Abahlali base Mjondolo, 53
Access to Justice Cluster Program (AJC), 70–71
Accountability
and post-conflict development, 212
community oversight (accountability of paralegals to communities), 33–34, 194–95
corporate accountability, 128
local accountability, 190
state accountability, 15–17, 126–27, 185–88, 189, 257
Advocacy, 60, 151, 158–62, 176, 181, 224
advocating to translate grassroots experience into systemic change, 18–19
and organizing, 12, 158
political, 162
African Minerals Limited. See Sierra Leone Diamond Corporation (SLDC)
African National Congress, 15, 47, 50, 52, 53
Alternative dispute resolution, 55
Alternative Law Groups (ALG), 12, 16, 99, 102, 112
Alternative Legal Assistance Center (SALIGAN), 16, 33, 99
Anti-Privatisation Forum (South Africa), 53
Apartheid, 14, 46–47
antiapartheid movement and transition to democracy, 28
dom pass, 46
influx control, 46
pass laws, 15, 46
ASEAN countries, 102
Asia Foundation, 100, 111
Association of University Legal Advice Institutions (AULAI) Trust, 64, 65, 70–71
Ateneo Human Rights Center (AHRC), 99, 108
Atlantic Philanthropies, 24, 59, 64, 69
Authoritarianism. See also Democracy responses against, 15, 35
Balay Alternative Legal Advocates for Development in Mindanaw (BALAOD), 99
Bantay dagat, 104, 109, 114, 127, 130
Bantay gubat, 104, 109, 114, 117, 127, 130
Barangay justice system, 16, 113, 124, 132
 Barangay captain, 114, 130
 Barangay development council (BDC), 106, 113
 Barangay protection order (BPO), 114
Barazas, 170, 184, 185, 187
Barefoot lawyers. See Community paralegals
Berenschot, Ward, 12, 27, 29, 139
Billings, Lucy, 19 n. 42
Black Sash, 4, 15, 48, 50, 59–62, 71
 Black Sash Trust, 64
 Grahamstown Regional Office, 61
 Johannesburg Regional Office, 59, 62
 Bourdieu, Pierre, 144
 BRAC, 5, 25, 216, 232
 Braima, Lyttelton, 210
British Department for International Development (DFID), 232
Case management
 case data, 32–33, 235–37
 case forms, 71, 251
 case logs, 60, 71, 93
 case management systems, 93, 198
 case tracking, 10, 168, 211, 217–22
 interviews, 72, 218
 Monitoring and evaluation (M&E), 115, 131
Catholic Access to Justice Project (Sierra Leone), 213, 216
Catholic Justice and Peace Commission (JPC), 33, 174, 216, 242, 249, 253
Catholic Organization for Relief and Development Aid (CORDAID), 111
Center for Legal Education and Aid Networks (CLEAN), 174
Index

Center for Migrant Workers (KANLUNCAN), 99, 108
Centre for Applied Legal Studies (CALS) (South Africa), 48
Centre for Criminal Justice (South Africa), 44, 50, 54, 68–70, 78, 82, 92
Certificate of Land Ownership Awards (CLOA), 116
Chapman, Peter, 17, 19, 241
Children’s Legal Bureau (CLB), 99
Cisnero, Maria Roda, 18, 96
Citizen vs. Citizen disputes. See Intra-community disputes
Citizens Advice Forum, 50
Civil society organizations (CSOs). See Organizations
Clarke, Thomas, 8
Cluff Gold Company, 210–12, 236
Community Advice Offices (CAOs), 11, 20, 22, 28, 33–34
Community health workers, 3
Community Justice Advisors (CJAs), 250–58
Community Law and Rural Development Centre (CLRDC), 49, 51, 68–70, 73–74
Community Monitoring and Advocacy Programme (CMAP), 60
Community paralegals
advantages of, 5, 167
definition of, 2–3, 103–4
formal recognition of, 19–23, 114, 131, 133, 191, 217
impact of, 18, 121–23
limitations of, 5–6
payment of, 31–32, 192, 197
problem solving of, 10–13
recruitment of, 31, 59, 197
specialization of, 35, 113, 119, 180
supervision of, 33, 198, 236, 237
training of, 57, 70, 92, 104, 107, 121, 135, 157, 176, 194–96
types of, 108–9
Conteh, Sonkita, 13 n. 32, 230 n. 36, 233
Contractual disputes, 79
Convention for a Democratic South Africa, 50
Corruption, 229–31
in court, 154, 166, 167, 227, 246
in local government, 190, 229
in paralegals, 28
paralegals fighting corruption, 257
Courts
access to courts, 52, 89, 260
and corruption. See Corruption in court
distrust toward, 154, 161
formal court, 167
native court, 169
relationship with paralegals, 91
tribal court, 83
Criminal justice. See Justice
Culture
cultural factors, 26–28, 36–37, 200
customary local systems, 167
tribal authority, 200
Dale, Pamela, 7, 213–16
Debt claims, 79, 81
Defense of Nature (TK), 99, 108
Democracy
and repressive regimes, 14–16, 35, 172
democratic reform, 51
role of paralegals in deepening democracy, 37, 93, 162, 237, 261
Diotko, Jose W., 101–3, 121
Disputes with firms, 3, 17, 18, 161, 201, 225, See also corporate accountability
and power imbalance, 36, 128
and protection of community lands, 182, 225
Disputes with states, 3, 17, 18, 93, 126, 161, 185, 187, 188, 225, See also state accountability
and power imbalance, 36
DPRD (Indonesia), 158, 159
Drage, Katherine, 20, 27, 28, 32, 34, 43
Dugard, Jackie, 20, 27, 28, 32, 34, 43
Duterte, Rodrigo, 16
Education, 70, 76, 205
Elections, 159–60, 173–74
Elias, Norbert, 144
Environmental justice, 225, 229–30
Environmental laws, 107, 119, 131
Environmental Legal Assistance Center (ELAC), 99, 108
Erasmus, Greg, 28, 55, 65, 87
Familial disputes, 74, 75, 201, 202, 256, See also Intra-community disputes
Financing. See also Legal aid funding
challenges obtaining, 85, 193
client contributions, 235
community fundraisers, 26
development assistance, 24
efforts to diversify, 25–26, 36
international, 36, 232
public, 19, 192, 233
risks to paralegal independence, 25, 234
Ford Foundation, 6, 69, 111
Foundation for Human Rights, 59
Franco, Jennifer, 18, 96
Downloaded from https://www.cambridge.org/core. IP address: 54.70.40.11, on 22 Jul 2019 at 02:26:40, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781316671801.008
Free Legal Assistance Group (FLAG), 15, 99, 101, 107, 108
Funding. See Financing
Gauri, Varun, 1, 2, 210 n. 1
Gender
domestic violence, 36, 132, 203, 204, 257
gender-based violence, 52, 188, 203
sexual violence, 43–44, 69, 189
women’s rights, 17, 200, 222
George Civic Association, 49
German Catholic Bishops’ Organisation for Development Cooperation (MISEREOR), 111
Golub, Stephen, 3, 6
Governance, Justice, Law and Governance Programme (GJLOS), 167, 177
Grassroots organizations. See Organizations
Haki Centre, 179
Harding, Joanne, 86, 92
HIV/AIDS, 67
Housing
access to state-sponsored housing, 77
forced evictions, 8
lawsuits related to, 158
Identity documents, 77
Indonesia
Ministry of Law and Human Rights, 20, 141
Indonesian laws
Law on Legal Assistance (2011), 20
Legal Aid Bill (2011), 140, 162
Inequality
in access to justice, 142
under relational sociology, 144
Informal Settlements Network (South Africa), 53
Infrastructure
grievances in relation to, 223, 249
infrastructure constraints in the justice sector, 241
Institutions
institutional factors, 17, 36, 97, 111–12, 184, 190, 226, 258
intermediary, 2
judicial institutions, 76, 96
legal institutions, 142
local government units, 109, 119, 120
local institutions, 245
paralegals’ relationship with local institutions, 29
regulatory/administrative institutions, 229–31
state institutions, 2, 51–83, 246
Integrated Bar of the Philippines (IBP), 100, 103, 118
International Commission of Jurists – Kenya Chapter (ICJ), 168, 173–74, 198
International Development Law Organization (IDLO), 247
International Federation of Women Lawyers – Kenya Chapter (FIDA), 168, 173–76
Intra-community disputes, 3, 6, 11, 16–18, 141, 181, 205, 206, 223
and effectiveness of mediation, 90
and relationship to cultural and social norms, 150, 200
and relationship to local institutions, 36, 123–24, 145, 190
debt claims, 79
methods of resolution in, 152, 253
Jalloh, Gibrill, 210
Joseph Rowntree Charitable Trust, 64, 69
Justice
criminal, 82
reform, 133–34
social, 45, 66, 112, 133–34
Kampala Declaration on Community Paralegals (2012), 2
Kenya
Ministry of Justice, 178
Ministry of Lands, 186
Ministry of Water, 185
National Human Rights Policy and Action Plan, 193
Water Appeals Court, 187
Kenya Human Rights Commission (KHRC), 173, 175
Kenya Law Reform Commission (KLRC), 176
Kenyan laws
Access to Information Bill, 193
Legal Aid Act (2016), 20, 178, 191–93, 206
Legal Practitioners Act of 1906, 169
Kituo Cha Mashauri. See Kituo Cha Sheria
Kituo Cha Sheria, 166, 168, 171–74, 179
Knight, Rachael, 7, 257
Koroma, Ernest Bai, 216
Koroma, Simeon, 212, 230
Kubayi, Winnie, 69
Kumar, Sunil, 7
Labor disputes
and power imbalance, 147
Landless People’s Movement (South Africa), 53
Law
and politics, 120, 160, 162, 172, 229–31
common, 51, 83
customary, 83, 212, 226
customary law, 169, 225
enforcement, 119–20
firms, 56, 88, 110
legislation, 20, 48, 107, 192
litigation, 227–28
policies, 98, 126
school, 103, 260
Law Society of Kenya (LSK), 170–73
Lawyers
bar associations, 170, 259
difficulties accessing, 5, 19, 44, 212, 260
litigation, 44, 88, 227, 233
pro bono, 88, 171, 180
public interest, 2, 110–11, 130, 132
relationship to paralegals, 19
Lawyers for Human Rights (LHR) (South Africa), 48
Legal aid
board, 20, 22, 217, 234
civil, 58
developmental, 97, 101–2, 104
funding, 36, 234 n. 49, 235 n. 50
legislation, 9, 20, 26, 140, 162, 191–93, 206, 211, 217, 233, 258
systems, 21–23
Legal Aid South Africa (LASA), 47, 57–59, 85
call center, 62
justice center, 89
Legal Assistance Center for Indigenous Filipinos (PANLIPI), 99, 108
Legal awareness, 10–12, 121, 175
Legal clinic
walk-in clients, 58, 179
Legal dualism, 243
Legal Education Aid Programme (LEAP), 173, 174
and social accountability, 158–59
Legal intermediaries, 34, 156, 157, 161
abogadillo, 34, 103, 125
blackman lawya, 34
makelar kaus, 34, 156
Legal literacy. See Legal awareness
Legal Resources Centre (LRC) (South Africa), 48, 57
Grahamstown LRC, 50
Legal Resources Foundation Trust (LRF), 168, 174, 179
Legislation. See Law
LegiWatch, 51
Lembaga Bantuan Hukum (LBH), 139
Liberia
Liberian National Police (LNP), 246
Ministry of Internal Affairs (MIA), 243
Liberian laws
Domestic Relations Law and Penal Law, 242
Litigation. See Law
Lobbying, 15, 107, 159, 181
Local dispute resolution, 11–12, 16–19, 148, 186, 245–46
and customary courts, 212
as shaped by political contexts, 160
other actors in (aside from paralegals), 156
state-judicial dispute tribunals, 98
Local government units. See Institutions
Maguindanao Massacre, 103
Mansuri, Ghazalá, 34 n. 76
Manuel, Clare, 228
Manuel, Marlon, 16
Marcos, Ferdinand, 15, 101, 102, 124
Martial law (Philippines), 103, 121
Maru, Vivek, 1, 55, 87, 210, 212
McQuoid-Mason, David, 85
Mediation, 11–12, 17, 55, 80, 90–91, 124, 147–55, 200, 203, 224–25, 251
Meinzen-Dick, Ruth, 19 n. 42
Methodist Church of Sierra Leone, 216, 217, 237
Mining, 115, 210–12, 227–28
impact on water supply, 1, 12, 128, 182–83
sand-mining, 1
Moi, Daniel Arap, 169, 172–73
Monitoring, 48, 60, 127, 173–74, 175, 179, 180, 247
Monitoring and evaluation (M&E). See Case management
Monrovia Central Prison (MCP), 247
Mott Foundation, 59, 64, 71
Movement of Attorneys for Brotherhood, Integrity and Nationalism (MABINI), 102
Moy, H. Abigail, 20, 32, 33, 165
Mtshali, Langa, 85, 92
Mueller, Valerie, 19 n. 42
Muslims for Human Rights (MUHURI), 168, 179
National Alliance for the Development of Community Advice Offices (NADCAO), 20, 28, 63–66, 87, 93
National Community Based Paralegal Association (NCBPA), 54, 64, 65
National Council of Churches of Kenya (NCCK), 172–73
National Forum for Human Rights, 212
National Legal Aid and Awareness Programme (NALEAP), 177–78
National Legal Aid Service (Kenya), 20, 192–93
National Welfare Forum (South Africa), 62
Natural resources, 106, 139, 242
water, 185–87
Negotiation, 55, 148–49, 197, 211, 226, 252
Netherlands Organization for International Assistance (NOVIB), 111
Network coordination, 35, 193
umbrella clusters, 79, 89
vertical networks, 30–31, 228, 236
Network Movement for Justice and Development (Sierra Leone), 217
Norwegian Refugee Council (NRC), 249
Nubian Rights Forum, 179
Omnibus Rules and Regulations Implementing the Migrant Workers and Overseas Filipinos Act (1995), 105
Open Society Foundation, 24, 140, 146, 216, 232, 247
Open Society Institute. See Open Society Foundation
Open Society Justice Initiative (OSJI), 212, 216
Organization for Economic Cooperation and Development (OECD), 228
Organizations civil society organizations (CSOs), 50, 53, 63, 193
community-based organizations, 197
effective organizational choices, 31–35
grassroots organizations, 33, 108, 109, 118
organizational factors, 89–93, 193–94, 258
Organizing, 12, 112–13, 119, 181, 231
Our Land Our Future Public Pledge (Sierra Leone, 2018), 230
Paralegal Education Skills Advancement and Networking Technology (PESANTEch), 112
Paralegal Support Network (PASUNE), 167, 176–78, 191
Payne, Chelsea, 17, 19, 241
Pensions, 71, 73
Philippine laws Comprehensive Agrarian Reform Extension with Reforms (CARPER) (2009), 105
Comprehensive Agrarian Reform Program (CARP) (1980), 105
Indigenous Peoples Rights Act (IPRA) (1997), 105
Juvenile Justice and Welfare Act (JJWA) (2006), 105
Local Government Code (1991), 105, 124
National Integrated Protected Areas System (NIPAS) Law (1991), 105
Philippine Fisheries Code (1998), 105, 115
Violence against Women and Children Act (VAWC) (2004), 105
Philippines Bureau of Fisheries and Aquatic Resources (BFAR), 114
Department of Agrarian Reform (DAR), 21, 106, 107
Department of Environment and Natural Resources (DENR), 21, 114, 127
Department of Labor and Employment (DOLE), 114
National Labor Relations Commission, 21, 107
Office of the Court Attorney (OCAt), 118
Public Attorney’s Office, 125
Supreme Court of, 21, 100, 103, 107, 117–18, 130
Pitkin, Hannah, 2
Plan International, 168, 180
Policies. See Law
Poverty and impact on paralegal work, 132
poverty alleviation and legal empowerment, 25, 261
Power imbalance of, 8, 35, 128, 141, 161, 201, 225
Prison Fellowship Liberia (PFL), 247
Protestant Lawyers’ League (PLL), 102, 107
Protests, 48
Public Law Institute (PLI), 173
Rallies. See Protests
Rao, Vijayendra, 34 n. 76
Referral system, 55, 89–90
Regulatory/administrative institutions. See institutions
Revitalisation of Legal Aid (RLA), 145, 155
Revolutionary United Front (RUF), 212
Rights consciousness, 180, 255
consumer, 60
land, 7, 105, 225
Rinaldi, Taufik, 12, 27, 29, 139
Ringold, Dena, 15
Rules and Regulations Governing the Hinterland of Liberia (the “Hinterland Regulations”), 243
Rural Poor Institute for Land and Human Rights Services (RIGHTS), 99
Sandefur, Justin, 8, 10, 253–54, 256, 257
Sandefur, Rebecca, 8
Service delivery, 60, 82, 261

Index
Index

269

Siddiqui, Bilal, 8, 10
Sierra Leone
  Environmental Protection Agency, 230
  Ministry of Lands, 230
  Special Court for Sierra Leone, 212
Sierra Leone Diamond Corporation (SLDC), 227–28, 236
Sierra Leonean laws
  Child Rights Act (2007), 222
  Devolution of Estates Act (2007), 222
  Domestic Violence Act (2007), 222
  Land Policy (2015), 230
  Legal Aid Law (2012), 20, 211, 217, 233
  Right to Information Act, 229
Social Change Assistance Trust (SCAT), 26, 34, 50, 54, 60, 66–68, 86
  Fund-Raising Incentive Scheme (FRIS), 67
Social embeddedness, 37, 90–91, 155, 157
Social movements
  and paralegals, 27–28, 33, 123, 129
Social security, 52, 62, 76, 77
  social grants, 50, 56, 61
Socio-Economic Rights Institute of South Africa (SERI), 85, 91
Solidarity toward Agrarian Reform and Rural Development (KAISAHAN), 33, 99
Soliman, Hector, 18, 96
South Africa
  Constitution of, 51, 89
  Department of Home Affairs, 60, 77
  Department of Judicial Affairs and Constitutional Development (DJCD), 83
  Police Service, 54, 69, 82
South African Defence and Aid Fund, 47
South African Human Rights Commission (SAHRC), 83
South African laws
  Bill of Rights, 44, 53, 83
  Consumer Protection Act (2011), 60
  Legal Aid Act (1969), 47
  Legal Practice Act (2014), 84
  Legal Practice Bill (2002), 20, 65, 84
  National Credit Act (2005), 60
  Social Assistance Act (1992), 61
South African National Civic Organisation (SANCO), 49
South African Social Security Agency (SASSA), 60, 77
Sustainable Development Institute (SDI), 242, 247–49
Systemic change, 37, 235 n. 50
  challenge of funding, 235
  through network collaboration, 31
  translating grassroots experience into systemic change, 18–19, 33
Talbot, Colin, 8
Taskforce on Non-Lawyers, 259
The Carter Center, 249–53
The Children’s Foundation (CRADLE). See Widows’ and Orphans’ Welfare Society of Kenya (WOWESOK)
The Society for Elimination of Rural Poverty (India), 7
Tilly, Charles, 144
Tim for Justice, 6, 7, 211, 213–16, 217, 222, 227–28
Troiccare, 232
Trust (from communities). See social embeddedness
Truth and Reconciliation Commission (TRC), 178
UN Commission on Legal Empowerment, 1, 5
UN Peacebuilding Fund, 249, 259
Unemployment, 56
  unemployment benefit claim, 74
Unions, 30, 56, 117, 157
United Democratic Front (UDF), 49
Varvaloucas, Alaina, 8
Wajir Human Rights Network, 179
Widows’ and Orphans’ Welfare Society of Kenya (WOWESOK), 174
Wiggan, Jay, 8
Women’s Legal and Human Rights Bureau (WLB), 99, 109
Women’s rights. See Gender
World Bank, 99, 140, 141, 145, 155, 160, 213
  Justice for the Poor Project, 145, 146, 157
Writ of amparo, 105, 127
Writ of habeas data, 105
Writ of kalikasan, 105, 127
Zulu, Thandiwe, 59