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ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

LEGAL CONSCIOUSNESS AMONG RURAL WOMEN: AN EMPIRICAL STUDY

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Abstract

The significance of law and the legal system in safeguarding rights and ensuring justice for individuals across all societal sectors has increased globally. It is pertinent to examine the extent to which legal measures promoting inclusivity in society have reached ordinary individuals, particularly women. Therefore, a quantitative empirical study is being conducted to explore women's legal consciousness in a financially disadvantaged rural community. This study will delve into the legal challenges faced by women and their interaction with the law. The study conducted open-ended interviews with 21 women to analyze their legal consciousness from a feminist perspective. Despite encountering high levels of patriarchy and encountering inaccessible and unjust systems in response to their problems and disputes, the women actively seek positive solutions. The study identifies diverse attitudes towards legal and other systems and different approaches to problem-solving. This research significantly contributes to legal consciousness scholarship by emphasizing the pivotal role of norms and values in societal control, how they influence women's expectations of the law, and their approaches to legal and other systems that aid problem-solving. These findings hold value for practitioners and policymakers aiming to promote social justice and enhance the quality of life for women in financially disadvantaged rural areas.

Keywords: Legal consciousness, Inclusion, rural women, Court, Police

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Introduction

"Legal consciousness" (LC) has evolved into a broad term that encompasses not only knowledge of the legal system but also how ordinary people think about, discuss, and comprehend it in their daily lives (Galli, 2020). Although the concept lacks a singular definition within the field of law and society, it generally refers to the ongoing process through which individuals understand and interact with the social environment using legal norms and discourses. Scholars studying legal consciousness seek to comprehend ordinary individuals' thoughts, actions, perceptions, and behaviors as they encounter situations where the law may be relevant. Consequently, the concept of LC is understood as an amalgamation of factors such as legal knowledge, legal awareness, trust in the law, and opinions about the law. This field of study concerns the frequency of individuals invoking the law or their knowledge of legal rules and rights and the circumstances under which people perceive the law as irrelevant and choose not to engage with it (Harding, 2021).

Legal consciousness research is approached through three primary perspectives: Identity, Hegemony, and Mobilization. The identity perspective delves into how individuals shape their identity about the law and legal rights. The Hegemony perspective views the law as a pervasive tool of state control that influences individuals' values and assumptions, whether directly applied or not. The Mobilization perspective explores how legal consciousness can advance the role of law and rights in effecting social change (Engel, 2018). These three perspectives often complement and occasionally intersect with one another³. However, the present study analyzes the legal consciousness among rural women from a mobilization approach.

The examination of secondary literature on legal consciousness highlighted a need for better tools to evaluate individuals' legal consciousness from a sociological viewpoint. A systematic search across social science disciplines found 2,054 articles (Horak et al., 2021), with 156 relevant articles identified after two phases of the screening process. The reviewed articles lacked a precise conceptualization of the legal consciousness construct and validated measurement methods with satisfactory quality. This review identifies six components of legal consciousness: general knowledge, skills, specific knowledge, attitudes, trust, and identity. The insufficiently developed theoretical and methodological grounds for the related research (Molotova et al., 2023) primarily

³ The three schools of legal consciousness research are discussed in "Legal Consciousness in the Twenty-First Century," an article in progress by Lynette J. Chua and David M. Engel

contributed to this. The developed tools assess specific aspects of legal consciousness and its components: (1) cognitive and (2) emotional and behavioral. However, there are currently no valid and reliable tools for assessing the level of consciousness of fundamental rights and freedoms and the degree of significance of the initial legal values acting as guidelines for individuals' behavior and actions in a legally significant situation.

Given the lack of suitable theoretical and methodological frameworks for examining the legal consciousness of women, the present study focused on their understanding, utilization, and requirement for legal remedies. This approach aimed to foster greater legal inclusivity within Indian society. We identified and delineated specific rights available to women in order to facilitate access to justice and analyze their legal consciousness.

Table 1 Framework to analyse the Legal Consciousness

Personal Rights	Rights under the Constitution of India
Economic Rights	Right of property ownership, Right to work, Sexual harassment at the workplace, Consumer Protection, Legal action amounts to traveling without a ticket
Political Rights	Right to vote, Court availability, police station
Socio-cultural Rights	Right to information, Public interest Litigation, Identification of Sex during pregnancy

In the access to justice domain, community engagement endeavors to empower women by assisting them in understanding their rights, accessing pertinent information and necessary documentation for their claims, and developing their confidence and communication skills to address disputes through administrative grievance redressal processes. This study represents a modest initiative to enhance their legal consciousness in society.

Methodology

The study examines the idea of legal consciousness among rural women in India, intending to promote their legal inclusion in society. Through semi-structured interviews, the research gathered data from 21 married rural women in Fathepur Village. Fathepur is a Village in Shankarpally Mandal in

Rangareddy District of Telangana State, India. The total population of Fathepur Village is 1499, with 340 houses. The female population is 49.3%. The village literacy rate is 62.2%, and the female literacy rate is 28.2% (Census, 2011). It is located 23 KM north of the district headquarters in Hyderabad and 3 KM from Shankerpally Mandel. The village has a power supply, Anganwadi center, ASHA worker, birth and death registration office, daily newspaper, and polling station. A public bus service is available, and the nearest railway station is within 5-10 km.

The analysis delved into their awareness of personal, economic, political, and sociocultural rights and the extent to which these rights are utilized. The data was analyzed using simple tables to interpret the findings.

Analysis and discussion

Recognizing the myriad challenges and barriers women in India encounter in their pursuit of justice is crucial. These obstacles arise from societal attitudes toward women and their concerns. In order to surmount these challenges, many legal frameworks aim to understand the complex interaction of personal, political, economic, and societal factors brought out to bring women's access to justice. While it is crucial to focus on laws aimed at protecting women and the availability of legal assistance to empower them legally, this approach alone would not adequately address the marginalized and oppressed position of women within the legal and societal structure. It would also overlook social disparities, cultural and historical disadvantages, persistent gender inequality, and patriarchal systems. Thus, it is crucial to grasp women's rights laws, their knowledge of these rights, and their access to them. Nevertheless, the present study delved into these aspects and presented the analysis below:

Table 2 Socio-demographic of respondents (N=21)

Socio-demographic variables		frequency	percentage
Age	21-35	9	43
	36-50	8	38
	51 and above	4	19
Education	Illiterate	12	57
	Primary	6	29

	secondary	3	14
Occupation	Housewife	11	52
	Labor	5	24
	Farming on own land	2	9.5
	Anganwadi workers	2	9.5
	Staff Nurse	1	4.8

The data was collected from married women in Fathepur village. 43% are in the 21-35 age group, while 38% are in the 36-50 age group. Over 50% of these women are illiterate and work as housewives. The census report indicates that the literacy levels in the village have been deficient since India gained independence. The town is predominantly patriarchal. Most of these women live in their homes, and extended and nuclear family structures are shared. They all have bank accounts, and most also possess ATM cards, indicating a high level of financial inclusion. Additionally, the majority of them own mobile phones.

Initial information was collected to assess if there were any legal issues requiring assistance. The majority of responses indicated challenges in accessing government programs and services. The village head is actively addressing this issue and needs to guide the residents on which department to contact for their inquiries. The village head has assumed the responsibility of resolving the community's problems. Only a few individuals have sought legal help for their property-related issues. Most women are unaware that they have legal problems but are accessing the legal provision.

Table 3 Legal Consciousness among rural women

	I heard about it but not used the service	No, I did not hear about it	Yes, I am aware
Free legal aid service.	1	16	4
Right to Information	1	20	0
Right to vote	0	0	21
Right to Property	1	20	0

ownership			
Public interest Litigation	1	20	0
Rights under the Constitution of India	7	8	6
Identification of Sex during pregnancy	1	10	10
consumer protection	0	20	1
Legal action amounts to traveling without a ticket	05	10	06
Sexual harassment at the workplace	1	20	0
Do you know where the court is situated in your district	6	8	7
Visit the police station	15	2	4

The villagers' level of awareness about free legal aid services, the Right to Information, sexual harassment in the workplace, Public Interest Litigation, and consumer protection is relatively low, primarily due to the village's underdevelopment and high illiteracy rates. Some villagers are aware of the institutions offering access to the legal system, such as the police station, and the availability of courts and legal remedies. The nearest police station is located in the Mandal headquarters, which is three kilometers away. Some villagers have sought assistance from the police station to address family-related issues. The mandal-level court is situated in the Chevalla division, while the Ranga Reddy district court is 25 kilometers away in LB Nagar.

The villagers have knowledge of certain legal matters, such as the consequences of traveling without a ticket, which are displayed on all buses. They are also aware of regulations regarding disclosing the gender of babies, which are posted in all scanning centers and child hospitals. Additionally, they are familiar with the legal age for marriage and have benefited from the government's Kalyana Lakshmi

scheme. While they have some awareness of their personal and political rights, they lag far behind in understanding their economic and socio-cultural rights to a significant extent.

Conclusion

The feminist movement has played a crucial role in advancing women's socio-economic empowerment through its advocacy for women's rights and a mobilized rights approach. However, having rights in place doesn't automatically lead to social change. It's important to increase awareness of constitutional provisions through legal outreach programs in the study area and neighboring villages. In addition to legal awareness, government programs, projects, grants, and welfare policies aimed at empowering women on social, economic, and educational levels should be regularly promoted. This initiative is essential to change society's perspective and should be conducted at regular intervals. Despite the presence of numerous laws and regulations, lack of awareness and disinterest in women and society continue to contribute to the lack of justice for women. It's time to raise awareness about women's rights and empower them to stand up for their rights in male-dominated societies, starting within their immediate families.

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