



**Approximately 4 billion of the 7.1 billion people  
who live in our world do not have access to justice.**

**WHEN PEOPLE ARE LEGALLY EMPOWERED,  
DEVELOPMENT IMPROVES**

**TIP**

In this toolkit, legal empowerment is defined as person's ability to understand, use and shape the law to secure justice and ensure that their basic needs are met. In this context, "law" includes not just legislation, but also regulations and policy.

Although traditional methods of delivering justice—through formal or customary courts, police, and lawyers—are critical to ensuring peaceful and stable societies, they are not enough. These methods alone cannot help people resolve all of their day-to-day justice issues, whether due to the limited reach of the justice system, lack of access to legal aid, corruption, system overload or other constraints.

Legal empowerment places the power of law in the hands of the people. It helps people exercise their rights and pursue remedies in any and all areas affected by laws and policies, such as within administrative agencies where food aid is distributed, legal identity documents are obtained or environmental regulations are enforced. Or at the health clinic where medical treatment is provided, in the home where family disputes are settled, in village committees

where decisions on land use are made or otherwise. And in criminal courts, access to qualified lawyers can mean protecting the rights of both a victim and the accused.

Legal aid and legal empowerment are inextricably linked. Generally, legal empowerment—a person's ability to understand, use and shape the law to secure justice and ensure that their basic needs are met—is not possible without the assistance of a legal professional who understands the intricacies of laws, legal procedure and legal institutions. Often the very people who are most likely to be disempowered—the poorest and most vulnerable in society—have no means of securing help from a legal professional without legal aid programs targeting the indigent.



**TIP**

There is no single, overarching definition for the terms “legal empowerment” and “access to justice”. These concepts overlap and are commonly used interchangeably in the justice sector.

The SDGs specifically mention “access to justice” but not “legal empowerment.” It is important to stress an inclusive definition of justice that includes legal empowerment because legal empowerment ensures that justice is for all people.

The evidence clearly shows that where legal empowerment efforts occur, the development impacts are clear and quantifiable. For example, due to the efforts of legal empowerment workers, women’s cash savings went up in Bangladesh after the financial burden of illegal dowries was lifted; civil grievances in Liberia were resolved more equitably, resulting in greater food security<sup>12</sup> and innocent prisoners in Kenya were able to return to jobs and families after successfully appealing their sentences.<sup>13</sup>

Legal empowerment covers a diverse range of approaches and strategies. It includes, for example, efforts to support people in pursuing a remedy via both government and non-government institutions when their rights have been ignored or violated. It also includes initiatives that enable people to monitor how well basic service providers, such as health centres and schools, comply with laws or policies.

Legal empowerment approaches focus not only on achieving a just outcome, but also, crucially, on enabling people to engage in law-related processes. Legal empowerment practitioners do not say, “I will solve this problem for you,” but rather, “I will work with you to solve this problem, and give you the knowledge and tools you need to address such problems in the future.”

In this way, legal empowerment is inclusive. It helps people to participate in the process of shaping the laws that govern them and in using laws to hold their government accountable. This involvement is critical to the overall success of the SDGs.

12 *Case Study—Accountability Lab, Liberia*, (Namati: 2015), <https://namati.org/wp-content/uploads/2015/09/Namati-Case-Study-%E2%80%93-Accountability-Lab.pdf>.

13 *Kenya’s Prison Paralegals at the Frontline of Justice* (Namati: 2015), <https://namati.org/news/kenyas-prison-paralegals-at-the-frontline-of-justice/>.

## Box 2: The five priority areas of justice

A coalition of civil society, governments, and the private sector identified five priority justice areas that every SDG must cover to ensure that people were legally empowered. These are:

- **Access to information:** People should know about the laws and regulations that govern their lives, particularly those concerning essential services. This gives people the ability to ensure that laws and regulations are appropriately upheld.
- **Legal identify:** People must have access to legal identity. Without government-issued identity documents, they may not be able to open bank accounts, obtain mobile phones, vote or secure the services and employment they need to provide for their families and their future.
- **Rights to land and property:** Giving communities the power to manage their land and natural resources reduces poverty and promotes sustainable development. Securing property rights for all individuals, including women, improves financial stability and personal safety.
- **Legal participation:** All people are entitled to shape the laws and policies that affect their lives. Participation should not be limited to elections. People must have a role in shaping the fundamental, everyday work of their governments. Governments, in turn, have a duty to operate transparently and respond to the needs of people.
- **Access to legal services:** People should have access to fair, effective forums for resolving conflicts, seeking protection from violence, and addressing grievances with their government. Equitable administration of justice requires quality services from a broad range of institutions, including the police, the courts, administrative tribunals, ombudsmen and legal aid services from qualified legal professionals that can hold those institutions accountable to their obligations.

## Box 3: Case Study: The impact of community paralegals in Uganda

In Lowero District, Uganda, a pilot legal empowerment program deployed community paralegals to educate people about women's land rights and address individual disputes. According to surveys, interviews with clients and paralegals, and the program's internal monitoring data, researchers found that paralegals were able to help resolve cases quickly—17% of the cases brought to paralegals resulted in mediation agreements between the disputing parties. For another 33% of cases, paralegals helped people navigate institutions such as the local council or local council court. In general, clients who were served through the program praised paralegals for being accessible and responsive, in contrast to the formal institutions which they found to be expensive, slow and hard to reach.

### WHERE IS JUSTICE IN THE SDGS?

Principles of access to justice and legal empowerment are found throughout the 2030 Agenda. Within the SDGs, Goal 16 specifically recognises the need to “promote peaceful, inclusive societies for sustainable development, to provide access to justice for all and to build effective, accountable and inclusive institutions at all levels.” Its targets include promoting the rule of law, reducing corruption,

developing accountable institutions and ensuring public access to information.

Many of the other goals contain legal empowerment elements that can help promote and support national justice reforms. For example, target 5.a under Goal 5, which commits to “achieving gender equality and empowering all women and girls,” states that reforms must be undertaken “to give women equal rights to economic