

A Study on Education and Legal Literacy as a Tool in Imparting Gender Justice to Women

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ABSTRACT

Education is the most prominent paraphernalia to gain important stature in society. It is one of the means in our life which helps us for our physical and intellectual development so that we are fit for our surroundings. The basic value of education is based on attainment of self-knowledge which is the main tool for happy and pleasurable living. Education turns people into assets rather than liabilities and maximizes the process of human resource development. Education increases the excitement in the mind of the people towards legal literacy so, it helps in the development of legal literacy. Legal literacy is that education which helps the citizens to obtain the knowledge of law. Law is that essential means which helps people to proclaim equality in a society. Knowledge of law helps people to proclaim gender justice. Legal literacy of women is the main key to free women from the shackles of deprivation. Legal literacy not only empowers a person, but also turns him into a better citizen. Education is a key factor for attaining complete legal literacy. Both education and legal literacy can synchronize together and act as a sword and a shield that a person can use to protect himself/herself from any kind of discriminations if they are facing in their life.

Key-words: Education, Legal Literacy, Equality, Gender Justice, Empowerment

INTRODUCTION

Education is that means which makes us a perfect human being to live a life full of dignity. Man is a social being, so, it is very important to learn the social skills to meet the expectations of the society and which is possible only through proper education. It is a known fact that education is the fundamental part of a civilized society and thus because of this reason Constitution of India through the provisions of Part-IV i.e., The Directive Principles of State Policy, under Art.45, have given the guidelines that the state shall endeavour to provide free and compulsory education for all children of India until they complete the age of fourteen. With these provisions women education had burgeoned with the same pace and it can be mentioned as one of the fundamental step towards legal literacy for women.

MEANING OF LEGAL LITERACY

Legal Literacy is that education which makes us cognizant of our rights, social position, safety, security etc. It helped people to get information

regarding the Constitutional and Legal provisions so that citizens can lead a life free from any kind of gender discrimination and eventually the social status of both male and female would be equal.

RELATION BETWEEN EDUCATION AND LEGAL LITERACY

Education guides us to live a blissful life. Education transforms women into strong and self-dependent individuals and on the other hand legal literacy make them aware regarding their rights, social position etc. Legal literacy encourages them to fight against gender discrimination. The study thus intends to analyze the role of legal literacy as a tool for establishing gender justice. Secondly the discourse will also examine Constitutional and Legal provisions for imparting gender justice in India. The study is based on secondary data. The materials are collected from various books, journals, magazines, internet etc. The authors' personal views are also incorporated in the discourse.

DISCUSSION

Education is that part of our life which makes us civilized as well as informative and on the other hand legal literacy is the way of life which gives us information about all provisions of law available through the Constitution and various Legal policies, this is prominently essential for women to provide them with a dignified and peaceful life.

Indian social environment is not always suitable for girl child so special safeguard and protection is very essential for the betterment of the female folk of India. In this connection Government of India under the leadership Prime Minister Narendra Modi since the year, 2015 has taken some great measures for the progress of girl child. For example, 'Beti Bachao, Beti Padhao' Through that programme Indian Government had tried to provide information regarding the value of education in the life of girl because education will bring awareness among the girls regarding their rights, position, social security etc. On the other hand, education is that means through which it is possible to earn information regarding the legal and Constitutional provisions and hence education is regarded an essential tool in bringing awareness about legal literacy.

Indian Constitution has various types of special legal provisions particularly for the benefits of women folk. Some of these are mentioned below-

- * **Article.14:** Art.14, is for the establishment of equality before law. The basic note of this Article is for the removal of any kind of discrimination against any person on the grounds of sex, religion, caste and place of birth. By this Constitutional provision women folk can obtain an equal position in the society.
- * **Article.15(3):** Art.15(3) empowered the state to make special legislation for safeguarding the interest of women. For the upliftment of the condition of women folk this article is very important as it is related to the passing of necessary legislations for the benefits of women.

- * **Art.39(d):** Art.39(d) provides that there should be equal payment for equal work to both men and women. This Article is available within the Part-iv of the Constitution of India that is the Directive Principles of State Policy. By the provisions of this Article women are provided economic security as it is based on the removal of any kind of discrimination on the basis of sex relating to income.

Apart from having various Constitutional provisions for women, Indian legislators have passed various types of legal provisions especially for women to provide them with safety and security and to make them free from any kind of gender discrimination. Some of these laws are:

- * **The Hindu Succession Act, 1956:** This Act provides equal rights to women like a man in terms of inheriting property. After passing of this Act women are entitled to rights over their family property.
- * **Dowry Prohibition Act, 1961:** the system of dowry which can be considered as the main cause of misery, misfortune, sufferings of the marital life of many women, by keeping in consideration all these evil practices the Indian legislators passed this Act to remove the system of dowry. The Act is very sensitive to provide for gender justice in the life of the women folk in their matrimonial home.
- * **Protection of women from Domestic Violence Act, 2005:** This Act was passed to provide for a remedy to protect women from being victims of domestic violence and to prevent domestic violence in India.

In spite of having these Constitutional and legal provisions Indian society is not free from any kind of gender-based inequality, deprivation etc. In India Dowry related matters accounted for the lives of 19 women every day in 2020 as per

the National Crime Records Bureau (NCRB) data. A total of 6,966 cases of dowry deaths, with 7,045 victims, were reported last year, the crime bureau report said. The number of dowry deaths stood at 7,141 in 2019 and 7,167 in 2018.¹ In working places also deprivation is going on regarding the earning factors of the women labourer that is why Constitution of India is effectively working with the provisions of equal pay for equal work. But it is a very regretting fact that due to lack of legal literacy women folk are not in the position to take the benefits of these safeguards.

CASE STUDIES

CASE 1: Dowry

Mrs. X was a 30 years old lady who has studied only upto class ix. Mrs. X and Mr. Y have been married for Seven years; she is neglected in the family and has been facing numerous problems from the beginning of her marriage. Her husband and in-laws have been constantly pressuring her for dowry. Though, it is a crime but due to lack of legal literacy as she had studied only upto class ix, she is unaware of various safety provisions under the Dowry Prohibition Act, 1961 and thus it has rendered here completely helpless.

CASE 2: Domestic Violence

Mrs. A is a 33 years old lady whose level of education is above HSLC. Mrs. A like many other women in India, is a victim of the atrocious crime of Domestic Violence. Her husband Mr. B, constantly abuses her physically and emotionally. Thus Mrs A's physical and mental health is in jeopardy. Even though she is aware of the various legal provisions that guarantees her safety, she cannot report against her husband as she is financially incumbent. Her husband is the only earner in the family. Thus Financial empowerment can be a way through which she can escape this cruelty.

CASE 3: Extra Marital Affair

Mrs. J is a 29 years old lady. Mrs. J has been married to Mr. K for three years. Mr. K has been in an extra marital affair with Miss L. Mrs. J is

aware of her husband's acts, still she cannot say anything to him as he is the sole earner of the family. If he abandons or leaves her, she will face numerous problems as she is not stable financially. Besides, she had studied only upto class V and is not aware about the various legal provisions. Thus lack of education and financial instability have become a big hurdle in her life.

CASE 4: Property Inheritance Issue

Miss U is the eldest daughter of Mr. T who has completed her education upto HSSLC level. Miss U has two younger brothers Mr. V and Mr. W. Mr. T has decided in his 'Will' that after his death, his property will be inherited by his sons V and W, depriving his eldest daughter of her rights. As Miss U does not want to upset the members of her family, she chooses to remain silent regarding the matter though she is aware of the Provisions of the Indian Succession Act, 1956.

Thus due to lack of proper education most of the women are not sound in their economic position. Due to lack of proper education and legal literacy women are unaware regarding the available legal and Constitutional provisions. Governmental policies available for the progress of education if followed properly can bring changes in the life of women. Arrangements of seminars, workshops etc. are very important to bring awareness among women regarding their education and to provide them information regarding the value of legal literacy as it can be one of the most important means for the removal of gender discrimination.

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