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Significance of Legal Literacy in Development of India

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ABSTRACT

Legal literacy is a key to personal growth and independence. The people of India, the world's largest democracy, are increasingly in need of education about their rights so that they can act in accordance with the letter of the law. Most people associate "legal literacy" with a basic understanding of the law. The goal of this article is to document the initial effort towards understanding the law, which has the potential to improve people's lives and make our country a global superpower.

With the passage of time, knowing one's legal rights has become more important than knowing one's civil or political rights. For a man to reach his educational goals, a solid grounding in the law is essential. The goal of teaching people their legal rights and how to assert themselves against abuses is so that they can lead more respectable lives. The value of knowing the law is something that can be seen from a young age all the way into retirement. The government and the judiciary, recognising the public's rising need to understand the law, have launched a number of programmes to do just that. The Legal Services Act of 1987 achieved significant success by enacting a number of important, broad measures in the public interest. Under the auspices of the Legal Service Authority Act, NALSA has proven to be an effective tool in raising public knowledge. Indisputable progress has been made towards increasing legal literacy, but there is still a long way to go before we see the desired results. This calls for a redoubling of efforts to refine existing methods of awareness in ways that are both less complicated and more nuanced. Because "united we stand, divided we fall," a new foundation of social philosophy is necessary. When everyone bands together to fight evil, then any criminal act is acceptable. And for this to happen, there needs to be an investment on both ends, from both the people doing the teaching and the people doing the learning.

Keywords: *Legal Literacy, Development of India.*

I. INTRODUCTION

Since the Vedic era, India has valued a comprehensive system of legal chronologies. The Indian legal system has emerged as a most intriguing new chapter in the globe, with its unique blend

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of ancient societal practises, newly codified laws, and adherence to international standards. However, there is gloominess countering this bright spot, and it pertains to the common people's unfamiliarity with their legal rights. It's true that a lot of people who can read and write fall into this category, but it's not all of them. Therefore, it is most welcome for society as a whole when periodic camps or training on legal literacy are organised.

Considering the rate at which our society and government are evolving, it is imperative that all citizens have a fundamental understanding of the law. Students in the legal field, members of nonprofits and social service agencies, and members of local communities all have a civic duty to spread legal knowledge. Experts in the law can help spread literacy to the public by hosting seminars, workshops, camps, training sessions, etc. Camps teaching the basics of the law are a tried-and-true method of reaching out to the poor and underprivileged, and they have a track record of success. Therefore, legal literacy can be a powerful tool to educate the public about their rights and empower them to advocate for themselves.

II. LEGAL LITERACY

To increase people's legal literacy, we must teach them about their protections under the law. Literacy in the law is a necessary requirement for people to be able to live with respect for themselves and others. The goal of acquiring legal literacy is to enable one to live a life of respect through the acquisition of legal expertise. "Justice is conscience, not a personal conscience but the conscience of the whole of humanity," said the great philosopher Aleksandr Solzhenitsyn. Those who can hear their own conscience clearly may typically hear the voice of justice as well.

Since knowing the law is a tool for raising awareness of basic human rights, it is of crucial relevance. True justice requires an understanding of the law, and legal literacy provides that foundation. Camping, training, education, and so on are all viable options for spreading literacy.

The following goals are generally the impetus for promoting legal literacy –

1. To educate the uninitiated about the law and its fundamental,
2. It is important to reach out to the general public so that you may learn about their problems and offer appropriate legal solutions.
3. Improve the public's faith in the legal system by making it more accessible.
4. Involving legal students in recognising their social obligation
5. Aiming to provide law students with a realistic setting in which to practise client counselling and educate them on the prevailing cultural ignorance surrounding legal matters.

III. NEED FOR LEGAL LITERACY

The National Human Rights Commission reports that there have only been 6,476 complaints of human rights breaches reported to it so far in 2019. However, the actual number may be significantly larger than the statistical estimate. Domestic abuse and crimes involving the burning of brides continue unabated despite the existence of legal protections for victims. Even in modern times, eve-teasing crimes may be found around every corner in various Indian states. A growing number of acid attacks, most of which are motivated by vengeance, have also contributed to this expansion.

Every 1.5 minutes, a woman in India experiences sexual harassment, and every 3 seconds, a child in India is harmed. Human traffickers regularly abduct young girls and children from low-income households in rural and border areas to sell them into slavery. Sexual harassment at work is common, and it often constitutes a serious infraction on the part of employers. There are many unresolved land conflicts in rural areas, including challenges over land partition, legal heirship, and succession. It's not uncommon for husbands to have multiple wives, forcing their wives to live with their parents for free.

In order to dispel myths about the judicial system, legal literacy appears to be of paramount importance for the average person. Following are some of the arguments for why Indians need to be better educated about the legal system –

- **Legal aid measures:** The expense of court cases prevents many ordinary people from gaining justice. At this stage, they need to know that all courts in the country offer free legal aid to low-income people who otherwise wouldn't be able to go to trial. The court will appoint an advocate to represent the victim at no expense to them if they qualify for legal aid.
- **To retrieve faith over the shrine of justice:** Many steps have been taken to restore people's faith in the judicial system, including the introduction of stricter penalties for violent crimes, the establishment of Fast-track courts to expedite the resolution of cases, the regular implementation of Lok adalats to relieve the backlog of pending cases, etc. Education is the key to overcoming the common belief that "justice delayed is justice denied" among the general public.
- **Convince people to register cases:** To ensure that victims of wrongdoing are aware of their rights and the means by which they can seek redress, widespread legal literacy is also crucial. As a result, more incidents will be reported and criminals will have examples to follow, reducing the likelihood that they would commit further crimes.

- **Change of attitude:** It is crucial that people's attitudes towards victims shift. In India, it is socially acceptable to mock, ignore, or become incensed with a victim. Our culture places the blame on the victim first, which can make them reluctant to seek justice. Raising people's consciousness is crucial for changing this prevalent mentality.
- **Avail fundamental rights:** Inform the public of their rights under the Indian Constitution and the legal recourses available to them if those rights are violated.
- **Awareness to the under-privileges:** Education on the Legal Service Authority Act's provisions for free legal representation for members of the Schedule Caste and Schedule Tribe community, as well as other marginalised groups, is crucial.

IV. LEGAL LITERACY PROGRAMME IN INDIA SO FAR

Every day, hundreds of people in India are victims of various forms of abuse, and many of them are unaware that they have legal recourse. This leads to about half a dozen similar incidents being forgotten about.

For a country's economic development and citizens' ability to participate in a democratic government, legal literacy is crucial. It would appear that there are several regulations in India covering everything from people to property, yet these rules seem to have no effect due to widespread apathy and lack of knowledge even among the educated. Article 39-A of the Indian Constitution guarantees the right to free legal help and social justice for all citizens. The Indian government has implemented a wide variety of welfare programmes with the goal of improving people's lives in creative ways.

Legal education in India has been given a boost by the passing of the Legal Service Authority Act in 1987. The National Legal Literacy Mission was approved in 1995 with the help of the United Nations Development Programme (UNDP), which funded the Commission for Legal Empowerment of the Poor. The National Legal Service Authority (NALSA) was established in the same year under the Legal Service Authority Act, 1987 to facilitate the organisation of Lok Adalats⁵ for the peaceful resolution of disputes and the provision of free legal services to the economically disadvantaged. In addition, NALSA mandated that state and local courts establish an umbrella organisation called the Legal Service Authority to oversee the organization's periodic hosting of educational events such seminars and workshops on legal matters and public awareness campaigns. Each District Legal Service Authority is required by the Legal Service Authority Act to appoint para-legal volunteers (PLV) from among the student body that is working towards a Juris Doctor degree. Using these PLVs, the Legal Service Authorities of

various courts have launched a number of public education initiatives in urban areas and outlying rural communities.

The Bar Council of India further mandated the establishment of a Clinical Legal Aid Centre in each institution of higher legal education to actively perform institutional-level legal aid and to involve law students in order to enrich the students' own practical knowledge of legal education and to gain insight into the true state of legal awareness under which the common people live.

While there are many government and non-government organisation projects aimed at promoting legal literacy, only a small percentage of the population really benefits from them.

1. Mission Jananeethi

The purpose of Jananeethi is to help people resolve their problems and access justice, having been empowered through awareness generation and capacity building.

Jananeethi seeks to make significant societal improvements by raising public awareness of human rights and civil freedoms. This will allow all people to enjoy a life of respect and safety. Jananeethi was created to protect the rights to life, dignity, and freedom of the helpless, and it is a secular, non-sectarian, non-political, non-profit programme that adheres to the values of democracy enshrined in India's Constitution. It streamlines the procedure by which the most vulnerable members of society can have access to justice in accordance with democratic norms and the rule of law.

Target Groups:

Jananeethi's services are geared primarily towards those who have been victimised by acts of violence, corruption, or racial or gender bias. However, its victims and stakeholders will be the ones to benefit from its legal knowledge. Women, children, small farmers, union members, unorganised workers, Kudumbasree and other women's groups, NGOs, community groups, police, service providers, doctors, journalists, city councilwomen, students, and government employees are all included.

Jananeethi's Strength:

Jananeethi's greatest asset is the depth and breadth of its human resource. Its ranks are populated by people from all walks of life: former judges, eminent jurists, successful practitioners in courts, law teachers, human rights defenders, researchers, social activists, authors, intellectuals, journalists, civil servants, and students of law and the social sciences. Jananeethi's permanent staff consists of very gifted and fully committed lawyers with more than five years of experience helping clients with intractable issues.

Activities :

Jananeethi is conducting the following efforts to increase the public's legal literacy and equip them to respond to civil and human rights abuses on a larger scale.

A. Bare-foot lawyers/para-legal activists

Public-spirited young men and women can take courses in the basics of the law and learn the skills they'll need to practise 'barefoot' law. They've finished high school and/or college. Members of non-governmental organisations (NGOs), community groups, or social/environmental activists interested in pursuing legal or human rights activism. Participants will be able to recognise violations of individual or community rights after a weeklong crash course in the fundamental and primary laws, and they will get certificates for their efforts. Complex cases that they cannot resolve may be brought before Jananeethi's legal faculty. Programmes to update and refresh knowledge will be offered repeatedly. Paralegals could have specialised training in areas like minority rights, indigenous people's rights, children's rights, women's rights, access to public records, consumer protection, victims of torture and abuse in prison.

B. Professionals

The terms of laws and the consequences of violating them are sometimes not known even by highly educated and prominent professionals. Many people lack an in-depth understanding of the specifics of various statute laws and how they are implemented. For instance, the recently established Act for the Protection of Women from Domestic Violence[6] requires a robust administrative apparatus to ensure its enforcement. To make matters worse, the vast majority of officers and professionals (such as clinical psychologists, therapists, welfare officials, social workers, institution heads, and academics) are confused about their rights and responsibilities under the Act. Jananeethi makes an effort to educate them by holding seminars about new-generation laws that place a premium on the proactive participation of a wide range of stakeholders.

C. NGOs/Community organizations/service providers

If educated on relevant laws, non-governmental organisations (NGOs), community-based organisations (CBOs), faith-based organisations (FBOs), service providers (SPs), trade unions (TUs), youth clubs, and service organisations (SOs) all have greater potential to enhance people's daily lives. There are several laws that may only be effectively enforced with widespread popular support. The National Rural Employment Guarantee Act, the Protection of Women from Domestic Violence Act, the Law on Human Rights Protection, etc., are all

examples of such laws. Over the course of several years, Jananeethi has generously offered her time to organise multiple annual workshops for these groups.

D. Police personnel

The Kerala Police Academy[7] enlisted Jananeethi's aid in revising the police training curriculum from a human rights viewpoint. Jananeethi's 'Human Rights' has been a widely used resource in Malayalam for police training. Human rights, gender justice, child rights, and social policing are only some of the topics on which the Jananeethi law faculty has instructed numerous groups of police recruits. Jananeethi has also hosted workshops for senior officers where they've discussed the finer points of recent laws and the findings of police reform commissions.

E. Elected women representatives to local bodies

The participation of women in local and state governments is growing. The state government of Kerala recently made a rule modification that authorised half of all local body seats.[8]. This revolutionary change in our political system faces a test of its political wisdom in the form of pressure to increase women's effectiveness in their roles as official representatives of the people. As a result, Jananeethi has spent the better part of the last four years organising targeted capacity building programmes for elected women representatives, with an emphasis on helping them effectively implement welfare legislation in their respective districts.

(i) PG students of social work

Those with advanced degrees in social work usually find jobs in government or nonprofit organisations devoted to advancing social justice and empowering marginalised populations. They are expected to stay current with the country's social legislation as part of their coursework. Calicut University and Sree Sankara Sanskrit University both have social work programmes, and Jananeethi has volunteered to teach these classes. Jananeethi is concerned not just with educating pupils for university, but also with instilling in them the high ideals of democracy, human rights, and the rule of law.

2. Panchayat Shivar

The name "Panchayat Shivar" translates to "Interactive Legal Literacy Camp" in Hindi. It could be used by legal educators to facilitate decentralised governments like India's tribal governments. This resource is useful for trainers in countries moving towards decentralised government.

Activities:

- Know your target group. Are they, for instance, town elders, community group leaders, or state or federal representatives? Tune your workouts to the appropriate level.
- You should verify that your trainer is competent. How proficient are they in training, law, and languages?
- The trainer needs to be well-versed in the law and understand how it is implemented in practise.
- Take into account what individuals already know about the law. Generate enthusiasm for legal jargon by making it interesting. Words like "judgement," "order," "rules," "regs," "acts," "policy," "petition," "suit," and "decree" all have clear definitions.
- Utilise what has already been learned. Explain the legislation in terms of how it applies in a small town.
- Pick a current legal dispute and categorise it according to what, when, how, and the overall situation.
- Facilitate open communication by setting the stage for open sharing of ideas. Try to learn and adjust based on comments made during breaks.
- Evaluate your progress and the number of people you are able to influence using these metrics. Gather data on the number of participants, their level of engagement, their home countries, and their attendance fees. You can use this to better prioritise your needs.
- Most of what trainers know about legal disputes comes from anecdotes, which often have a skewed political or social perspective. Trainer objectivity, the cornerstone of sound legal strategy, requires keeping personal values, beliefs, and attitudes about the law out of the classroom.
- It's important to get people talking, repeating ideas, explaining them to their neighbours, and providing further instances. This makes things more clear for the trainer and the trainee.
- Always wrap up with a concrete move forward. Determine who will do what by when, and where questions may be asked and answered.
- Meet with clients over the course of several months. Because of the difficulty in understanding law and legal principles, it is important to repeat lessons.

Keep in Mind

- Set up camps in the towns so that the indigenous people can feel at home and more at ease participating.
- Explain intricate legal scenarios by using real-life cases from the area. Make sure you explain legal topics in layman's terms.
- Make use of the local lingo and humour to get your argument through.
- Make use of commonplace items and scenarios to foster an environment that encourages open communication and the sharing of ideas.
- The instructor's attitude should be more that of a novice than an expert. This tactic, wherein individuals experience less stress, promotes uninhibited sharing of thoughts.
- The camp's duration and time of year are both significant factors. Stay away from harvest time.
- Methods including role-playing, focus group talks, visual representations of legal concerns, triangulating incidences having legal significance, and informal sessions should all be incorporated.
- Audience-specific tactics, vocabulary, and material are essential. That's why top-level authorities need a different plan than middle-level bureaucrats or rural residents..

V. WOMEN'S ACCESS TO LEGAL INFORMATION

Slowly but surely, national governments around the world are enacting gender equality legislation. However, in nations with entrenched gendered patterns of access to information, women are among the first to be denied their legal rights. In fact, the United Nations (UN) ranks inadequate information resources as the third greatest concern facing women in poor nations, behind only poverty and violence. While the specifics vary from region to country, low levels of education and bias against women are two of the most pervasive obstacles that keep women from gaining access to justice.

The importance of literacy goes beyond simply being able to read and write. It can also provide the social support and self-assurance a woman needs to assert her legal rights. Even in low-income nations like Bangladesh (62 per 100) and Pakistan (57 per 100), only 88 adult women are considered literate for every 100 men. The effects of legal illiteracy are compounded for women who live in rural areas or who belong to linguistic minorities.

As a result of paternalistic social norms, women may be less likely to have contact with or knowledge of the law. In many societies, it is considered inappropriate for women to use computers, to go to a legal clinic on their own, or to seek legal assistance in court. Despite the fact that many nations have prioritised gender-blind laws, social gender prejudices may nevertheless manifest in the unfair judgement of court cases. Family law, marriage and divorce, and inheritance are particularly vulnerable to discriminatory interpretations because of their impact on a woman's health and economic security.

VI. LEGAL LITERACY: A WAY FORWARD

Because the practise of law is still mostly restricted to specialists, India urgently need a large number of legal literacy programmes. While legislation is intended to benefit the public good, in practise it often serves private interests rather than the public good. History teaches us that Indians' interest in the law is nothing new, but that it has evolved over time to incorporate new perspectives and methods. Many of the methods now used in legal education programmes fail to produce the desired outcomes. Therefore, we need to reconsider several practises that need more work than the current ways. For instance,

To start, a daylong legal awareness workshop is not enough to adequately enlighten literate folks; instead, it is important to spread awareness door to door. Although this will be a lengthy procedure, raising people's understanding of the law is an ongoing endeavour.

Second, NALSA's motto is "Access to justice for all," and it is the responsibility of the judicial system to bring justice to the doorsteps of all citizens. Programmes that teach the vernacular to the broader people should be given top importance. Due to its superior efficacy over dictation, street play should be prioritised by the Legal Service Authority of every court with the help of PLVs or members of the Clinical Legal Aid Centre of the Law Institutes.

Finally, access to legal representation is a fundamental guarantee of the Indian Constitution's guarantee of "social, economic, and political justice," as stated in the Preamble. The message that everyone, even the poor and the powerless, has a right to legal representation needs to be disseminated through widespread legal literacy campaigns. It is crucial that both pre-trial detainees and incarcerated individuals be made aware of their legal assistance rights. In addition, the jail administration could decide to teach the inmates and undertrials some fundamentals of the law.

Fourthly, it is important to note that it is not enough for the Fast-track court simply to be aware of the new enactments or law modifications and the composition of Fast-track court; it must

also ensure that cases are under the jurisdiction of relevant court in order to speed up the delivery of justice.

Fifthly, introducing law to younger students in elementary school is a promising strategy for expanding access to justice. Teaching fundamental legal principles to young children is more likely to bear fruit. Teaching youngsters about the law and the many behaviours that constitute crimes (such as child abuse) is important. Law is a subject that affects every person from birth to death, thus it makes sense for law schools to provide fundamental law education to the general public through both online and traditional certification programmes.

Finally, the legal literacy campaign places a premium on particular awareness programmes aimed solely at women and children.

Finally, both print and broadcast media, such as television, radio, computers, and social networks, can play an important role in educating the public about the law. Many people today like using these outlets, thus raising awareness through them can be highly beneficial.

VII. CONCLUSION

“All human beings are born free and equal in dignity and rights”⁶

Everyone needs to be able to understand the law in order to reach maturity. Feeling liberated and having a sense of self-worth requires this. In India, roughly 74.4 percent of the people can read and write, but a truly complete education would also cover the law. Only by learning the law in depth is an individual able to exercise his fundamental human rights and safeguard himself from all forms of exploitation. Similarly, if legal literacy is mandated in a democracy, it can help a society flourish in terms of health, economic vitality, and political engagement.

Our responsibility does not rest with blaming the government and judiciary for failing to attain the desired aim; rather, it is shared by non-governmental organisations (NGOs), civil society, and law graduates. People will eventually have to embrace the idea that "justice" only pertains to the affluent if the rate of technological progress keeps accelerating. Art. 39-A and the Legal Service Authority Act, 1987 ensure everyone's access to free legal representation.

If only a select few have access to the law, welfare abuse can be stopped in its tracks. The person who has endured the most adversity should be the first to learn to read and write. To fully establish the essence of our Preamble — "assuring dignity of the individual and integrity of the nation" — we must ensure the legal empowerment of society, where voices are raised against violations, exploitation, intolerance, deprivation, and discrimination, and where the privileged stand shoulder-to-shoulder with the poor, the powerless, and the wounded.

Promoting legal literacy can help underprivileged communities assert agency by informing them of their rights and the procedures they can take to assert those rights. Only when such an all-encompassing education is provided can legal literacy be considered successful. If we succeed in educating the underprivileged about the law in this way, we will have taken a significant step towards accomplishing the constitutional goals that were established for us. This is true because progress towards social justice and equitable opportunity is correlated with a rise in legal literacy, which in turn raises people's standard of living.

Jananeethi's successful intervention and interaction with a wide spectrum of individuals is an expedition towards a social transformation in viewpoint and attitude, highlighting the importance of legal literacy and awareness. A vital element in bringing about peaceful change is educated citizens who are willing and able to demand that their government function in a fair, transparent, and law-based manner. Herein, Jananeethi imagines a global community in which everyone has equal access to justice and participates in the information economy that directs their daily lives.

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