

Braided Justice

**Gender Transformative Approaches to Legal Empowerment
for Land, Environmental, and Climate Justice**

Credits

Braided Justice: Gender Transformative Approaches to Legal Empowerment for Land, Environmental, and Climate Justice
2024

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Co-publication of Recrear International and Namati

Recrear is a community interested in social transformation from a place of emotional grounding, creativity, co-creation, and care. Working with civil society actors, grassroots organizations and social movements as well as INGOs, funders and academia, we design and organize programmes aimed at bringing people together to learn about their inner, collective and social realities. Together, we draw out learnings to accompany the healing and transformation of organizations, movements and systems.

Namati is a global organization dedicated to advancing the field of legal empowerment and to strengthening people's capacity to exercise and defend their rights. The Grassroots Justice Network, which is convened by Namati, brings together justice defenders from around the world to connect, learn, and take collective action. Members share a common approach: legal empowerment, a process whereby communities know, use, and shape the law in defense of their rights. They work at the frontlines of struggles for justice, building power in communities where injustice and environmental destruction are concentrated.

Acknowledgements

The 15 organizations that took part in this learning exchange are at the heart of the reflections offered in this publication. Throughout the journey, they were generous and thoughtful about sharing their experiences with integrating a gender lens in their work and navigating the challenges they face along the way. Although we are all still learning, thanks to their honest reflections, we have solid ground from which to build upon.

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[Zimbabwe Environmental Law Association \(ZELA\)](#), Zimbabwe

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Introduction

This publication examines how legal empowerment work can account for gender and power dynamics when advancing land, environmental, and climate (LEC) justice. The strategies and stories within are drawn from a learning exchange that brought together 15 organizations from around the world - all members of the Grassroots Justice Network.¹ The learning exchange was co-hosted by Namati, the Grassroots Justice Network, and the Zimbabwe Environmental Law Association (ZELA). Over the course of 4 months, our group met in four virtual sessions and one week-long in-person gathering in Zimbabwe.

Together, we unpacked what gender transformative approaches look like in the context of our work - helping communities to know, use, and shape the law to defend their land and environmental rights. We came together in solidarity to share our visions of justice. We left with a set of collectively-developed tools that will help us to dismantle and reimagine the systems that perpetuate gender inequality, both in our societies and in our responses to LEC justice challenges.

While the historical movements for gender justice, LEC justice, and legal empowerment followed different trajectories, they have much in common. Each has accrued decades of experience challenging power asymmetries, integrating lived experiences across diverse territories, and recognizing the ways in which systems of oppression are inextricably intertwined. We imagine this publication as an intentional act of interweaving these three areas of work: gender, LEC justice, and legal empowerment. Like a braid, each of these strands is necessary to address the multi-layered crises around gender, land, environmental and climate justice. They must each be addressed in tandem to ensure strength and equilibrium. Just as a healthy ecosystem is a confluence of diverse elements, this work requires nourishing the soil and tending to the roots to ensure that the foundation supporting these interwoven efforts remains resilient and sustainable.

What can we learn at their intersection?

In this publication, we invite you to explore the ideas presented, and reflect on how to apply these practices within your own contexts and organizations. In the spirit of collective learning, the publication offers thoughtful questions and exercises to facilitate growth and understanding. Over the next pages, we will unpack the questions, tensions, strategies, and considerations that flourished from our in-person conversations. Our intention is to offer a call to action: What would it look like to approach land, environmental, and climate justice through a gender transformative, legal empowerment lens?

¹ [The Grassroots Justice Network \(GJN\)](#), is a global community of over 15,800 members that includes justice defenders, activists and organizers, educators, public servants, students, and people, from across 175 countries.

In **Chapter 1, 'View from above: Contextualizing our work'**, we give an overview of the three main strands of the braid: LEC justice and its gendered impacts, legal empowerment, and gender transformative approaches. Then in **Chapter 2, 'Weaving the braid: Gender transformative approaches to Knowing, Using, and Shaping the law for LEC'**, we offer concrete strategies and practices for applying gender transformative approaches throughout the legal empowerment cycle, including several cross-cutting strategies. In **Chapter 3, 'Tending the roots: Centering care & mental health'**, we identify practices for attending to the care, mental health, and wellbeing of those on the frontlines of LEC justice struggles, paying special attention to gender-related considerations. We end with **Chapter 4, 'Threading gender tools at an organizational level'**, which shares techniques for strengthening the internal mechanisms and structures that enable a gender transformative approach.

We hope this guide can accompany your practice and spark your own observations. Together, let us explore how we can reshape our organizational practices and culture to embody the values of justice and equality, bringing about change from the roots of our work.

I. View from above: Contextualizing our Work

Josefina is a young Indigenous woman. Last year, a coal mining company began operating in her community. Josefina heard that the company had negotiated a deal with local customary leaders, but women in the community were never invited to the consultations. She also hasn't received any financial benefits from the mining operation, despite the fact it has destroyed the land that she farms on, which has belonged to her family for generations.

Josefina has to pass the mining site every day to gather water and fuel for her family. Men working for the mining company routinely make comments and harass her as she goes by. She no longer feels safe on her walk.

Josefina also has two young children, whom she cares for on her own, while her husband seeks employment in the city. She becomes concerned about her children's health when people begin falling ill after swimming in the local river, where the community goes to wash clothing and collect water for household use. Runoff from mining activities now collects there. She tries to go to a water source in a neighboring community, but this adds two hours to her walk.

How does Josefina's gender identity shape her experience of land, environmental, and climate injustice? What can be done to eliminate and remedy these gendered impacts? How can Josefina have a stronger say in what happens to the land and resources that her community depends on?

Legal empowerment – the process of knowing, using, and shaping the law – is a pathway through which Josefina can understand her rights, take action alongside other community members, and gain the power to shape decision-making that affects her community. We hope that this guide – which compiles lessons from grassroots justice organizations worldwide – provides a starting point for empowering people who face the dual challenge of navigating gender discrimination and land, environmental, and climate injustice.

This opening chapter identifies the problem we are collectively tackling – the gendered impacts of land, environmental, and climate (LEC) injustices – as well as the solutions we will examine – gender transformative approaches to legal empowerment. We break down the foundational concepts of legal empowerment and gender transformation.

Gendered Impacts of Land, Environmental, and Climate Injustice

Land, environmental, and climate (LEC) injustices are shaped by power structures that both entrench and perpetuate gender inequalities. Systemic barriers and discriminatory practices limit women's access to, and control over, land and land-based resources. These barriers are deeply embedded in formal and informal legal frameworks, cultural norms, and societal expectations. The systematic exclusion of women from land-related decision making has led to land use practices

and exploitation that fail to account for the insights of those who most often rely on the land to sustainably support livelihoods, families, and communities. They can create harm throughout a woman's life cycle.²

It makes it harder for women to have tenure security, benefit from negotiations of land usages, and respond to harms when they happen.

Tenure Rights and Land Ownership
The gender discrimination of land ownership is empirically apparent: globally, fewer than 1 in 5 land owners are women.³ There are systemic barriers that make it harder for women to own land in both individual and communal property systems.

Individual property ownership

In myriad countries, historical patriarchy has created systems that omit women from ownership documents, fail to recognize them for inheritance, and make it harder for them to purchase land. In many countries, married women do not have claim to their spousal home and expelled or put under usage constraints if their spouse dies⁴. When there is a breakdown of the marriage, women often have no claim to their former spouses' household. This can increase the likelihood of gender based violence and make it harder for women to leave violent situations.

Female children are often omitted explicitly or implicitly from inheritance. Forty one countries do not allow equal inheritance among genders and an even greater number do not follow this norm in practice.⁵ Women's claims to land are often through male relatives, and therefore insecure. This leaves women at a disadvantage in both rural and urban settings.

In urban areas, women face additional obstacles to securing housing due to lack of documentation, limited knowledge, lower economic status, and informality, as seen in *barrios populares* (lower-income neighborhoods) in Argentina. Additional forms of discrimination and violence, such as those based on caste (in the case of Dalit women in Bangladesh), further aggravate the struggle for secure land rights.

Moreover, due to limited records and insufficient data, it's challenging to determine women's claims to land ownership. Even when laws are gender-informed, national land institutions often lack the staff, knowledge, or resources to guarantee that women benefit from land titling and registration processes. Discriminatory customary rules often take precedence over gender-sensitive statutory laws, due to limited knowledge of these formal legal protections.

Communal land ownership

In a communal land system, the entire community has tenure rights to a parcel of land and creates rules of how to manage that land together. Patriarchal communities have made it difficult for women to engage as equal parties with communal land systems. In many countries, women have

² <https://cdn.landes.org/wp-content/uploads/Land-Empowers-Life-cycle-approach-to-girls-womens-land-rights.pdf>

³ <https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/Womenslandright.pdf>

⁴ <https://cdn.landes.org/wp-content/uploads/Land-Empowers-Life-cycle-approach-to-girls-womens-land-rights.pdf> p. 7

⁵ <https://cdn.landes.org/wp-content/uploads/Land-Empowers-Life-cycle-approach-to-girls-womens-land-rights.pdf> p. 3

only recently been recognized to be part of communal land ownership. In some places, such as Indigenous communities in the Peruvian Amazon, women can only gain rights to use communal land if they are married.

Decisions about how to change land use

Women tend to have less power than men in decisions about how or whether to change the use of land. In many places, land and natural resources are perceived as domains where men are the primary decision-makers. As a result, women tend to be excluded from positions of power in community organizations and local governance mechanisms, and their ability to shape decisions around land tends to be restricted. Furthermore, due to social norms and roles – such as women’s domestic and family responsibilities – women’s time to participate or take leadership roles in such spaces is limited. Instead, women are often relegated to the role of providing and preparing food at community assemblies and consultations, serving coffee, bringing their families, and maintaining meeting spaces. In many instances, women who actively participate in mobilizing for the defense of their lands face accusations from their families of neglecting their traditional roles. In rural areas of Peru and Pakistan, their mobility is restricted unless accompanied by a man. This severely limits their ability to participate and advocate for their rights.

Furthermore, negotiations between companies and communities often disrupt traditional community decision-making systems. Companies may build relations with male leaders and landowners, reducing the community to male voices and promoting male-only dialogue, further excluding women. This also leads to the creation of bureaucratized leadership and masculine political structures, which marginalizes the voices and agency of women.

Women bear the brunt of land use changes

When land use changes, either because of formal agreements of a powerful actor, women tend to bear the brunt of the change in land use.

Pollution resulting from change in land use, such as mining or a manufacturing industry, does not impact all people in the same manner. Many studies show that when mining enters a community, the women are more likely to suffer health, social, and economic impacts than men.⁶ Chronic illness of women in polluted communities, such as the Niger Delta, often go under recognized. When land grabs and extractive projects displace communities, women's livelihoods are usually the first to be disrupted, increasing their economic stress and workloads. Women are often the custodians of traditional ecological knowledge, and as such the cultural erosion and loss of heritage resulting from environmental destruction are particularly harmful.

If the change in land use results in displacement, women's livelihoods are usually the first to be disrupted, increasing their economic stress and workloads. Women and girls are often charged with securing water, firewood, and food for their families. Displacement and extractive activities often compel them to travel further and labor harder to do so, exposing them to sexual and gender-based violence. Globally, women have less access to land, credit, technologies, technical assistance, insurance, and official rural support networks.

⁶ See e.g. https://resourcegovernance.org/sites/default/files/documents/ogp_gender_report_2021_nrgi-wri.pdf p.12

In regions affected by land conflicts and militarization of natural resources, such as Myanmar and Zimbabwe, women endure heightened physical and sexual violence and insecurity. In particular, when women mobilize and speak up against extractive or polluting projects, they are often targeted with violence, harassment, and stigmatization, further limiting their participation in community building spaces. In addition to these violations of women's bodies, women are exposed to toxicity and diseases as a consequence of living in polluted environments, a phenomenon known as slow violence.⁷ These dangers are especially acute in rural and Indigenous communities.

In Honduras, women grassroots justice defenders are exposed to the violence of drug cartels that have seized control of the lands and waters that women are trying to protect. To navigate this context, Betty - a human rights defender - takes extra precautions to secure her mobility in public spaces, and takes cover in safe houses whenever necessary. Even then, she and many other women environmental justice defenders have faced death threats. [Violence against women environmental defenders continues to be overlooked](#), while the instances of violence and number of assassinations continues to grow.

What is legal empowerment?

Legal empowerment is the process by which communities who are impacted by injustice come to know, use and shape the law, so that they can meaningfully exercise their rights. Legal empowerment offers a community-led, bottom-up approach to tackling social and environmental injustices. In contrast to traditional legal aid approaches, legal empowerment is about building people's knowledge and power to exercise their rights and address injustices themselves. **Legal empowerment efforts both address specific grievances and advance systemic change.**

At the forefront of legal empowerment efforts are [grassroots justice defenders](#), who go by many names, such as community paralegals, human rights activists, community organizers, or community lawyers. Regardless of their titles, these defenders bring expertise in law, policy, and essential skills like community organizing, negotiation, and advocacy. Acting as vital links between the community and the legal system, these advocates help people understand their rights and support them in pursuing justice. In addition to assisting community members with navigating legal and administrative processes—such as registering individual or community land claims—they empower communities to organize, mobilize, and advocate for legal and policy changes.

All these actions come together in the 'legal empowerment cycle.'

⁷ Nixon, R. (2011). *Slow Violence and the Environmentalism of the Poor*. Harvard University Press.

LEGAL EMPOWERMENT CYCLE: KNOW, USE, SHAPE



The legal empowerment cycle describes the relationship between the three major components of legal empowerment: *know the law*, *use the law*, and *shape the law*. Grassroots justice defenders, with support from legal empowerment organizations, cultivate a deep understanding of the law among communities affected by an injustice ("Know"). They help community members to strategically use this knowledge to seek remedies and defend their rights ("Use"). By applying the law in real-life situations, grassroots justice defenders uncover systemic gaps and failures. They draw on this case experience to advocate for systemic changes, pushing for the creation and reform of laws and policies that better serve communities ("Shape"). Once these changes are secured, grassroots justice defenders raise awareness and promote use of the new laws or policies, mobilizing communities to improve them where necessary - beginning the cycle anew.

Example box

Know the law	Use the law	Shape the law
Women in the community learn about their rights to inherit, own, and use land as provided for in existing laws	With the help of community paralegals, women begin to formally register their land	Through individual cases, paralegals and women have identified gaps in the inheritance laws, which do not grant women equal rights, and begin an advocacy campaign to change the laws

What is a 'gender transformative' approach?

Feminist thinkers came up with the term '**gender transformative approaches**' to describe **the ways in which we can transform the underlying social systems that perpetuate gender inequalities**. To do this, gender transformative approaches seek to challenge "imbalanced power dynamics and relations, rigid gender norms and roles, harmful practices, unequal formal and informal rules as well

as gender-blind or discriminatory legislative and policy frameworks that create and perpetuate gender inequality.”⁸

As discussed earlier, the gendered impacts of LEC injustices are pervasive. While the brunt of the impact is borne by women, the harm is felt throughout the community. By interrogating, shifting, or creating alternative power dynamics, gender transformative approaches unleash the individual and collective power of people who are discriminated against because of their gender, thereby paving the way for a more just, inclusive society.

Despite a growing body of multilateral agendas and frameworks focused on gender, the term ‘gender transformative’ is not all-too-familiar to everyone. Finding a common language around gender justice is tricky, given the different trajectories and narratives within each region. In Latin America and the Caribbean, for example, gender is central to political disputes and language around it is strongly influenced by feminist movements⁹ that call for progressive sexual and reproductive health rights, and resistance to patriarchal norms. Meanwhile, in Sub-Saharan Africa, the discourse revolves around more culturally sensitive banners, such as ‘women’s rights’ and ‘women’s health’. Gender transformative approaches, therefore, must be adaptable and context-specific, acknowledging diverse cultural, social, and political landscapes while striving to challenge and reshape the underlying power dynamics that perpetuate gender inequality.

Defining gender transformative for yourselves: Try coming up with a collective definition of ‘gender transformative approach’ that incorporates the visions, interpretations and positionalities of those you’re in collaboration with. The organizations that came together for our learning exchange generated the following definition in their first encounter:

By ‘gender transformative,’ we refer to the process of addressing the root causes and intersecting structural oppressions that prevent women and diverse genders from fully enjoying their rights, while empowering themselves to become active leaders and participants in creating communities that are more inclusive, just, and liberating for all.

Common Terms

Gender refers to cultural and social understandings of what it means to be a “man” or a “woman.” People often think that men and women should look, act, speak, or express themselves a certain way. These expectations differ from culture to culture. That’s why we often say gender is “socially constructed.”

Sex refers to one’s physical and biological attributes. An individual can be born with male, female, and/or intersex characteristics.

Gender identity refers to our own deep, internal sense of our gender. Each person may identify as a man, a woman, gender non-conforming / non-binary, or gender fluid, among other identities. A **transgender** person identifies with a gender that is different from the sex they were assigned at birth (e.g. someone born biologically a male identifies as a woman).

⁸ Food and Agriculture Organization, [Joint Programme on Gender Transformative Approaches for Food Security and Nutrition](#).

⁹ [AWID’s website](#) contains multiple resources on different aspects of feminism.

Gender diverse refers to all those who don't identify as exclusively a man or a woman, or who identifies with a gender outside the male/female binary.

Sexual orientation refers to who an individual is attracted to – whether that is someone of the same, different, or more than one gender.

LGBTQIA+ stands for lesbian, gay, bisexual, transgender, queer, intersex, and asexual. The “+” stands for other identities not encompassed in this acronym. This is a broad umbrella term often used to represent a diverse range of identities and expression of gender and sexual orientation.

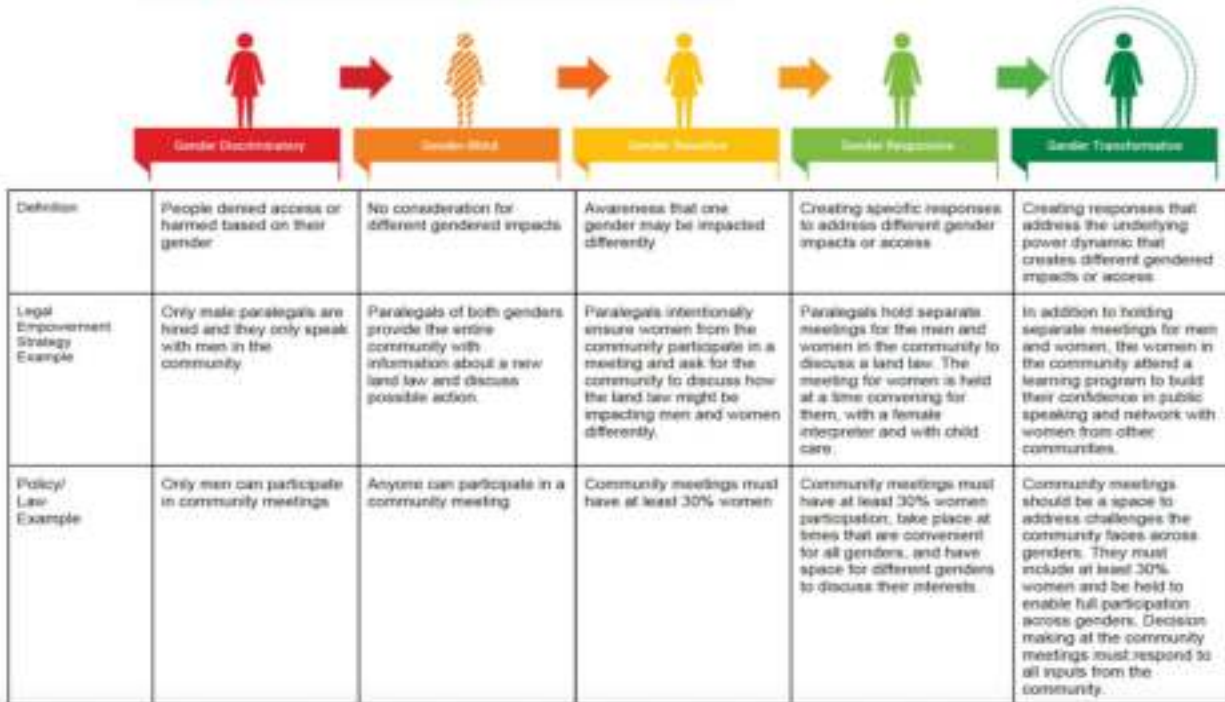
Note: The in-person learning exchange that informs this publication focused largely on the experiences of people facing discrimination on the basis of their gender - primarily women and girls. People facing discrimination on the basis of their sexual orientation - including lesbian, gay, and bisexual people - often express their gender identity in diverse ways, and are similarly subject to violence, harassment, and even criminalization in many countries. Recognizing and addressing the unique challenges faced by the LGBTQIA+ community remains an integral part of gender transformative approaches. While it is not the focus of this publication, we hope that future discussions can delve more specifically into the experiences of the LGBTQIA+ community and identify legal empowerment strategies that this community can utilize.

What does a gender transformative approach to legal empowerment look like?

A helpful tool for understanding how a gender transformative approach strengthens legal empowerment work is the “Gender Transformative Continuum.”¹⁰ It depicts a spectrum in which actions, strategies, and initiatives range from those that reinforce gender inequalities to those that actively aim to transform them, in an effort to achieve true gender justice. Legal empowerment organizations are at various stages of the continuum because of differences in their internal capacities and the specific conditions of the communities they work with.

¹⁰ Shared by UNICEF's Gender Policy and Action Plan 2022-2025, adapted from Pederson, A., Greaves, L., and Poole, N. 'Gender-transformative health promotion for women – a framework for action', Health Promotion International, vol. 30, no. 1, March 2015, <www.ncbi.nlm.nih.gov/pubmed/25231058>

Gender Transformative Legal Empowerment - Land Environment and Climate



Take a moment to reflect: Where does your work stand in this continuum? Identifying where your actions fall on the spectrum is a useful first step to gauging how gender transformative your work is.

We offer this publication as an honest guide that meets organizations where they are in their gender justice journey. Wherever you fall on the Gender Transformative Continuum, you'll find useful strategies and insights sourced from legal empowerment organizations that are committed to deepening gender transformative approaches in their work.

II. Weaving the braid: Gender transformative approaches to Knowing, Using, and Shaping the law for LEC

“Being a legal representative is not the same as being a defender. Legal accompaniment is not the same as embodying what is just.” (Betty Vásquez, MAS, Honduras.)

This chapter explores the *Know, Use, Shape* cycle: the cornerstone of legal empowerment. Pushing ourselves to pursue more gender transformative approaches at each step of the cycle can improve our work immensely. Below, we'll see how grassroots justice advocates are thinking more deeply about transforming power dynamics while innovating their legal empowerment work. In each section, you will find a description of major challenges, stories of success, recommended strategies, and prompts to help guide your way forward.

Follow Mrs. Jalloh through the Legal Empowerment Cycle

In the Gola Forests of Sierra Leone, a woman named Mrs. Binta Jalloh heard that a palm oil company was interested in the land in her community. Though some men in the community were excited about the potential for “development,” Mrs. Jalloh was worried about how this would impact her ability to farm, feed her family, and stay connected to her community. In a meeting of leaders, a contract was signed with the palm oil company behind closed doors, agreeing to the destruction of 75,000 acres of rainforest and paltry compensation for community members whose livelihoods would be affected by the project.

- **KNOW LAW** - Mrs. Jalloh organized her community by forming a resident’s association and connecting them with community paralegals, who explained their rights and offered options for how the community could proceed. Mrs. Jalloh made sure that the meetings included men and women, both land owners and land users, as well as women paralegals who were able to connect with people throughout the community. Working with the paralegals, the community learned that the lease agreement was in fact illegal.
- **USE LAW** - Mrs. Jalloh led her community in approaching the village committee and company officials, and exposing how the deal violated Sierra Leonean laws. The community held demonstrations to protest the lease, and continued to organize for eighteen months, until the company finally acknowledged the lease was invalid. On the free advice of the community paralegals and lawyers who supported them, the community and the company renegotiated a fairer deal. Mrs. Jalloh and some community members then decided to pursue a partnership with the adjacent Gola Rainforest National Park, while others negotiated development of the remaining land on their own terms. Through the partnership, community members are hired to work in the national park as forest guards and guides, students receive scholarships, and farmers receive technical and financial support for engaging in mixed-crop farming.
- **SHAPE LAW**- To ensure that this situation did not repeat itself elsewhere, Mrs. Jalloh joined other communities to campaign for the reform of national laws to protect a community’s right to have a say in the development of their land. Women in particular were at the forefront of this collective advocacy, which led to the passage of two groundbreaking laws in Sierra Leone. The new laws give communities the right to Free Prior Informed Consent (FPIC) over all industrial projects on their lands; establish local

land use committees to make decisions on how community lands are managed, composed of at least 30% women; and ban industrial development in ecologically sensitive areas.

Watch Mrs. Jalloh's story [here](#).

Legal empowerment is a promising tool to address land and environmental justice, but we know that employing this tool in a gender transformative approach requires intentionality. Advocating for fair use of land confronts patriarchal and corporate powers, often with dangerous outcomes. To be successful, we can draw from the strengths of legal empowerment - embedded, long-term relationships in the community, flexibility to adjust pathways to remedy, and the ability to gather data to show trends across individual cases.

In this section, we begin by sharing techniques about how to use cross cutting strategies to incorporate gender transformative approaches into land rights and then consider strategies for each stage of legal empowerment: know, use, shape.

Examples of gender transformative legal empowerment strategies

	Know	Use	Shape
What does a gender transformative approach look like?	People of all genders can fully engage in, benefit from, and contribute to legal education – as well as understand how patriarchal norms have shaped laws that reinforce gender disparities.	People who experience gender discrimination assert their rights through court cases, negotiations, mediations, and community-led dispute resolution. In the process, they challenge and reshape power dynamics by disrupting traditional roles that have historically excluded them from decision-making processes.	A gender transformative approach targets the underlying structures within legal and social systems that perpetuate gender inequality. Solutions often involve reformed or new laws or policy measures, which protect the rights of people facing gender discrimination and LEC injustice.
Illustrative gender transformative strategies	<ul style="list-style-type: none"> ● Designing gender-responsive legal education workshops ● Training women paralegals to lead community education ● Organizing rights 	<ul style="list-style-type: none"> ● Providing women with legal support and accompaniment to access formal and customary mechanisms and protect and enforce their land 	<ul style="list-style-type: none"> ● Fostering women's leadership in decision-making and policy change ● Gathering evidence of gendered impacts of LEC injustices to inform

	<p>awareness sessions for women environmental justice defenders to understand the laws and rights related to personal and community security</p>	<p>rights</p> <ul style="list-style-type: none"> ● Engaging in women-led strategic litigation ● Ensuring security and protection for women grassroots justice defenders and vulnerable groups 	<p>policy advocacy, including through feminist participatory action research (PAR) projects</p> <ul style="list-style-type: none"> ● Building strategic alliances with allies (e.g. community-based organizations, feminist movements) to more effectively reach policymakers
<p>Cross - cutting strategies (represent these as flowing across the whole LE cycle somehow)</p> <ul style="list-style-type: none"> ● Cultivating women’s meaningful participation and leadership in decision-making around LEC issues ● Embedding intersectionality throughout your legal empowerment approach ● Catalyzing change through culture, including by working with traditional power-holders (e.g. male chiefs or elders) 			

Cross-Cutting Strategies

In this section, we share three cross-cutting gender transformative strategies that are relevant throughout the legal empowerment cycle, along with exercises that can help you put these concepts into practice.

a) Cultivating women’s participation and leadership

Evidence shows that when women are meaningful participants in decision-making around LEC issues, better outcomes for conservation and environmental justice result.¹¹ Participants of the exchange understood this more colloquially, agreeing that *‘what is good for women is good for the community’*. As such, building the capacity and confidence of women to participate in or lead community decision making is essential to legal empowerment and LEC justice.

¹¹ See, for example, Smith, A. (ed.) (2022), “Women’s leadership in environmental action”, OECD Environment Working Papers, No. 193, OECD Publishing, Paris, <https://doi.org/10.1787/f0038d22-en>.

The participation and leadership of women come with many benefits. When women take active leadership roles in community mobilization and governance, they bring to the forefront the concerns, demands, and experiences of people who experience discrimination due to their gender and other intersecting identities – ensuring that those needs are effectively addressed, including through legal reforms.

When women participate in community mobilization, it also opens up possibilities for more powerful community building and collective action. Women tend to bring in new ways of working and organizing, challenging top-down and patriarchal power dynamics in the community and replacing them with more equitable, less hierarchical approaches that empower everyone in the community to share their ideas. This can result in better solutions to community-wide problems. It can also foster greater unity in divided communities, thus building community power where necessary to fight external forces – like extractive industries.

Finally, women occupying positions of leadership broadens the community's perception of women's roles, and inspires others to follow suit. In the Indigenous Chapra community in the Peruvian Amazon, for example, women experience gender inequity and structural exclusion on a state and communal level. So when Olivia Bisa became the first female president of the Chapra Nation, her example challenged gender norms. She began denouncing the devastating oil spills that ravaged her ancestral territory in 2021, and since then, has paved the way for other Chapra women to participate in community decision-making gatherings, mobilize, and lead.

Increasing women's access to community decision-making spaces may alone be a significant first step for some communities. In others, alternative pathways for women's leadership might exist as a result of years of movement work. Either way, cultivating greater participation and leadership of women requires patience and creativity; the journey is inherently intergenerational and deeply political, but well worth the effort.

A starting point:

- Take a moment to observe how women relate to their roles and responsibilities in community decision-making spaces and listen to their perspectives. Think about having this conversation in women-only spaces so they feel comfortable sharing. You may also want to ask men in the community the same question.
- Identify the women leaders in the community and work and learn with them. Women leaders will often have an experienced grasp of the obstacles and openings for gender transformative changes in a community.
- Seek to collaborate with local organizations and institutions that are already focused on gender justice work. How can their experience and networks enhance the effectiveness of legal empowerment initiatives?

b) Embedding intersectionality in your approach

A gender transformative approach is inherently intersectional; it recognizes and actively addresses the interaction of gender dynamics with other forms of discrimination based on one's identities, such as age, marital status, education, race, caste, class, ability, and more. Intersectionality is an important concept and practice that asks us to hold multiple realities simultaneously. The barriers

women face vary significantly across different contexts. So, a responsible response to LEC justice must address the intersections – and consequently, the amplification – of injustices faced by people as a result of multiple marginalized identities.

An Indigenous female farmer in a remote rural community will encounter challenges different from those of an urban market seller in an informal settlement. Accordingly, when DAR Peru begins an engagement with Indigenous women in a community, they are not just thinking about their experience as women, but also as agricultural workers and Indigenous people. Similarly, when FIDA Uganda is designing legal education programming for women, they are explicit and consistent about the inclusion of women with disabilities, one of the most vulnerable groups. The implications of this for organizations include the need to diversify work practices to thoughtfully include people facing gender discrimination, Indigenous communities, persons with disabilities, minority ethnic groups, and young people.

A starting point:

- Engage in interviews or workshops with women in communities you work with, inviting them to explore how their multiple identities influence their daily lives and experiences with legal and environmental issues. Use these considerations and insights to refine your community engagement strategies with people being discriminated against on the basis of their gender.
- Think through how you can adapt language, provide targeted support, and collaborate with local organizations that address the specific intersections and identities that shape the lives of people facing gender discrimination in the community.

c) Catalyzing change through culture

“Gender is a cultural issue, and a cultural issue needs a cultural approach. An approach that respects the culture of the community while also challenging it towards women’s rights.”
(Participant at gathering in Zimbabwe, May 2024)

Culture is one of the threads that sustains the social fabric of communities. Land, as a constant that links families and community members across generations, is particularly imbued with cultural and spiritual significance. Traditional and religious leaders often serve as gatekeepers, either facilitating or hindering changes in attitudes and behaviors. Coming into communities and immediately addressing gender as it relates to land, without accounting for power holders, can generate resistance and even taint the community’s receptivity towards legal empowerment work.

While culturally-sensitive approaches are essential to this work, the relationship between legal empowerment and culture is deeply complex. Two central questions underpin our exploration: How does culture influence the success of legal empowerment efforts, and how can legal empowerment, in turn, affect cultural norms? Additionally, what strategies can be employed to strike a balance between respecting cultural traditions and pushing for transformative change? These questions guide us as we delve into gender transformative legal empowerment strategies that challenge oppressive norms without alienating communities.

In one example, by engaging with traditional leaders, FIDA Uganda has been able to successfully shift local norms to increase women's access to land and ownership in the Karamoja Region, Uganda. There, FIDA began working closely with the local leaders of the pastoralist Jie people – particularly their Council of Elders – to create a compendium of the norms currently practiced by the Jie and to gain traction for shifting the norms that were harmful to women. FIDA was able to work with a group of elders who were open to adapting principles of gender equality and leading the way to changing harmful and discriminatory practices. In a significant shift, female elders began to support the practice of women's rights to own land, a practice that was previously unaccepted within the community. Despite this marked progress, FIDA realized that the project had not penetrated the 'inner circle' of the Council of Elders, as some of the key leaders had not been included in this process. FIDA has learned the importance of investing in in-depth discussions with local leaders to increase their understanding of leadership structures and dynamics, so that they build alliances with key decision-makers in the community.

When a traditional leader does embrace gender justice, they can be a powerful ally. In Malawi, Moses, who works at Mzimba Youth Organization, leverages his authority as a Chief to serve as a role model, creating space for women's participation in agriculture and ensuring that senior positions within local agricultural organizations are filled by women. He also advocates for these practices among other local leaders, asking them: "what if we have a woman as the chairperson of this committee? What would happen?". Where most traditional and religious leaders might weaponize religion against women, he makes reference to female prophets in the bible, to offer a religious interpretation in favor of women's rights.

A starting point:

- Have open conversations within your teams, and with community paralegals and justice defenders: How do you balance the need to challenge patriarchal social norms with respecting culture and the pace of community building? What has backfired and what did you learn from those experiences? What practices or approaches worked?
- Consult resources like this overview on [how to handle resistance and backlash when addressing GBV in communities](#), [Developing a Conflict Sensitivity, Gender Equality and Social Inclusion Assessment Framework](#), and [Accessing Justice and Protecting Rights of the Vulnerable through Cultural Structures: A Tool On Working With Elders in Communities](#). These resources share useful considerations about navigating culture when addressing negative gendered impacts.¹²

Know the law

"Knowing the law" happens when individuals understand the legal protections available to them, as well as the legal services and advocacy spaces they can access. A gender transformative approach to knowing the law ensures that people of all genders can fully engage in, benefit from, and contribute to legal education. It also means giving an opportunity

¹² While there are not any resources specifically addressing navigating culture when it comes to integrating a gender lens to LEJ, the insights and proposals can be applicable.

to understand the power dynamics in the law - those that foster gender equity as well as those that reinforce gender disparities.

Protecting her land

Prisientacion Ruyal is a poor rural farmer from the Philippines. Years ago, outsiders began trying to evict her and other farmers from their land. She sought to appeal to local authorities, but she did not understand the process, so the threats continued. Where she lives, men are usually in charge of the land and women tend to have little knowledge of their rights or about legal systems. When Prisientacion met a paralegal from Kaisahan, a legal empowerment organization, she learned about systems designed to protect her land. She learned the relevant rules, where to get the right papers, and how to navigate government buildings. She also learned how to share this information with her fellow farmers, becoming a community paralegal. Now that her land rights are secure, she is dreaming about learning about banking systems so that she can get a loan to invest in her farm. [Watch her tell her story here.](#)

Why is it hard to KNOW the law in a gender transformative way?

In many cultures, rules about land laws were created and controlled by men. At the same time, formal systems and spaces, such as formal education, courts, and government buildings, tend to be dominated by men. As a result, women and men have different starting knowledge about the systems that might undo wrongs and the rules that govern them. Moreover, in many communities, it is taboo for women to engage in discussions with men that might upset power dynamics. This makes it difficult for women to ask questions or seek out information about legal rules and systems.

Strategies for KNOWING the law in a gender transformative way

a) Designing gender-responsive legal education workshops

To learn more about the law, women must have the time, resources, and ability to attend informational meetings, ask questions, and access helpful resources. To facilitate this, grassroots justice advocates design meetings in ways that adjust for the needs of different genders. For example, they schedule the time and location of meetings to be sensitive to the roles and responsibilities that different genders hold in their communities. By offering to provide child care and catering, they reduce the need for women to do additional work during the meeting time. In Myanmar, organizations have learned to bring their workshops directly to the communal cooking spaces where women gather. This is not only done to improve convenience, but also because they noticed that women feel more comfortable speaking in this familiar environment.

Organizing separate workshop spaces for men and women is also a common tactic to enable a safe space where women can ask questions and follow up with relevant information. In the case of Bangladesh, women-only spaces have made it possible for women to express themselves without facing critique and backlash. Encouraging intergenerational dialogue can also surface new perspectives and support youth in actively transforming gender norms in

their community.

Training women Paralegals and Interpreters

Community paralegals play an important bridge-building role between the law and communities. They raise awareness of laws by explaining them in language and words that are accessible to community members. Women in the community are more likely to relate to paralegals who are themselves women. They feel more comfortable asking clarifying questions or venturing into knowledge-sharing and decision-making spaces with women paralegals. As a result, many organizations intentionally train women paralegals within communities. Some organizations, like DAR in Peru, operate in rural areas where women are more comfortable speaking in indigenous languages. In addition to training women paralegals, DAR also hires trusted female translators to help women in the community feel comfortable.

Prioritizing Culturally-Sensitive Approaches

In many places, entering a community to talk about “women’s rights” will immediately be viewed as culturally disruptive. In these cases, grassroots justice defenders emphasize the importance of slowly building trust with the community. This can happen through relationship building - particularly with traditional authorities and cultural and religious leaders - and by demonstrating the positive relationship between gender equality and better livelihoods or other communal needs. For example, Fariha from Badabon Sangho in Bangladesh shared how they connect with the community leaders to help them understand that they are not against them: “Instead of excluding them or making them our opposition, we involve them into our training workshops so they feel like we are with them.”

Framing the issue carefully matters. Acknowledging and addressing the needs of the wider community at the outset can create openings for talking about women’s land rights specifically, and the relevance of their stewardship in LEC issues to the community as a whole.

When the substance of the law is culturally controversial - for example, inheritance rights for all children in a family - many grassroots justice advocates have found that using art and song can be effective. The arts can be perceived as a less threatening medium, despite having the potential to be powerfully persuasive and far-reaching. In Malawi, Mzimba Youth Organization are creating songs about land rights that are played on the radio across villages. ([Malo by Moses Nkhana backed by Mzimba Youth Organization](#))

Role	Play:	Knowing	the	Law
Strong formal laws protecting women’s land inheritance have existed in Landland for 20 years. The law states that the surviving spouse inherits the land if a legally married couple has no will. Many rural areas, especially in the north, don’t feel strongly connected to the capital, and most justice issues are solved with a traditional justice system, whereby when a husband dies, the land becomes owned by his family.				
JusticeTogether, a legal empowerment organization, has several paralegals in the north, including Juan from Plainsland. Three months ago, Juan tried to make a presentation to the community about the formal land laws after announcing the topic of the meeting on local radio. A small group of men came to the meeting before it was interrupted by the				

community leader. The leader asked Juan many questions about the informal rules in their community, trying to show that Juan did not have local knowledge. Others then started to ask Juan whether he was trying to change their traditions with all his city knowledge.

Juan decided to regroup and try a different time. On his way out of town, he stopped to get some water from the village well and noticed that the women doing the washing spoke a different dialect than the men.

1. Identify at least three challenges JusticeTogether faces in sharing information about the inheritance law.
2. Brainstorm strategies for addressing these barriers in a gender transformative way – that addresses the root causes of injustice.
3. Select one of these strategies to role-play Juan's next engagement with the community of Plainsland.

Questions for reflection:

- How do people usually access information in your community? Who do they trust? Is that different for people of different genders?
- What types of art or forms of communication make it easier to talk about sensitive topics in your community? Do music, comedy, theater or dance help? If so, how?
- If you imagine a long-term relationship within a community, how do you establish trust? What does the timeframe for trust look like? What does that mean in terms of sequencing discussions and project planning?

Use the law

In the legal empowerment cycle, the "using the law" stage is a critical point at which individuals and communities move from understanding their rights to actively asserting them in pursuit of justice. Gender transformative approaches challenge and reshape the power and gender dynamics in the application of the law. When women, for instance, apply their legal knowledge in court cases, negotiations, or community-led dispute resolutions, they are not only advocating for their rights, but also disrupting traditional roles that have historically excluded them from decision-making processes.

Why is it hard to USE the law in a gender transformative way?

In cultures where community decision making has been dominated by one gender, usually men, it can be very intimidating for women to participate. In places where women have been barred from participating in formal systems, even walking into government buildings for court or filing petitions can be extremely daunting. Many countries and communities have created new rules that require women's presence in decision making. But a quota of women in the room does not necessarily translate into their full participation. It may even increase risk of social stigma or potential violence by upending the group's power dynamics.

Strategies for USING the law in a gender transformative way

Boosting Women's Confidence to Participate in Decision Making

Because land matters are often considered communal matters, when communities take action to invoke or enforce environmental or land laws, they come to decisions collectively. Building women's capacity to participate in emerging decision-making spaces is therefore key to "using the law" in a gender transformative way. Leadership training for women helps with this; it challenges traditional power structures by empowering women to become more active in their communities. In these spaces, engaging in role-play helps women to anticipate steps decision-making processes and to prepare for the types of resistance they might encounter. In Northern Kenya, Namati and IMPACT provided [leadership bootcamps for women](#) who, since the passing of the Community Land Act, are newly part of Community Land Management Committees. Through these bootcamps, women learn about laws and develop confidence by engaging in debates that prepare them for public speaking. They use these skills to work alongside committee members to govern communal lands, as envisioned by the Community Land Act.

Salante uses her power

Salante Lebulkash is a pastoralist in Isiolo County of Northern Kenya. The Community Land Act of 2016 allows for registration of community lands and includes requirements for women to participate in community land committees. Through a leadership bootcamp, Salante learned about the rules for women's participation in land committees. She also heard from other women who had participated in these groups and had the opportunity to practice speaking in public, ask questions, and organize opinions from other women. As a member of the land committee in her community, she now brings forth the opinions of other women into decision making. You can [watch Salante's story here.](#)]

Building strength through accompaniment

Sometimes, people facing gender discrimination need more than training and encouragement when navigating unfamiliar legal or decision-making processes. LEC issues are particularly complex: access to and ownership of land, as well as accountability for environmental impacts, are hotly debated and constantly litigated topics, governed by intricate legal and administrative frameworks. They also involve deep-seated power imbalances that are difficult for people facing gender discrimination to counter on their own.

Having a trusted companion physically at their side, whether in court or at a community meeting, can be game-changing. The Awakening, a legal empowerment organization in Pakistan, shares a typical case, in which the relatives of a woman's recently deceased husband seized her land and property. The woman named Shabvi visited The Awakening's legal clinic, where she learned for the first time that laws exist to protect someone in her position. A paralegal helped her to file a case and personally accompanied her to court to see it through. The judge ruled that Shabvi was the lawful owner of the land and property. Shabvi has since been able to connect other women to paralegals and legal resources, helping to build a network of support for those facing similar issues.

Another example of accompaniment comes from the Karamoja region of Uganda. There, a woman

named Agnes learned that her long-time partner, Ben, wanted to evict her after deciding to marry a younger woman. Since the law in Uganda does not recognize cohabitation, she was left without legal recourse, despite her significant contributions to their shared life and assets. Agnes approached FIDA Uganda, where legal advocates counseled her on her rights and legal options, and offered to reach out to Ben to see if matters could be settled amicably. Ben was initially resistant to working with FIDA, but after numerous mediation sessions, he finally agreed to grant Agnes a portion of the property: four acres of land, a business building, and a modest home. Agnes now cultivates two acres for her own agricultural needs while renting the other two to aspiring farmers who lack space. In this case, the accompaniment helped Agnes to navigate an otherwise insurmountable power imbalance.

Introducing Community Monitoring and Accountability Mechanisms

Community monitoring or groundtruthing is when communities collect data themselves about the impacts of changes of land use. This can include counting the number of new trucks on a road or measuring the pH levels of a river over time.

When designed in a gender transformative way, community-based monitoring enables women to directly report rights violations and affirm their view of how their land is being impacted. For instance, the 'We Are Nature' initiative in Madagascar introduced a community agreement and process for monitoring the impacts of nature called a BioCultural Protocol tool. In other communities, women have been data collectors able to pull together evidence over time to strengthen the evidence of their observations of impacts.

Participatory Action Research is a methodology and research paradigm that centers the everyday knowledge and experiences of participants. Instead of being objects of research, women themselves can steer and give meaning to the research process. In the context of legal empowerment, [gender-transformative participatory action research](#) enables people who are discriminated against due to their gender to mobilize on their own behalf. Many communities have used participatory action research to document harms and show the impacts of those harms on communities. They have used this evidence in individual cases and collected evidence over time to shape the law.

Engaging in Women-led Strategic Litigation

Strategic litigation is legal action intended to bring societal change. Equipping women with the knowledge and confidence to play an active role in legal processes deepens environmental democracy. It also strengthens cases by tapping into women's leadership and their knowledge of the gendered impacts of LEC issues.

The Kawéskar Indigenous women in Chile offer a strong example of women-led strategic litigation. With the support of FIMA and other organizations, these women challenged the Chilean government in court over water scarcity and environmental damage caused by salmon farms and aquaculture projects. As Indigenous people and women, mobilizing to defend their territories came naturally to them; protecting the environment is central to their way of life. Together with FIMA, Kawéskar women learned how to conduct an environmental evaluation, request public information, and use judicial processes in their favor. Their efforts led the Supreme Court to issue a landmark ruling mandating civic participation in such projects and recognizing the environmental damage, thereby setting a precedent for community involvement.

Supporting Women's Entrepreneurship and Cooperatives

When women have access to capital, they have access to power. This, in turn, gives them greater access to and status in community-decision making spaces. Moreover, when women are financially empowered, they tend to have more independence, flexibility, freedom, and ability to seek justice for themselves and their communities. For instance, meeting women's basic economic needs makes it easier for them to participate in or lead community organizing activities – which take time and often, resources, to do well.

To start their own income-generating activities, women often organize in cooperatives, with the support of legal empowerment organizations. In the case of Karamoja in Uganda, FIDA collaborated with other organizations to provide women with alternative sustainable livelihood options beyond charcoal selling as part of their legal empowerment work. They created new income streams for women by introducing soap-making workshops and bakery training programs, and supported women in crafting and selling handmade goods. Today, they put in place a system of savings and loans, and they are able to sell their own products. Similarly, in Zimbabwe, the women of the Hotsprings community organized themselves to buy and raise goats and eventually sell them in order to cover the costs of rebuilding the school that was destroyed at the outset of mining activities. These efforts have helped to strengthen and sustain the independence of women from men.

Planning for backlash: Protecting women who speak up

Environmental justice defenders work on sensitive issues; land is a valuable asset and often tied up with money, power, and politics. Because of this, justice defenders are routinely subject to harassment, intimidation, and gender-based violence in the course of their work, whether by the state, a business entity, organized criminal elements, or other private actors. A 2023 study found that in the prior year, at least 81 women across the world had been murdered in retaliation for environmental activism.¹³

Fully aware of the security situation, participants of the learning exchange shared strategies for improving the safety of the women who lead the struggle against LEC injustices. Many organizations work cooperatively with communities, other civil society actors, and networks to provide multiple layers of support from different sources. At the level of personal safety, for example, some organizations arrange for community members to accompany justice defenders so no one travels alone. In confrontations with the state, justice defenders are linked to legal support when arrested or charged with “SLAPP” suits - lawsuits harassing activists for the purpose of discouraging public participation or mobilization. Participants of the learning exchange also stressed the importance of holding community meetings in secure spaces - sometimes a private residence instead of a public place - and marking out safe routes in advance of travel. Digital security is also an emerging issue; many organizations only communicate with justice defenders through encrypted messaging applications. Some have undergone digital security training to ensure that data on clients and staff is not exposed to hackers.

In the end, the ideal security measures for any justice defender varies by context. Take the time to analyze the specific risks that your justice defenders face due to their gender and the LEC issues they work on, and plan accordingly.

¹³ Tran, Dalena and Ksenija Hanaček (2023). “A global analysis of violence against women defenders in environmental conflicts”, *Nature Sustainability*, no. 6, <https://www.nature.com/articles/s41893-023-01126-4>.

Role Play: Using the Law

TerraWoman is a country with a long history of nickel mining, especially in the Southeast. RightsForAll, a legal empowerment organization, has been trying to help communities respond to the impacts of mining. It has done a series of know-your-rights workshops in the Southeast and has paralegals living in several communities.

In the town of Riverrun, a group of women have been working with the paralegal, Anita, to document the mining's impact on river water quality. They have noticed that their kids often get sick after being in or near the river, and they suspect that the mining company is dumping the run-off from mining into the river. After working for six months with the women to collect data about the water quality, Anita started talking with them about how they could use the data to hold the mining company accountable by referring to an administrative law about water quality requirements.

That's when things started to change. Several women heard from their husbands that they worried the men would lose their jobs if anyone spoke up about the river. At the community meetings, the leaders invited the mining company director, who arrived with a military escort and had several military officers with guns. He said it was important for the town to continue its relationship with the mining company. Soon after, the women started getting phone calls in the middle of the night telling them to stop looking into the river water quality.

1. Identify at least three barriers RightsForAll faces using the water quality law.
2. Brainstorm strategies for addressing these barriers in a gender transformative way – that addresses the root causes of injustice.
3. Select one of these strategies to role-play for the group.

Questions for reflection:

- What barriers prevent community members from participating in decision making in your community? How can you help women address these barriers?
- How can you use role play in your community to advocate for your rights?
- Has your community been part of any strategic litigation? How might you prepare the community to engage in strategic litigation, considering it's long-term nature?

Shape the law

When 'shaping the law', individuals and entire communities draw from their experiences with existing legal frameworks to diagnose problems, identify solutions, and advocate for the systemic changes required to make them a reality. A gender transformative approach targets the underlying structures within legal and social systems that perpetuate gender inequality. Solutions often

involve reformed or new laws, in addition to other supportive policy measures, which protect the rights of people facing gender discrimination and LEC injustice.

Why is it hard to SHAPE the law in a gender transformative way?

Shaping laws is a complex undertaking. It requires action by many actors who have access to power. On land and environmental issues, the rules are shaped by people - predominantly men - with access to money and control over resources. The challenge lies in opening up these spaces so that women and other marginalized groups can meaningfully engage. Even as it becomes more politically correct to include women in rulemaking, an effort must be made to ensure that measures go beyond tick-the-box implementation.

Strategies for SHAPING the Law in a Gender Transformative Way

Elevating women as advocates for gender-transformative laws and policies

Women who have gone through the legal empowerment cycle are more likely to take up leadership roles and become catalysts for change in their community. They rely on their experience, confidence, and status to advocate for more gender-equitable laws and policies or to challenge structural inequities. To amplify their positive impact on society, consider arranging mentorship opportunities or promoting their storytelling through media campaigns. Hearing about other women who are defenders, especially in similar contexts, can help sow the seeds for more female leadership.

When women are active participants in advocacy to shape the laws, the resultant legal and policy reforms are more likely to reflect the genuine needs, experiences, and demands of people who experience gender discrimination in the context of LEC injustices. This is pertinent when campaigning for laws that ensure gender equality in inheritance laws, for example, or when pushing for stronger legal protections for justice defenders. The participation of women also has the potential to make advocacy efforts more effective, either by attracting more women's voices and swelling the ranks of people willing to mobilize, or by introducing more inclusive alternatives to typical patriarchal or hierarchical approaches to community organizing.

This happened in the Philippines, when Indigenous farmers from the southernmost islands - one third of whom were women - marched to the capital city of Manila to protest the government's decision to grant ownership of their communities' ancestral lands to an agro-industrial corporation. The farmers were supported and accompanied on the march by legal empowerment organizations, known collectively as Alternative Law Groups (ALG). In winning their case, the protesters successfully advocated for women to be included, alongside men, as beneficiaries of the Comprehensive Agrarian Reform Law that redistributed the land to farmers.

Constructing Diverse and Strategic Alliances

Coordinating with other community-based organizations, public and private stakeholders, and social movements enhances one's ability to reach and pressure policymakers. When it comes to pushing for systemic change, joint advocacy creates a more powerful and unified front. A coordinated approach can also help to integrate gender justice across broader movements for social, economic, and environmental change. It can transform how institutions operate, making them more accountable and responsive to the needs of all genders, while fostering cultural and policy shifts that are essential for gender equality.

In Zimbabwe, the Hotsprings community has been in a long fight against a diamond mining company where women's stewardship has been a defining feature. Their resilience is based on the mutual support between their community-based women's forum known as 'Masimba Kumadzimai' translated 'power to women', a youth-led community-based organization known as Hotsprings Youth Forum, and ZELA, a national legal empowerment organization. The community has also been intentional about interacting with the environmental management state agency to push for state accountability. Through advocating for women and youth participation in environmental decision-making, especially during consultations for Environmental Impact Assessment and public consultation for the environmental laws amendments, the mutual support has led to improved community engagements with legal and policy making. As a result, the Environmental Management Agency is now conducting Environmental and Social Impact Assessments in a manner that better captures potential negative impacts of projects on communities. In addition, fueled by this powerful local advocacy, the Environmental Management Act is currently undergoing a review in Parliament.

Partnering with Feminist Movements

Feminist organizations, women's rights movements, and eco-feminist networks at global, regional, national, and local levels offer valuable insights into organizing, language, narrative building, navigating opposition, and ensuring well-being and security. And while legal empowerment organizations can learn directly from feminist groups, the feminist movement, too, is searching for ways to advance laws and policies that reflect the needs of people experiencing gender discrimination.

Collaborations between feminist movements and legal empowerment efforts have borne tangible results. In Argentina, women were left out of deed titling during the resettlement process of a slum upgrading program. Around this time, the #NiUnaMenos (#NotOneMore) movement swept over the country following the femicide of several women. In its wake, the public's outrage around GBV sharpened. The momentum created by this movement helped community leaders, supported by ACIJ (a legal empowerment organization), to advocate and win a legislative reform so that names of both men and women could appear on joint title deeds in the relocation process. Communities also succeeded in including a provision stating that, in cases of GBV, women's land claims would be prioritized over their domestic abusers in the issuance of titles.

Protecting Women Environmental Defenders Through Legal Frameworks

In most countries, standing up for LEC rights can be dangerous. Women are especially vulnerable to threats to their physical safety, mental health, and livelihoods. To be gender transformative, efforts to shape the law must intentionally consider the safety of the justice defenders involved, and plan for how women in particular may be targeted. Justice defenders should consider advocating for legal frameworks that protect their wellbeing by factoring in gendered safety considerations, establishing reporting mechanisms, and increasing access to psycho-social support help to reduce risks and harm.

Latin America offers a promising example of this. Ten years ago, environmental defenders of all genders came together to advocate for the [Escazú Agreement](#) – a regional compact that recognizes the value of grassroots justice defenders' work and obliges states to take measures to ensure their safety. With 25 signatories thus far, the treaty offers a direct channel for defenders to report threats to authorities, and secures access to mechanisms for their protection and

accompaniment. Important work remains, however, to ensure that the progressive measures mandated by the Escazú Agreement are enforced and respected at the national and local level.

Exercise: Connecting to intergenerational, Indigenous and multispecies justice work

Putting communities in the lead means embracing their understandings of rights, the law, and the purpose of legal protection. In modern societies, rarely does the law weigh people's rights to land and natural resources against those of nature, non-human species, or future generations. Western legal systems, rooted in anthropocentric principles, are not oriented toward recognizing or enforcing the rights of nature, often reducing it to a mere resource for human use.

Many movements around the world are using the law to stand up for rivers, mountains, ancestors, and future generations, recognizing that all is deeply intertwined. For example, the "rights of nature" movement challenges the perspective that nature is a resource to be owned, used, and degraded. The Rights of Nature Movement has won some significant court cases in favor of the legal personhood of rivers and mountains.

Indigenous worldviews, based on 'backward-forward thinking', emphasize the importance of protecting territories not only for current generations, but also for future ones, reflecting a deep-rooted ecological philosophy. Concepts such as "buen vivir" (living well together) and cuerpo-territorio (body-territory), both stemming from Latin America, offer a wider lens through which to view human rights work in defense of land and climate. As a cosmivision, Buen Vivir describes the way in which our experiences are interconnected to one another as peoples but also in relationship to the earth. Under this vision, finding harmony in these relationships is key. Adopting a cosmivision like Buen Vivir would emphasize the role of systemic change and intersectional movement building in legal empowerment work.

These horizons encourage us to look beyond restrictive liberal-rights frameworks to wider legal visions that protect entire territories and the beings within them. There is a fertile space here for legal struggles and advocacy efforts that help set precedents and transform the legal landscape.

- Discuss with community members how legal empowerment can help protect the rights of nature, animals, and future generations. How can the community support Indigenous and community-led efforts to protect land and natural resources for future generations? How can we ensure the rights of future generations are considered in this fight for land, environmental and climate justice?

Questions for reflection:

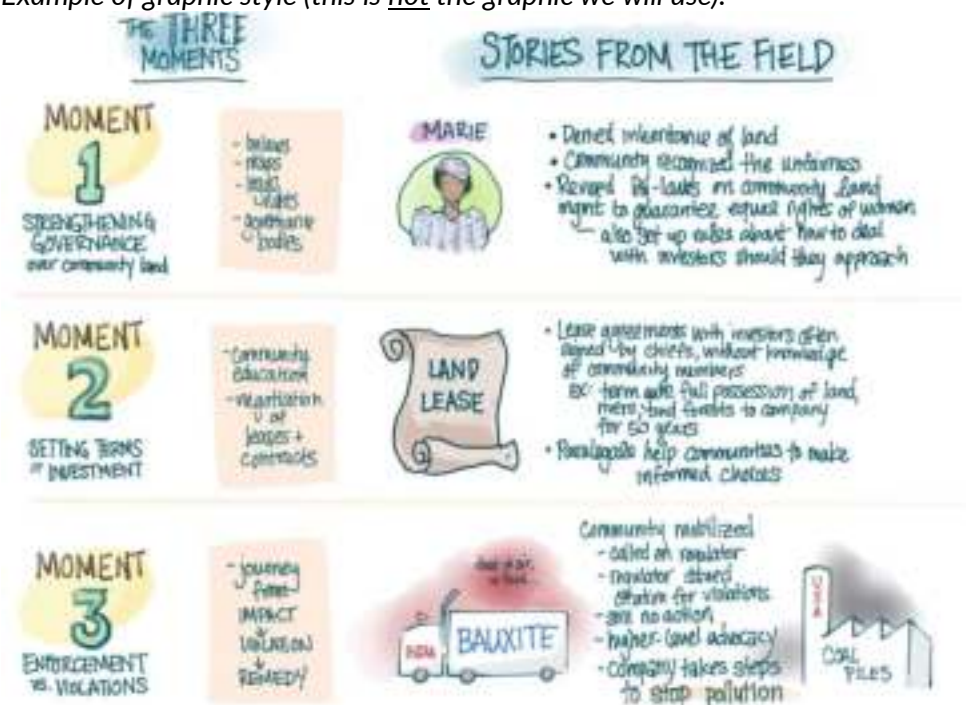
- What activists, informal groups, organizations, networks, universities, etc. could you ally with to deepen a gender transformative approach in your programming? How can connecting to movements that support land, environment, and climate justice help your community protect their own rights?

- How can you leverage and advocate for more progressive international human rights standards and conventions to enhance legal protections for environmental defenders who face gender discrimination?
- How are you working toward systemic change?

Scoping exercise: Moments 1, 2 & 3

When strengthening communal land tenure security, or helping communities to respond to potential external investment, the work of justice defenders can be organized into three key moments. These are moments when different issues and impacts arise, when rights might change, and when specific opportunities for community action present themselves.¹⁴ In this section, we examine the gendered impacts and challenges relevant to each moment, posing questions and exercises along the way.

Example of graphic style (this is not the graphic we will use):



Content of graphic the illustrator will create:

Description of each moment	Gendered Considerations	Questions and exercises for this moment
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¹⁴ You can consult Namati's '[Community Land Protection Facilitators' Guide](#)' for more guidance.

<p>Moment 1: Securing tenure and strengthening local land governance</p> <p>Communities should proactively protect their lands and natural resources through strong local land management rules and structures before an investor arrives.</p> <p>Communities do this by drafting bylaws that promote good governance, sustainable natural resource management, and accountable leadership. They can also map their lands and document boundaries through actions like planting boundary trees, taking photos, recording GPS coordinates, and signing boundary agreements with neighbors.¹⁵</p>	<p>Observe women's decision-making power, roles in families and society, and the patterns and norms of marriage, inheritance, and divorce. In some cases, ensuring land rights for women can be perceived as an encroachment on men's own land rights and gender roles; so take extra measures to ensure women's safety, especially in contexts with discriminatory gender norms.</p>	<p>Questions to hold:</p> <p>1) What are the laws including/excluding women from land ownership?</p> <p>2) What broader social and gender constructs limit women's ability to exercise land rights?</p> <p>Exercise 1: Interview with Local Authority</p> <p>In pairs, organize a short interview with a local authority, cultural leader, elder, religious figure, or land administration official (including those involved in land registration and surveying).</p> <p>To prepare, develop 3 questions about the experience of people facing gender discrimination in land rights issues in your community. Use the interview to understand the laws, norms and cultures around women's access to land rights. Allow for the interview to be a space for you and your interviewee to reflect on the topic and become more sensitive to the issue.</p>
<p>Moment 2: Negotiating equitable terms of investment</p> <p>When investors arrive to buy, lease or take land, LE organizations can help negotiate better contracts and secure progressive provisions (e.g. benefit sharing) for communities, protect processes of Free, Prior and Informed Consent</p>	<p>Ensuring people who are discriminated against on the basis of their gender play a key role in negotiations with investors is crucial. Their inclusion brings diverse</p>	<p>Questions:</p> <p>1) What strategies can you implement to guarantee that women are adequately informed and actively participate in processes of Free, Prior, and Informed Consent (FPIC) with investors and external actors?</p>

¹⁵ Read more in Namati's '[Community-investor negotiation guide 1: preparing in advance for potential investors](#)'

<p>(FPIC), and/or stop deals that are unjust and inequitable.¹⁶</p>	<p>perspectives and priorities to the table, leading to more equitable and sustainable outcomes that benefit the entire community by addressing the needs and rights of all members.</p>	<p>2) What other possibilities exist in a specific community/context to uphold women's right to <i>use and access</i> land in cases where legal protections are granted to men or communities?</p> <p>Exercise 1: Role play negotiation scenarios with women in the community Organize a session where participants simulate a negotiation with investors. Assign different roles, including community representatives (ensuring people who face gender discrimination take on key roles), investors, and legal advisors. This exercise will help participants articulate their concerns, priorities, and demands, while also understanding the dynamics of negotiation. After the role-play, facilitate a debrief to discuss what strategies were effective, and how you can work with men in the community to support women's rights to access, own and/or use land.</p>
<p>Moment 3: Ensuring implementation and preventing violations</p> <p>Once the investment is in progress, community members should closely track its impact on their land, natural resources, health, and overall well-being, while LE organizations verify that what has been negotiated can be sustained</p>	<p>After negotiations, which hopefully secure legal safeguards and provisions, it is also important to consider how women can access the resources and support necessary to sustain their livelihoods.</p>	<p>Questions:</p> <p>1) How can you work closely with local authorities, chiefs and leaders to make sure progressive provisions for women are also socially accepted?</p> <p>2) What are the best practices for ensuring women's meaningful access to productive resources that help</p>

¹⁶ Read more in Namati's '[Community-investor negotiation guide 2: negotiating contracts with investors](#)'.

<p>and that investors uphold their legal obligations.</p>		<p>them sustain livelihoods? 3) What monitoring and evaluation mechanisms can be established to assess the effectiveness of women's participation in land negotiations?</p> <p>Exercise 1: Brainstorming strategies on sustaining women's livelihoods</p> <p>In small groups, brainstorm best practices that could be implemented post-negotiation to support women's access to resources. Consider examples like skill-building workshops, financial support, and market access. Share your ideas with the larger group and pick 3 strategies that you find most promising.</p>
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III. Tending the roots: Centering care & mental health

Dealing with environmental degradation, displacement, or dispossession exacts a heavy toll on the mind and body. To compound this, grassroots justice defenders work under the shadow of constant harassment, surveillance, intimidation, gender-based violence, criminalization, and even the threat of assassination. Meanwhile, people supporting communities often face vicarious trauma as they work alongside affected people, absorbing the stress and suffering of those they assist. These conditions can have severe consequences on one's psychological state.

This chapter delves into the care and mental health of community members, grassroots justice defenders, and staff of legal empowerment organizations. Prioritizing their well being is an essential component to constructing a sustainable, supportive movement; it is the soil from which gender transformative strategies can grow.

Building and supporting caring relationships

Anchoring legal empowerment work in an ethic of care involves centering the principles of self and collective care. Betty Vásquez, an environmental defender from Honduras working at MAS,

highlighted the importance of nourishing relationships and forging solidarity with affection, stating, “We cannot lose tenderness and love, spirituality. If we lose this, we lose the will to fight and to continue.”¹⁷

It is important to take the time to build personal relationships and commit to long-term, consistent accompaniment. Taking measures to reduce harm - building positive relationships with community leaders and members more broadly before organizing women, to avoid inadvertently exposing them to suspicion or stigma, for example - also goes a long way towards making women feel safe. DAR calls this "moving at the speed of trust." In contrast, sporadic or rushed interactions leave people vulnerable or disenchanted with social change processes.

One aspect of caring for others is acknowledging their burdens and working to lighten them. Women often shoulder loads on many fronts, including assuming disproportionate burdens of care for family members. For organizations like DAR, being led by care means working to ease hardships: setting up meetings in a way that accommodates women’s schedules, providing interpretation and translation, providing accessible safe spaces for women to communicate their needs. Sensitivity to cultural dynamics and domestic lives involves extra steps, but the process is essential and cannot be rushed.

How to create more caring and safe spaces for women in community engagement:

- **Slow approach:** Navigate potential mistrust toward outsiders or institutional representatives by carefully entering into and consistently nourishing relationships with community members. Take time to understand the needs and visions of people who face gender discrimination within the community.
- **Attend care burdens:** Enable women to focus on capacity building or participation by providing childcare and holding meetings during meal times to minimize their home responsibilities.
- **Language justice and translation services:** To facilitate communication and capacity building, it’s essential to work with trustworthy female translators.
- **Forge relationships:** Spend time with women in the community, share activities like sports and meals, and get to know their families.
- **Adaptive scheduling:** Ask women about the best times and places for meetings and sessions to avoid conflicts with their roles and responsibilities.

A starting point:

- What risks do community members face when advocating for their rights? How do you mitigate these risks to ensure their and your safety?
- What steps are you taking to create and embed an organizational culture of care?
- Take time to speak to team members, volunteers, and collaborators about their well-being and the challenges they are facing both at work and in their life. Have regular check-ins, be interested in their personal lives, and attempt to build a relationship of trust that invites them to share how they’re doing.

¹⁷ Learn about the specific risks women environmental defenders face in Honduras and the ways they have organized collectively toward their protection and well-being by watching the documentary [Dos Rios](#).

Prioritizing mental health and well-being

The mental health and well-being of communities, grassroots justice defenders, and those who support them are often overlooked by human rights organizations, funders, and even advocates themselves. This is neither humane nor sustainable. We must acknowledge the physical, mental, and spiritual burden that people, especially women, take on during struggles for LEC justice, and ensure they have the support they need to endure and resist. Meeting their mental health needs is critical to the success of gender transformative approaches to legal empowerment.

Practices to support community mental health and well-being:

- **Creating safe spaces for people discriminated against because of their gender:** By setting up women-only and gender-diverse safe spaces, individuals can openly discuss their experiences of land and environmental injustices without fear of judgment or retaliation.
- **Awareness campaigns:** Awareness campaigns and educational workshops can be used to shift views and understandings of mental health. To help bridge gaps, integrate traditional beliefs with mental health concepts; be careful not to omit or dismiss local understandings of mental distress and unwellness.
- **Incorporating gender-specific mental health services into legal processes:** Therapy, counseling, or support groups alongside legal representation can help individuals attend to their mental health needs, while feeling more empowered and equipped to fight for their rights throughout the litigation process.
- **Strengthening institutional support networks:** Legal empowerment initiatives can seek out alliances with psychosocial support organizations, to which justice defenders and community leaders can be referred to for further support.
- **Building economic empowerment programs for women:** Some causes of mental health issues relate to economic precarity and financial stress. Pairing legal accompaniment with vocational training, in particular skills development, or bringing services to women and helping them gain access to markets can prove crucial to their holistic wellbeing.
- **Mobile clinics:** Organizations such as Mzimba Youth Organization (Malawi) and FIDA (Uganda) are taking support services to communities, by setting up stands in markets and other 'hot spots'. They focus on building awareness around wellbeing and health, and also invite people to visit offices to receive more support.
- **Village health teams (VHT):** In Uganda, FIDA works with people selected by community members themselves to support the Ministry of Health and different hospitals. These teams are trained in providing social support and receive counseling themselves.
- **Safe houses:** If someone is facing threats or in a situation of high stress, offering safe houses where they can be temporarily relocated can be life-saving.
- **Conducting a risk analysis:** To help protect human rights defenders who face gender discrimination, legal empowerment organizations might consider doing a risk analysis to see what kind of economic, psychosocial, and other forms of practical support justice they need.¹⁸ This can be complemented with efforts to have defenders recognized and protected under the law.

¹⁸ AWID created a [list of materials and resources for Women Human Rights Defenders](#) worth consulting.

Practices to attend to the mental health and well-being of legal empowerment organization staff¹⁹:

- **Flexible work schedules and working hours:** Operating within militarized and violent contexts mean that legal empowerment organizations have to take additional precautions in their day-to-day operations to help staff feel safe. This includes implementing remote work options so staff can avoid military checkpoints on their way to work, as well as having regular break times and flexible working hours to prioritize care. This also requires ensuring people have what they need to be able to work from home (i.e. internet, equipment, etc.).
- **Peer groups:** Set up groups that are regularly connected for peer learning, sharing and support. Activities that promote team bonding are essential. Work can be shared among teams so there's a feeling of togetherness and mutual support.
- **Organizational assessment on bullying and harassment:** Engage in internal discussions on how women staff feel, have point persons for women in organizations to talk to or report anything to, and provide supportive mechanisms through human resources.
- **Policies for mental health leaves:** Beyond making sure that staff feel safe enough to communicate their needs, provide a leave policy in case they are facing mental health and other health issues.
- **Value each other and celebrate wins:** Making sure people feel valued and seen is an important incentive to keep going, and allows everyone to feel better about the collective work.

A starting point:

- What support do community paralegals, women defenders, and other people in the ecosystem of legal empowerment work in LEC justice need to ensure their physical and mental health?
- Identify and allocate resources in each project that can go toward providing mental health support to staff and communities you work with. For example, this could look like a 'care budget' over which staff/communities have partial or full decision-making power.

IV. Threading gender tools at an organizational level

Adopting a gender transformative lens is as important at the organizational level as it is with community-facing work. Most legal empowerment organizations in this learning exchange expressed that they are still learning how to implement gender transformative practices in their work. The tendency is for gender to be assigned to one or two staff members, often without support from the broader institution. Below, we highlight a few organizational practices that grassroots justice organizations are testing. The solution is not just mainstreaming gender within programming, monitoring, evaluation and learning (MEL) and internal policies, but also learning

¹⁹ Additional resources on [Supporting the Mental Health Needs of Staff & Paralegals](#)

how to facilitate transformation at the level of organizational culture, mechanisms, and structures²⁰.

Gender transformative practices within Monitoring, Evaluation, and Learning (MEL)

Traditional MEL approaches focus on tracking program outcomes and assessing effectiveness, often relying on quantitative data while overlooking deeper gender disparities. Gender transformative MEL goes further by collecting gender-disaggregated data from communities facing LEJ issues and actively examining the root causes of gender inequality. This approach captures the nuanced impacts of legal empowerment on diverse groups. It evaluates not only program impact on all genders, but also how interventions challenge power structures and promote shifts towards greater gender equality.

At FIDA Uganda, for instance, reporting templates are designed with -disaggregated indicators and human rights-based indicators, enabling their MEL team to provide regular feedback to programs and senior management, ensuring that gender considerations are integrated into decision-making processes at all levels.

For organizations that do not have the built-in capacity yet for gender transformative MEL²¹, hiring an external consultant to run a gender baseline assessment can provide insights into the gaps and opportunities for gender transformative work. DAR (Peru) underwent such an external assessment, which involved developing a series of indicators and criteria related to gender mainstreaming within the organization (including institutional strategies, accountability systems, policies, and MEL practices). Various aspects of their gender work underwent evaluation, including guidelines, follow-up tools, planning and perceptions by community members). The baseline can be used as a reference point to assess the organization's progress along gender transformative indicators.

Internal policies on gender and safeguarding

For the most part, LE organizations have gender guidelines embedded within safeguarding policies and gender policies, which consider all the risks that communities, partner organizations, and their staff might be exposed to in mobilizing towards legal empowerment (accounting for physical safety, protection from sexual harassment and exploitation, child protection, safety precautions with communities and between staff and communities, and digital safety). Although safeguarding policies may be standard practice, staff are too often unfamiliar with these policies, because they only see them when they are being inducted into the organization.

A few considerations for LE organizations include:

²⁰ The Feminist network created [a great resource library with all kinds of toolkits and resources for guidelines on feminist work](#); including resources on how to create more gender-just organizations, a toolkit on transformative feminist leadership for organizations, feminist approaches to climate justice among other themes.

²¹ The Equality fund offers a great guide on [how to conduct feminist MEL](#).

- Gender and safeguarding policies should be put in place, if they don't exist yet.
- Gender and safeguarding policies should be continually reviewed.
- Following any changes to safeguarding and gender practices and procedures, staff should be re-trained.
- Gender training should be separate from broader safeguarding training and offer one mixed group training in addition to women-only and men-only workshops.

Address organizational structure and onboarding to integrate gender across programmatic work

For many organizations, it has felt challenging, burdensome and even impractical to have gender be the sole responsibility of one staff member. Spreading ownership for integrating a gender lens across an organization is an important practice to cultivate, and helps prevent gender from being siloed. The Zimbabwean organization ZELA assigns Gender Focal persons under each thematic program area. This has been an essential step towards making gender a widely held organizational priority. In Kenya, IMPACT has integrated gender into their ongoing onboarding practice for new staff, which helps ensure that everyone at the organization is responsible for addressing gender issues through their work.

Gender Audits

A gender audit is an assessment practice that allows organizations to check in on how gender-responsive they are to the needs of the staff and the communities they serve. Through the gender audit, the organization can better understand certain gender concepts and reflect on their policies, practices, and values and to what extent they are promoting a healthy environment in terms of responding to needs. Gender audits²² can consist of surveys, questionnaires, interviews, and self-assessments. It can also entail more participatory exercises like creating a manifesto and mapping how the organization deals with gender at different levels (across values, programs, policies, staff, communications, rituals, etc.) or doing a 'gender walk' to demonstrate discrepancies in privilege based on your perceived gender.

Gender Creed: An Example of a Gender Manifesto from Kaisahan, The Philippines

1. Do not assume gender-assigned roles, get to know the identities of partners and members.
2. Put efforts into deepening knowledge of Gender Equality, Disability, and Social Inclusion (GEDSI).
3. Assure Safe Space in meetings and gatherings.
4. Use of call out words (eg. nice one, not nice, not now).²³
5. When in doubt, ask.
6. Immediately clarify gender-insensitive statements or give positive support to gender-sensitive statements.

²² For a more practical guide on how to run a gender audit have a look at this '[Guide for Identifying Gaps in Gender Responsive Policies and Practices at the Work Place](#)'.

²³ These are assigned words used by the organization to remind staff members that their statements may be discriminating towards others.

7. Take a stand on gender issues.

VI. Conclusion

In this publication, we have braided together the strands of legal empowerment, gender, and LEC justice. We have seen the complex interplay between the three, and how each can strengthen the other, collectively becoming a force for profound change.

Ultimately, the work at the intersection of gender, LEC justice, and legal empowerment is about transformation. It's about questioning the norms, structures, and mechanisms that tend to exclude women. It's also about discovering what our communities and the realization of our LEC rights could look like, if all genders are able to steer the vision.

Gender transformative thinking helps us to imagine a future based on different values. It promotes the ethics of care and collaboration, as opposed to the ethics of competition and destruction. Beneath the surface, it calls on us to embed care into our networks, processes, and relationships, both within our organizations and in our relationships with wider communities. Once we fully embrace a gender transformative approach, we can open new horizons for legal empowerment, and a stronger weaving of the intertwined dimensions of justice.