

## Legal Literacy: Social Empowerment for Democracy and Good Governance

Jananeethi

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**K**NOWLEDGE OF LAW IS POWER and helps self-realization. India, the largest democracy in the world, has an emergent need for generating awareness of rights as knowledge so that people live in consonance with the true dictates of democracy and rule of law. Legal literacy is commonly understood as knowing the primary level in law. When citizens, particularly marginalized or underprivileged groups, know what the law has to offer them, they can recognize and challenge injustices much more forcefully. The first step towards that knowledge of law, which can transform people's lives, is legal literacy.

### Indian Scenario

Around 35% of India's population have no formal education.<sup>1</sup> Most of them live in rural areas, where social and economic barriers play an important role in keeping the lowest strata of society illiterate. Literacy is an indispensable means for effective social and economic participation, contributing to human development and poverty reduction. Even those who are literate are helpless and confused when there is a violation or infringement of a right enforceable in law. Government programs alone, however well intentioned,

may not be able to break these barriers, due mainly to the social vulnerability of the people writ large. Ignorance of legal rights, human rights, civil liberties, constitutional mandates and several other laws of the land that defend the people and protect their dignity, freedom, right to equality and access to justice, etc., are manifestations of their vulnerable existence. Major social reformation efforts are required to bring about a change in the rural scenario. Non-governmental agencies that have deeper contacts at the grassroots level than official government machineries play crucial role in this regard. Legal literacy and human rights education are effective and practical means to strengthen the social fabric for a successful democracy.

Article 39A<sup>2</sup> of the Constitution of India requires the State to ensure that the operation of the legal system promotes justice on the basis of equal opportunity. It directs the State to provide free legal aid with the support of suitable legislation or schemes. The State is also directed to ensure that opportunities for securing justice are not denied to any citizen for reason of economic or other disabilities. If people are aware of their rights and duties, the delivery of justice and balancing of various interests in a society become so much easier. Increase in legal literacy ultimately develops into a transparent and accountable government truly based on the 'Rule of Law'. Since the fundamental postulate of the Indian Criminal Procedure Code<sup>3</sup> is "ignorance of law excuses no one from compliance therewith," the need for legal literacy is undisputable.

Legal literacy, therefore, is a tool for bringing about qualitative change at the grassroots level. Experience shows that better awareness of laws helps people work more effectively in diverse spheres. The non-implementation of many laws is partly attributed to the beneficiaries' lack of awareness.

## **Jananeethi**

Jananeethi was founded in 1992 as a non-political, non-sectarian, non-profit-making and voluntary organization that provides legal aid and assistance, protects and promotes human rights, and provides psycho-legal counseling services and clinical legal education. Jananeethi aims at radical changes in society, enabling people to become aware of their inherent human rights and civil liberties, so that they may live in dignity and freedom, free from fear and want, in consonance with the true dictates of humanity in its widest scope and dimension.

Jananeethi is meant to defend the life, dignity, liberty and other fundamental rights of the defenseless. It facilitates a process of accessing justice, governed by democratic principles and rule of law, focusing on the weak and vulnerable in the society.

It has a firm belief that it is essential to use the knowledge of the law as a tool for vulnerable groups to be able to understand and critique the law, to familiarize themselves with the scope of their rights under the law, and eventually to assert their rights as a means toward taking action and bringing in change. With this aim in view, Jananeethi started its own legal literacy program that aims to educate the maximum number of people and to help build capacity from within communities, so that they are in a position to educate others, and more importantly, challenge violations.

The services of Jananeethi are primarily intended for the victims of violence, corruption and gender-racial discriminations. The recipients of its legal literacy, however, are both the victims and the stakeholders. They include women, children, small peasantry, labor unions, unorganized workers, women's groups like *Kudumbasree*<sup>4</sup>, self-help groups, non-governmental organizations (NGOs), community organizations, police, service providers, clinical practitioners, media persons, elected women representatives of local legislative bodies, students, and government servants.

The strength of Jananeethi lies in its profoundly rich personal resource. Its members include retired judges, eminent jurists, successful practitioners in courts, law teachers, human rights defenders, researchers, social activists, authors, thinkers, journalists, civil servants, and students of law and social sciences. The full-time staff of Jananeethi comprises of highly talented and deeply committed lawyers with experiences of more than five years in dealing with people in difficult situations.

### **Legal Education as Human Rights Education**

Legal literacy means creating general awareness on legal rights and duties, which are enforceable and whose violation invites legal action. Human rights education, on the other hand, is based on principles of human rights which are global ethical standards protected by international instruments. Legal literacy is concerned with particular laws or rules that have specific application, and often in limited scope. Human rights are universal, their application often is based on the ethical and moral framework of the indi-

viduals or communities. Their scope is much wider, though human rights are also culturally specific. Jananeethi combines both legal literacy and human rights education and delivers them in a single package. It deals with specific laws, impressing the audience with the binding nature of their rights and duties and the consequences in the event of violations. It also introduces human rights that have implications far beyond specific laws. Human rights have deeper significance in democracy, rule of law, civilization, human achievements and sustainable development. Invariably there are sessions on the development of the concepts of human dignity, freedom, right to opinion, security and self-determination followed or supported by international documents like the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights etc. References to international instruments depend on the topic under discussion. For example, in Jananeethi's series of seminars and debates on good clinical practices of pharmaceutical companies regarding human participants in its research the essential national and international documents often quoted are the following: i) Ethical Guidelines for Bio-Medical Research on Human Participants by the Indian Council for Medical Research (2006), ii) Helsinki Declaration by World Medical Association (2008), iii) International Guidelines for Bio-Medical Research involving Human Subjects jointly declared by the WHO and Council of International Organizations for Medical Services (1993), iv) Universal Declaration on Bio-Ethics and Human Rights by UNESCO (2005), Guidelines for Good Clinical Practice for trials on pharmaceutical products by WHO (1995), v) Guidelines for Good Clinical Practice by International Conference on Harmonization (1996) and International Covenant on Civil and Political Rights (1966). Thus human rights education helps people to think locally and globally and to be concerned of humanity today and tomorrow across the borders. Human rights education also helps participants to understand and appreciate the worth of individual human being notwithstanding his/her diversities.

## **Programs**

The methods of dissemination of legal knowledge and information by Jananeethi vary in respect of other relevant factors. It holds formal, classroom-based lectures to focused groups, but mostly have informal, uncon-

ventional settings (folk style) giving more stress on spontaneity and emerging needs. The outreach programs belong to that category.

#### **a) Psycho-legal therapeutic counseling**

The key words here are psycho, legal and therapeutic. Many of the victims, particularly those who have been sexually abused, physically battered and mentally tortured, are not happy with mere legal remedy. Since their problem is multi-dimensional, there is a need for an integrated approach addressing the psychological, emotional, physical, social, marital, sexual and legal issues involved. Hence, for all practical reasons, the first step has to be the psychological approach along with social support. Jananeethi provides the services of clinical psychologists who befriend the victims so that feelings and emotions that bleed within are attended to with concern, love and respect. Whenever needed, medical assistance or care is provided on a priority basis. Shelter is immediately provided in cases of victims needing safe and comfortable place to stay without fear and threat. Once the victims are mentally stable and are disposed to listening to legal remedies and reparations, members of the law faculty of Jananeethi start counseling them regarding the violations and the available remedies in law, both in statutory and common laws. This is a process and does not happen in one single session. The victims are steadily helped to be able to take recourse in law, and continuously supported and assisted by the law faculty of Jananeethi until the victims feel that they can manage without external assistance. The therapeutic course is complete when the person gets healed. Healing should primarily happen in the victims' memory that has been filled with pain, shame, humiliation and indignation. Until healing takes place, justice is not done to the victims, as we believe justice heals.

#### **b) Clinical legal education**

Each petition/complaint received in Jananeethi office is a befitting case for clinical legal education. The purpose of Jananeethi is to help people resolve their problems and access justice, having been empowered through awareness generation and capacity building. The law faculty of Jananeethi takes ample time to assess, analyze, evaluate, explain and interpret to the petitioner/complainant the merits and demerits of his/her grievance/petition. We deem it our moral duty to instruct them with regard to all options before taking recourse to legal proceedings. More than a consultancy, it is

aply called a clinical service, going into every minute detail with its legal and social implications. Whether one should file a suit is ultimately the independent decision of each individual concerned. However, Jananeethi ensures that the person makes a decision fully aware of its legal implications.

### c) Trainings

There is subtle difference between literacy and awareness building. The training programs of Jananeethi are twin-edged—for legal literacy and for legal awareness generation. Legal literacy means principles of common and statutory laws being taught systematically and in sufficient detail. It is administered in a structured manner based on a curriculum. Whereas awareness building is only at the peripheral level and aiming only at a general understanding of a given set of rules and statutes. All outreach programs of Jananeethi are intended to generate awareness, and the workshops and short courses organized for different segments of society with clearly spelled out thematic inputs come under literacy mission.

#### 1. Legal Literacy

Jananeethi holds the following activities to spread legal literacy that enables individuals and groups to respond to violations of legal and human rights in a wider spectrum.

*Training for “Barefoot Lawyers”/Paralegal Activists.* Public spirited young men and women being trained as “barefoot lawyers” receive basic courses on elementary laws. The training participants have a minimum educational qualification of completion of at least two-year tertiary level of education or above. They may be either members of NGOs or community organizations, or social/environmental activists who would also like to take up legal/human rights issues. They are expected to become competent in identifying violations of individual or community rights after a one-week crash program on the essential and elementary laws. If they are not able to sort out any complicated matter, such matters could be referred to the law faculty of Jananeethi. There are refresher/updating programs over and again depending on the need. There are paralegal workers who are specially trained in specific thrust areas like minorities, indigenous people, child rights, gender issues, right to information, consumer rights, torture and custodial violence, etc.

*Professionals.* Well-educated and highly-placed professionals too are often not conversant with legal provisions and the implications of their violation. Many do not know the nitty-gritty of several statutory laws and their applications. For example, the newly legislated Act for the Protection of Women against Domestic Violence<sup>5</sup> is purportedly to be complied by a vibrant administrative machinery. However, the fact remains that vast majority of the officers and professionals like clinical psychologists, therapeutic counselors, welfare officers, social workers, institutional heads and members of the academe are ignorant of their roles and responsibilities as provided in the Act. Jananeethi takes pains to organize workshops to sensitize them with respect to such new generation legislations wherein the pro-active role of various stakeholders are of great significance.

*Non-governmental organizations/Community Organizations/Service Providers.* Similarly, NGOs, community organizations, faith-based groups, various service providers, trade unions, youth clubs and service organizations also have larger scope of helping improve the quality of life provided they are conversant with the respective legislations. There are many laws (such as consumer laws, Right to Information Act, National Rural Employment Guarantee Act, Protection of Women against Domestic Violence Act, Law on Human Rights Protection) that can be successfully implemented only through the active participation of the larger public. Jananeethi has volunteered over the years to organize several sessions in a year for these groups to achieve their goals.

*Police Personnel.* The Kerala Police Academy<sup>6</sup> sought the help of Jananeethi to streamline the curriculum of police training from a human rights perspective. One major reference book on police training has been *Human Rights* in Malayalam published by Jananeethi. The Jananeethi law faculty has engaged several batches of police trainees, especially on human rights, gender justice, child rights and social policing. In addition, Jananeethi has organized workshops for senior officers at Jananeethi on the nuances of new legislations and reports of Commissions on police reform.

*Elected Women Representatives to Local Bodies.* Women have greater role in public and local governance. The Government of Kerala has recently amended the rules reserving fifty percent of the seats in local bodies to women.<sup>7</sup> This phenomenal advancement of our polity is under challenge to prove its political wisdom by improving women's performance in their official capacity as people's representatives. Hence Jananeethi during the last

few years has focused on elected women representatives by organizing special capacity-building programs for them specifically on successful implementation of welfare legislations in their constituencies.

*Post-graduate Students of Social Work.* Post-graduate degree holders in social work, who are expected to work in social welfare institutions and social justice and empowerment departments, need to keep abreast with the social legislations of the country. Jananeethi has volunteered to impart this knowledge to students of social work in both Calicut University and Sree Sankara Sanskrit University. In addition to preparing them for their university examination, Jananeethi takes additional interest to teach them lofty principles of democracy, human rights and rule of law.

## 2. Legal Awareness

Psychological studies have shown that the lecture method is one of the least effective means of communication and should be complemented by interactive teaching methods. There are wide varieties of teaching methods available to human rights educators apart from the usual lecture method. Jananeethi from its own experience has found that the best way to teach human rights is to use “folk school” approach that involves the participants in the learning process and allows them to help determine the content of the sessions.

*Outreach Programs (Folk School).* In association with women’s neighborhood groups like *Kudumbasree*, Integrated Child Development Services (ICDS) network,<sup>8</sup> self-help groups, etc., Jananeethi organizes a few hundred awareness generation programs in a year for women of low income families focusing on legal protection for women, and the means and methods to avail them. Thus several thousands of women are served annually.

The dynamics of each session is simple. It begins with an interactive activity on their experiences regarding sexual abuses at home and in society, gender discrimination and sexual harassment at the work place, dowry-related violence, female foeticide, women’s right to property and maintenance, the newly-passed Act for the Protection of Women against Domestic Violence, etc. The participants can bring in any issue they feel relevant to the context. It leads to sharing of views and opinions including their apprehensions of the consequences of the problems. Invariably this ends up in a detailed discussion on the respective laws and their implications and means of implementation. In case someone needs deeper insight or personal assis-



tance, she will be invited to Jananeethi office. So also, if there is any serious issue/complaint that needs exhaustive analysis and follow-up, that too will be brought before the law faculty of Jananeethi.

*Street Theater, Road Shows, Reality Shows.* As mentioned earlier, Jananeethi looks for the most effective means of communication in rural settings. It realizes that wider sections of people highly appreciate theatrical presentations on the streets; stills and visuals representing or highlighting either a theme or a problem or a call for action; and presentations at the reality shows are highly appreciated by wider sections of people. They have direct access to people, who do not need to spare extra time or expenses to be able to reflect on their own lives that are being re-enacted before them, wherever they are. Jananeethi, again, has used these methods predominantly to sensitize the gender concerns and rights of children against exploitation and abuse. Reality shows refer to television programs that project real situations such as the contest broadcasted by a private channel (Amruta TV) during the 7 February to 4 June 2008 period that included corruption issues. In that show, one of the contestants, Ms. Bonnymol, was a close associate of Jananeethi. Through Ms. Bonnymol's presentation on the TV show, Jananeethi was able to highlight many instances of corruption to the public on the television show. As a result, the intelligence wing of the Law and Order Department of the State of Kerala took on some of the issues raised on the television show for positive action. This show was named the BEST CITIZEN JOURNALIST in 2008.

*Public lectures, Radio talks, FM Radio, etc.* There is explicit interest expressed by senior citizens in attending public lectures followed by interactive sessions. Many wish to spend a few hours in the afternoon listening to scholars on contemporary issues that have significant bearing on the rights and livelihood of ordinary people. Jananeethi during its nearly two decades of existence has organized several series of lectures in the city for the general public, some of them were rated as the best attended public debates of the year. For example, following the demolition of Barbari Masjid at Ayodhya in the State of Uttar Pradesh, Jananeethi organized a series of lectures by Dr. Sukumar Azhikode<sup>9</sup> on the "Cultural Identity of India" continuously for eight evenings in the premises of the public library. Several hundreds of people attended the program from far and wide. Jananeethi organized another series of public debates on 4-12 March 1994 in the city on the pros and cons of the *General Agreement on Tariffs and Trade (GATT)*,<sup>10</sup> which again

was a fabulous event. The most recent attempt of Jananeethi in this area was a series of public lectures on “Challenges to Democracy” delivered by very eminent thinkers for twenty weekends. Both All India Radio and several FM Radio networks keep approaching Jananeethi to deliver talks or join panel discussions on the most relevant topics of public interest.

*Creation of the “Legally Literate” and Litigation-free Zones.* Jananeethi employs an innovative approach to spreading general awareness of various fundamental legal provisions and principles among the people and to invite public attention to abide by the rule of law and statutory regulations. Creation of litigation-free zones means resolving all existing disputes and cases in courts and police stations and in such other government and semi-government offices in the spirit of cooperation and trust, and based on mutual agreement. During the pre-settlement talks and counseling, people are made aware of their rights and duties as perceived in respective laws. A “legally literate” village means at least one member of a family in the village has undergone thorough training on preliminary laws and legal rules. There must be an express intent of the people to abide by the norms and the general rules.

*Public Interest Litigation.* Jananeethi takes every public interest litigation case as an opportunity to impress the respective groups or communities on the need of such litigation, its justification, the scope and possible consequences of its end results. This is, of course, a long process but also a sensible method of enabling people to be responsible for what they are talking about. Normally, Jananeethi takes the matter in issue to the concerned communities to shape public consensus. This obviously is an educative process.

*Human Rights Advocacy.* The Jananeethi desk for human rights plunges into action whenever human rights violations are reported. The violations refer to custodial torture and violence, violations of indigenous people’s rights, attack on the environment, human trafficking, corruption in public offices, etc. This requires a lot of spadework before launching a massive response to the violations. This also presupposes that substantial public awareness generation activities in the designated areas and communities prior to the launching of a campaign have been undertaken.

*Negotiated Settlement of Disputes.* Negotiated settlement of disputes constitute the major activity of Jananeethi and one of the primary objectives of the organization. In the case of negotiated settlements, the decision

is finally taken by the parties concerned in the presence of Jananeethi law officers, and other legal consultants if any. Lawyers assist the parties in the process so that they do not make errors in law. One of the significant advantages of the program is that the parties themselves become mediators in similar situations in their own communities/villages.

#### D) Publications

Jananeethi comes out with publications that are significant means of legal education on selected topics for the general public. They also invite public debate and provide larger platforms for further deliberation.

*Books.* *Human Rights*, published by Jananeethi in 1998, is perhaps the first authoritative reference book in Malayalam on the training of police personnel on human rights. Edited by N.R. Madhava Menon, PhD,<sup>11</sup> a celebrated legal luminary of international repute, the book contains articles by eminent Indian scholars on various dimensions of police training. This book is considered as a textbook widely used by police training institutions in the State of Kerala. *All Rights are for All* is another significant publication by Jananeethi in Malayalam, again published in 1998, the 50th year of Universal Declaration of Human Rights. This is a collection of all human rights instruments by the United Nations (UN) subsequent to the UDHR. Prior to this publication, there has never been a material on UN documents available in the vernacular language in Kerala. This book was widely circulated in schools and public libraries for the benefit of the general public. In 2003, Jananeethi published a critique of the Recommendations by the Committee on Reforms of the Criminal Justice System in India authored by Basil Fernando, the Executive Director of the Asian Human Rights Commission. Again in 2003, Jananeethi published *Niyamaprakaram* (According to Law) in Malayalam as a handbook for anyone wishing to initiate action in law. All elementary laws that are relevant in Kerala and that every Malayalee should know have been summarily explained in simple language with examples to illustrate the theme. In 2004, Jananeethi together with the Asian Human Rights Commission published the English version of late Professor T.V. Eachara Varier's *Memories of a Father*, his reminiscences on his only son, Rajan,<sup>12</sup> who was slain by the State police force in 1976. This book is a living testimony of how brutal a government could become in depriving the fundamental human rights of its own citizen.

*Monthly Journal.* Jananeethi has been publishing since 1994 a monthly journal named *Jananeethi* in Malayalam that can be seen as a link between the bench and the public. In the early years, each volume of the journal was devoted to a particular topic with elaborate explanation of relevant law and its amendments. Further, important judgments by the high courts and Supreme Court regarding relevant laws were also published for the benefit of the readers. Later, the journal has become a human rights critique of the government and public institutions. The main objective of the journal is to give the true and unbiased interpretation of major events in the country affecting the people, their life, property and the environment consistent with the national and international laws and covenants. Judicial officers in Kerala await with interest the arrival of each volume of the journal. Often, the healthy criticism by the *Jananeethi* of the judiciary from the peoples' perspective has been complimented by members of the Bench.

*Other Publications.* *Jananeethi* during the last eighteen years has been serving the public by publishing several booklets, pamphlets, brochures, folders, stickers, display boards, posters and charts dealing with particular laws, their applications in society and legal implications in cases of violation. Thousands of wall-charts were prepared by *Jananeethi* in 2004 on topics like 1) your rights when arrested, 2) rules regarding bail, 3) traffic rules, 4) accident claims, 5) offences against women, 6) sexual harassment at the work place, 7) ragging (hazing) as a criminal offence, 8) consumers' rights, child rights, and 9) your right to information that were freely distributed in the community. People took them home and hanged them on the wall so that they could refer to them time and again. Huge display boards were prepared on Supreme Courts directives on the rights of a person under arrest, and sexual harassment at the work place. The display boards were put at strategic places of public activity like railway stations, bus stations, market places, etc. and in front of major government offices and police stations. This has helped government officials, police and the public to understand the spirit of the law and the mind of the judiciary regarding such offences.

## **Major Interventions**

In addition to the above account of legal literacy programs directly undertaken by *Jananeethi* at different levels of society, every intervention it makes in society (related to human rights, gender, environment, democratic in-

stitutions, social justice, civil society movements, domestic violence, therapeutic jurisprudence, etc.) is always a case of legal education. Jananeethi is justified in getting involved in a public cause either to protect or promote an existing legal right or to establish the need for a legislated social order for the full achievement of humane life. This has been proved right in the first public interest litigation case of Jananeethi on behalf of Gopi<sup>13</sup> who was brutally tortured to death in police custody in 1989; in the matter of seventy-five thousand Indian adolescent girls who had been rescued<sup>14</sup> by Jananeethi from being trafficked for sexual trade in 1995; in the initiatives of protecting land, air and water from industrial pollutants and land mafia; in the relentless fight against dowry-related violence and sexual exploitation; in the campaigns against child labor, capital punishment, war, nuclear installations, globalization, etc.; in launching helpline for women, children and the elderly in distress; in providing legal aid and support to victims of natural and human-made disasters; in organizing care and support to people living with HIV/AIDS, and many more. In short, every initiative of Jananeethi is a case of legal literacy designed/intended for specific groups/communities/institutions.

### **Recognition**

The impact of Jananeethi educational activities is quite obvious and emulative. Women began asserting their rights including their dignity, freedom, right to divorce and maintenance in appropriate cases, etc. Through our consistent efforts, a large number of women dared to file petitions in police stations, courts or human rights commissions against gender-based violence and discrimination. The creation of the First Litigation-free Village in India in 2000 was another classical example of the power of women to negotiate and settle disputes in families or communities. There are conspicuous positive changes in the overall attitude of the male sections of society on issues concerning women. Christian women who were under the impression that their marriage could not be dissolved at any cost, started applying for declaration of nullity and received positive orders in genuine cases.

Jananeethi has been recommended by the District Administration, State Social Welfare Department, State Legal Services Authority and such other institutions like the Government Medical College and the Kerala Agricultural University as the representative of the civil society organizations

to several Committees/Boards functioning at the district and state levels. The Institutional Ethics Committee, Anti-ragging Committee, Anti-sexual Harassment Committee, Child Labor Monitoring Committee, Committee against Bonded Labor, District Committee to Monitor Ethical Standards of Private Television Channels, etc. are examples of such Committees/Boards. Jananeethi, as official nominee to these bodies, is vested with great responsibility to ensure that the statutory rules and ethical standards are meticulously complied with.

## Conclusion

Jananeethi's efforts on legal literacy and legal awareness are an odyssey through various successful interventions and interactions by diverse participants who work for a change of mind and a change of character in the Indian social milieu. Through its large network of legal literacy programs and activities, Jananeethi is pursuing two related but distinct missions. First, it seeks to reform society by changing the mindset of future litigants in choosing not to go for hazardous, time-consuming, expensive course of adjudication and preferring Alternate Dispute Redressal<sup>15</sup> as a matter of principle. Second, it seeks to create a more robust "rule of law culture" by educating members of the public about their legal rights under domestic and international law. An educated public that is willing and able to demand that the government acts in a fair, transparent and law-based manner can help achieve peaceful change. Jananeethi envisions a world where people everywhere have the opportunity to access justice and join the knowledge economy that governs their everyday activities.

## Endnotes

<sup>1</sup>*Economic Survey 2004-05*, Economic Division, Ministry of Finance, Government of India, quoting *UNDP Human Development Report 2004*; see also "India Statistics" in [www.unicef.org/infobycountry/india\\_statistics.html](http://www.unicef.org/infobycountry/india_statistics.html). Retrieved 2009-03-27

<sup>2</sup>Article 39A of Indian Constitution reads as follows: The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

<sup>3</sup>Ignorantia juris non excusat or Ignorantia legis neminem excusat (Latin for “ignorance of the law does not excuse” or “ignorance of the law excuses no one”) is a legal principle holding that a person who is unaware of a law may not escape liability for violating that law merely because he or she was unaware of its content.

<sup>4</sup>Kudumbashree, the State Poverty Eradication Mission (SPEM) was launched by the Government of Kerala in 1998 with the active support of the Government of India and National Bank of Agriculture and Rural Development (NABARD) for wiping out absolute poverty within a period of ten years. The project is implemented through Local Self Governments empowered by the 73rd and 74th Constitutional amendments. The slogan of the Mission is “Reaching out to families through Women and reaching out to community through Families.” Kudumbashree envisages prosperity of the economically backward families in the state. Kudumbashree has altered the lives of economically backward women in the state, changed their perception, built their confidence, boosted their morale, rediscovered their dignity and honor, and empowered them economically, socially and politically. Today 3.6 million women participate in the Kudumbashree movement in the state cutting across political ideologies and religious faiths.

<sup>5</sup>Protection of Women from Domestic Violence Act 2005 was brought into force by the Indian government on 26 October 2006. The Act was passed by the Parliament in August 2005 and assented to by the President on 13 September 2005. It is meant to provide protection to the wife or female live-in partner from domestic violence at the hands of the husband or male live-in partner or his relatives, the law also extends its protection to women who are sisters, widows or mothers. Domestic violence under the act includes actual abuse or the threat of abuse whether physical, sexual, verbal, emotional or economic.

<sup>6</sup>Kerala Police Academy is situated at Ramavarmapuram in Thrissur city which began functioning in May 2004. The Academy runs full-term basic courses for sub-inspectors, constables, women constables, drivers and telecommunication wing constables. It also runs short-term courses and in-service courses for various ranks.

<sup>7</sup>The Kerala Legislative Assembly on 16 September 2009 unanimously passed two vital bills providing for fifty per cent reservation for women in local bodies in the State. Kerala Panchayat Raj (second amendment) Bill and Kerala Municipality (amendment) Bill, adopted by the Assembly seeks to give crucial role for women in the decision-making process for grassroots level developmental and welfare activities. On 28 September 2009 the Union Cabinet of India through an amendment of Article 243(d) approved fifty percent reservation for women in panchayats (local self-government) all across the country.

<sup>8</sup>Integrated Child Development Services (ICDS) with its network of Anganawadis (child-care or mother-care centers) covering more than 3,000 Community Development Blocks in the country is perhaps the largest Women and Child Development scheme being implemented anywhere in the world. The basic purpose of the ICDS scheme is to meet the health, nutritional and educational needs of the poor and vulnerable infants, pre-school aged children, and women in their child bearing years. The scheme seeks to meet these objectives by delivering an appropriate combination of six basic services to children aged under six, pregnant women and nursing mothers: Supplementary Nutrition, Health Education,

Immunization, Health Check Up, Referral Services and Non-Formal Pre-School Education.

<sup>9</sup>Dr. Sukumar Azhikode is a writer, critic and orator, acknowledged for his contributions to Malayalam literary criticism and insights on Indian philosophy. Azhikode's most famous work is *Tatvamasi* (1984, Malayalam), an authoritative book on Indian Philosophy, Vedas and Upanishads. *Thathvamasi* has won twelve awards including the Indian Sahitya Akademi Award, Kerala Sahitya Academy Award, Vayalar Award and the Rajaji Award.

<sup>10</sup>The General Agreement on Tariffs and Trade (GATT) was the outcome of the failure of negotiating governments to create the International Trade Organization (ITO). GATT was formed in 1947 and lasted until 1994, when it was replaced by the World Trade Organization in 1995. The Bretton Woods Conference had introduced the idea for an organization to regulate trade as part of a larger plan for economic recovery after World War II. The GATT's main objective was the reduction of barriers to international trade. This was achieved through the reduction of tariff barriers, quantitative restrictions and subsidies on trade through a series of agreements.

<sup>11</sup>N.R. Madhava Menon (born on 4 May 1935 in Trivandrum, India) is a legal educator from India. He was instrumental in setting up the National Law School of India University (NLSIU) in Bangalore, and was its founder-director. He has also been the founder-Vice-Chancellor of West Bengal National University of Juridical Sciences (NUJS) in West Bengal, Calcutta, which runs on the NLSIU model. He was the first Director of the National Judicial Academy, Bhopal, an institute for training of judges. Currently he is a member of the high-power Committee for Center-State Relationship in India. Madhava Menon has worked for nearly five decades to improve Indian legal education. As a member of the Legal Education Committee of the Bar Council of India and later as the first Secretary of the Bar Council Trust, Professor Menon, PhD, influenced the shaping of legal education policies.

<sup>12</sup>Rajan was a student of Regional Engineering College, Calicut during the emergency period. In the 1970s the Naxalite movement had become very strong in north Kerala. Almost any idealistic, young man/woman in those days was attracted to that ideology. College hostels were probably full of sympathizers to the "cause". It is generally accepted that Rajan was not in the movement but likely was a sympathizer but so were thousands of others. Rajan was taken into custody by police, tortured, brutally killed and was (allegedly) burned in the police camp at Kakkayam. After the emergency was lifted, Rajan's father, Professor Eachara Varrier filed a case against the State Government which ultimately was disposed against the Government, leading to the resignation of the then Chief Minister. Later, Professor Varrier published his reminiscences on his son entitled *Memories of a Father*.

<sup>13</sup>Gopi, son of Thankappan, was 21 years of age in 1989 and was a very enterprising young man with sound habits. He was a member of a political organization but had to resign for genuine reasons. This earned him the wrath of his political opponents who cooked up a false case against him. The Cherthala police summoned Gopi to the police station on 5 October 1989 and tortured him to death. The police alleged that Gopi had committed suicide in the police station. Thankappan, father of Gopi refused to accept the police version, and decided to keep the mortal remains of his son until it was proved that his son was really murdered by police. Jananeethi took



up this case to the Kerala High Court as a Writ Petition and finally in the tenth year after the death of Gopi the Honorable High Court ordered the State Government to pay compensation to Gopi's parents. In 1999, the mortal remains Gopi were cremated in the presence of a large crowd according to their religious rites.

<sup>14</sup>In 1995 Jananeethi filed a Public Interest Litigation in the High Court of Kerala against the Union and State Governments in India (in O.P. No. 15435 of 1995) against an attempt by a Shillong based organization called H & Z International to export 75,000 adolescent girls to Southeast Asia for sex trade in the guise of house-maids. The Union and State Governments pleaded ignorance in the Court. The High Court, after verification of relevant documents, stayed the recruitment of girls (45,000 girls from Kerala and another 30,000 from North-East States in India).

<sup>15</sup>The interminable and complex court procedures have propelled jurists and legal personalities to search for an alternate to conventional court system. Alternate Dispute Resolution (ADR), thus conceived, was being increasingly acknowledged in the field of law and commercial sectors both at national and international levels. Its diverse methods have helped parties to resolve their disputes at their own terms cheaply and expeditiously. Justification of ADR in law lies in Section 89 of the Civil Procedure Code of India, and Article 52 (d) of the Indian Constitution.