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5 BILLION PEOPLE AROUND THE WORLD LACK BASIC ACCESS TO JUSTICE. THESE ORGANIZATIONS ARE OUT TO CHANGE THAT.

By sharing the knowledge and skills needed to exercise basic rights, legal empowerment advocates are helping disenfranchised people fight pollution, gain access to clean water and sanitation, protect land rights and more.



Photo courtesy of Microjustice4All

January 9, 2020 — In 2007, an 8.0 magnitude earthquake hit Peru’s central coast, killing hundreds of people and injuring many more. In the port town of Pisco, about three hours south of the capital of Lima, the earthquake hit especially hard: Homes and buildings crumbled to the ground, the roof of the San Clemente cathedral collapsed upon churchgoers, and, as [*The New York Times* described it](#), the city’s main plaza was transformed into a “makeshift morgue.” In the months that followed, humanitarian assistance was focused on finding survivors and ensuring that the basic needs of some 85,000 affected families were met. But as the dust settled and the crisis subsided, Pisco’s victims found themselves in limbo.

“You have humanitarian intervention in the moment itself and when the emergency is gone, people have to take on their new life,” says Patricia van Nispen tot Sevenaer —

the founder of [Microjustice4All](#), a legal empowerment organization. “That process takes time.”

When Microjustice4All began working in Pisco eight years after the earthquake, many of those affected had fled to the outskirts of town or the rural areas beyond because they lacked the property documents required to access reconstruction assistance from humanitarian aid organizations. Living in informal housing, often without access to water or sanitation and with no legal right to the land they depended upon, earthquake victims risked being displaced once again. For the Microjustice4All team, which focuses on ensuring that vulnerable communities have access to basic legal documents, this was especially concerning.

For two years, the Microjustice4All Peru team worked in Pisco and held almost 2,500 legal consultations with residents, seeking to obtain or correct their personal and property documents. In one case, facilitators met an elderly woman whose home was damaged in the earthquake but because of unresolved legal issues, she was unable to access loans or government programs to aid with repairs. A legal facilitator from Microjustice4all helped her resolve the issue in about a month.



The Microjustice4All team in Peru reviews a map of the village of Caucato before conducting a census as part of their work following the Pisco earthquake. Photo courtesy of Microjustice4All

“People need to be able to go on with their lives and get back to their pre-disaster situation, at the very least,” says Van Nispent Sevenaer. “To do that, legal documents are essential.”

Worldwide, some [5 billion people lack basic access to justice](#), according to a report by the Taskforce for Justice, an initiative of [Pathfinders for Peaceful, Just and Inclusive Societies](#), an interdisciplinary group working on peace and justice issues. For these people, the law can appear to be either an abstract concept or a threat to their livelihood. Because of this, thousands of organizations, including Microjustice4All, have begun to advance the idea of legal empowerment: equipping people with the knowledge and skills necessary to use the law to exercise their basic rights. While the

term itself [emerged in the early 2000s](#), the practice dates back to the 1950s, when South African paralegals helped nonwhites defend themselves against apartheid.

More recently, as communities face a multitude of environmental problems, some exacerbated by climate change and others born from extractive industries, legal empowerment has become a powerful environmental justice tool. The idea and practice has even gained enough traction to be included among the [United Nations' Sustainable Development Goals adopted in 2015](#).

Vivek Maru, the founder of [Namati](#) — an organization that trains and employs community paralegals across six countries — estimates that about 70% of their work is focused on land and the environment.

“We’re living in a time of historic concentration of power,” says Maru. “And the law, which is supposed to be one of the most important tools we have for challenging environmental destruction, has fallen victim to that concentration of power.”

In an ideal world, says Marco Simons, an attorney with [EarthRights International](#) (ERI) — a global environmental organization that describes itself as “combin[ing] the power of the law and the power of people” — any legal strategy would be formulated and spearheaded by those from the affected community. But most of the world is not yet at that point, Simons says.

“We’d like to move in that direction, because that’s when communities have the tools in their own hands to resist and demand accountability,” he says.

In the meantime, partnerships forged between those with resources and those without are beginning to close the gap between who is able to defend their rights and who is structurally or economically prohibited from doing so. From Peruvian farmers litigating against mining companies in the U.S. court system to community paralegals fighting the harmful impact of extractive industries in India, legal empowerment offers communities a way into the legal system and a means of reclaiming its power.

Working in the Community

In Pisco, Microjustice4All began by researching who, because of poverty or other circumstance, did not have access to personal or property documents and as a result was excluded from the legal system. Alongside displaced victims living in temporary housing, the team found that among the widows and single mothers who had received legal assistance from people such as *tramitadores* (people who process documents), many still, nearly a decade after the natural disaster, had incorrect papers and were living in unsafe homes across the city. Additionally, Van Nispen tot Sevenaer says, most people’s property issues had begun long before the earthquake itself, adding another layer of complexity to the recovery process. Through their work in Pisco, Microjustice4All’s local legal team addressed some 500 cases in the city, the majority of them tied to untangling complex property rights.

“Our clients always say, ‘finally we belong,’” Van Nispen tot Sevenaer says. “It’s not only the paperwork, it’s also a feeling that you become a citizen.”

While the work Microjustice⁴All engages in is one method of tackling basic legal issues, another is the practice of “barefoot lawyers” or community paralegals. Since 2011, Namati has been building a global movement of community paralegals focused on environmental justice in India, Sierra Leone, Myanmar, Kenya and, most recently, the United States. While community paralegals don’t need to have a legal background, Maru says they’re often looking for locals with a proven commitment to the common good and a strong rapport with the community in which they live. In India, where more than [31 million cases filed in court are classified as pending](#),⁵ Namati has had success in tackling [polluting companies](#), multi-billion-dollar [coal conglomerates](#) and municipalities failing to protect residents from dangerous [waste dumping](#). But much like the [dangers faced by global environmental defenders](#), there’s also an element of personal risk for community paralegals confronting corporations.

“We have found that you cannot train paralegals and then leave them alone,” says Maru. “That’s a way of doing more harm than good.”