

Cultural Expertise:

a proposal for a university diploma for graduate students at Paris Nanterre

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The pertinence of the university degree

Cultural expertise provides specialised knowledge on the rights and practices in force in a specific socio-cultural environment. In diverse societies, cultural expertise supports a more inclusive justice and provides decision-makers with specialized instruments for a fuller assessment of the facts and the evidence. The creation of a university degree dedicated to cultural expertise near courts stems from the requests of the legal professionals and junior experts. Tribunals are increasingly being confronted with cases which involve contexts that require specialised skills to be understood. In France, cultural expertise has been integrated into the regular training for judges organized by the *École Nationale de la Magistrature* (ENM), which testifies to this increased interest, the figures show that the practice is developing.

Cultural experts are often anthropologists, but more generally they are social scientists chosen for their knowledge of the parties' socio-cultural context. Experts do not always have competence in legal matters, even when they intervene in court. There is not yet a training dedicated to cultural expertise, and there is a gap to fill. Just as university degrees train for the medical practice or for that of mediators, the creation of a university degree on cultural expertise will support cultural experts and guarantee the quality of their consultations. It will enable a list of the qualified experts to be established, which would facilitate the task of the judge and of the parties for identifying the experts when needed. The implementation of this training will also contribute to the recognition of cultural experts' professional status, with the training providing an institutional authority which they often lack.

Identification of the university in France

We have identified three major universities in France which provide excellent training in an interdisciplinary context favourable to the degree. Leading universities in France have international networks and consolidated partnerships over the world whose reputation could benefit the degree. However, though leading universities offer solid training in law, economics and management, the anthropological dimension is not as present, and the education provided is almost exclusively focused on positive law and conventional legal traditions.

The dialogue between different disciplinary fields that cultural expertise attracted us to Paris I, Panthéon-Sorbonne and Paris X, Nanterre. University of Paris 1 Panthéon-Sorbonne has the advantage of being the establishment that hosts the EURO-EXPERT research program 'Cultural expertise: What is it useful for?' and the CULTEXP Proof of Concept. The degree would then become the place of training for cultural experts in the extension of the research undertaken at this university. Paris 1 was also the university that housed a legal anthropology laboratory ('LAJP') founded in 1963 by Michel Alliot, one of the pioneers in the discipline. The legal anthropology laboratory of Paris 1 Panthéon-Sorbonne has produced work of a very high quality, particularly in the Africanist field.

The interdisciplinary nature of the Nanterre campus makes it an excellent place for training that combines the anthropologist's knowledge with that of the lawyer. The campus houses a highly regarded department of anthropology, from which members of the training team could be recruited. Paris Nanterre University is also one of the few universities to host a legal anthropology laboratory – the Centre for Legal History and Anthropology ('CHAD', EA 4417) – which has a recognized expertise in the crossover of legal and anthropological disciplines. Located in the law buildings of the university, the CHAD was founded in 2009. It comes from a fusion of a unit focused on the history of the rights in Europe and the Mediterranean East and the Centre of Law at Cultures founded by the anthropologist Raymond Verdier. Since the beginning of its creation, the researchers of this unit have been working on cultural phenomena to analyse them from an anthropological point of view. Files have appeared in the journal *Droit et Cultures*, housed in these same premises and dealing with excision, ordeals, amicable methods of resolving disputes, cultures towards the law, etc. The hosting of the ERC program managed by Professor Livia Holden in the History and Legal Anthropology Laboratory for nearly two years (2020-2022) and the laboratory's tradition in the analysis of cultural facts make CHAD a privileged place of reception of this degree. The existence of a degree at the Paris Nanterre University on amicable methods of dispute resolution (directed by Professor Soraya Amrani-Mekki) would also facilitate its establishment and make it possible to envisage fruitful collaborations.

Identification of the student body

The training is strongly interdisciplinary. Experts have often a disciplinary background in law or anthropology. However, cultural expertise requires specialised training which will be provided by the Cultural Expertise University Degree.

Candidates willing to enrol to the Cultural Expertise University Degree must have a Bachelor's/ Undergraduate degree in any discipline of the social sciences. The pedagogical commission may nevertheless request an interview with the candidate.

The Cultural Expertise University Degree is also aimed at professionals who have already integrated into the world of work and want to develop their skills further. In this case, the diploma can be undertaken as part of continuing education. Candidates will have to consult the necessary procedures on the website of the university that provides the diploma. Two steps must be carried out in parallel:

- a pedagogical enrolment: consulting the dates and methods of admission of the diploma sheet online (see section "studies and diplomas", then submit an application for admission).
 - <https://appscol.univ-paris8.fr/admission-inscription/>
- an administrative procedure: to obtain the necessary documents for the request for coverage (quote, etc.) for continuing education or the resumption of studies, consult the [Personal Training Account](https://www.moncompteformation.gouv.fr/espace-prive/html/#/) site: <https://www.moncompteformation.gouv.fr/espace-prive/html/#/>

The size of the training depends on the cost of the training. If the training is financed with tuition fees, the lower the fees payable by the candidates, the larger the number of students.

For the diploma to be financially sustainable, an average of 30 students has been identified. However, this also depends on the breakdown between students in their initial training and those who are enrolled in the framework of continuing education.

Identification of the training team

The training team reflects the inherent interdisciplinarity of the training. The diploma is firmly rooted in practice. Legal professionals will come to explain their needs and shortcomings, law teachers will intervene to lay out the foundations of the necessary legal culture for the cultural expert; general introduction to the law, to the sources of law, the main areas of law, and teaching relating to the procedure, the parties in a trial and the proceedings.

Evaluation system

Training is arranged over two days. On Friday, from 8:30am to 12:00pm and from 1:30pm to 5:00pm. On Saturday, from 8:30am to 12:00pm and from 1:00pm to 4:30pm. The training unfolds over 8 months (from the beginning of October until the end of May) to be compatible with the participants' main professional activities.

Number of training hours: 164 hours of which XXXX are in work placement.

1. The training will be in-person at the university and based on lessons given in theoretical form and tutorials.
2. The second component offers practical training which takes up one third of the training; includes internships with professionals and assisting during court hearings.

INVITED LECTURES (8 hours)

Examples:

- Lectures on a particular legal arrangement by an actor (legal advisor, corporate lawyer, etc.)
- Interventions by legal officers from the World Bank or the Multilateral Guarantee Agency for investments
- Interventions by cultural experts to share their experience

Evaluation of students and interns

The evaluation will be based on continuous assessment of the lessons given at the university. Fictitious cases will be offered to students which will enable them to practice and will be the subject of written and oral assessments throughout the year of training. Continuous assessment will count for a quarter of the final grade.

At the end of the year, students will have 24 hours to present an expert report based on a given fictitious scenario. They will be able to obtain help and will have access to all the documents. After the 24-hour window, they must present their consultations to a jury composed of a magistrate, an anthropologist, and a member of the teaching team.

Conditions for being issued the diploma

The diploma will be issued if the average is obtained in each of the two components of the training: theoretical and practical. The diploma will validate the expert's ability to deliver a consultation in good and due form.

Entry level: Bac +4

Exit level: Bac +5

A merit is then attributed to the student's result:

Pass	$10 \leq \text{result} < 12$
Satisfactory	$12 \leq \text{result} < 14$
Good	$14 \leq \text{result} < 16$
Excellent	$\text{Result} \geq 16$