



### Original Research Article

## LAWYERS REVOLTING, REVOLTING LAWYERS: THE BENCH AND BAR IN THE ARAB SPRING

Charles Anthony Smith<sup>1</sup>, Fahad Abdul Alwahab<sup>2</sup>

Received: 02.01.2024

Accepted: 08.01.2024

Published: 25.01.2024

### Abstract

While the causes and consequences of the so-called “Arab Spring” have been extensively considered, one lacuna in the literature is the role of the bench and bar in these revolts. Using contemporaneous secondary sources, we consider how legal professionalization in Libya, Egypt, Yemen, and Tunisia influenced the role of legal practitioners during the revolutions. Did the lawyers and judges revolt or did they side with the authoritarians? Our findings indicate that three prominent factors influenced the actions of legal professionals during the revolution: First, relaxed standards regarding the practice of law makes lawyers less loyal to a regime. Second, attacks on the autonomy of the bar and on the whole legal profession using regulations increases support for anti-government protestors. Third, the judiciary’s support for anti-government protestors is partly influenced by the level of professionalism and competency of the judicial branch.

**Keywords:** Arab Spring, Lawyers, Professionalism

### Introduction

In December 2010, protestors in Tunisia flooded the streets demanding the resignation of Zane El Bin Ali—a dictator who had ruled the country for over 23 years. The effects of the Tunisian protests rippled throughout the Arab World. The demonstration in Tunisia seemed to inspire other opposition movements: in Egypt, citizens mobilized to demand reforms and the removal of President Hosni Mubarak and in Libya, armed rebels overthrew Muammar Gaddafi's Regime. In Yemen, protestors flooded Tahrir Square seeking to end President Ali Abdullah Saleh’s 32-year reign over the countr. Using the movements in Egypt, Libya, Tunisia, and Yemen, this paper considers whether legal professionals supported the authoritarian Regime or the rebels during the revolts. By assessing credentialing for lawyers in these four countries, we seek to determine whether the legal professionalization process predicts which side the legal community chose to support. We assess the level of professional standards of their legal credential process and then the extent to which the legal professionals sided with the protestors.

### Literature Review

The extant literature suggests two theories that explain how legal credentialing might influence the political allegiance of lawyers. Broadly, the first theory posits that proper legal training

<sup>1</sup> Professor, Political Science, University of California, USA, Email: [casmith@uci.edu](mailto:casmith@uci.edu)

<sup>2</sup> Univeristy of California

and industry standards makes lawyers more likely to function as engine for progress. The process of becoming a lawyer may provide the legal student with a deep appreciation of the legal system which should give them critical insight as to how enact change and reform (Rosen 2006: 155). Consider that some aspects of legal training, such as the practical experience gained from legal clinics, create, '[t]his awakening to a sense of social responsibility, [which] occurs when students represent low-income clients who are seeking - or seeking to defend basic benefits, liberty, or fairness' (Wizner 2000: 329–330). Some argue that stricter bar admissions standards can also make the legal admission process more elitist and less likely to challenge the status quo (Levine and Pearce 2009; Pearce and Nasserri 2012: 358–359; Remyne 2013; Winn and Yeh 1995).

Bar admission standards can influence job satisfaction and financial prospects of lawyers (Remyne 2013: 1168–1170). Cliff Winston and Quentin Karpilow explain that, 'entry barriers [in the legal market] limit competition and raise prices... eliminating entry barriers in legal services would generate benefits... prices would fall as competition from incumbent firms and new entrants intensifies' (2016: 171). The financial impact of these standards on the legal market can possibly influence how lawyers feel towards the government. There is extensive scholarship classifying poverty, income, and standard of living as a catalyst for political instability (Khan 2010; Rice, Graff, and Lewis 2006; Stewart 2002). To illustrate, consider, that citizen resentment towards their government, due in part to the poor job opportunities and wages, fueled the Arab spring demonstrations (Al-Shamahi 2020; Sly 2020). Collectively, the evidence lends itself to the possibility of lawyers becoming unsupportive of the government due to poor outcomes caused by lax regulations in the legal market.

### **Overview Of Libyan Legal Credentialing Process:**

Our understanding of the Libyan legal professionalism site relies on Adam Abdelmoula's comprehensive *Libya: The Control of Lawyers by the State* (1992). In 1969 Muammar Gaddafi launched a successful coup against the Libyan monarchy. In power, Gaddafi sought to solidify his control by attacking those who posed a threat to his rule. Among those seen as a threat were legal professionals (Abdelmoula 1992). Consequently, the Regime enacted *Law No. (4) of 1981*, which overhauled the legal profession. Included in the law were changes to the credentialing process for prospective lawyers: the practice of law was contingent on the receipt of an appointment to the Department of People's Legal Defence (Abdelmoula 1992; Law No. (4) 1981). *Law No. (4) of 1981* adopted basic standards for an applicant to be considered for an appointment. (Abdelmoula 1992; Law No. (4) 1981)

Per *Law No. (4) of 1981*, all Department advocates met the conditions listed in *Law No. (51) of 1976* (Abdelmoula 1992; Law No. (4) 1981; Law No. (51) 1976):

1. He must hold Libyan nationality and enjoy full capacity.
2. He must have a high qualification in Sharia or law from a college in the Libyan Arab Republic or an equivalent foreign diploma, provided that in the latter case, he passes an exam regulated by virtue of a decree from the Minister of Justice if the diploma is issued by a non-Arab country.
3. He must be commendable and of a good reputation.
4. He must not have been previously convicted of a felony or misdemeanour involving moral turpitude, even if he has been rehabilitated.
5. He must not have been previously convicted by a disciplinary board of an action involving moral turpitude.
6. He must be physically fit and not suffer from any handicap that prevents him from exercising his function fully. Fitness level shall be determined by virtue of a decree from the Minister of Justice after the approval of the Supreme Council of Judicial Bodies. The candidate's fitness level shall be established by the prescribed medical examination.
7. He must not be married to a foreigner. He may be exempted from this condition by virtue of a decree from the Cabinet.

This process changed as part of a push to improve relations with western nations (Euro-Mediterranean Human Rights Network (EMHRN) 2012; International Legal Assistance Consortium 2013: 23). In the 1990s, the Regime reinstated the ability of lawyers to practice law outside of the

Department of People's Legal Defence. Under *Decree No. (885) of 1990*, prospective advocates seeking to practice privately had to undergo two years of training (Abdelmoula 1992; Decree No. (885) 1990). Trainees were required to have exposure to the Libyan legal system under the auspices of private law firms and government entities (e.g., the General Directorate for Law, Department of People's Legal Defence, or State Lawsuits Authority). Trainee advocates were limited in their ability to practice. They could practice in Summary Courts (i.e., Courts of First Instance), Libya's lower court, under the supervision of their mentor, or try a case in their mentor's name (i.e., their delegate) (Abdelmoula 1992; Decree No. (885) 1990).

Once applicants completed training, they were reviewed by a committee (Abdelmoula 1992; Decree No. (885) 1990). The Committee consisted of one member from the Judicial Inspection Department, the Chief Public Prosecutor, and two advocates who were able to try cases in the Supreme Court or Courts of Appeal. Part of the Committee's responsibility was to determine whether the applicant has enough experience for the court in which they sought to practice: Courts of the First instance required two years of legal practice; Courts of Appeal required four consecutive years of legal practice; Supreme Court admission required an applicant to have spent four years trying cases in the Court Appeals (Decree No. (885) 1990).

However, '[t]he Council of Ministers can veto Bar Admission decisions taken in [accordance] with [Article 9] ... This government power to veto Bar admission must be evaluated in its broader context of a government tendency toward retaining strong control over the Bar' (Abdelmoula 1992: 11). Considering the Regime's focus on maintaining control over the judiciary, the Regime likely used its power to keep lawyers it deemed as threats away from practicing. In essence, even if a candidate was qualified, the Government could refuse to let them practice. This is supported by the fact that the Regime adopted a similar approach for judges, as discussed by the International Commission of Jurists, '...[t]ransfers between courts were often used to reward or punish judges for actions either in line with or contrary to the interests of the regime... cases involving the government and loyalists were not always decided on their merits' (Euro-Mediterranean Human Rights Network (EMHRN) 2016: 4).

### ***Role of Libyan Lawyers in the Revolution***

Despite the Regime's efforts to control the legal profession, many lawyers sided with the protestors. Lawyers would go on to help trigger and foster the demonstrations and, eventually, the overthrow of the Libyan Government (Al-Deghali 2011; Bourcier 2011; Höges 2011).

In response to the early protests, Gaddafi sought and failed to garner the support of legal professionals. On February 5, Gaddafi invited the Chairman of the Libyan Bar Association, Khalid Saji, and three other organization members for a personal meeting. Gaddafi sought to win over the bar association by aiming to grant one of their goals: allowing newly elected bar board members to replace his loyalists in the Association (Höges 2011). But Saji and his other colleagues were unrelenting in demanding that Gaddafi implement more comprehensive reforms, including the equal application of the law and a new constitution. Mr. Saji and his colleagues would later join protests despite Gaddafi fulfilling his promise to allow the replacement of his loyalist in the Bar Association (Höges 2011). As one lawyer explained, '[w]e [the members of the Libyan Bar Association] might have been satisfied with this in the past... we knew we could ask for more... [a]nd once they started firing on protesters, we knew there was no going back' (Al-Deghali 2011).

These events highlight the commitment that lawyers had to the revolution and protestors. Lawyers remained loyal to the demonstrators even when given incentives to support the government. To understand, consider the fact that the Regime tried to earn the support of the lawyers and the type of concessions they offered. The Regime's efforts to appease lawyers serves as a recognition that it lacked broad, unwavering support within the legal community; this is evidenced by the fact that the Chairman of the Bar Association expressed discontent with Gaddafi's leadership (Bourcier 2011). The Chairman nominally represents the Bar Association members' views. Had it been only a small number of resistant lawyers, Gaddafi could have offered to bribe them or arrested them as he has done in the past. Instead, he offered to have the *elected* Bar Members take the place of his loyalists; this would give lawyers a greater voice in the Bar. Such an expansive approach—as opposed to targeting only a few specific lawyers—seeking to appease a larger number of lawyers illustrates that the legal

profession was not comprised purely of Gaddafi loyalists or sympathizers. Instead, it included such a substantial number of resisters that Government intervention was merited.

It is also essential to consider that lawyers helped make the protest a reality. One of the triggers of the anti-Gaddafi protests was the arrest of Fathi Tirbil. Mr. Tirbil and a team of other lawyers sought to build a case against government officials involved in the 1996 massacre of detainees in Abu Salim Prison (Bourcier 2011). On February 15, 2011, the Libyan police arrested Mr. Tirbil on suspicion of him planning a large-scale protest ('The Day of Rage'). As Bourcier writes, '[p]rotesters came out to the streets to demand his release, lighting the spark of revolution' (Bourcier 2011). Consequently, the Government released Mr. Tirbil to help soothe the demonstrators' anger. Before releasing him, however, the Government asked that he stop the protests—he refused (Bourcier 2011). From this, in conjunction with the actions of the Chairman of the Bar Association, one can see that lawyers were, in fact, among the architects of the rebellion, not merely just supporters of it. In addition, their early support for the demonstrations in their infant stages when the outcome was unknown demonstrates that the lawyers were earnest in their support; they were not bandwagoners. These lawyers made the revolution a reality by remaining steadfast in supporting the anti-government protests.

Finally, we reflect upon the role of the lawyers during the armed rebellion against Gaddafi. It is unclear to what extent legal professionals took up arms during the violent phase of the rebellion. However, some evidence suggests that some lawyers joined rebel military groups to fight. NPR reporter Lulu Garcia-Navarro stated they 'witnessed the enormous courage of the people there. Young men — students, artists, athletes, doctors, lawyers and yes, some Islamists — left their homes to take on Gadhafi's army' (2011). The rebels formed the '... TNC [which] is largely drawn from upper middle-class professionals, lawyers, doctors, professors, and some wealthy businessmen' (Dan 2011). The role of lawyers in the armed rebellion further reinforces the point that lawyers sided with the revolutionaries. Lawyers helped start the revolution and supported it, even if not necessarily in an (armed) rebel capacity. While the Gaddafi government was able to manipulate the judiciary and the bench to some degree, the professionalization regimen for the legal community that emerged overtime seems to have instilled a commitment to the rule of law which superseded the commitment to the authoritarian.

### **Overview Of Egyptian Legal Credentialing Process:**

#### ***Process of Becoming a Lawyer***

In 1983, under the rule of Hosni Mubarak, the Egyptian Government passed The Advocates Law No 17/1983. The law set forth the requirements that applicants must meet for a candidate to be admitted to the Egyptian Bar. According to the International Bar Association, the Law requires that an applicant must (The Advocates Law):

1. have Egyptian nationality;
2. have full civil capacity;
3. possess a law degree from an Egyptian university or hold a certificate from a foreign university which is considered equivalent under Egyptian law;
4. not have any outstanding disciplinary findings against them;
5. be of good conduct and reputation, worthy of the respect required for the profession; (6) pass a medical examination at a hospital determined by the Bar Council to make sure of his fitness for the practice of the profession; and
6. pay the registration fees and annual subscriptions required by law. After obtaining a law degree, an Egyptian lawyer must undertake two years of training as an *Avocat-Stagiaire* and plead a minimum of 25 cases during this period. The lawyer will be fully admitted to practise in the lower courts on the recommendation of the president of the lowest court and members of the local bar association.

As noted, Egyptian Law requires that prospective lawyers receive legal education to practice law. However, a look into Egypt's legal education illustrates a fundamental weakness in its credentialism system: uncomprehensive legal training. According to Dr. Mohamed Serag, the Government policy of granting every high school graduate a seat in college has caused crowding and

poorer instruction (2001: 616). In his words, ‘...excellent professors are placed in a position where they must prepare their written materials and handouts and explain major issues over loudspeaker. There is no interaction between professors and their students... Admittedly, quantity of this sort obliterates quality’ (Serag 2001: 616). Furthermore, a paper by Professor Mohamed Arafa and his colleagues found ‘... that alumni may pass the four year law school without writing a paper or a thesis’ and that the facilities of many Egyptian legal schools were inadequate (Arafa, Attia, Bastaweesy, and Salama 2015: 984, 986–988).

### ***Process of Becoming a Judge***

As explained by Sham Al Hajjaji, Lawyers who wish to become judges must meet further regulations set forth by the *Judicial Authority Law No. 46/1972* 1/25/2024 11:09:00 AM:

1. have previous work experience as a judge or have worked in a similar position according to the law;
2. be a senior public prosecutor;
3. be a public prosecutor with four years' experience;
4. be a junior judge with the State Council, a junior lawyer at the state litigation authority, or a senior administrative prosecutor;
5. as a lawyer, be eligible to work at the Court of Appeal for four years, and have a working experience of nine years; or
6. be a law professor, having held this position for at least nine years.

Moreover, according to scholar Moataz Aidaros, the Judicial Authority requires that qualified applicants be vetted, interviewed, and evaluated by a committee in the judicial institution to determine their competence (2022: 6). Once the Committee approves a candidate, the candidate's name is placed on a list of nominations which the President of Egypt uses to appoint a judge (M. M. A.-S. Aidaros 2022: 8). Note that positions in the Judicial institution were not given based on merit; instead, The Arab Center for Development of the Rule of Law and Integrity found:

‘The appointment in the judicial staff (starting from the lowest degrees) was greatly flawed in previous years: excellence in university studies was not considered as the major standard for appointment, many social and personal preferential considerations appeared, consequently, all law students, sons of judges, holding a law degree were automatically appointed in judicial bodies, although this appointment contradicts the principle of equality in job opportunities’ (Faraht and Sadek 2006: 62–63).

### **Role of Egyptian Legal Professionals in the Revolution:**

#### ***Muslim Brotherhood-Aligned Lawyers and the Egyptian Revolution***

To understand the role of lawyers sympathetic to the Brotherhood in the revolution, we must first explore the relationship between Mubarak and the Muslim Brotherhood. It is crucial to make a distinction between lawyers that are sympathetic toward the Muslim Brotherhood and those who are not. This dichotomy is made because we observed indications that the level of support for the protest differed between these two groups. The Muslim Brotherhood had long opposed the Egyptian Government. In the Brotherhood’s view, the Government was too secular and failed to comply with Sharia Law (Jones 2011). As a means of furthering its agenda, the Muslim Brotherhood sought to increase its power and influence by (successfully) taking over professional organizations such as the Egyptian Bar Association (Campagna 1996: 290). Despite a government crackdown on the group's control of these organizations, they maintained influence over the Bar Association (Aknur 2013: 17). Moreover, Steven Brooke and Shadi Hamid noted in 2013, ‘[t]he Brotherhood may be Egypt's largest opposition group with an estimated 300,000 members and millions of sympathizers. The group is particularly strong with the urban middle class, among doctors, engineers, lawyers, and other professions’ (2011: 2). Given the influence and sympathy the Muslim Brotherhood garnered among lawyers, it becomes clear the Government did not enjoy broad support with the profession (Campagna 1996: 290–93). To illustrate, consider a Human Rights Watch report in 2001, which indicated that during the arrest of 21 Muslim Brotherhood members, many of the arrestees were lawyers (‘Egypt to Host 23,000 US Troops’ 2001).

However, while the Muslim Brotherhood opposed Hosni Mubarak, their support for the Egyptian protests was lukewarm. As Guardian reporter Jack Shenker writes, '[t]he Muslim Brotherhood initially said it would boycott the rally due to disagreements with political rivals over whether a new constitution should be written before or after parliamentary elections' (Shenker 2011). The Brotherhood's initial decision demonstrates that from even the early days of the revolution, they were not keen on lending their support. Moreover, regarding both the late and the overall participation in the demonstrations, we turn to the statements of Aboul El Mady, one of the protests' leaders, who recalled in an interview:

'At some point, we sent a delegation to the General Guide of the [Muslim Brotherhood] ... [The delegate] told us that the [Muslim Brotherhood] members who had joined us on an individual basis failed to inform the organization at the right time about demonstrations... Nevertheless, the MB's poor participation remained the same even after that reach out effort ... They neither like nor want to work with other political forces... think that their grassroots power is an enough basis for them to dominate and/or act alone' (Mady 2007).

Because the [Muslim Brotherhood] played a relatively limited role in the demonstrations (Clarke 2014: 399 ; Brooke and Hamid 2011: 2), many lawyers in the movement may have decided to refrain from supporting or taking part in the protests.

### ***Other Egyptian Lawyers and the Revolution***

The role of lawyers not aligned with the Muslim Brotherhood is less clear. However, some evidence suggests that this group had more significant and explicit support for the protests than the Brotherhood. As discussed by a Rand Corporation report, lawyers were among the various groups that made up the Kefaya movement (Oweidat et al. 2008: 52). The Kefaya (Egyptian for enough) movement, also referred to as the Egyptian Movement for Change (EMC), was one of the most prominent organizations in the demonstrations (Shorbagy 2007: 40–41). Far and Salimi noted the presence of more than 3000 lawyers and 1000 doctors in the Cairo protests (Far and Salimi 2012: 79). Additionally, the Front to Defend Egypt's Protesters, an alliance of lawyers and human-rights groups, organized anti-Mubarak protests across the country (Giglio 2011; Hasan 2011; Wedeman and Ahmed 2011). Clearly lawyers not aligned with the Muslim Brotherhood played a serious role in the Egyptian protests.

### **Egyptian Judges and the Revolution:**

The Egyptian judiciary held diverse views about the regime change, as noted by Daniela Pioppi, 'within the judiciary, different approaches to the regime coexisted: from widespread passive [resignation], to active support, to a reformist minority who promoted an approach that was "critical within the boundaries of what is possible' (2013: 2).

Independent judges helped weaken Mubarak's control over the country. In the early 2000s, the Egyptian Government enacted a law seeking to curtail the existence of human rights organizations in the country. However, Egypt's Supreme Court ruled against the Government and struck down the bill (Moustafa 2013: 918–919). Moreover, when the Government passed a broad law that limited the public's ability to monitor the election process, it again broke with Mubarak and struck down the law (Moustafa 2013: 919–920). Furthermore, in 2005, '[i]n protest over the way their prestige was used to legitimate sham elections, they first threatened to refuse to monitor the voting and then decided instead to document the ways official manipulation continued despite judicial oversight.' (Brown : 5). Consider that over 1,200 judges refused to supervise the elections and demanded greater independence; consequently, these judges aligned themselves with the opposition movement (Kefaya) in calling for fundamental reform (Bisgaard-Church 2011). This defiance of the Government was significant, as Khalid Ali explains, '. . . a wing from within the regime with substantial credibility began to embarrass Mubarak and his clique' (K. Ali 2011: 18). By helping protect human rights organizations and delegitimize the Regime, these jurists were helping lay the groundwork for the eventual January 25 Revolution. In addition, these judicial ideas influenced the demonstrators in 2011 who called for greater judicial independence (Brown : 1).

Still, there were judges who were Mubarak loyalists. (El-Sadany 2014). Take, for instance, Judge Nagy Shehata, who ‘... is also one of the judges accused of rigging the 2005 parliamentary elections in favor of the ruling National Democratic Party [Mubarak's Party] ... [and] referred to the January 25th revolution [the 2011 anti-Mubarak protests] as the January 25th defeat in an interview. . .’ (‘Stop Shehata’ 2016). There are various reasons why Judges like Shehata continued to support the Regime. First, consider the nepotism and corruption in Egypt's judicial system; a judge speaking out against the Regime could jeopardize not only their social standing but that of their entire family (Aziz 2014; Faraht and Sadek 2006: 62–63). Second, after the ‘Judicial Revolt,’ Mubarak instituted an attack on the judiciary by appointing loyalists. In addition, the Regime began targeting judges by transferring them to distant areas or initiating witch-hunts against them (Aziz 2014). Thirdly, judges that spoke out against the Regime were harassed or threatened with violence (K. Ali 2011: 18). Thus, due to the Regime's attitudes and policies attacking judges who stepped out of line, many judges, who perhaps were not ideologically supportive of the Regime, still failed to support the 2011 protestors.

### **Overview Of Tunisian Legal Credentialing Process:**

The Tunisian legal profession is organized according to the *Law No. 58-37* (Gobe 2020; Law No. 58-37 ) which set forth the requirements for Tunisian legal applicants. According to the International Bar Association Tunisian lawyers are required (Law No. 58-37):

1. To have held Tunisian nationality for at least 5 years;
2. To be resident in Tunisia;
3. To be between 20 and 50 years of age;
4. (repealed);
5. To hold a CAPA (certificat d'aptitude à la profession d'avocat) from the Institut Supérieur de la profession de l'avocat (those holding the title of professor of law from a Tunisian or foreign university may gain an exemption from this requirement);
6. To have no criminal record, never to have been declared bankrupt or to have had his/her registration cancelled for disciplinary reasons;
7. To have fulfilled all legal requirements for national service. If newly qualified, the lawyer is first entered as a trainee lawyer for one year during which time he/she can only plead in lower courts and cannot establish his own firm.

As noted by Eric Gobe, the legal admission standards in Tunisia were not very stringent, which caused a swell of new lawyers entering the profession which Gobe attributed to this proliferation of post-graduate law courses which made getting a law degree easier (2010: 334, 2013: 324; Gobe and Salaymeh 2016: 323). Furthermore, the legal field was split into a social hierarchy with those who were better connected to government were able to receive better job and client opportunity (Gobe 2010: 333–334, 2013: 49–56). The influx of lawyers, combined with the patronage system would prove to be detrimental to Ben Ali regime.

### ***Role of Tunisian Legal Professionals in the Revolution***

On December 17, 2010, Mohammed Bouazizi, a Tunisian food vendor, self-immolated after being beaten, humiliated, and having his cart and weights confiscated by the police. His story acted as a catalyst for the overthrow of Ben Ali. As outrage spread across the country, protestors took to their streets to voice their anger and frustration at the Regime's brutality and incompetence (Hussain 2018).

Among those challenging Ben-Ali's rule were legal practitioners (Alexander 2011). According to Al-Jazeera, there were reports 95% of Tunisia's lawyers went on strike against the regime (Rifai 2011). These reports are given credence by the fact that after some reluctance the Tunisian Bar Association announced a strike with the aim of bringing the regime down (Alexander 2011; Gobe 2020; Gobe and Salaymeh 2016: 325–329; Saidin 2018: 72). The Bar Association's announcement illustrates that a sizable number of legal professionals sympathized with the revolutionaries. Beyond striking, Tunisian lawyers also joined revolutionaries in protesting. In one instance, over 300 lawyers took to the streets demanding that Ben-Ali step down (Amara 2011). In other instance, “[l]ed by experienced cause lawyers, hundreds of Tunisian lawyers [encircled] the

Ministry of the Interior on 14 January 2011 shouting ‘Ben Ali Dégage’ (Ben Ali Clear Off)’ (McEvoy and Bryson 2022: 77).

However, it is important to note the differing level of support and enthusiasm towards the Tunisian Revolution between the Bar Association and the country’s lawyers. While it is evident that many legal professionals wholeheartedly supported the protests, the same cannot be said regarding the Bar Association. For instance, the Bar Association only declared a strike after the UGTT (a Tunisian workers union) pressured the association to do so (Gobe 2020; Gobe and Salaymeh 2016: 314–315, 325–329). Broadly, ‘[h]aving remained inactive at the beginning of the protest movement, the TBA’s governing bodies acted more to restrain the uprising than to foment it’ (Gobe 2020). The Bar Associations leaders benefitted financially from the Ben-Ali remaining in power; essentially, the leaders were incentivized not to support the protestors (2020; Gobe and Salaymeh 2016: 324).

### **Overview Of Yemeni Legal Credentialing Process:**

#### ***Yemeni Lawyers***

Information regarding Yemen’s bar admission standards is scarce. According to the International Bar Association licensed lawyers need to be registered with the Yemeni Bar Association (YBA) and law graduates must complete three years of legal courses or work for a lawyer, in lieu of the classes (International Bar Association 2016: 243). In a survey of Yemeni lawyers, most of those who were surveyed stated that legal education and training in the country was deficient (H. Ali et al. 2018: 16). The YBA, which is supposed to oversee the legal profession and legal standards, can be described as weak. As Al-Zwani writes, ‘the YBA still lacks the institutional and professional means to protect and strengthen the legal profession vis-à-vis the government and the judiciary’ (2012: 48). The lack of professionalism in the Yemeni legal industry is most evident in the fact that unlicensed lawyers (i.e., Sharia agents) are permitted by judges to practice (Al-Zwaini 2012: 46; International Bar Association 2016: 243). Sharia agents do not possess any formal or proper training regarding Yemen’s modern legal system; however, they are versed in Sharia law (Messick 2005: 212). The difference between registered lawyers and unregistered lawyers is stark. As Bradley Messick explains:

‘...these [Sharia agents] were generally portrayed as *unscrupulous* and the stage was set for the training of the first classes of university-trained lawyers, professionals certified not only by standardized state diplomas (rather than the individualized [certificates of Islamic Knowledge]) but also by membership in their professional association’ (Messick 2005: 212).

In other words, less capable and knowledgeable legal representative are permitted to practice law in court. In part, due to a lack of professionalism and strict legal standards forbidding this practice.

#### ***Yemeni Judges***

A review of corruption in Yemen found that, ‘[a]ppointed judges are not always well qualified, since judicial appointments are often determined according to political, territorial and tribal criteria as well as technical considerations’ (Robinson et al 2006: 13). The Supreme Judicial Council (SJC) is tasked with running the judiciary system (Al-Zwaini 2012: 27; ‘Yemen 1991 (rev. 2015) Constitution - Constitute’ ). The SJC is comprised of, ‘the Minister of Justice and his Deputy, the two Vice- Presidents of the Supreme Court, the Attorney General, and the President of the Judicial’ (Al-Zwaini 2012: 27). The three remaining members are selected by the Presidential Council from among active and retired legal experts and judges (Al-Zwaini 2012: 27). The Council is given the power appoint, removing, and promoting judges (‘Constitutional history of Yemen’ ). For the Council to select an applicant to become a judge, the candidate must meet the requirements of Section 57 of the Judicial Authority law which requires,

‘that a person to be appointed to the bench: (a) be of sound mind; (b) be at least thirty (30) years of age; (c) be a graduate of the Supreme Judicial Institute (the only judicial training institute in the country); (d) be of good moral character; and (e) not have been convicted of any offense denoting dishonesty or lack of integrity. Every person fulfilling the above conditions may, therefore, be appointed to a magistrate position at a District Court’ (World Bank 2000: 4).



The criteria for judicial positions become more stringent above the District Court level. To be promoted to a more powerful judgeship, a judge must have completed at least two years in the Court below the one they seek appointment too. In addition, the seniority of the judge is taken into account when the council makes a decision on whether they should be promoted—senior judges are given preference by the SJC (World Bank 2000: 4).

Yemeni judges are required to spend three years at the Supreme Judicial Institute and spend one to two years as a judicial apprentice. However, due to the large amount of students and a, 'lack of incentives for the judges and other court employees to devote the time and effort' (World Bank 2000: 4), the apprenticeships are not useful for students. The Yemeni Supreme Judicial Institute also fails to train judges to handle international disputes and the institutes teaching methods are arcane (World Bank 2000: 4).

### ***Role of Yemeni Legal Professionals in the Revolution***

In 2011, Yemeni protestors began to demonstrate against then President-Abdu Saleh. The demonstrations were comprised of a 'loose coalition of protestors with a variety of grievances [and included] civil society organizations, disaffected youth, northern tribesmen and southerners' (Juneau 2013: 409–410). Among this wide coalition of protestors, we also find lawyers (Finn 2011). In fact, among the first to join the demonstrations were lawyers for the Yemeni syndicate who also helped provide legal education to protestors (Jamal ). A report from Time states, '[t]he protesting [Yemeni] students were joined by delegates from the lawyers' union, political activists and many ordinary citizens' ('The Middle East in Revolt - TIME' ). Furthermore, an article by Human Rights Watch estimated that this specific protest also included about 500 lawyers from the lawyers' union (Human Rights Watch 2012; 'Yemen' 2011). The large crowd of lawyers, as well as the crowd's affiliation with the union, gives credence to the notion that Yemeni legal practitioners did not stand with the government.

We found further examples of Yemeni lawyers aiding the protestors. In one instance, Yemeni lawyers helped form a makeshift legal aid center to help demonstrators being detained or abused by state forces (Human Rights Watch 2012; Jamal ). Moreover, one of the leaders of the demonstration was also a legal practitioner. Khaled al-Anesi, a lawyer and a human rights activist, helped lead the movement to overthrow the government and helped organize protests (Human Rights Watch 2012; Raghavan 2011; Worth 2011).

### **Yemeni Judges and the Revolution:**

It is unclear to how broadly Yemeni judges supported and sympathized with the revolution. However, we do find evidence to suggest that a reformist wing existed in the judiciary, which also took part in the protests. A 2006 report by USAID found that, 'sentiment toward reform is now more widely shared beyond a certain strata of high-ranking judges who were relatively isolated and lacked the power to push for change', however cautioned that, "these sentiments may not translate into a more concrete and operational consensus over the parameters of reform" (Robinson et al. 2006: 16). During the 2011 protests, members of the Judges Club joined the demonstrators and began to organize protests demanding reform (Gaston and al-Dawsari 2014: 32). On February 16, 2011, around 120 Yemeni judges staged protest demanding higher wages, and the removal of the SJC figure heads ('Protesters killed in Yemen clashes' 2011; 'Thousands of police confront protesters in Yemen' ). The calls for removal of SJC figure heads suggests that those in charge of running the judiciary were not supportive of the reforms demanded by the protestors. In addition, it must also be mentioned, that the Judges Club is a voluntary organization of judges, and not every member of the organization followed the call for a strike (Gaston and al-Dawsari 2014: 31–32). Thus, while some parts of the judiciary did support the revolution, the branch's overall support was limited.

## Country-Specific Analysis

### *Libya Analysis*

Recall from our discussion of Libyan lawyers and the revolution that many Libyan legal professionals supported the revolutionaries. Although, the true extent of the nexus between the legal credentialing process in Libya and the rebellion is somewhat unclear. The process likely did help shape the side and role that lawyers picked during the revolution.

First, we look at how the professionalization process helped draw lawyers to the revolutionaries' side. Recall that Gaddafi antagonized lawyers and sought to use the credentialing system to weaken the legal profession—at one point going as far as banning legal practice— as he saw it as a threat to his power (Abdelmoula 1992: 61–62). By using the legal process to curtail the practice of law, consequently limiting the livelihood of lawyers, Gaddafi was unlikely to gain any supporters. On the contrary, legal professionals' animosity towards Gaddafi more likely grew.

In addition, the system in Libya may have placed lawyers in a better position to help lead the revolution. Referring to our discussions in the *Legal Credentialism System in Libya*, we see that Libyan lawyers did receive legal training (more likely better than what Egyptian lawyers received) and were vetted to practice law (Decree No. (885) 1990). As such, it is unsurprising that lawyers with knowledge of the legal system were part of the council charged with the responsibility of helping to create a transitional government, as well as leading the rebels (Dan 2011).

### *Egypt Analysis*

In comparison to Libya, the Egyptian legal professionals were less enthusiastic in their support for the revolutionaries. This difference can be partly attributed to Egypt's legal credentialing system. Remember, Egypt suffered from crowded classrooms and courts because of the less stringent admissions process for law schools. When students graduated due to the vast oversaturation of lawyers, they found limited job opportunities. Many of these disillusioned lawyers turned to the Brotherhood to voice their frustration and receive access to social service programs the organization provided (Campagna 1996: 289–291; Serag 2001: 616–617). To summarize, the relaxed requirements to get a law degree helped turn lawyers to the Muslim Brotherhood. When the revolution came, these lawyers, some of whom received financial support from the Brotherhood, adopted the party-line by remaining neutral.

While we recognize the impact of Egyptian judges in helping *influence* the revolution, we must likewise be cognizant that only a *few* judges played an *active* role in the revolution (Pioppi 2013: 2). Some of the reasons that judges did not support may have been unrelated to the judicial professionalization process. For instance, some judges feared torture or harassment if they dared to speak up against the Mubarak regime (K. Ali 2011: 18). However, that is not to say that it played no role. When the judicial appointment system was beginning to yield independent jurists, Mubarak abandoned old practices regarding appointing jurists to appoint loyalists. To illustrate, consider the writing of scholar Nathan Brown, who writes,

‘... the presidency retained some appointment powers. When the court became overly independent, President Mubarak abandoned his practice of turning to the most senior justice and instead brought in [presidents] from outside the Court who helped tame the body’ (Brown : 4).

As such, when the revolution came, the judiciary would have been less sympathetic to the protestors as it had been filled with Mubarak loyalists.

### *Tunisia Analysis*

Tunisia's legal credentialing system displayed a key similarity with that of Egypt's: oversaturation of legal professionals. Ben Ali's, ‘...regime was seeking to innovate, and, in so doing, identified exogenous sources of learning to enact new reforms to boost employment and bear down on home grown militancy, uprisings, and riots’ (Jules and Smaali Bouhlila 2018: 103). However, the plan

to push people into higher education did not translate to better financial outcomes as, ‘more than 45 percent of college graduates could not find work in a country’ (Schraeder and Redissi 2011: 8). In the legal market, the number of lawyers continued to balloon creating fierce commercial competition among lawyers. Consequently, the Tunisian Bar association conducted strikes and protests in the 1990s and 2000s demanding greater regulation in the legal market (Gobe 2013: 45; Gobe and Salaymeh 2016: 324). The demands were connected to their goal of greater financial insecurity: for instance, ‘[lawyers] called for the creation of social security coverage for the profession and for an increase in resources to finance lawyers’ pension and insurance funds’ (Gobe 2010: 335–336). Thus, one can observe that much like the Egyptian legal market, facile bar admission requirements help harbor animosity against the government (Gobe and Salaymeh 2016: 324).

Additionally, the weaponization of the legal regulations also helped contribute to anti-Ben Ali sentiment among Tunisian lawyers (Gobe 2013: 45). Much like Gaddafi in Libya, Ben-Ali viewed the lawyers as a threat to his authority; as such he sought to weaken the legal profession. For instance, the regime continuously refused to grant the Bar association greater ability to restrict the number of lawyers in the market (Gobe 2013: 45). In the view of the regime, the fierce competition created an outlet for gaining and maintain the support of legal professionals: the regime only gave out government contracts to loyal lawyers (Gobe 2013: 45). However, this scheme had the effecting of alienating lawyers as, ‘the vast majority of the profession, composed of myriad small-scale and non-specialist legal practices, was excluded from this section and was instead exposed to a highly competitive market’ (Gobe 2013: 45). In addition, ‘by refusing to support the professional autonomy of Tunisian lawyers, the regime alienated lawyers loyal to it and drove many lawyers to adopt a critical stance vis-a-vis the government’ (Gobe and Salaymeh 2016: 324).

Recall, that support from the Tunisian Bar Association was more reserved compared to that of its members (Gobe 2020; Gobe and Salaymeh 2016: 325–329). Considerations of how the Bar Association’s response might affect the government regulations on the market influenced TBA’s actions. The regime had viewed the Bar Association and lawyers as a threat— thus, by taking a firm against the Ben-Ali, any TBA risked reversing any reform they achieved in their sector (Gobe and Salaymeh 2016: 339). As such, ‘[d]uring most of the uprising, the TBA adopted conservative positions in favor of the status quo, appealing to ideas of the profession’s neutrality or autonomy’ (Gobe and Salaymeh 2016: 339). In the view of TBA by seeking to keep lawyers out of the protests they were protecting the profession. This notion is supported by the comments of the organization president who stated that ‘the bar is not a political party’ and that it must deal with the pressing, pragmatic concern of ‘5,000 starving lawyers’ (Gobe and Salaymeh 2016: 326). Put simply, the TBA president elevated the concerns of the Bar over those of Tunisia’s general population.

### *Yemen Analysis*

One would expect the Yemeni Bar Association and a sizeable portion of lawyers to support the regime considering, ‘[t]he YBA leadership allegedly receive their licence fees from the government, and their election depends – informally – on governmental approval. Most lawyers are in some form employed by the state and have their licence fees paid for by the government’ (Al-Zwaini 2012: 48). However, according to one of the lawyers present in the demonstrations, one of the first organizations to join the protests was the YBA (Jamal ). Given the lack of literature regarding the Yemeni legal profession, it is difficult to come to a definitive conclusion as to the role of professionalization in influencing the decisions that lead lawyers towards supporting the protestors. Recall, many lawyers felt unprepared by Yemeni legal education; additionally, neither the Bar association nor the government set strict standards for admission to practice law (H. Ali et al. 2018; Al-Zwaini 2012: 48). The lack of professionalism is further apparent in the legal system itself. As one lawyer noted, ‘[t]he legal system in Yemen was already corrupt, biased, and both intentionally and unintentionally slow. It was and still is a tool used by authorities to support suppression of any opposition’ (Jamal ). Thus, the possible effects of the desolate state of the Yemen justice system were two-fold: lawyers gained a first-hand look at the abuses of the regime which, and their field lacked order, organization, proper standards. In conjunction, these affects could have fostered greater sympathy and support from Yemeni lawyers to the protestors.

Yemeni judges displayed similar behaviors as Egyptian judges during the revolution. Support for the protestors existed but limited overall (Gaston and al-Dawsari 2014: 31–32; ‘Protesters killed in Yemen clashes’ 2011; ‘Thousands of police confront protesters in Yemen’ ; Robinson et al. 2006: 16). The motives for the Yemeni judges joining the protestors were clear, they wanted greater autonomy, better salaries, and a fairer appointment system(‘Protesters killed in Yemen clashes’ 2011; ‘Thousands of police confront protesters in Yemen’ ; World Bank 2000: 4). In other words, they were dissatisfied with the current the standards of their profession. These judges likely belonged to the ‘small cadre of extremely dedicated and competent professionals who are strong supporters of change in the judicial branch’ (World Bank 2000: 9).

While other judges may have been similarly disapproving, they nonetheless did not align themselves with the protests. This can be partly attributed to the practices of their profession. As explained by the World Bank, ‘[t]he consequence of the extremely low pay, poor working conditions and the lack of respect for the judicial branch’s employees are many-fold... The large balance of remaining judicial branch employees are often not motivated to move their caseloads along, are not well-trained or otherwise informed about the law, or are directly susceptible to bribery’ (World Bank 2000: 9). In essence, the lack of standards lead to many incompetent individuals gaining judgeships; the absence of morals, ethics, and respect for their profession made these unlikely to take a moral stance against their government. Also, the reforms demanded by the protestors, which included a crack-down on graft and a reformed legal system, threatened the ability of unqualified and corrupt people to occupy judicial positions (Jamal ). Thus, making the interests of the protestors opposed to those of the Yemeni Judges.

### Conclusion

Our findings are consistent with the notion that professionalization plays a role in how legal professionals align themselves politically. We note several themes present in our findings which support this conclusion. First, relaxed standards regarding the practice of law makes lawyers less loyal to a regime. Second, attacks on the autonomy of the bar and on the whole legal profession using regulations increases support for anti-government protestors. Third, the judiciary’s support for anti-government protestors is partly influenced by the level of professionalism and competency of the judicial branch.

In Tunisia and Egypt, the overflow of lawyers brought on by relaxed bar admissions standards caused poor job outcomes and salaries (Campagna 1996: 289–291; Gobe 2013: 45; Serag 2001: 616–617). Dissatisfaction with job outcomes translated to greater discontent among lawyers towards the government. In Egypt, while the credentialism process caused legal professionals to dislike Mubarak, and consequently join the Muslim Brotherhood, they remained uninvolved in the resistance against the Government (Mady 2007). Poor Egyptian lawyers were enticed by financial benefits of joining the Muslim Brotherhood. In Tunisia some lawyers remained loyal to Ben-Ali because the regime rewarded their loyalty with government business (Campagna 1996: 289–291; Serag 2001: 616). The willingness of Egyptian Lawyers to join the Muslim Brotherhood was likely strengthened by the poor legal education quality (Arafa et al. 2015: 984, 986–988; Serag 2001: 616)— which may have made legal professionals less committed to the promotion of civil liberties.

In Yemen, this theme may have also been partly responsible for the anti-government sentiment among lawyers. In essence, the poor state of the legal profession due to the lack of standards and organization could have pushed lawyers to revolt. This notion is furthered by the fact that the Yemeni Bar Association was quick to join the protests (Jamal ). Like any bar association, the ultimate job of the YBA is to protect and further the interests of the profession. As such, it is likely the YBA viewed revolting as the most viable path towards improving the legal market.

Furthermore, we observe that the use of regulations to vilify and subjugate the legal profession makes lawyers more rebellious. In Tunisia and Libya, the respective regimes aimed to use to legal standards to weaken lawyers, as leaders viewed legal professionals as a threat to their power (Abdelmoula 1992; Gobe 2013: 45). Lawyers had little reason to feel sympathetic to a regime that had oppressed them. In fact, Libyan legal practitioners help spark the revolution. Likewise, while the legal bar in Tunisia sought to reforms by engage with the regime, lower rung lawyers who had been

disadvantaged by the legal system created to control the profession embraced the revolution (Gobe 2013: 45; Gobe and Salaymeh 2016: 316).

Our findings demonstrate that professionalism in the judiciary influences how judges align with the regime. Recall, for instance, that after the Egyptian judiciary began to show resistance to the Mubarak regime. The regime responded by using the regime to decrease the competency of the judicial branch: he began appointing loyalists rather than selecting based on merit; independent judges were threatened or transferred. Additionally, nepotism was allowed to thrive (Aziz 2014; Faraht and Sadek 2006: 62–63). The Yemeni judiciary received similar treatment (Jamal ; World Bank 2000: 9). Consequently, the result in both these countries was the same. Anti-government judges diminished in numbers; loyalists grew in numbers. Thus, when the revolution came the judiciary played a limited role in supporting the protestors (El-Sadany 2014; Gaston and al-Dawsari 2014: 31–32).

Finally, we note the impact of our study. Recall, one of the primary responsibilities of legal credentialism system meant to train lawyers to fulfil their unique role in safeguarding civil liberties and democracy. Understanding how standards in the legal market influences the political alignment of lawyers, we gain a better picture as how we can perfect the standards that lawyers and judges are held to. Likewise, studying as to what causes legal professionals to protest and become disloyal to government can help activists and reformists mobilize lawyers.

## References

- Abdelmoula A (1992) Libya: The Control of Lawyers by the State. *Journal of the Legal Profession* 17, 55–76.
- Abdullah K and Ghobari M (2011, January 27) Thousands March in Yemen to Demand Change of Government. *Reuters*. Retrieved from <https://www.reuters.com/article/us-yemen-protests-idUSTRE70Q23620110127>
- Aidaros M (2022) Appointing and Training Judges in Egypt and Comparative Systems. *Theses and Dissertations*.
- Aidaros MMA-S (2022) *Appointing and Training Judges in Egypt and Comparative Systems* (Master Thesis). American University in Cairo. Retrieved from <https://fount.aucegypt.edu/etds/1921>
- Aknur M (2013) The Muslim Brotherhood in Politics in Egypt: From Moderation to Authoritarianism. *Review of International Law and Politics* 9(33), 1–26.
- Al-Deghali S (2011, March 10) Benghazi's Lawyers, Libya's Revolutionaries. Retrieved from <https://www.egyptindependent.com/benghazis-lawyers-libyas-revolutionaries/>
- Alexander C (2011, January 3) Tunisia's Protest Wave: Where It Comes from and What It Means. <https://foreignpolicy.com/2011/01/03/tunisiast-protest-wave-where-it-comes-from-and-what-it-means/> (accessed 22 March 2023)
- Ali H et al. (2018) *The Rule of Law in Yemen: Challenges and Opportunities*. Adalah Yemen. Retrieved from <https://www.adalahyemen.com/rule-of-law-yemen>
- Ali K (2011) Precursors of the Egyptian Revolution. *IDS Bulletin* 43(1), 16–25. <https://doi.org/10.1111/j.1759-5436.2012.00286.x>
- Al-Shamahi A (2020, December 17) How Economic Hardship Fuelled the Arab Spring 10 Years Ago. *Al-Jazeera*. Retrieved from <https://www.aljazeera.com/news/2020/12/17/bread-and-gas-economic-boost-needed-after-arab-spring>
- Al-Zwaini L (2012) *The Rule of Law in Yemen Prospects and Challenges* (HiIL Rule of Law Quick Scan Series). The Hague Institute for Innovation of Law.
- Amara T (2011, January 6) Tunisian Lawyers Strike, Civil Unrest Continues. *Reuters*. Retrieved from <https://www.reuters.com/article/uk-tunisia-protests-idUKTRE7054CB20110106>
- Arafa MA et al. (2015, October 1) Arab World's Verdict on Legal Education: The Egyptian Case between Status Quo, Assessment, and Some Hope. SSRN Scholarly Paper, Rochester, NY. Retrieved from <https://papers.ssrn.com/abstract=2710361>
- Aziz S (2014, August 20) Egypt's Judiciary, Coopted. <https://carnegieendowment.org/sada/56426> (accessed 25 November 2022)
- Bisgaard-Church E (2011, August 10) Kefaya Protests Mubarak's Referendum and Re-Election, Egypt, 2005 | Global Nonviolent Action Database. <https://nvdatabase.swarthmore.edu/content/kefaya-protests-mubaraks-referendum-and-re-election-egypt-2005> (accessed 25 November 2022)
- Bourcier N (2011, March 21) Libya: Meet The Quiet Lawyer Who Sparked A Revolution. <https://worldcrunch.com/world-affairs/libya-meet-the-quiet-lawyer-who-sparked-a-revolution> (accessed 23 November 2022)
- Brooke S and Hamid S (2011) The Muslim Brotherhood's Role in the Egyptian Revolution. *CTC SENTINEL* 4(2), 20.
- Brown NJ (n.d.) Egypt's Judges in a Revolutionary Age. <https://carnegieendowment.org/2012/02/22/egypt-s-judges-in-revolutionary-age-pub-47254> (accessed 23 November 2022)
- Campagna J (1996) From Accommodation to Confrontation: The Muslim Brotherhood in the Mubarak Years. *Journal of International Affairs* 50(1), 278–304.
- Clarke K (2014) Unexpected Brokers of Mobilization: Contingency and Networks in the 2011 Egyptian Uprising. *Comparative Politics* 46(4), 379–397.
- Constitutional History of Yemen (n.d.). <https://constitutionnet.org/country/yemen> (accessed 22 March 2023)
- Dan M (2011, July 19) So Who Are Libya's Rebels Exactly? *Christian Science Monitor*. Retrieved from <https://www.csmonitor.com/World/Backchannels/2011/0719/So-who-are-Libya-s-rebels-exactly>

- Decree No. (885) of 1990 AD on the Executive Regulation of Law No. (10) of 1990 AD on Reorganizing the Legal Profession (1990). Retrieved from <https://security-legislation.ly/en/law/100891>
- Egypt to Host 23,000 US Troops (2001, October 1). <https://www.hrw.org/news/2001/10/01/egypt-host-23000-us-troops> (accessed 24 November 2022)
- El-Sadany M (2014, April 29) The Politicization of Egypt's Judiciary Amidst the "War on Terror". <https://timep.org/commentary/analysis/politicization-egypts-judiciary-amidst-war-terror/> (accessed 25 November 2022)
- Euro-Mediterranean Human Rights Network (EMHRN) (2012) Proceedings of the Seminar 11-12 February 2012, Rabat. In *Proceedings of the Seminar 11-12 February 2012, Rabat*. p. 105. Retrieved from <https://www.refworld.org/docid/515009ac2.html>
- Euro-Mediterranean Human Rights Network (EMHRN) (2016) *Challenges for the Libyan Judiciary: Ensuring Independence, Accountability and Gender Equality*. International Commission of Jurists (ICJ). Retrieved from <https://www.refworld.org/pdfid/515009ac2.pdf>
- Far BM and Salimi M (2012) REVIEWING THE ROLE OF FACEBOOK IN EGYPTIAN REVOLUTION IN FEBRUARY 2011. 1(1).
- Faraht MN and Sadek A (2006) *State of the judiciary in Egypt* (Second Draft). The Arab Center for the Development of the Rule of Law and Integrity. Retrieved from [https://www.arabruleoflaw.org/files/pdf/judiciary/english/p2/egypt\\_finalreportp2s4\\_en.pdf](https://www.arabruleoflaw.org/files/pdf/judiciary/english/p2/egypt_finalreportp2s4_en.pdf)
- Finn T (2011, February 3) Yemen Protests See Tens of Thousands of People Take to the Streets. *The Guardian*. Retrieved from <https://www.theguardian.com/world/2011/feb/03/yemen-protests-sanaa-saleh>
- Garcia-Navarro L (2011, March 16) Rebels' Dream Of 'Free Libya' Dims : NPR. <https://www.npr.org/2011/03/16/134594253/as-tide-turns-rebels-dream-of-free-libya-dims> (accessed 23 November 2022)
- Gaston E and al-Dawsari N (2014) *Justice in Transition in Yemen* (Peaceworks). The United States Institute of Peace. Retrieved from <https://www.usip.org/publications/2014/09/justice-transition-yemen>
- Giglio M (2011, January 26) Egypt's Facebook Revolt: Demonstration Arrests. *The Daily Beast*. Retrieved from <https://www.thedailybeast.com/articles/2011/01/26/egypts-facebook-revolt-demonstration-arrests>
- Gobe E (2010) The Tunisian Bar to the Test of Authoritarianism: Professional and Political Movements in Ben Ali's Tunisia (1990–2007). *The Journal of North African Studies* 15(3), 333–347. <https://doi.org/10.1080/13629380903251478>
- Gobe E (2013) Of Lawyers and Samsars: The Legal Services Market and the Authoritarian State in Ben 'Ali's Tunisia (1987–2011). *The Middle East Journal* 67(1), 44–62. <https://doi.org/10.3751/67.1.13>
- Gobe E (2020) *Lawyers in 21st-Century Societies: Volume 1: National Reports*. (R. L. Abel et al., Eds.). Hart Publishing. Retrieved from <http://www.bloomsburycollections.com/book/lawyers-in-21st-century-societies-volume-1-national-reports>
- Gobe E and Salaymeh L (2016) Tunisia's "Revolutionary" Lawyers: From Professional Autonomy to Political Mobilization. *Law & Social Inquiry* 41(02), 311–345. <https://doi.org/10.1111/lsi.12154>
- Hasan B (2011, February 3) Journalists and Human Rights Activists Arrested and Beaten in Cairo Crackdown [Video Recording]. Retrieved from [http://www.democracynow.org/2011/2/3/journalists\\_and\\_human\\_rights\\_activists\\_arrested](http://www.democracynow.org/2011/2/3/journalists_and_human_rights_activists_arrested)
- Höges C (2011, April 3) A Courthouse in Benghazi: The Nerve Center of the Libyan Revolution [News Source]. <https://www.spiegel.de/international/world/a-courthouse-in-benghazi-the-nerve-center-of-the-libyan-revolution-a-749227.html> (accessed 23 November 2022)
- Human Rights Watch (2012) World Report 2012: Yemen. In *World Report 2012*. Retrieved from <https://www.hrw.org/world-report/2012/country-chapters/yemen>
- Hussain H (2018, December 17) Remembering Mohamed Bouazizi and the Start of the Arab Spring. *Middle East Monitor*. Retrieved from <https://www.middleeastmonitor.com/20181217-remembering-mohamed-bouazizi-and-the-start-of-the-arab-spring/>
- International Bar Association (2016) *Directory of Regulators of the Legal Profession*. International Bar Association. Retrieved from [https://www.ibanet.org/Regulation\\_Directory\\_project\\_Yemen](https://www.ibanet.org/Regulation_Directory_project_Yemen)

- International Legal Assistance Consortium (2013) *ILAC Rule of Law Assessment Report: Libya 2013*. International Legal Assistance Consortium. Retrieved from [https://newilac.wpengine.com/wp-content/uploads/2013/05/Libya\\_Report\\_FULL-ENGLISH-web.pdf](https://newilac.wpengine.com/wp-content/uploads/2013/05/Libya_Report_FULL-ENGLISH-web.pdf)
- Jamal B (n.d.) Lawyering for Change: Q&A with Bonyan Jamal on Yemen. Retrieved from <https://timep.org/2021/04/27/lawyering-for-change-qa-with-bonyan-jamal-on-yemen/>
- Jones B (2011, January 28) What Is the Muslim Brotherhood? [News Source]. <http://www.cnn.com/2011/WORLD/africa/01/28/egypt.muslim.brotherhood/index.html> (accessed 24 November 2022)
- Jules TD and Smaali Bouhlila D (2018) Indirect Coercive Transfer and Educational Copying Under Dictatorship: The Case of Tunisia. *FIRE: Forum for International Research in Education* 4(3). <https://doi.org/10.32865/fire20184316>
- Juneau T (2013) Yemen and the Arab Spring: Elite Struggles, State Collapse and Regional Security. *Orbis* 57(3), 408–423. <https://doi.org/10.1016/j.orbis.2013.05.004>
- Khan M (2010) The Economic Consequences of the Arab Spring.
- Law No. (4) of 1981 Establishing the Department of People’s Legal Defence (1981). Retrieved from <https://security-legislation.ly/en/law/31893>
- Law No. (51) of 1976 Issuing the Judicial System Law (1976). Retrieved from <https://security-legislation.ly/en/law/31526>
- Law No. 58-37, Pub. L. No. 17, 163. p. 163. Retrieved from <https://www.ibanet.org/document?id=ITILS-Africa-2018>
- Levine S and Pearce R (2009) The Lawyer’s Role in a Contemporary Democracy, Tensions Between Various Conceptions of the Lawyer’s Role, Rethinking the Legal Reform Agenda: Will Raising the Standards for Bar Admission Promote or Undermine Democracy, Human Rights, and Rule of Law? *Fordham Law Review* 77(4), 1635–1665.
- Mady AE (2007) Interview. Retrieved from <http://www.jstor.org/stable/41859016>
- McEvoy K and Bryson A (2022) Boycott, Resistance and the Law: Cause Lawyering in Conflict and Authoritarianism. *The Modern Law Review* 85(1), 69–104. <https://doi.org/10.1111/1468-2230.12671>
- Messick B (2005) Cover Stories: A Genealogy of the Legal Public Sphere in Yemen. In A Salvatore and M LeVine (eds.), *Religion, Social Practice, and Contested Hegemonies*. New York: Palgrave Macmillan US, pp. 207–229. Retrieved from <http://link.springer.com/10.1057/9781403979247>
- Moustafa T (2013, August 25) Law versus the State: The Judicialization of Politics in Egypt. SSRN Scholarly Paper, Rochester, NY. Retrieved from <https://papers.ssrn.com/abstract=1545404>
- Oko O (2000) Consolidating Democracy on a Troubled Continent: A Challenge for Lawyers in Africa. *Vanderbilt Journal of Transnational Law* 33(3), 573–644.
- Oweidat N et al. (2008) *The Kefaya Movement: A Case Study of a Grassroots Reform Initiative*. RAND Corporation. Retrieved from <https://www.rand.org/pubs/monographs/MG778.html>
- Pearce RG and Nasser S (2012) The Virtue of Low Barriers to Becoming a Lawyer: Promoting Liberal and Democratic Values. *International Journal of the Legal Profession* 19(2–3), 357–378. <https://doi.org/10.1080/09695958.2013.771125>
- Pioppi D (2013) The Judiciary and ‘Revolution’ in Egypt. *Istituto Affari Internazionali* (2), 7.
- Protesters Killed in Yemen Clashes (2011, February 16) *Al-Jazeera*. Retrieved from <https://www.aljazeera.com/news/2011/2/16/protesters-killed-in-yemen-clashes>
- Qiblawi T (2019, December 30) A Decade of Protests Has Reshaped the Arab World -- and More Change Is on the Way. <https://www.cnn.com/2019/12/30/middleeast/middle-east-decade-in-review-intl/index.html> (accessed 5 December 2022)
- Raghavan S (2011, February 15) In Yemen, Female Activist Strives for an Egypt-like Revolution. *Washington Post*. Retrieved from [https://www.washingtonpost.com/national/defying-obstacles-a-female-activist-presses-for-reform/2011/02/14/ABgJQHG\\_story.html](https://www.washingtonpost.com/national/defying-obstacles-a-female-activist-presses-for-reform/2011/02/14/ABgJQHG_story.html)
- Remyse A (2013) Preventing Self-Regulation from Becoming Self-Strangulation: The Application of Deregulation and Independent Oversight To Allow the US Legal System to Adapt to Market Forces Currently Threatening Lawyers, Law Schools and Access to Justice. *Michigan State International Law Review* 22(3), 1149–1184.
- Rice S, Graff C, and Lewis J (2006) Poverty and Civil War: What Policymakers Need to Know. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.1015091>



- Rifai R (2011, January 23) Timeline: Tunisia's Uprising. *Al-Jazeera*. Retrieved from <https://www.aljazeera.com/news/2011/1/23/timeline-tunisia-uprising>
- Robinson G et al. (2006) *YEMEN CORRUPTION ASSESSMENT*. United States Agency for International Development. Retrieved from [https://www.transparency.org/files/content/activity/2006\\_USAID\\_YemenCorruption\\_EN.pdf](https://www.transparency.org/files/content/activity/2006_USAID_YemenCorruption_EN.pdf).
- Rosen KM (2006) Lessons on Lawyers, Democracy, and Professional Responsibility. *Georgetown Journal of Legal Ethics* 19(1), 155–224.
- Saidin MIS (2018) Rethinking the 'Arab Spring': The Root Causes of the Tunisian Jasmine Revolution and Egyptian January 25 Revolution. *International Journal of Islamic Thought* 13. <https://doi.org/10.24035/ijit.06.2018.007>
- Schraeder PJ and Redissi H (2011) The Upheavals in Egypt and Tunisia: Ben Ali's Fall. *Journal of Democracy* 22(3), 5–19. <https://doi.org/10.1353/jod.2011.0047>
- Serag M (2001) Legal Education in Egypt Symposium: A Global Legal Odyssey. *South Texas Law Review* 43(2), 615–622.
- Shenker J (2011, July 7) Muslim Brotherhood to Join Tahrir Square Demonstration. *The Guardian*. Retrieved from <https://www.theguardian.com/world/2011/jul/07/muslim-brotherhood-joins-tahrir-square-protest>
- Shorbagy M (2007) UNDERSTANDING KEFAYA: THE NEW POLITICS IN EGYPT. *Arab Studies Quarterly* 29(1), 76–87.
- Sly L (n.d.) On the Face of It, the Arab Spring Was a Spectacular Failure. But Is It Really Over? <https://www.washingtonpost.com/world/interactive/2021/arab-spring-10-year-anniversary-lost-decade/> (accessed 4 March 2023)
- Stewart F (2002) Root Causes of Violent Conflict in Developing Countries. *BMJ: British Medical Journal* 324(7333), 342–345.
- Stop Shehata: The Story of An Egyptian Judge (2016, February 26). <https://pen.org/stop-shehata-the-story-of-an-egyptian-judge/> (accessed 25 November 2022)
- The Advocates Law 197/2008 (Amending Law No 17/1983), Pub. L. No. 17. Retrieved from <https://www.ibanet.org/document?id=ITILS-Africa-2018>
- The Middle East in Revolt - TIME (n.d.) *Time*. Retrieved from [https://content.time.com/time/specials/packages/article/0,28804,2045328\\_2045338\\_2049164,00.html](https://content.time.com/time/specials/packages/article/0,28804,2045328_2045338_2049164,00.html)
- Thousands of Police Confront Protesters in Yemen (n.d.). <https://www.jpost.com/breaking-news/thousands-of-police-confront-protesters-in-yemen> (accessed 22 March 2023)
- Wedeman B and Ahmed A (2011) 3 Dead after Thousands Protest in Rare Egypt Outpouring. *Cnn*. Retrieved from <http://www.cnn.com/2011/WORLD/africa/01/25/egypt.protests/index.html>
- Winn JK and Yeh T (1995) Advocating Democracy: The Role of Lawyers in Taiwan's Political Transformation. *Law & Social Inquiry* 20(2), 561–599. <https://doi.org/10.1111/j.1747-4469.1995.tb01070.x>
- Winston C and Karpilow Q (2016) Should the US Eliminate Entry Barriers to the Practice of Law? Perspectives Shaped by Industry Deregulation. *American Economic Review* 106(5), 171–176. <https://doi.org/10.1257/aer.p20161001>
- Wizner S (2000) Beyond Skills Training Papers Presented at the Rutgers-Newark Law School Conference on the Social Justice Mission of Clinical Education. *Clinical Law Review* 7(2), 327–340.
- World Bank (2000) *Republic of Yemen comprehensive development review Phase I: judicial and legal system building block*. WorldBank. Retrieved from [https://web.worldbank.org/archive/website00150/WEB/PDF/BB\\_5.PDF](https://web.worldbank.org/archive/website00150/WEB/PDF/BB_5.PDF)
- Worth RF (2011, July 20) Yemen on the Brink of Hell. *The New York Times*. Retrieved from <https://www.nytimes.com/2011/07/24/magazine/yemen-on-the-brink-of-hell.html>
- Yemen 1991 (Rev. 2015) Constitution - Constitute (n.d.). [https://www.constituteproject.org/constitution/Yemen\\_2015?lang=en](https://www.constituteproject.org/constitution/Yemen_2015?lang=en) (accessed 13 February 2023)
- Yemen: Security Forces Assaulting Activists (2011, February 14). <https://www.hrw.org/news/2011/02/14/yemen-security-forces-assaulting-activists> (accessed 12 February 2023)