Middle income access to Justice, University of Toronto Press.