

Acknowledgments

The author would like to thank all members of the Grassroots Justice Network who shared the insights that inform this report, and the thousands of grassroots justice workers around the world who are fighting repression and deepening democracy everyday. She is grateful to Sheila Formento, Marlon Manuel, Vivek Maru, Erin Kitchell, Jacqueline Sofia and Kundan Mishra for their valuable feedback. A special thanks to Racquel Thompson, Kimmie Ross, Sara Wade, Alexia Bejasa, Jacqueline Sofia and Aakriti Shrivastava for their support with editing, design and publication. Finally, thanks to Canada's International Development Research Centre and Global Affairs Canada, whose support makes this work possible.

This work was carried out with the aid of a grant from the International Development Research Centre, Ottawa, Canada. The views expressed herein do not necessarily represent those of IDRC or its Board of Governors.



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About the Grassroots Justice Network

[The Grassroots Justice Network](#) is a global community of over 15,000 members from 175 countries, bringing justice defenders together to connect, learn and act. We apply the legal empowerment approach to help communities know, use, and shape the law, and to achieve lasting change against injustice.

The [Learning Agenda for Legal Empowerment](#) brings network members together to test their strategies, deepen their impact and collectively address the knowledge gaps facing our global movement for justice.

How legal empowerment efforts are fighting repression and deepening democracy

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Introduction

Around the world, authoritarianism is [rising](#), characterized by the erosion of democratic institutions and norms and shrinking civic space. The spread of disinformation and misinformation is skewing public discourse, undermining democracy, and fueling hate. Countries are passing laws curtailing the work of civil society at an [alarming](#) rate. These laws appear not only in countries with authoritarian governments but also in those commonly considered “strong democracies.” CIVICUS, the global civil society alliance, [estimates](#) that 28% of the world’s population is now subject to “extreme levels of repression.”

Within this increasingly repressive climate, the work of advancing justice, in particular, is becoming more dangerous. In 2023, nearly 70% of the members of the Grassroots Justice Network surveyed said that they struggle to do legal empowerment work in their countries’ political and social contexts. In the same survey, about half of the respondents reported that members of their organizations, or the communities that they work with, had been threatened, arrested, or harassed while pursuing justice in the previous year. The danger has been especially pronounced for land

and environmental justice defenders, as authoritarian leaders around the world undermine environmental protection and often cast justice seekers as being anti-development.

The ramifications are numerous. Members of our Network have been directly affected by this crackdown on civil society. For example, Vietnamese environmental activist Dang Dinh Bach was wrongfully [imprisoned](#) for leading an anti-coal protest. Further, legal empowerment efforts combine law and organizing to build the power of communities so that they can drive systemic change. But the work of community organizing is more challenging in contexts where public assemblies are restricted, activists are surveilled and attacked, and media is tightly controlled. At a time when grassroots justice workers are trying to increase the leadership and participation of communities in decision-making spaces, communities are facing increasing risks that are dissuading them from speaking up and mobilizing.

A deeper problem also looms: the enabling conditions for legal empowerment – respect for human rights

and the rule of law – are in decline. At one level, governments are rolling back substantive rights and protections that already exist. For example, by hollowing out laws and regulations for environmental protection. At another level, pernicious new laws are being passed that undermine justice and equality. For example, passing new laws that deny citizenship rights to specific groups. When the law is weaponized as a tool for oppression, it becomes directly at odds with our shared purpose of communities knowing, using, and shaping the law as the paths to justice. A grassroots justice worker from India describes: *“As the laws become more and more unjust, it is becoming difficult for communities to believe in the rule of law and democracy.”*

How to navigate this challenge of repression and closing civic spaces, and how to advance a deeper version of democracy, are among the [burning questions](#) facing our global movement for grassroots justice. These questions are live for a [cohort](#) of organizations from Latin America, Africa, and Southeast Asia that are undertaking in-depth research on effective legal empowerment strategies to deepen democratic and inclusive governance across a range of political contexts. When the cohort came together for peer exchange in Nairobi, Kenya in March 2023, democratic backsliding arose as a shared challenge across their political contexts.

To dig deeper into these questions, we partnered with [Alternative Law Groups](#) – a member organization of the Grassroots

What backstops legal empowerment? Some victories actually expose the underlying power dynamics or reveal other issues. The law must be backed by power, and if the people in power do not respect the law, what do you fall back on?

MEGAN CHAPMAN

JUSTICE AND EMPOWERMENT INITIATIVES

At the Learning Agenda convening in March 2023 in Nairobi, Kenya.

Justice Network that has been at the forefront of the fight for human rights and social justice in the Philippines for 35 years. Together, we took up this challenge for collective reflection and learning. We convened a group of practitioners, organizers, and researchers across the Grassroots Justice Network in a series of roundtables. This report primarily shares reflections and insights from participants in the roundtables. Because of the sensitive nature of much of this work, the report does not quote roundtable participants except where they gave permission. It does not cite any sensitive examples, and references to locations may be broad in some cases or removed entirely in others to protect the safety of our Network members.

The report also goes beyond the roundtables. The theme of repression and closing civic spaces is alive across the Grassroots Justice Network. Throughout the report, we share insights and experiences from members gathered in different collective learning spaces convened by the Grassroots Justice Network. Finally, we engage with emerging ideas on this theme from the broader field of practice related to human rights, civic space, and democratic reform.

Roundtables 2023: A collective learning effort in the Grassroots Justice Network

For legal empowerment practitioners, authoritarianism and repression is not a new phenomenon. The legal empowerment approach emerged in response to struggles against repressive regimes including Apartheid-era South Africa, Suharto in Indonesia, and Marcos Sr. in the Philippines, among others. In the Grassroots Justice Network, learning from each other in times of crisis to collectively address shared or similar challenges is also not new. For example, after the 2021 military coup in Myanmar, grassroots justice workers from Thailand, Cambodia, and South Africa gathered to share their experiences with doing legal empowerment work under repressive conditions with their colleagues in Myanmar. This principle of collective and comparative learning is central to the ongoing [learning agenda for legal empowerment](#), where practitioners come together to solve the questions at the frontiers of our field which no organization or individual can solve on their own. Therefore, in this moment of history, when democracy is in decline and grassroots justice workers are under attack around the world, there is a renewed commitment to come together to learn from each other, and to strategize, innovate, and dream together.

In a series of six virtual sessions between May and November 2023, 25 Network members from 18 countries convened to identify trends and common challenges across different regional and political contexts and to exchange the practical strategies they use to advance justice in repressive contexts. They developed a shared agenda for learning and action and outlined a vision and a plan to build a deeper, more resilient version of democracy.

Below is an overview of the arc that this group traveled through the roundtable sessions:

- 1. Co-creating the agenda for learning:** At the first session, participants shared their experience with repression and closing civic spaces in their respective contexts, and how that was affecting their work of helping communities access justice. They shared the most pressing questions – both immediate and long-term – that they wanted to center for collective and comparative learning with their peers. Based on this discussion, we defined the themes for the remaining five sessions.
- 2. Unpacking the ‘playbook of repression’:** A starting point for this collective learning exercise was a recognition among participants that there seemed to be striking similarity in the patterns of repressive techniques being used across their different regional and political contexts, suggesting a kind of “playbook” that authoritarian and anti-democratic forces use to curtail the work of civil society. In this session, participants identified the common patterns from across their experiences.
- 3. Exchanging strategies of response:** In this session, participants shared the strategies and practical innovations they are using to either resist or adapt to repression. Examples ranged from developing security protocols, to challenging repressive laws, to building strategic alliances, to deepening solidarity and care for activists. Practitioners generously shared what they were trying and what was working, so that they could learn from each others’ experiences.

4. Zooming in on protection and risk mitigation strategies: How to ensure the safety and security of grassroots justice workers and the communities that they work with was an urgent question for participants. They shared specific protocols and tools they have developed to respond to security threats. Taking a step back, they also discussed the particular role that legal empowerment efforts – in contrast to other approaches to securing human rights – play in advancing protection for justice workers and affected communities.

5. Reclaiming the narrative of how legal empowerment offers a deeper version of democracy: Participants in the roundtable had been clear that simply playing defense, i.e., fighting against repressive actions, was not enough. The work that legal empowerment practitioners do to build more empowered communities, and more accountable institutions, represents a vision of a deeper version of democracy and participants identified that they have to do a better job telling that story. Yet, they identified a troubling trend of human rights activists losing the ‘narrative war’ as anti-democratic narratives appear to be successfully taking hold in public discourse around the world. To start the work of reclaiming the narrative around their work, they participated in a collective visioning exercise.

6. Building the agenda for further collective learning and action: In the final session, participants identified the questions that emerged from their discussions that are ripe for broader collective and comparative learning within the Grassroots Justice Network. They also outlined a plan for how to share the insights from these discussions with other Network members and identified opportunities for exchanging practical resources and skills with each other.

Beyond Learning: Creating a Network of Care

These roundtables also served another purpose: to build solidarity and a network of care for grassroots justice workers. A participant from India who had once been an active member of the Grassroots Justice Network, participating freely in learning and exchange with his peers, noted that he had since been isolated from the community of practice because of repressive conditions in his country. Several participants noted that the work of fighting against injustices feels lonely and discouraging and that they found strength in knowing that they were not alone. The ability to not only learn from each other, but also to lean on each other, is a powerful resource for grassroots justice workers around the world in these challenging times.

Arc of the Roundtables



The Playbook of Repression

There are striking similarities in how repressive laws and tactics are showing up in different contexts around the world, a set of tactics sometimes called a “**playbook of repression.**”

Roundtable participants unpacked this playbook of repression by sharing their experiences with the laws and tactics that have been used in their respective contexts to delegitimize, threaten, attack, or restrict civil society actors. Members are experiencing similar circumstances across different contexts – from places where repression is now deeply entrenched to others where they are anticipating crackdowns based on troubling signals from political candidates. The following patterns stood out as prominent elements of this playbook of repression:

NGO regulation and funding restrictions

Repressive governments are using rules regarding the regulation and funding of civil society organizations to monitor, curtail, and control their work. The experience in India serves as a stark example. The country’s Foreign Contributions Regulations Act (FCRA) governs the ability of civil society organizations to receive funding from abroad. In recent times, the government has suspended, refused to renew, or canceled the [FCRA licenses](#) of organizations that it deems to be subversive, thereby effectively impeding or ending their operation. Even when licenses are granted, they are often renewed for only six months at a time, creating uncertainty for organizations. Indonesian civil society is preparing for similar challenges after public statements from high-profile politicians regarding their intention to look into the funding of civil society organizations.

Another tactic deployed is to allege administrative violations, such as tax fraud, to harass and intimidate civil society organizations. High-visibility investigations launched against an organization not only embroil them in drawn out administrative processes, but also undermine their credibility with their stakeholders and the general public. Such tactics not only make it more challenging for organizations to secure resources from donors but have also had an overall chilling effect and instilled fear among civil society actors.

Restrictions on freedom of expression and assembly

Across several contexts, participants noted that governments had created rules to restrict the civic spaces for community organizing, mobilization, or protest. In many cases, these restrictions were put in

place during the COVID-19 pandemic but persisted long after the health crisis had subsided. In other cases, participants noted an increasing securitization narrative to justify restrictions on civic space. For example, during the G-20 Summit hosted in Indonesia in 2022, security agencies [disbanded](#) an internal meeting of a prominent legal empowerment organization by intimidating activists and imposing unlawful restrictions on their movements and using security for the Summit as the pretext.

Another powerful tool to restrict the freedom of expression is government control of the media. For example, in Cambodia, a proposed National Internet Gateway program paves the way for government control over all internet traffic into and out of the country, bolstering its surveillance capabilities. In Myanmar, the government has imposed sweeping restrictions on access to the internet, internet shutdowns, online censorship, and surveillance to execute what experts have called a “[digital dictatorship.](#)” In addition to explicit government control over the media, participants also raised the issue of capture of the media by state-allied corporations and self-censorship among justice workers because of increased surveillance, resulting in an overall constricted space for civil society.

Vilification and criminalization of justice workers

Two distinct patterns of criminalization emerged from the discussions. First, participants from different contexts shared experiences with a specific category of litigation, called ‘Strategic Lawsuit Against Public Participation’ (SLAPP suits), which are specifically designed to criminalize the work of grassroots justice workers. These SLAPP suits, often brought by corporations that environmental justice activists are trying to hold accountable, are deployed to harass, detain, or arrest justice workers. Even when unsuccessful, these lawsuits aim to intimidate justice workers by burdening them with the cost of legal defense and undermining their reputation with the communities they work with. Many participants noted that the independence of courts has also been compromised in their countries, such that civil society actors can no longer rely on them when faced with SLAPP suits. Globally, there is a pattern of [autocratization](#) – whereby authoritarian leaders reduce the capacity of other branches of government

to check their power. This means that crackdowns on human rights often go hand-in-hand with reduced power of courts to protect these rights.

The second pattern relates to criminalization of justice workers by police and security forces directly. For example, a participant from Nigeria shared instances of community justice workers being intimidated by secret police or arrested on trumped-up charges while organizing protests. Participants also identified the phenomenon of “red-tagging” – vilifying and accusing individuals and/or organizations of being left-leaning, subversives, communists, or terrorists to delegitimize them and make them easy targets for government military or paramilitary units – as being pervasive across their contexts. For example, an [anti-terrorism law](#) passed by former President Duterte of the Philippines contains provisions whereby civil society organizations can be designated as financing terrorism, or being linked to terror groups, without much oversight. A participant from the Philippines shared that once designated, organizations face unlawful searches and asset seizures, and it is difficult to get the designation removed. Participants from other countries, like India, Cameroon, and Indonesia also noted a similar pattern of left-leaning activists being branded as radical, anti-national, communists, and enemies of the state, to justify targeting them with legal action. For example, Cameroon has adopted a [law on terrorism](#), which a participant explained is broad enough to be used against any political opponents and civil society activists.

Disinformation and social media attacks to sow distrust

A common theme noted by participants was the rising spread of disinformation, smear campaigns, and social media attacks that seed distrust and fragmentation within civil society. Participants from India, the Philippines, and Indonesia shared examples of the spread of disinformation on social media platforms during elections. In India, the widespread sharing of fake or altered videos on social media platforms like WhatsApp, coupled with hate speech, is fuelling threats and attacks against Muslims and Dalits. It is often challenging to pinpoint where these attacks come from, and therefore they are more difficult to counter, but participants noted in their experience they are often linked to corporations

In Kenya, the disregard of Court orders by government officials is a challenge. Orders to protect human rights are disregarded. Remedies are issued, but communities cannot access the tangible benefits that they are meant to provide. Civil Society organizations are still engaging in litigation but they struggle to translate those wins into meaningful impact on the ground.

SMITH OUMA
RESEARCHER PARTNERING WITH INFORMAL
SETTLEMENT COMMUNITIES IN KENYA
(Roundtable session May 2023)

or vigilante groups, sometimes loosely aligned with the government. Participants noted that the spread of disinformation causes division within communities and makes their work of organizing communities to fight for shared injustices more difficult.

A participant from India referred to this reality as a “game of cat and mouse” – every time civil society actors come up with a new strategy to respond, the repressors find a new way to attack. For example, under pressure to address the challenge of disinformation, some social media platforms introduced fact-checking, but soon after, the government of India undermined this effort by establishing its own [fact-checking unit](#) with the power to flag any allegedly false information about itself.

Finally, beyond specific laws and tactics being used, there is also a larger pattern of erosion of democratic norms and declining respect for the rule of law. Increasingly, legal empowerment practitioners operate in environments where governments and powerful actors either circumvent or ignore laws or turn them into instruments of oppression. This presents a broader challenge for the legal empowerment field, both in terms of achieving just outcomes and countering fear and disillusionment with democracy among communities. Practitioners are grappling with the challenge of maintaining hope among justice-seeking communities in the face of constant repression and relentless attacks and finding ways to support justice workers to stay the long course.

The Playbook of Justice

At one level, the core work of legal empowerment – which supports communities to know, use and shape the law, helps them develop a critical lens on the law and take collective action – is in itself, one of the most powerful antidotes to authoritarianism and repression. Every day, grassroots justice workers are creating awareness about the law and critical consciousness about the sources of injustice among communities that experience it. They are also partnering with communities to secure remedies for rights violations. While doing so, they are both building power in communities and their trust in institutions, which in turn strengthens democracy. Grassroots justice workers don't always see their day-to-day work of combining law and organizing as an antidote to repression, but this link came out clearly in the roundtable discussions.

As participants began to share specific strategies to navigate repression and closing civic spaces, common themes emerged. If there is a “playbook of repression” (i.e., human rights abusers around the world using strikingly similar tactics), the discussions in this group demonstrate the “playbook of justice”. This playbook has two parts. One responds to repression directly by challenging repressive laws and tactics, developing strategies to keep justice defenders and communities safe, and adapting strategies in nimble ways. The other emphasizes the larger goal of building a deeper and more resilient version of democracy by building community power, coalitions for reform, and strengthening partnerships with social movements.

We should encourage the adoption of legal empowerment practices designed to make sure ordinary people can know, use, and shape the law to achieve justice, applying approaches ranging from legal education to community organizing to community-led litigation. These practices can have a radically democratizing effect. When communities know the law and understand how to use legal processes, they are often pulled into a more deeply democratic relationship with the state.

MEG SATTERTHWAITE & KATARINA SYDOW
in “Democratizing justice in an era of populist ascent”

Strategies to Respond to Repression

Challenging Repressive Laws and Fighting Rights Violations

Legal empowerment practitioners, along with other civil society actors, are challenging anti-democratic laws and policies in court. For example, in 2020, the Indonesian government introduced a new ‘Omnibus Law on Job Creation’ which would revise almost 70 existing laws and reverse hard-fought gains on labor rights and environmental protections. A veteran legal empowerment organization partnered with labor unions, student groups, and environmental activists to [challenge](#) the law in the Constitutional Court, including on procedural grounds that the requirements for public consultation were not followed. The Constitutional Court ruled that the Omnibus Bill was unconstitutional, suspended

its most harmful features, and gave the government two years to rectify the bill. In the Philippines, a participating organization challenged former President Duterte’s predatory anti-terrorism law in court and succeeded in having some provisions struck down. In parallel, the organization is also advocating for new legislation, which would provide greater protections for frontline human rights workers.

Where directly challenging laws is not viable, practitioners are finding ways to employ constructive engagement with state institutions to help secure remedies. Where it is possible, grassroots justice workers are finding openings and allies within government and engaging them to seek redress for rights violations. A participant from India noted that while any form of collective action at the national level has become unviable, interpretation of the law varies greatly at the local levels and there is often room to shape day-to-day practice by engaging with local officials. Similarly, a participant from Malawi who works with LGBTQI+ individuals affected by police abuse noted that

even though the legal provisions and social norms on the issue are strongly against them, they have successfully developed individual allies within the police department at the local level and worked with them to address specific rights violations.

Keeping justice seekers safe and mitigating risk

Many participants in the roundtables are providing legal support to justice workers who face arrests, SLAPP suits, and other charges. When [Marilou Verano](#), an environmental defender, started speaking up about the adverse impacts of a gold mine in the Masbate region of the Philippines, the mining company filed libel charges and she was arrested. Alternative Law Groups, through its member organization Tanggol Kalikasan, Inc., provided legal assistance. After four years, Verano was acquitted. In Indonesia, a group of pro bono lawyers has loosely formed a group called the ‘Advocacy Team for Democracy,’ and they provide legal assistance to justice workers facing criminalization. In 2023, they secured the [acquittal](#) of environmental activists Haris Azhar and Fatia Maulidiyanti in a SLAPP suit accusing them of defamation.

In addition to direct legal support, many are providing training and capacity-building support to grassroots justice workers. For example, in Myanmar, a participant has developed guidance for justice workers on preventative measures to avoid arrests as well as what to do in case of detention or arrest. They include coping strategies to employ during incarceration. In Cambodia, a participant described the emergence of a ‘solidarity house’ – a physical space run by a loose network of trusted organizations where justice workers facing threats or attacks can go for protection or other immediate support.

Participants also noted that an important element of protection is supporting the psychological well-being of grassroots justice workers and the communities that they serve. Participants described the heavy toll of working under repressive conditions combined with the despair and hopelessness in the face of relentless attacks and threats. They surfaced the question: “*How to support activists and communities to stay the long course?*” as one for further reflection and inquiry.

Adapting strategies in nimble ways

Legal empowerment practitioners are adapting their approaches with nimbleness as political contexts shift. This takes different forms, including shifts in

methods, shifts in the issues being tackled, and shifts at the level of strategy and goals.

In an [article](#) that explores adaptive strategies in the land and environmental justice space, colleagues saw many examples of grassroots justice workers shifting their method and approach in response to closing civic spaces and security concerns. For example, paralegals trained women to take the lead in pursuing remedies when men were under increased surveillance.

They also asked multiple people, rather than single individuals, to submit administrative petitions to diffuse the risk of reprisal. If holding community meetings in public was not allowed or too dangerous, organizers held meetings in people’s homes. And as governments try to curtail the work of NGOs through obstructive regulation and funding restrictions, organizations are adopting approaches to diffuse that risk too. For example, participants described developing more diffuse leadership arrangements and building loose coalitions of like-minded organizations that are aligned in purpose and able to draw on a range of methods and strategies.

Sometimes the adaptation takes the form of changing the kinds of cases or issues being addressed. In [Myanmar](#), paralegals had been working on cases related to military land-grabs but following the military coup, avenues for this work were limited, if not closed. In such cases, rather than treating the state as a monolith, practitioners unpack it and try to identify the parts of the state that they might still be able to engage. They found that the forest department was still somewhat distant from the military and they turned their focus on securing the rights of communities to forests through community forestry certificates. In the long-term, these certificates would also provide more protection for those forests from being grabbed by companies or the military.

In Myanmar, the situation was promising as of 2018 and there was hope. Then COVID happens, followed by the military coup. Now our strategy is to hang on to what we have rather than asking for new changes.

DIRECTOR OF A LEGAL EMPOWERMENT PROGRAM IN MYANMAR

(Roundtable session May 2023)

Legal empowerment organizations are also re-evaluating and shifting their approach at the strategy level to respond to changing political contexts. A [cohort](#) of organizations in the Grassroots Justice Network is undertaking participatory action research to test strategies to effectively build community power and drive systemic change. When we mapped the strategies that this group is using to engage the state, we found a wide array ranging from confrontational strategies (for example, strategic litigation and direct action) to collaborative ones (for example, insider advocacy approaches such as lobbying, participating in policy forums, and offering expertise). Across the cohort, we noted a pattern that as political contexts become more repressive and the risks of confrontational approaches increases, organizations shift toward less adversarial approaches.

An Argentinian justice advocate, Catalina Marino from Asociación Civil por la Igualdad y la Justicia (ACIJ), noted with the election of far-right leader Javier Milei in November 2023 – who has claimed that he does not believe in social justice – her organization is reflecting on their approach. Advocacy based on the language of rights is likely to be less effective when the discourse on social justice and rights itself is in decline. The political shift means that there will be fewer government resources being put towards improving the lives of the most marginalized communities. More broadly, this political context also limits the range of tactics that ACIJ has historically relied on and the organization needs to be careful about criticizing public policies. Catalina [says](#): *“The costs associated with criticizing certain policies have shifted, because suddenly you’re falling way behind in the discourse of rights. At the neighborhood level, voicing critiques against officials associated with the left-wing in general in the context of a right-wing government is much harder. It becomes more difficult to press them about how they execute rights. There is a need to reconsider certain strategies in light of the new political landscape.”*

How Justice and Empowerment Initiatives in Nigeria is changing its strategies to adapt to shifting political contexts

Justice & Empowerment Initiatives (JEI) in West Africa seeks to protect the rights of urban poor communities from forced eviction and criminalization of their livelihoods. When democratic space in Nigeria was more open, JEI and its partner social movements took a confrontational approach, including strategic litigation and mass protests. However, the government responded with a heavy hand. Peaceful protestors were shot with tear gas, beaten and arrested; informal settlements were demolished in total disregard of court orders; and secret police targeted the organization’s leadership with threats of prosecution for “subversive activities” and deportation. While strategic alliances with diplomatic missions and high profile media attention helped to reduce the worst possible outcomes, the repressive government strategies had a chilling effect on partner communities and social movements. Committed to always planning and implementing strategies in partnership with communities, JEI gradually adapted to a more collaborative approach that centered dialogue and attempted to frame ‘win-win solutions’ to show how securing the rights of the urban poor would also help the government deliver on its goals and commitments – an approach that, for a time, seemed to be delivering progress. However, now that democracy itself is in decline and the balance of power is increasingly offset against communities, the effectiveness of the more collaborative approach is in question. JEI is asking the question: *“Do communities and social movements need to return to the streets to stop the siege of forced evictions and, if so, against what risks in the new national context?”*

Finally, adaptation sometimes means re-evaluating what success looks like. Many legal empowerment organizations aim to drive progressive changes to law and policy that establish new rights, improve implementation, and change norms and power structures. However, in repressive contexts, organizations have reframed their goals and how they understand what “systems change” means. Rather than driving progressive changes, the goal becomes to secure existing gains, prevent further backsliding and erosion of rights, and build the community power that can sustain democracy in the long run.

Strategies to Deepen Democracy

There was consensus among practitioners that directly responding to repression, though critical and urgent, was not sufficient in the long term.

Grassroots justice workers aim for a deeper version of democracy – one rooted in

empowered citizens and more responsive governments where those most affected by an issue can shape decision-making. Moving beyond the strategies to respond to repression directly, participants in the roundtables also fleshed out the strategies they have been using to advance this deeper version of democracy.

Building community power

A consistent theme emerged throughout the roundtables: participatory approaches that center the leadership of communities most affected by rights violations and injustices are key to driving transformative change. People-centered, grassroots justice efforts equip people with the tools to assert their rights and propose reforms that address unjust laws and poor enforcement. They have a unique power to deliver results by making institutions more responsive and accountable to community needs. Through this process, legal empowerment efforts both build trust in institutions and empower citizens, which in turn deepens democracy.

Fostering knowledge of the law and critical consciousness is fundamental to building power. Knowing the law helps community members use it to their advantage and comparing the rights guaranteed under law to the reality of how they are implemented can help build a shared analysis of where change is needed. The next step is to connect community members to each other to drive change. When community members discuss what the law should be, it helps them form a set of collective demands to rally around. And when they understand what the law requires of institutions, it gives them options for how to pursue

lasting change. This is a powerful path to citizens claiming their rights, challenging the status quo, and advancing systemic change.

We have seen this strategy in action across the Grassroots Justice Network. For example, the [Lightning Course on Critical Consciousness and Empowerment](#)

in October 2023 gathered 40 grassroots justice workers from around the world to share how they accompanied communities through a journey of critical consciousness to collective action.

Justice workers are using creative strategies to combat the increasingly repressive global climate from Haiti to Myanmar to Ukraine to Pakistan. In these contexts, they are navigating conflict, surveillance, attacks on justice workers, and rising disinformation, among many other challenges.

When the right-wing populist leader Jair Bolsonaro was elected in Brazil, THEMIS, a feminist legal empowerment organization that has been at the frontier of democratizing justice in Brazil for three decades, designed online courses using WhatsApp to help hundreds of women activists across the country understand the laws that still existed on the books, the protections they offered, and the tools of resistance. The organization's leader, Denise Dora, described how they would teach constitutional law through two-minute voice notes shared on WhatsApp, with a vibrant exchange and reflection to follow. Denise described these small acts of resistance as puzzle pieces that build toward wider social change.

While repressive tactics often try to sow division within civil society, grassroots justice workers are using organizing efforts to deepen solidarity among groups. In addition to informing people of their rights, grassroots justice organizers are also helping groups affected by injustice find common cause with one another and build unity and solidarity despite their differences. For example, Namati's Citizenship program helps secure the rights of communities who are excluded from full citizenship due to discrimination by the state. Aisha, who works closely with community paralegals, reflected on how she and her colleagues have helped

ethnic groups, including people from the Nubian and Somali communities, that are affected by a discriminatory vetting process to access identity documentation. They helped these communities develop a deeper understanding of the systemic causes of this discrimination and connected the citizenship issue to other rights violations like the right to education. They developed new ties between communities affected by the same injustice, and introduced new stories of struggle and liberation that people affected by the issue could relate to. Today, Nubian and Somali ethnic groups see a common cause and are increasingly aligned around a common understanding that their exclusion is based on widespread discrimination by the state.

Building coalitions for reform

Another way legal empowerment practitioners are deepening democracy is by building coalitions for reform. As previously mentioned, repressive governments are actively undermining civil society through restrictions on funding and obstructive NGO regulations, as well as by closing spaces for collective action, spreading disinformation, and sowing discord and divisions. Yet, this repression seems to be rejuvenating collective action. We heard from participants in Kenya, Indonesia, the Philippines, and beyond that in the face of repression, civil society actors are strategically building coalitions and alliances and recognizing that an intersectional approach that emphasizes a united civil society movement is necessary.

This solidarity takes many forms. For example, civil society actors have come together to issue joint statements supporting activists facing attacks or arrests. When a Cambodian land rights activist, Yeng Virak, was [arrested](#) for his criticism of the government in 2005, an international campaign by fellow activists secured his release. An Indonesian participant shared that there is a growing recognition within civil society actors of the need to take an intersectional approach and link the struggles of labor, farmers, women, and students into a shared struggle for democracy. Similarly, in Malawi, a legal empowerment organization is linking the struggles of sex workers, street vendors, persons with disabilities, and LGBTQI+ individuals towards a collective demand for police accountability, and in the process, building solidarity across these different affected communities.

Participants described dexterous ways of working strategically in coalitions where some civil society groups are loud and vocal; some take a softer, more collaborative approach; while others provide

Social change requires shifting culture, systems, and power. To confront the growing threat of authoritarianism in the United States, we urgently need more lawyers who can back up social movement organizers in a power-building project that is much larger than any one case or policy fight.

**MEENA JAGANNATH &
NIKKI THANOS**

*in "What Propels the Global
Authoritarian Surge and How to Fight Back"*

support and protection. These complementary roles of coalition actors help to move a broader agenda forward while at the same time, diffusing the risks.

Cultivating partnerships with social movements

Roundtable participants agreed that the work of building a deeper and more resilient version of democracy requires a sustained and strategic effort. They emphasized the need for staying power, i.e., the ability to sustain activism, consolidate progressive gains, and maintain a long-term vision. They recognized that such a long-term vision is broader than that of any one organization and requires a shared commitment and effort across a wide range of actors.

Social movements can engage a much larger number of people in using the tools of legal empowerment to exercise their rights and demand accountability, and in that sense, are a pathway to scale our efforts towards systems change.

At the same time, legal empowerment organizations are also acknowledging the limits of the law and legal approaches, particularly as authoritarian regimes undermine the respect for laws and weaponize the law for oppression. In many political contexts, social movements may be one of the only means for shifting power. Many participants in these roundtables, and more broadly in the Learning Agenda for legal empowerment, are exploring partnerships with social movements and the possibility of transformative pathways that these collaborations might offer toward longer-term structural change.

The Indonesian Legal Aid Foundation partners with social movements to deepen democracy

The Indonesian Legal Aid Foundation (YLBHI) has a rich history **over the last 50 years** of using legal aid in service of the broader struggle for democracy in Indonesia. Under the Suharto regime, the organization defended poor and marginalized Indonesians and challenged abuses of state power. However, they soon realized that providing legal aid to individual victims of injustice was not enough and that failing to address structural injustices ran the risk of lending legitimacy to an abusive political order. In the 1980s, YLBHI developed an approach called 'structural legal aid' which combined strategic litigation with advocacy, community empowerment, and public campaigns.

Further, YLBHI began to think of itself explicitly as a 'locomotive of democracy' whose purpose was to lay the groundwork for the transition to democracy. YLBHI served as an organizing hub for the pro-democracy movement, where the civil society resistance, including students and activists, could gather. And it helped to establish new national institutions like Indonesia Corruption Watch and the National Law Reform Consortium.

In the post-Suharto era, as Indonesia began its transition to democracy, YLBHI once again collaborated with social movements of the urban poor, farmers, workers, and women to secure their rights. When a plantation company grabbed land from farmers in the Semarang district, YLBHI helped **organize** 6,000 farmers. Despite the arrest of community leaders, a bold campaign involving rallies, protests, and demonstrations targeting various institutions – including the national land agency, the prosecutor's office, and the police – succeeded in revoking the title of the company and returning land to the farmers.

In recent years, in the face of democratic backsliding in Indonesia, YLBHI has been focused on preserving hard-won gains. They now face big strategic questions about the future of democracy and rights in Indonesia and their own role in the fight. They have chosen to critically reflect on their experience and undertook a multi-year research initiative. Reflecting on the importance of this **learning effort** for their strategy, an YLBHI activist said, *"The research project is helping YLBHI critically reflect and develop a more adaptive social movement. It is helping us turn implicit knowledge into explicit knowledge. The structural legal aid approach has been used for 52 years but has never been studied systematically. What made it successful? How can we improve it to increase its relevance to create systems change?"*

An important question on participants' minds is how to sustain the momentum and commitment of a unified resistance movement so that the goals of a deeper version of democracy can be realized. In many participants' country contexts, civil society succeeded in banding together against a particular dictator or repressive government, but unified resistance was hard to sustain beyond the political transition. For example, there was a successful collective mobilization of civil society in Kenya but it dissipated after a return to multi-party democracy in 2002 and a new constitution in 2010. In Indonesia, the fall of the New Order regime in 1998 represented

a big win for the pro-democracy movement. While many of the norms and commitments that they had advocated for were adopted under the new state, it was often only in form rather than substance. In some ways, getting to the 'win' drained the momentum of the social movement when much more was needed to fully realize the ambitions of the democracy movement. Now, a question that Indonesian activists are asking is: *"How to turn a social movement into a political movement?"* so that they can consolidate wins and realize the deeper version of democracy that they seek.

We Are Fighting Against Repression, but What Are We Fighting For?

Participants in the roundtables identified a shared challenge across their respective contexts: as authoritarianism takes hold, advocates of human rights and justice seem to be losing the narrative fight. Right-wing, authoritarian, and populist forces are effectively tapping into emotions such as fear or anger to gain support for their ideas. In this context, it is not sufficient for advocates of social justice and human rights to just stand

in opposition to these ideas; they must counter the narrative. And to effectively change a narrative, it is necessary to [deploy a new one](#). Toward this goal, participants took on the question: “*We are fighting AGAINST repression, but what are we fighting FOR?*”

Visioning

Participants began with a visioning exercise by sharing their long-term vision for their work, and how they saw their grassroots justice work contributing to that vision. They

noted that having a long-term vision helps to guide their day-to-day actions. While keeping the ultimate goal or change in the line of sight, practitioners can test and experiment with different pathways to change. A clear vision also provides a framework for decision-making by clearly naming not only the change they seek but also who they are accountable to. Finally, they stressed the importance of having a long-term vision to sustain momentum

during setbacks and obstacles. A participant from Indonesia said, “*Without vision, we will perish.*”

At the same time, they noted that maintaining hope that the long-term vision will be realized sometimes proves to be difficult. A participant from India noted that in a context where attacks by the government against minorities are actively cheered on by vast sections of the population – suggesting not only an authoritarian government, but a widespread authoritarian social movement – it is difficult to remain hopeful and any action by justice advocates seems like a “kamikaze mission,” (i.e., suicidal in its outcome). An Indonesian participant also cautioned against naive optimism, and stressed the need to regularly engage in cycles of planning, action, evaluation, reflection, and innovation to test assumptions.

Changing the frame

Participants discussed the need to better understand why anti-democratic narratives and norms resonate with people, and to find ways to offer a convincing alternative frame to these narratives.

Alternative Law Groups in the Philippines shared its experience of using a [hope-based communications](#) approach to reframe how they talk about their work, inspire people to join their struggles for justice, and maintain hope among justice seekers through a long and challenging process of change.

A hope-based communications approach is proactive rather than reactive, and involves [five shifts](#):

- 1. From no to yes:** In addition to saying ‘no’ to problems, give governments and communities something to say ‘yes’ to by putting forward bold policies.

Our long-term vision shapes our strategies. We need to collaborate with those in power when it is possible to drive reforms. But we remain accountable to the people we serve locally. The vision reminds us that setbacks and obstacles are to be expected when aiming for systemic change. We can’t get discouraged but view them as learnings to strategically steer us forward.

**DIRECTOR OF A LEGAL
EMPOWERMENT
PROGRAM IN MYANMAR**

(Roundtable session September 2023)

2. From standing against to standing for:

Highlight what an organization or activist stands for, rather than what they oppose. For example, defining a vision of a ‘world where there is dignity for all’ rather than ‘a world without discrimination.’

3. From threat to opportunity: Instead of the threat of things getting worse, outline the opportunity to make things better. For example, instead of saying ‘If you don’t stop this, the abuse could happen to you,’ say, “If you believe that people should have rights, join this fight.”

4. From victims to heroes: Instead of a story about victims who suffer abuses, share stories of the heroes challenging abuses that people can stand in solidarity with. Talk about the humanity, courage, and motivations of justice workers.

5. From despair to action: Demonstrate confidence by emphasizing civil society’s successes throughout history in securing new rights and improving conditions, while also painting a clear picture of what it means to do human rights and justice work so that people understand the concrete actions that they can take.

Many legal empowerment organizations, particularly in the space of land and environmental justice, shared that they are grappling with the challenge of dominant narratives driven by economic interests that place them and the communities they serve as being anti-development. Even outside of the 2023 roundtables, this challenge has been expressed by learning agenda cohort members. For example, in the Yucatán Peninsula in Mexico, ProDESC is working with agrarian Indigenous communities who face the [risk](#) of dispossession and environmental destruction due to tourism projects. In Chile, FIMA is working with Indigenous Kawésqar communities who are resisting the salmon industry and its [harmful](#)

Hope is not optimism. Optimism assumes the best and assumes its inevitability, which leads to passivity, as do the pessimism and cynicism that assume the worst. To hope is to recognize that you can protect some of what you love even while grieving what you cannot, and to know that we must act without knowing the outcome of those actions.

REBECCA SOLNIT

Not Too Late

[environmental impacts](#) in the region of Magallanes. Both are faced with hegemonic narratives that frame these communities as being anti-tourism and anti-development. To counter the hegemonic narratives, the organizations are partnering with communities to build their own [counter-narratives](#) and a positive vision of what development and progress mean for them.

Finally, centering the voices of justice-seeking communities so that they can tell their own stories is a powerful way to change the frame. Justice and Empowerment Initiatives, a legal empowerment organization that works with urban poor movements across Nigeria, Benin, and Senegal, has partnered with collectives of youth media makers in each country on a [Media4Change](#) initiative. Through audio and video storytelling tools, including documentary films (for example, [Our Lagos. Our Story](#)) and portrait series (for example, [Visages de Cotonou](#) and [Legends of Lagos](#)), residents of informal settlements tell their stories in their own voices. Powerful community-led storytelling has helped these urban-poor movements be successful in challenging negative stereotypes about them that are dominant in society and raising awareness about the specific barriers that prevent their inclusion in their cities. They have also used community screenings and exhibitions of these stories as mobilizing tools – helping to build a shared understanding about injustices such as forced evictions, and encouraging residents to join the fight. Similarly, a participant from Indonesia shared that since the mainstream media has been co-opted by the government and corporate interests, her organization is working with justice seekers, organizers, and activists to tell their own stories using social media, and effectively building an ‘alternative media’.

What new frames and narratives can make the human rights story credible and inspiring to anxious people, facing the prospect of an uninhabitable planet and technological dystopias?

CESAR RODRIQUEZ-GARAVITO

Human Rights 2030: Existential Challenges and a New Paradigm for the Field

An Agenda for Further Collective Learning and Action

After gathering monthly from May to November 2023, we reconvened as a group in February 2024. Meg Satterthwaite, the UN Special Rapporteur on the Independence of Judges and Lawyers, was preparing her next thematic report to the Human Rights Council. She was focused on the [challenges to democracy](#) and wanted to learn more from roundtable participants about how grassroots justice workers were safeguarding the rule of law and democracy. The mood in the Zoom room was somber. Just one day earlier, Prabowo Subianto – responsible for human rights abuses as a general under the dictatorship of former President Suharto – had been elected the president of Indonesia. In November, another far-right leader, Javier Milei, was elected in Argentina. The tide of authoritarianism and democratic backslide seemed to be continuing.

Yet, as the group shared the powerful stories of how they were responding to repression and deepening democracy despite the immense challenges, we were all reminded of the importance of the work of advancing justice at the grassroots. It helped strengthen our resolve to not only continue the fight, but to be stronger, more effective, and to stand in solidarity with each other.

You need a safe space. Where you always know that you have a group that is in solidarity with you, can act as your voice when needed, and support you. The learning agenda provides an important platform for these ends to be achieved.

SMITH OUMA
KENYA

The discussions in the roundtables helped to identify some of the questions at the frontiers of our field, which members committed to exploring in future sessions of collective and comparative learning. These include:

- **What works to advance justice in the context of repression and closing civic space? In particular effective strategies for:**

- » countering misinformation/disinformation, particularly on social media
- » community organizing in repression contexts
- » using alternative organizational models or forms of financing to navigate funding restrictions
- » fostering hope and sustaining momentum in long term struggles

- **What works to keep justice workers and the communities that they work with safe under repressive conditions? In particular, strategies for:**

- » maintaining the safety and security of justice workers, including their mental well-being
- » building the capacity of justice workers and communities to anticipate and mitigate risks

- **How can legal empowerment efforts partner with social movements to drive long-term structural change?**

- **How can we tell more compelling stories about our vision for the future?**

In the coming months, we are committed to broadening this collective learning effort. Participants from the roundtables are already sharing the insights from this series and facilitating deeper discussions with their peers in the various regional and thematic networks that they are a part of. They are committed to documenting and sharing best practices as well as sharing specific resources and skills with other practitioners. In particular, we noted the importance of documenting and sharing positive stories and wins – no matter how small or big – which is not only important for learning, but also demonstrates that the vision of deeper democracy we seek is possible and within reach. And they are thinking of creative ways to expand the learning effort by, for example, integrating these learning questions into the existing courses and learning opportunities that they offer.

Lastly, in discussions about fighting repression and closing civic spaces, “solidarity” is a commonly used but often fuzzy term. Participants in the roundtables highlighted some concrete aspects of solidarity that are most important to them:

- **Campaigns:** Sometimes an international campaign in support of a targeted activist can be powerful, as it was in the case of Yeng Virak in Cambodia. Other times, international attention can backfire and feed the false narrative of activists being ‘foreign agents’.
- **A safe space and a ‘network of care’:** It is important to have a safe space where members are reminded that they are not alone in their struggles, and that they can find support, encouragement, and inspiration in their peers from other parts of the world.

- **Long-term solidarity:** Participants noted that finding solidarity in a moment of crisis is often easy, but sustaining it over a long time is more difficult. To this end, they see the opportunity that the Grassroots Justice Network offers to build a shared language and a common platform for members to engage with each other as a critical component to sustain solidarity over the long-term.

In the Grassroots Justice Network, learning has always been deeply tied with collective action and solidarity. In 2021, immediately following the military coup in Myanmar, Grassroots Justice Network members from Thailand, Cambodia, and South Africa gathered to tell their colleagues in Myanmar ‘you are not alone’ and shared their own experiences with fighting authoritarianism as inspiration. Similarly, in the face of the rising tide of authoritarianism and repression today, members stand in solidarity. Not only are they fighting repression and deepening democracy by implementing the playbook of justice in their own contexts, they are also showing up to share their strategies with each other, lending support to campaigns, and building a network of care. By collectively solving the burning questions that face the grassroots justice movement as a whole, members of the Grassroots Justice Network are laying a strong foundation for democracy and justice to thrive in the long-term.

Resources

On responses to repression and closing civic spaces:

- » César Rodríguez-Garavito and Krizna Gomez (eds), [*Rising to the Populist Challenge: A New Playbook for Human Rights Actors*](#) (Dejusticia, 2018)
- » International Network of Civil Liberties Organizations, [*Gaining Ground: A Framework for Developing Strategies and Tactics in Response to Governmental Attacks on NGOs*](#) (2017)
- » Meena Jagannath and Nikki Thanos, [*What Propels the Global Authoritarian Playbook and How to Fight Back*](#)(February 2024).
- » Vivek Maru and Varun Gauri, [*Community of Paralegals and the Pursuit of Justice*](#) (Cambridge University Press, 2018).
- » Proyecto de Derechos Económicos, Sociales y Culturales (ProDESC), [*Community-based Security Measures and Territory: Methodological Notes from an Integral Defense Perspective*](#) (2018)
- » Frontline Defenders, [*Workbook on Security: Practical Steps for Human Rights Defenders at Risk*](#) (2016)

On repression and closing civic spaces in the area of environmental justice:

- » CIVICUS, 2024 State of Civil Society Report, [*Climate: Repression as Denial*](#) (2024)
- » Vivek Maru, [*A Pathway to Climate and Environmental Justice*](#), American Journal of Law and Equality (2023) 3: 103–149.
- » Rebecca Iwerks, Ye Yinth and Otto Saki, [*“Quietly finding space to promote environmental justice: Legal empowerment under constrained civic space”*](#), Environmental Justice Journal, 2024

On visioning for the future:

- » A [*Guide to Hope-Based Communication*](#) and a [*Checklist*](#) for how to apply it in your work (2019)
- » Thomas Coombes, [*Instead of Shrinking Civic Spaces, Let’s Talk About Humanity’s Shared Future*](#) (Open Global Rights, 2020)
- » Fund for Global Human Rights and Just Labs, [*Narrative Spices: An Invitational Guide for Flavorful Human Rights*](#) (Just Labs, 2022)