

# People's law

## Tool

### Purpose:

Resource rights campaigns often involve engagement with the legal system. Unfortunately, many of us shy away from the power, complexity and mystique of the law. We respect the legal system as "natural" or even "divine", or at least accept it as "just the way things are". We assume that the legislation and the instruments that take resources away from communities and empower big business are valid. We assume that legal change is beyond our means and involves dependence on lawyers – trading one form of powerlessness for another. These assumptions are wrong. Even in weak democracies, the legal system can be a powerful tool for progress. *People's law* helps natural resource rights campaigners to use legal systems in their campaigns without losing power.

### Activities:

*People's law* proposes three steps in setting up a positive cycle of understanding, discourse and practice over time that can empower campaigners in their use of legal systems.

- 1 **Demystify the legal system.** Understand the social forces operating through and around the law. Understand how legal method and legal mythology constrain these social forces and creates space to overturn the status quo. *People's law* offers five empowering ideas to assist in this.

### Keep in Mind

- ★ Legal strategies succeed when coordinated with other strategies. Community mobilisation and mass communication are equally important in campaign management.
- ★ Seek sympathetic professional advice in developing legal strategy.
- ★ Access and use standard strategic planning and participatory learning tools.
- ★ Empowerment is a process strengthened by practice and constant engagement



1. The legal system is a social institution.
  2. Though biased towards the powerful, the legal system is not a crude instrument of power.
  3. Human beings run the legal system.
  4. The legal system is hierarchical.
  5. Fundamental laws are typically philosophical or ideological statements about society and its ideals.
- ② **Understand the laws that affect natural resources.** *People's law* offers advice on what these might be and on what demands campaigners should make of legal advisors in developing this knowledge.
- ③ **Integrate law-focused action into campaign strategies.** *People's law* explains legal processes and shows how campaigners can work towards a coherent legal strategy that also fits into, rather than undermines, their overall campaign strategy

### Constructing an Effective Strategy



### Further information

Find full tool and other related tools and resources at:

[www.policy-powertools.org](http://www.policy-powertools.org)

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