REVISTA DIREITO GV
FGV DIREITO SP

v. 22 2026

ISSN 2317-6172

https://doi.org/10.1590/2317-6172202640

EDITORIAL

People-Centered Justice in Latin America: A Special Dossier

Luciana Gross Cunha[1], Daniela Monteiro Gabbay[2] and Rebecca Sandefur[3]

ABSTRACT This editorial presents the special dossier of *Revista Direito GV* dedicated to people-centered justice in Latin America. The dossier brings together articles by Latin American authors that draw on original data and empirical methods to examine how justice systems shape—and are shaped by—experiences, perceptions, and everyday justice needs of the people who use them. This editorial also traces the trajectory of the debate conducted at FGV DIREITO SP, in dialogue with the theoretical contributions of Marc Galanter and Rebecca Sandefur and with OECD Good Practice Principles for People-Centered Justice, proposing their adaptation to the Latin American context, marked by a colonial past, dictatorships, and historical structural inequalities. It argues that the design and reform of justice systems cannot be disconnected from listening to and involving the people affected by them. The selected articles contribute to consolidating access to justice as an interdisciplinary field of study in the region.

KEYWORDS Access to justice; people-centered justice; Latin America; empirical research.

1. Escola de Direito de São Paulo da Fundação Getulio Vargas, São Paulo, São Paulo, Brazil | https://orcid.org/0000-0002-7396-1879
2. Escola de Direito de São Paulo da Fundação Getulio Vargas, São Paulo, São Paulo, Brazil | https://orcid.org/0000-0003-4573-211X
3. Arizona State University, Tempe, Arizona, United States of America | https://orcid.org/0000-0003-2968-7478

Justicia centrada en las personas en América Latina: un dossier especial

RESUMEN Este editorial presenta el dossier especial de la *Revista Direito GV* dedicado a la justicia centrada en las personas en América Latina. El dossier reúne artículos de autores latinoamericanos que examinan, basados en datos originales y métodos empíricos, cómo los sistemas de justicia configuran –y son configurados por– las experiencias, las percepciones y las necesidades cotidianas de justicia de las personas que los utilizan. Este editorial también reconstruye la trayectoria del debate desarrollado en FGV DIREITO SP, en diálogo con las contribuciones teóricas de Marc Galanter y Rebecca Sandefur, así como con los Principios de Buenas Prácticas de la OCDE para una Justicia Centrada en las Personas, proponiendo su adaptación al contexto latinoamericano, marcado por un pasado colonial, dictaduras y desigualdades estructurales históricas. Se sostiene que la estructura y la reforma de los sistemas de justicia no pueden desvincularse de la escucha y la participación de las personas afectadas por ellos. Los artículos seleccionados contribuyen a consolidar el acceso a la justicia como un campo interdisciplinario de estudio en la región.
PALABRAS CLAVE Acceso a la justicia; justicia centrada en las personas; América Latina; investigación empírica.

Justiça centrada nas pessoas na América Latina: um dossiê especial

RESUMO Este editorial apresenta o dossiê especial da *Revista Direito GV* dedicado à justiça centrada nas pessoas na América Latina. O dossiê reúne artigos de autores latino-americanos que investigam, a partir de dados inéditos e métodos empíricos, como os sistemas de justiça moldam – e são moldados por – experiências, percepções e necessidades cotidianas de justiça das pessoas que os utilizam. Este editorial também traça a trajetória do debate desenvolvido na FGV DIREITO SP, em diálogo com as contribuições teóricas de Marc Galanter e Rebecca Sandefur, bem como com os Princípios de Boas Práticas da OCDE para uma Justiça Centrada nas Pessoas, propondo sua adaptação ao contexto latino-americano, marcado por um passado colonial, por ditaduras e por desigualdades estruturais históricas. Argumenta-se que a estrutura e a reforma dos sistemas de justiça não podem ser dissociadas da escuta e do envolvimento das pessoas por eles afetadas. Os artigos selecionados contribuem para consolidar o acesso à justiça como um campo interdisciplinar de estudos na região.
PALAVRAS-CHAVE Acesso à justiça; justiça centrada nas pessoas; América Latina; pesquisa empírica.

A *Revista Direito GV* adota a licença *Creative Commons Attribution 4.0 International (CC BY)*, exceto onde estiver expresso de outro modo, permitindo-se cópias e reproduções, em qualquer meio ou formato, sem restrições, desde que o trabalho original seja corretamente citado. Autores de textos publicados pela *Revista Direito GV* mantêm os direitos autorais de seus trabalhos.

The Special Dossier of *Revista Direito GV* records an important academic debate on people-centered access to justice in Latin America. The articles in this volume present empirical and interdisciplinary research on how justice systems shape—and should be shaped by—the experiences of the people who use them.

This is a debate led by researchers across Latin America,[1] which places people's experiences and perceptions of access to justice, and the costs and complexity of legal procedures, at the center of the discussion, intending to inform policies and practices designed to make justice more accessible, proportionate, and outcome-oriented—meeting people's everyday needs in resolving disputes and fostering development.

Since 2017, FGV DIREITO SP has hosted an ongoing debate on the need to rethink the access-to-justice agenda in Brazil, considering old problems and new challenges (Gabbay *et al.*, 2017). This debate underscores the importance of challenging approaches that treat access to justice as a politically neutral field, in which "objective" evidence is used to inform and evaluate supposedly technocratic solutions. Detached from the structural conditions that shape legal problems, access to justice risks becoming an expansive analytical category that can legitimize widely divergent reform agendas. In the process, both the structural inequalities embedded in justice systems and the lived experiences of the people who navigate them are rendered invisible.

In 2019, an event was held at FGV DIREITO SP, at which the need to build a network on access to justice and inequalities was discussed. The network was conceived to support joint research involving different academic institutions and fields of knowledge—such as procedural law, sociology, and political science—, the monitoring of judicial actions and decisions, the conduct of empirical research and events on access to justice, and the sharing of initiatives and good practices, fostering dialogue between Brazilian researchers and researchers from other countries on the topic.

Among the many studies on civil legal needs, the works of Marc Galanter (1974, 2004, 2010) and Rebecca Sandefur (2008, 2019) stand out as important theoretical landmarks for analyzing how people experience legal issues;[2] the World Justice Project's 2023 Atlas of

1. We make special reference to the event organized by the editors and held in 2025 at FGV DIREITO SP on "Envisioning a People-Centered Justice Research and Data Agenda for Latin America," which brought together numerous Brazilian and Latin American professors to discuss a research and data agenda on people-centered justice. The event resulted from the collaboration of several institutions: the Justice Data Observatory, FGV DIREITO SP, the International Development Research Centre (IDRC/CRDI)—Canada, the Justice Studies Center of the Americas (CEJA), and The Justice Futures Project at the T. Denny Sanford School of Social and Family Dynamics at Arizona State University. In September 2026, this debate continued at a similar event (2026 Conference on People-Centered Access to Justice in Latin America) held in Santiago at the Universidad Adolfo Ibañez School of Law.

2. Rebecca Sandefur (2025, p. 206) notes that: "the past two decades have seen an explosion in legal needs research, in the form of population surveys that report on civil justice experiences from the perspectives of ordinary people. This work has transformed the understanding of legal needs and how to meet them effectively. In both research and practice, this new approach decenters lawyers and formal legal systems and puts people back in the center of their own justice needs

Legal Needs Survey and the FGV Justice Confidence Index (*Índice de Confiança na Justiça*)[3] also provide important input for this analysis.

The Florence Access to Justice Project, led by Mauro Cappelletti and Bryant Garth (1988), conducted a comparative study that, while ambitious and important, lacked proposals closer to the Latin American context, a region that—in contrast to many countries of Europe, for example—had neither experienced the welfare state nor the premise of universal access to justice (Gabbay, Costa, Asperti, 2019, p. 155).

A broader global agenda—such as that proposed by Sandefur, Burnett, and Drummond (2023) and by the OECD in its *Framework and Good Practice Principles for People-Centered Justice* (2021)[4]—provides an important starting point, offering guiding questions, conceptual frameworks, and practical principles for rethinking justice systems. Yet no single framework can fully capture the historical, political, and institutional conditions that shape access to justice in every region. In Latin America, it is necessary to recognize not only the particularities of individual countries but also the region's shared historical trajectory. That trajectory includes a colonial and slaveholding past, periods of authoritarian rule, delayed democratization, and persistent structural inequalities that are often obscured by the expansion of neoliberal discourse.[5] Although the challenges of civil justice are universal, they are not experienced equally. Low-income populations and groups marginalized based on religion, ethnicity, race, sexuality, gender, or disability face the greatest barriers to justice.

If the aim is to understand and improve access to justice, judicial structures, legal traditions and normative frameworks cannot be separated from the justice experiences of ordinary people: how they understand, use, and shape the law and legal institutions. Justice, as it is lived, emerges through the interaction between people, institutions, and the broader social contexts in which they operate. Listening

---

and interests. Responding to the diversity of justice needs and legal capability is revealed to require a diverse ecology of justice work, much broader than lawyers and courts".

3. Available at: https://direitosp.fgv.br/projetos-de-pesquisa/icjbrasil-indice-confianca-na-justica-no-brasil. Accessed on: 8 Sep. 2026.

4. Pillar 1 "Designing and delivering people-centered services"; Pillar 2 "Governance enablers and infrastructure"; Pillar 3 "People empowerment"; Pillar 4 "Planning, monitoring and accountability". Cf. https://www.oecd.org/en/publications/oecd-framework-and-good-practice-principles-for-people-centred-justice_cdc3bde7-en.html.

5. Although various themes that contribute to advancing the understanding of people-centered approaches would be welcome, the call for submissions for this dossier encouraged the exploration of the following themes, through empirical research in the Latin American context: (i) the role of civil justice in reducing poverty and promoting social mobility; (ii) justice interventions as drivers of inclusive or distributed economic growth; (iii) the mechanisms through which legal empowerment strengthens democratic participation; (iv) innovations in measuring justice outcomes at the community level; (v) the impact of policies and programs aimed at making justice systems more people-centered; (vi) comparative analyses of people-centered justice reforms across countries and on a global scale, provided they include Latin American contexts.

to people's everyday experiences and analyzing how they access and navigate justice are therefore indispensable. The design and reform of justice systems must be guided by this listening and by the participation of the people affected as essential conditions for effectiveness, inclusion, and legitimacy.

Whether through empirical research, theoretical studies, or mixed-method approaches, the articles in this dossier help chart a path toward a more responsive and equitable access to justice in Latin America—one that reframes and deepens the study of people-centered access to justice as an interdisciplinary field.

In 2025, FGV DIREITO SP hosted the event "Envisioning a Research and Data Agenda on People-Centered Justice for Latin America."[6] This seminar addressed issues ranging from data production and the development of research on people-centered access to justice, its challenges, obstacles, and methodological possibilities, to an assessment of recent reforms in the region that have in some way affected access to justice, including the use of such research to inform public policy on the topic.

Following the event, a call for papers was opened for this dossier, which selected articles written by authors from Latin America with diverse professional backgrounds, addressing different approaches related to people-centered justice. We invite readers to engage with the texts of this dossier. Collectively, they demonstrate that people-centered justice requires moving beyond access to legal institutions toward understanding the conditions under which people become visible, capable, informed, heard, and recognized within justice systems. Running throughout the collection is a common concern about recognition and participation. Across very different empirical settings—addressing issues ranging from disaster governance, human rights, and digital justice to the role of university-based research and outreach spaces as sites for training actors to develop new research agendas and methodologies—, the articles show that people-centered justice depends on creating institutions that recognize people as knowledgeable participants in the production of justice, rather than merely recipients of legal services.

Although they examine different empirical settings and employ different methods, the articles collectively advance broader contributions to the study of people-centered access to justice. Together, these contributions are both diagnostic and constructive.

First, the articles reconceptualize access to justice by treating people's experiences not merely as evidence for evaluating institutions, but as the starting point for defining justice itself. Rather than focusing primarily on institutions, formal norms, legal professionals, or institutional performance, they shift analytical attention to ordinary people's lived

6. The full agenda of the event and the names of participants can be found at https://direitosp.fgv.br/eventos/pensando-uma-agenda-pesquisa-dados-sobre-justica-centrada-nas-pessoas-para-america-latina.

experiences, capabilities, and relationships, revealing justice as fundamentally relational rather than merely institutional.

Second, the articles show that justice depends upon the production, circulation, and recognition of rights. They reveal persistent inequalities in who has access to legal knowledge, what counts as right, and whose experiences become visible within legal institutions. In doing so, they illuminate how justice and injustice are produced through processes of recognition, participation, documentation, data, and information that determine who is recognized as a subject of rights, who can access justice institutions, and on what terms.

Third, they develop an evidence base for designing genuinely people-centered justice. The papers demonstrate that justice systems become more responsive when communities participate meaningfully in the design, implementation, and governance of legal institutions and services.

Finally, they show that empirical research from Latin America does more than apply international frameworks. It extends and enriches global debates on people-centered justice by showing how the region's experiences with structural inequality, authoritarian legacies, environmental conflict, extractive economies, racial inequality, informality, disasters, and distinctive forms of community organization generate theoretical innovations with broader relevance. Together, these articles offer a distinctly Latin American conception of people-centered justice—one that understands recognition, participation, institutional design, and knowledge production not simply as tools for improving access to justice, but as constitutive elements of justice itself. With this diverse panorama of themes and approaches, and intending to deepen the reflections and lessons drawn from the Latin American context, we invite readers to delve into the articles that make up this dossier and to join this increasingly important debate in favor of an accessible, responsive, and people-centered justice. We hope you enjoy the read.

References

CAPPELLETTI, Mauro; GARTH, Bryant. *Acesso à Justiça*. Translation: Ellen Gracie Northfleet. Porto Alegre: Sergio Antonio Fabris, 1988.

GABBAY, Daniela Monteiro; COSTA, Susana Henriques; ASPERTI, Maria Cecília Araújo. Acesso à justiça no Brasil: reflexões sobre escolhas políticas e a necessidade de construção de uma nova agenda de pesquisa. *Revista Brasileira de Sociologia do Direito*, [*s.l.*], v.

6, p. 152-181, 2019. Available at: https://revista.abrasd.com.br/index.php/rbsd/article/view/312/199. Accessed on: 8 Sep. 2026.

GABBAY, Daniela Monteiro *et al*. Mesa de debates: Repensando o acesso à Justiça: velhos problemas, novos desafios. *Revista de Estudos Empíricos em Direito*, Governador Valadares, v. 4, p. 174-212, 2017. DOI: https://doi.org/10.19092/reed.v4i3.277.

GALANTER, Marc. Access to Justice in a World of Expanding Social Capability. *Fordham Urban Law Review Journal*, New York, n. 37, p. 115-128, 2010. DOI: http://ir.lawnet.fordham.edu/ulj/vol37/iss1/5/.

GALANTER, Marc. The Vanishing Trial: An Examination of Trials and Related Matters in Federal and State Courts. *Journal of Empirical Legal Studies*, [*s.l.*], v. 1, n. 3, p. 459-570, Nov. 2004. DOI: https://doi.org/10.1111/j.1740-1461.2004.00014.x.

GALANTER, Marc. Why the Haves Come Out Ahead? Speculations on the Limits of Legal Change. *Law and Society Review*, [*s.l.*], v. 9, n. 1, p. 95-160, 1974. DOI: https://doi.org/10.2307/3053023.

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD). *OECD Framework and Good Practice Principles for People-Centred Justice*. Paris: OECD Publishing, 2021. DOI: https://doi.org/10.1787/cdc3bde7-en.

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD); OPEN SOCIETY FOUNDATION. *OECD Legal Needs Surveys and Access to Justice*. Paris: OECD Publishing, 2019. DOI: https://doi.org/10.1787/g2g9a36c-en.

SANDEFUR, Rebecca L. Civil Legal Needs. *In:* BLOOM, Anne; ENGEL, David M.; JOLLY, Richard L. (eds.). *Research Handbook on Civil Justice*. Cheltenham: Edward Elgar Publishing, 2025. p. 199-209.

SANDEFUR, Rebecca L. Access to What? *Daedalus*, Cambridge, v. 148, n. 1, p. 49-55, 2019. Available at: https://www.amacad.org/publication/daedalus/access-what. Accessed on: 9 Jul. 2026.

SANDEFUR, Rebecca L. Access to Civil Justice and Race, Class and Gender Inequality. *Annual Review of Sociology*, San Mateo, v. 34, p. 339-358, 2008. DOI: https://doi.org/10.1146/annurev.soc.34.040507.134534.

SANDEFUR, Rebecca L.; BURNETT, Matthew; DRUMMOND, Julia dos Santos. *People-Centered Access to Justice Research*: A Global Perspective. Chicago: American Bar Foundation, 2023. Available at: https://www.americanbarfoundation.org/wp-content/uploads/2023/11/People-Centered-Access-to-Justice-Research-A-Global-Perspective.pdf. Accessed on: 9 Jul. 2026.

LUCIANA GROSS CUNHA

Master's and Ph.D. in Political Science from the University of São Paulo (USP). Professor at the São Paulo Law School of Fundação Getulio Vargas (FGV DIREITO SP).
Luciana.Cunha@FGV.br

DANIELA MONTEIRO GABBAY

Master's and Ph.D. in Law from the University of São Paulo (USP). Professor at the São Paulo Law School of Fundação Getulio Vargas (FGV DIREITO SP).
daniela.gabbay@FGV.br

REBECCA SANDEFUR

Ph.D. in Sociology from the University of Chicago. Professor at Arizona State University. Faculty Fellow at the American Bar Foundation, where she founded the Access to Justice Research Initiative.
rebecca.sandefur@asu.edu