

A STUDY ON

**‘IMPACT OF PROGRESSIVE LAWS AND CIVIL SOCIETY FACILITATION ON
EMPOWERMENT: WOMEN LAW USERS’ PERSPECTIVE**

SYNOPSIS

**The Faculty of Social Work
The Maharaja Sayajirao University of Baroda
Towards Award of**



RESEARCH GUIDE
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CHAPTER 1

CONCEPTUAL FRAMEWORK

The 1990's saw a significant shift at the global level, recognizing several human rights movements, including the women's rights movements. It was a period that popularized liberal rights, ideas of democracy and justice into the political agendas of the women's movement and various nation states (Razavi & Molyneux, 2002). Democracy became the preferred form of governance as it was based on the principles of equality and participation. This in turn made empowerment of citizens a desired goal. (Dijkstra, Fenger, Bekkers & Edwards, 2007).

It is well established that a democratic society must create conditions that promote equality in order to legislate, so that the rule of law governs all citizens equally, and to create enabling conditions to overcome any form of discrimination, oppression and exploitation that come in the way of equal participation as citizens.

The need for empowerment arises because there are inequalities and vulnerabilities, which prevent some sections of the society from enjoying the benefits of a democratic state as equal citizens. It is in this arena that a wide range of civil society action takes place to promote equality, reduce vulnerability and ensure informed participation in democratic processes.

India is among the largest democracies of the world that has withstood several challenges and predictions of it turning into a dictatorship. It has, over the years, established innumerable institutions, bodies and processes that sustain the democratic ethos (Guha R. , 2007). Jean Dreze and Amartya Sen (2013) state that steady economic growth replaced the economic stagnation and frequent famines of the Raj.

In every nation there are always multiple viewpoints of how it is faring in terms of its development goals. India is a vast country with a population of 1.2 billion or 121 crore (Census 2011) and this huge number itself will tell multiple stories of India's development - an official version of the achievements of the state, more critical views presented by

academic studies, the views of the media – considered the fourth estate – the situation presented by global comparisons, views of the civil society and the view of the people themselves.

Dreze and Sen argue that there have been major failures both in terms of India's ability to foster participatory growth, and to make good use of the public resources generated by economic growth to enhance people's living conditions. (Dreze & Sen, 2013).

As a practising social worker for over 25 years, this researcher chooses to examine how the rule of law in India has impacted its people. From among this vast multitude of people, the ones that are significant and of interest to a social worker are those that are left behind on the development parameters. A particularly large section that is still lagging on most development parameters is that of women.

The purpose of this chapter is to present the conceptual framework linking democracy, gender inequalities, role of civil society organizations and social workers in bringing about empowerment outcomes for women law users.

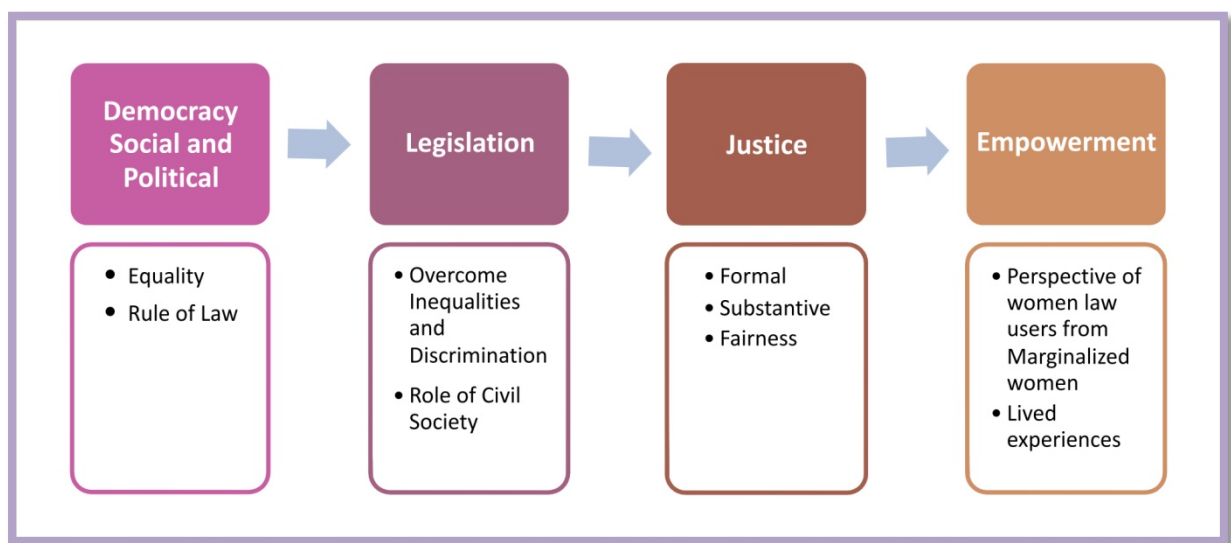
A. RATIONALE

The idea of the study emerged from the experiences of the researcher who had worked for over 20 years in the capacity of a social worker engaged in community based work. The endeavour through this formal research process was to be able to draw from these experiences and to go deeper into the theoretical aspects of gender based inequalities and contribute to the discourse on empowerment.

As a practicing social worker, the researcher was introduced in the early part of her career to the concept of empowerment while working with the Mahila Samakhya program for nearly 4 years, immediately after post graduation. The mentorship and guidance of Srilata Batliwala and Vimala Ramchandran – senior women's rights scholars and policy advocates who had designed the Mahila Samakhya program were instrumental in translating the concept of empowerment. These 4 years laid the foundation for a long term commitment to the concept of empowerment while working with women. It also forced critical reflection; and the passion to take the empowerment agenda deeper at the community level still continues. It has shaped the researcher's work as a community organizer, training

facilitator and as an educator; throughout the two decades of work, empowerment has remained a key guiding principle for mobilizing women. As a social worker one of the roles was to enable women to counter their social oppression through awareness about laws and citizenship. Through this research study the aim is to connect the field experiences with the theoretical underpinnings of the concept of empowerment. The diagrammatic conceptual framework that emerged at the beginning of the study is presented below.

Figure 1 – Rationale for the Study



Through the initial readings some of the key points that emerged were as follows:

- The question of gender equality has to be understood in the context of the democratic system that the country has adopted.
- The process of law making in a democratic system also allows for participation of various actors including a broad spectrum of civil society organizations (CSOs).
- CSOs play specific roles in the context of empowerment and laws - one is to work with vulnerable communities to bring their concerns to the notice of the state, and the second is to advocate changes in the various government systems that are meant to improve the conditions of the citizens.
- Traditional social work associated with provision of services has evolved to include the concept of “social justice” and “empowerment”.

- Women's groups, activists and CSOs working specifically for women around the world and in India have been instrumental in highlighting various challenges and opportunities for promoting gender equality through legislation.
- "Empowerment" is a dynamic concept adopted both in community organization practice (means) as well as in a desired goal of development such as the Millenium Development Goals and the Sustainable Development Goals.
- The field of empowerment is relatively new and the definitions point out that it is a highly contextual, subjective field.

The **study was designed to look at empowerment from the context of a specific category of women i.e. those who had faced violence or denial of rights and from among them those who had used laws to seek justice.** The narratives of these women will throw light on how they experience democracy, what do they think of gender equality, what is **their articulation and understanding of laws and legal process, justice, negotiation,** and empowerment.

Through this study, the voices of women who would otherwise have remained outside the purview of mainstream development processes would be brought out in the public domain and would inform strategy building in social work practice.

B. ROLE OF DEMOCRACY IN PROMOTING EQUALITY AND RULE OF LAW

The more contemporary notion of democracy as 'government by discussion' was first coined by Walter Bagehot and later expanded by John Stuart Mill (Sen, 2010). Modern democracies establish that a **fundamental aspect of democracy is its attitude towards law as a product of the collective will, and not something emerging from a transcendent will** or from the authority established by divine right (Post, 2006).

Amartya Sen's most significant contribution in this respect is his work on the Bengal famine of 1943, and the conclusion he draws is that no major famine has occurred in a functioning democracy with regular elections, opposition parties, basic freedom of speech and a relatively free media. These larger discourses establish the more philosophical aspect of democracy, which allows for plural voices compared to non-democratic regimes, wherein only the decisions and views of the ruling elites counted in matters of governance. They emphasise the role that all citizens play in governance and therefore lay down the basis of

equality in a democratic state, both through formal participation in election, and in debates through media and other means of public accountability.

At the time of Independence Indian leaders were deeply aware of the social problems that existed in the country and therefore put in place many mechanisms through the Constitution, and economic and social policy to overcome the inequalities that existed in order to achieve a strong democracy. **Thus, ensuring equality no longer remained a political goal but also became a key social and economic development agenda.**

It is due to the commitment of the democratic state of India to the development goals of equity and equality that a wide range of programs are carried out both by civil society actors as well as the state itself to close the gender inequality gap. Increasingly, national and sub national initiatives through bi-lateral co-operation, schemes and programs of the government explicitly espouse empowerment as either a goal or as a key approach. While the state concerns itself with the welfare of its citizens, and has the mandate to reduce inequalities, there are other actors that work towards reducing these inequalities, broadly known as civil society organisations (CSOs) which would be discussed in detail in the next section

C. CSOs IN INDIA

In the present Indian context, the term covers such a wide array of actors, processes and identities for e.g. people's movements, organizations that are not registered with the government, religious organizations, corporate supported entities, research institutes, local organisations working on delivery or those focusing on advocacy, Indian chapters of international NGOs - all claim to fall under the category of CSOs, despite their very different operational modes. Until the '90s, people's movements, NGOs, and voluntary initiatives, functioned without a reference to the general category of civil society. Only in the first decade of the 21st century did the term progressively enter the public discourse. The introduction of the notion by donor agencies, and its hesitant appropriation by groups that found in it a unifying principle, has been extensively studied (Chandhoke, 2010; Sheth, 2005; Tandon, 2002).

In the post-Independent phase it was with the engagement of women's groups that significant changes have been brought about in laws for women. The women's movement has engaged with laws in several ways:

- ✓ Organizing protests in specific cases to seek changes in existing laws
- ✓ Critiquing legal jurisprudence on how it falls short of substantive justice for women
- ✓ Petitioning the Government for new laws

There are some landmark laws and amendments that are important markers in legislative history from women's point of view. These are presented in the Box below.

D. CONSTITUTIONAL AND LEGAL PROVISIONS FOR WOMEN IN INDIA

The principle of gender equality is enshrined in the Indian Constitution, through its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women. Within the framework of a democratic polity, Indian laws, development policies, plans and programmes have aimed at women's advancement in different spheres. Thus in India we have constitutional and legal provisions that protect and promote gender equality.

India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993, which has influenced law-making in India in a significant way.

E. LAWS CRITICAL FOR THIS STUDY

As stated in the earlier section many women face discrimination and abuse in their daily lives. The laws chosen for the present study relate to matters women have to deal with in their daily lives. These laws are of interest for the present study as they have great potential to bridge the gender gap that exist in India in two crucial arenas - state accountability to women, and livelihood security.

- i. **Protection of Women from Domestic Violence Act, 2005** : An Act to provide for more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family and for matters connected therewith or incidental thereto.

The Protection of Women from Domestic Violence Act (PWDVA) was the outcome of intense advocacy efforts by lawyers and women's groups using the CEDAW - Convention on Elimination of All Forms of Discrimination Against Women. Since India had ratified the convention and became a signatory, it was bound to take proactive measures to enact legislation to safeguard women. This was strategically used to culminate the long struggle that the women's movement had been waging to have a comprehensive law to protect women from the domestic violence they face.

- ii. **The Hindu succession (Amendment) Act, 2005**: This Act confers equal inheritance rights to daughters as were given to the sons under the Hindu Succession Act, 1956 amending Section 4, Section 6, Section 23, Section 24 and Section 30 of the earlier Act of 1956. It revised rules on coparcenary property, giving daughters of the deceased equal rights with sons, and subjecting them to the same liabilities and disabilities. The amendment essentially furthers equal rights between males and females in the legal system.

- iii. **The Sexual Harassment at The Workplace (Prevention, Prohibition and Redressal) Act and Rules, 2013**:

An Act to provide for prevention and redressal of sexual harassment of women at the workplace and for matters connected therewith or incidental thereto; where sexual harassment includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely :-

- Physical contact and advance; or
- A demand or request for sexual favours; or
- Making sexually coloured remarks; or
- Showing pornography; or
- Any other unwelcome physical verbal or non verbal conduct of sexual nature;

OTHER PROGRESSIVE LAWS THAT ARE CRITICAL FOR THE PRESENT STUDY

The above mentioned laws have a direct bearing on women. Two other generally progressive laws which have significantly helped women should be mentioned; the Right to Information Act, and the National Rural Employment Guarantee Act.

- **The Right to Information Act (2005):**

An Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.

Women are highly disadvantaged when it comes to accessing any formal institutions largely due to the patriarchal set up which not only translates into a lack of mobility, confidence and education on the part of women, but also due to the mindset it creates of those in authority and power. This leads to a situation where in women's access to offices and institutions that can provide them benefits under the welfare state or justice in case of violation of their rights has been very limited. The right to information (RTI) Act empowers the citizen to seek accountability and transparency, and women as equal citizens of the state can now invoke the RTI to speed up their applications and claims filed with various departments. Additionally, the RTI Act has also made the administrative set more responsive as they are otherwise liable to compensate the applicant if the delays are unjustified.

- **The Mahatma Gandhi National Rural Employment Guarantee (MNREGA) Act: (2005):**

This Act aims at enhancing the livelihood security of people in rural areas by guaranteeing hundred days of wage-employment in a financial year to a rural household whose adult members volunteer to do unskilled manual work.

The MNREGA is a landmark piece of legislation that ensures wage work at assured wages to the rural adults. It assures work within the village or at most within 5kms of the village. This has led to a large number of women finding employment within their villages, while they were previously unable to migrate for work as their male counterparts do, due to the various domestic responsibilities on them. From the experience of the researcher, having developed a special project for an Indian philanthropic institution to facilitate the implementation of MNREGA in the 5 poorest districts across 5 states of India, it was observed that women formed the larger part of the workforce participating in the NREGA works. It increased their purchasing power, and their ability to support the education of their children, including higher education for girls. During a training programme held in September 2011 with women leaders of UP who had participated in this project, the women leaders said, "First we had to convince our families that we can go to work as they believed that no government would want to employ women; second we had to persuade through applications and group pressure the local government officials that women can do an honest job of the work provided under MNREGA." The data of these districts indicate that the number of women partaking in MNREGA is increasing over the years as they are able to realise the guarantee of work and wages.

This study is located in the tradition of democracy as a political and developmental agenda, as is followed in India, which allows for civil society interventions. It seeks to examine through exploratory means the experiences of women who have exercised their voice and agency against violations, and used the laws directly or the knowledge of the laws to secure justice. It seeks to draw from these "law users" their views of how the laws were useful to them, how did they impact their lives and the role that civil society played. This study is a retrospective study to understand how selected laws are impacting the lives of women who use them, and hence are termed "law users". Greater elaboration of the term will be done in Chapter 3, on Methodology.

In order to understand women's experiences of being a law user it was essential to understand the philosophical angles to justice which is presented in the next sections.

F. PHILOSOPHICAL APPROACH TO JUSTICE AND CAPABILITIES

This concept has deep philosophical meanings and has also evolved over a period of time. The effort was to examine various literature sources that provide answers to some simple questions - Is justice a universal concept or is it something that each individual experiences differently? Or is it shaped by what an individual believes is possible? Is justice seen only as something to be delivered through the courts or does it entail other facets? These were some of the questions that grappled with while framing the domain of exploration, as the researcher sought to understand the point at which women decide that they have to act differently in order to change the injustice or the violence that they were experiencing. The question was why some women act and so many don't. What made them think that a change was needed? Was it some conceptualization of "justice" – unarticulated maybe, but felt inside?

These were some of the questions that led the researcher to the writings of John Rawls, Amartya Sen and Martha Nussbaum which are discussed.

i. JOHN RAWLS THEORY OF JUSTICE

John Rawls offers a fairly divergent view wherein he introduces concepts of justice as fairness:

"Justice as fairness begins with one of the most general of choices which persons might make together, namely, with the choice of the first principles of a conception of justice which is to regulate all subsequent criticism and reform of institutions." (Rawls, 2011)

His theory of **justice as fairness** envisions a society of free citizens holding equal basic rights cooperating within an egalitarian economic system. The two principles that emanate from the notion of justice as fairness are:

- A. Each person has an equal right to a fully adequate scheme of equal basic liberties which is compatible with a similar scheme of liberties for all,
- B. Social and economic inequalities are to satisfy two conditions. First, they must be attached to offices and positions open to all under conditions of fair equality of opportunity; and second, they must be to the greatest benefit of the least advantaged members of society.

ii. AMARTYA SEN AND HIS IDEA OF JUSTICE

The work of Amartya Sen who has been a student of Rawls, as well as a colleague, offers some points of departure from Rawls' conceptions. In his book, *The idea of Justice* (2011) Sen challenges the idea of the hypothetical 'original position where all men are equal'. He points out that the earlier conceptions focus on the 'arrangement-focus of justice', and instead offers a 'realization-focused understanding of justice' where it "concentrates on the actual behavior of people, rather than presuming compliance by all with ideal behavior" (Sen., 2011).

iii. NUSSBAUM'S CONCEPTION OF CAPABILITIES APPROACH

From examining other works of Amartya Sen and the critiques of his idea of justice, the researcher came across literature on the capabilities approach that linked more directly with women's development.

Sen and Nussbaum have almost simultaneously developed the capabilities approach but applied it in different spheres. The distinct points of agreement, some points of disagreement in terms of the emphasis and its application, have been explicitly presented in Nussbaum's work, titled, 'Women and Human Development – The Capabilities Approach'.

Nussbaum comes from a philosophy background, and uses the capabilities approach to offer 10 universal capabilities which would allow for comparisons across cultures and nations. Her contribution is significant as it allows a framework to assess women's quality of life. Her list of central capabilities provides the basis for determining a decent social minimum in a variety of areas, and she concedes that it does not lead to a complete theory of justice. The researcher too believes that this approach has far greater relevance to a social work practice as these capabilities are easy to look out for while working with women and communities

G. THE DISCOURSE ON EMPOWERMENT

It is towards the latter part of the 1980's that the concept of women's empowerment gained acceptance as an approach to development, and large scale government and non government programmes adopted this approach. There is no universally accepted definition, although there are several interpretations and definitions available.

From a gender equality perspective, Srilatha Batliwala's definition of empowerment suggests a process of transforming the relations of power between individuals and social groups, shifting social power in three critical ways:

- By challenging the ideologies that justify social inequality (such as gender or caste)
- By changing prevailing patterns of access to and control over economic, natural and intellectual resources.
- By transforming the institutions and structures that reinforce and sustain existing power structures (such as the family, state, market, education, and media) (Batliwala, 1993).

The paradigm shift to empowerment since the 1990's has enabled participation of women from various strata, it enabled a shift from merely seeking to catch up with their male counterparts. Born out of this shift were:

- a clear focus on challenging patriarchy as a system,
- the slogan "Personal is political" and,
- growing urgency to seek transformation and not just change.

H. RELEVANCE TO SOCIAL WORK PROFESSION

Social Work is among the youngest fields in the social sciences to be recognized as an independent body of knowledge, and as a distinct profession. In fact, there are several critics who even challenge this. They point out that social work does not offer anything exclusively but is actually a combination of several professions (Beckett, 2006).

In 2014, The International Federation of Social Workers' definition stated that,

"Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work."

The meaning of social work is linked to the evolution of the development goals themselves, which as we have seen earlier, have also broadened to include empowerment. Similarly, one can see the shift from welfare orientation to empowerment and the mention of *principles of human rights and social justice* as fundamental to social work.

I. FRAMING OF THE RESEARCH STUDY

Social workers respond to both the demands of living in a changing society, and the call for justice to promote citizen's rights. In practice, social workers address social concerns that threaten the structure of society and redress social conditions that adversely affect the well being of people and society. Social work practice encompasses the professional activities of helping individuals, families, groups organizations and communities to enhance or restore their capacity for optimal social functioning and of creating societal conditions favorable to this goal. In essence, social work activities empower client systems to enhance their competence and enable social structure to relieve human suffering and remedy social problems (DuBois, Brenda L., 2008)

Having completed masters of social work in the late 1980's, the researcher has been exposed to and practiced social work that resonated with principles of human rights and social justice and adopts an empowerment approach.

The process where a woman decides that she will 'take it no more' and seeks help to the point where she gets justice is a long one. Her experiences with the police, officials of the state machinery, lawyers, judges, civil society support, the renegotiation that takes place within the family and the community is most likely to be non-linear and would vary from woman to woman. While the law is a formal instrument, its application for the specific case of the woman is mediated through the many stakeholders mentioned above. The impact of the law therefore cannot be isolated from these intermediating systems and individuals. Thus apart from the formal outcome of a case, the application of procedures, the questions, the negotiations, the opposition, the struggle together create a perception of whether the law was able to further the cause of equality or not. And in this entire process, does the woman think of the outcome as empowering? If yes, how does she articulate it? How is it manifest? Thus, this research process will seek to capture these experiences through the qualitative narratives to arrive at the law user's perspective on empowerment.

In a nutshell, this chapter puts forth the philosophical and conceptual background which will inform the next stages of the research.

It was felt appropriate to do literature review, following the presentation of the conceptual framework, so as to understand the broader spectrum and gamut of the concepts relevant and similar to the line of study.

The Methodology Chapter will be dealt with after the Literature Review chapter.

CHAPTER – 3

METHODOLOGY

In the first chapter it is argued that in democratic nation–states, legislation is a means to secure equality so that all citizens can participate as equals to achieve the substantive goal - “rule of the people, by the people and for the people”. Even as gender inequalities persist, women from marginalized communities offer a critical vantage point from which to assess how the democratic and development goals are being met. In the chapter covering literature review, the endeavour is to look at studies around select legislation, aimed at reducing gender inequalities that have been passed in or after 2005, and to identify the gaps in knowledge that still remain.

This chapter lays out

- social work relevance,
- objectives of the study
- research design, and
- Universe and sample and
- justification of the qualitative methodological approach.

This study titled, “Impact Of Progressive Laws And Civil Society Facilitation On Empowerment: Women Law Users’ Perspective” is an exploratory study around the theme of empowerment.

A. SOCIAL WORK RELEVANCE

This research study will be useful to social work **practitioners who are engaged in** community organizing, promoting social justice and empowerment especially of women. It will also be useful for social workers who provide legal advice, and referral services for women facing different forms of violence.

B. OBJECTIVES OF THE STUDY

The objectives were framed as:

- a. To explore the outcomes of the interplay of the assertion of the women's rights, the legal provisions for them, and support structures of the state.
- b. To explore the nature of changes in women's relationships with their family members, and community members as they try to secure justice as a law user.
- c. To explore differences in outcomes when a woman seeking justice is a member of women's collectives or support groups, and when she seeks help from the civil society organizations for a specific service.
- d. To examine how women law users' experience changes in their lives, and more specifically in the context of what they define as justice and empowerment.

C. RESEARCH DESIGN

This study is an exploratory study as the topic deals with a subject of empowerment that is still relatively recent concept in development, It draws upon abstract and philosophical concepts rather than definite concrete observable phenomena.

The research design will use both qualitative and quantitative methods but rely largely on qualitative methods.

D. UNIVERSE AND SAMPLE

The universe is all Law Users who have used progressive laws and have taken the help of Civil Society Organisations.

The sample is taken from Civil Society Organisations that worked with women's rights perspective and explicit use of laws.

Although qualitative studies need not follow the strict manner in which universe and sample are defined in quantitative studies, it has been defined as relevant cases and critical cases in this qualitative study.

The first step of identifying the law users was to identify the civil society organizations (CSO's). The effort was to identify CSOs that have worked for more than 10 years with communities.

Based on the criteria shared by the researcher, the staff of the CSO and the researcher went over their case records the period 2011 to 2014. Hence first **Relevant Cases** were identified with the following criteria:

- ◆ The women's fight for justice should have begun in the last three years – i.e. 2011, 2012, 2013 or 2014.
- ◆ The women belong to socially, culturally, or economically vulnerable sections of society
- ◆ The women have used the more recently passed, progressive laws promoting gender justice; i.e. Protection of Women from Domestic Violence, Sexual Harassment at Workplace (Protection, Prohibition and Redressal) and the Hindu Succession Act Amendment. Laws that are not explicitly for women but used from the perspective of gender justice e.g. the Right to Information Act and Mahatma Gandhi National Rural Employment Guarantee Act are also defined as progressive laws for this study.

Out of the Relevant Cases, **Critical cases** were identified using the following criteria as

- ◆ The women had at some point in their dealings with the law also used the services of a civil society organization – either right at the beginning or later on.
- ◆ Women who were willing to share their stories and where there has been adequate engagement with the law
- ◆ Women who are able to recall with fair amount of details, the process they have undergone.

The parameters also worked as inclusion and exclusion criteria. Of all the cases recorded by the CSO in their registers for the period 2011 to 2014, the researcher and CSO representatives went over 106 cases that were categorized under the various rights being accessed.

Out of these 106 relevant cases, 33 cases were shortlisted for critical case analysis, based on the actual law being used, whether there was interface with the police and legal machinery.

Initially, the researcher had planned to cover about 50 cases. At the time of the research proposal being assessed by the panel, the external examiner recommended that the number of cases can be much smaller. She explained that in a qualitative study the effort has to be go in depth and to understand each case from various angles.

E. OPERATIONALISING DEFINITIONS

While the next section will describe various approaches and argue why the critical theory approach and constructivism are appropriate for the present qualitative study, the box below gives the definitions of the key terms employed in this study.

Box No: Definition of Key Terms

- ***Progressive Laws:*** Legislation that have been brought about to end discrimination and promote gender equality. The time period taken for the legislation is post 2005.
- ***Empowerment:*** The process by which women exercise agency through a process of critical reflection, action – both individual and collective to challenge and change conditions that are unequal and discriminatory.
- ***Civil Society:*** Those non-governmental organizations that offer a range of direct support to women and marginalized communities to improve their living conditions, and those who believe in a human rights and empowerment approach.
- ***Facilitation:*** Specific to this study facilitation refers to the range of services provided by civil society organizations to women to use laws and legal provisions through both and non formal means during counseling and arbitration.
- ***Law User :*** The researcher has used the term 'law user' to mean women who seek justice and who have used law either formally in the courts of law or in law users have been specifically chosen from marginalised sections or at most lower middle class sections of the society.

The idea or exploration of women's experience has intrinsic value. Its centrality to feminist thought is brought out by the slogan, "Personal is Political". The phrase was designed to draw attention to the political meanings and imperatives that are derived from women's everyday experiences in their private lives. (Huges, 2002). Published originally in 1982, Mac Kinnon comments in this respect that the 'personal is political' "means that women's distinctive experience as women occur within that sphere that has been socially lived as the personal – private, emotional interiorized, particular, individualized, intimate."

There is further work that validates inclusion of diverse experiences while constructing reality, (Reissman, 1994), (Myers, Anderson, & Risman, 1998). There should be multiple conduits of information from the margins to the centre and back to the margins. "For

intellectual production to remain fluid, we require both the margins and the centre. Exciting work takes place in the margins, but in order to transform knowledge, we must bring the work from the margins to the centre. When this occurs in sociology, we experience what Karl Popper (1968) calls a 'paradigmatic' shift." (Myers, Anderson, & Risman, 1998, p. 408).

The effort in this research was to delve deeper into the experiences of women who have utilized progressive laws. Drawing from the significance of bringing voices from the margins to build knowledge, there was a special effort to focus on women who belong to marginalized poor communities or from very 'ordinary' backgrounds.

J. CRITICAL THEORY AND CONSTRUCTIVISM

A combination of two approaches – the Critical Theory Approach, and Constructivism have been used. Within Constructivism ethnomethodological exploration has been used.

In the following sections each of these have been elaborated followed by the specific application of these approaches to the study.

- **CRITICAL THEORY:**

"A critical theory is concerned in particular with issues of power and injustice and the ways that the economy, matters of race, class and gender, ideologies, discourses, education, religion and other social institutions and cultural dynamics interact to construct a social system. Inquiry that aspires to the name "critical" must be connected to an attempt to confront the injustice of a particular society...Research thus becomes a transformative endeavour unembarrassed by the label 'political' and unafraid to consummate a relationship with 'emancipator consciousness'" (Kincheloe & McLaren, 2000).

- **CONSTRUCTIVISM:**

Constructivism begins with the premise that the human world is different from the natural, physical world and therefore must be studied differently. Human beings have evolved the

capacity to interpret and construct reality, and to that extent the world of human perception is not 'real' in an absolute sense as the earth and the sun are real. Human experiences are shaped by cultural and linguistic constructs. The Thomas theorem coined by the well known sociologist W.I. Thomas states: *What is defined or perceived by people as real, is real in its consequences* (Patton, 2002). So constructivists study the multiple realities constructed by people, and the implications of those constructions for their lives and interactions with others.

K. CASE STUDY AS A STRATEGY

With the use of this method, "the researcher explores in depth a program, an event, an activity, a process, or one or more individuals. The case (s) are bounded by time and activity, and researchers collect detailed information using a variety of data collection procedures over a sustained period of time" (Cresswell).

Hartley states that case study research "consists of a detailed investigation, often with data collected over a period of time, of phenomena, within their context," with the aim being "to provide an analysis of the context and processes which illuminate the theoretical issues being studied" (Hartley, 1994). Yin offers a more detailed and technical definition of case studies:

"A case study is an empirical inquiry that

- **investigates a contemporary phenomenon** within its real-life context, especially when the boundaries between **phenomenon and context are not clearly evident**.
- copes with the technically **distinctive situation** in which there will be many **more variables of interest** than data points, and as one result
- relies on **multiple sources of evidence**, with data needing to converge in a triangulating fashion, and as another result
- benefits from the prior **development of theoretical propositions** to guide data collection and analysis". (Yin, 2003)

This definition points out that a **case study is not a method but a research strategy**. As matter of fact, case study as a research strategy comprises an all-encompassing method, which means that a number of methods may be used—whether qualitative, quantitative or both (Hartley, 2004), (Yin, 2003). Therefore, a **case study cannot be defined through its research methods, but rather in terms of its theoretical orientation**.

Having understood the positives and critiques, **the researcher chooses to use the Case Study strategy for the following reasons**

- a) Empowerment is a complex phenomena and needs openness to capture the experiences of the group of women under study that may not have been captured so far context of law user's.
- b) The laws identifies are of recent times and hence the phenomena of law users accessing these laws will be well suited to the Case Study as a research strategy.
- c) Simple set of theoretical propositions are presented.

The theoretical proposition, “should by no means be considered with the formality of grand theory in social science but **mainly need to suggest a simple set of relationships such as “a [hypothetical] story about why acts, events, structures, and thoughts occur”** (Sutton & Straw, 1995).

For the present study cluster of tentative theoretical propositions which will also provide boundaries or limits to the overall study are presented below.

Box No. 5 Cluster of Tentative Theoretical Propositions

- ***There is likelihood of experience of empowerment by women who use laws to secure gender justice.***
- ***It is most likely that women who are part of collective action facilitated by Civil Society Organisations will experience empowerment in diverse arenas of their lives, compared to those who only come to avail only of specific services.***
- ***Civil Society Organisations using a women's rights perspective are most likely to create the basis for women's participation in democratic processes as equals citizens.***

For the purpose of the study, organizations that used the gender equality lens or the women's rights perspective were identified, and from among them those that used the basis of existing laws and provisions of the constitution and the government were specifically selected.

In the selected regions, the five civil society organizations identified were:

- A) Maliya Mahila Shakti Sangathan – Morbi District
- B) Mahila Swaraj Manch – Bhavnagar District
- C) Devgad Mahila Sangathan – Dahod District
- D) Panam Mahila Sangathan – Panchmahaals District
- E) Mahiti Adhikar Gujarat Pahel - Ahmedabad

All the organizations have been operational for over 10 years. Three of the above organizations are registered, and two are unregistered; however all of them would qualify as civil society organizations as defined for the purpose of this study. Moreover, they have immense credibility with the communities they work with. They have brought in the human rights framework and follow an empowerment approach. The first four organizations expressly follow a women's rights perspective. The fifth – Mahiti Adhikar Gujarat Pahel, works for all citizens, especially the marginalized and ordinary citizens.

LIMITATIONS OF THE STUDY

Due to the confidentiality clause under the Sexual Harassment Law, only two cases were available. But they are significant in that they did provide some critical aspects.

All human lives are lived in a continuum; however, as a researcher each narrative needs a beginning and an ending. There is a limitation in what gets identified as the beginning and the end based on how the women who are narrating their experiences perceive their lives at that particular moment.

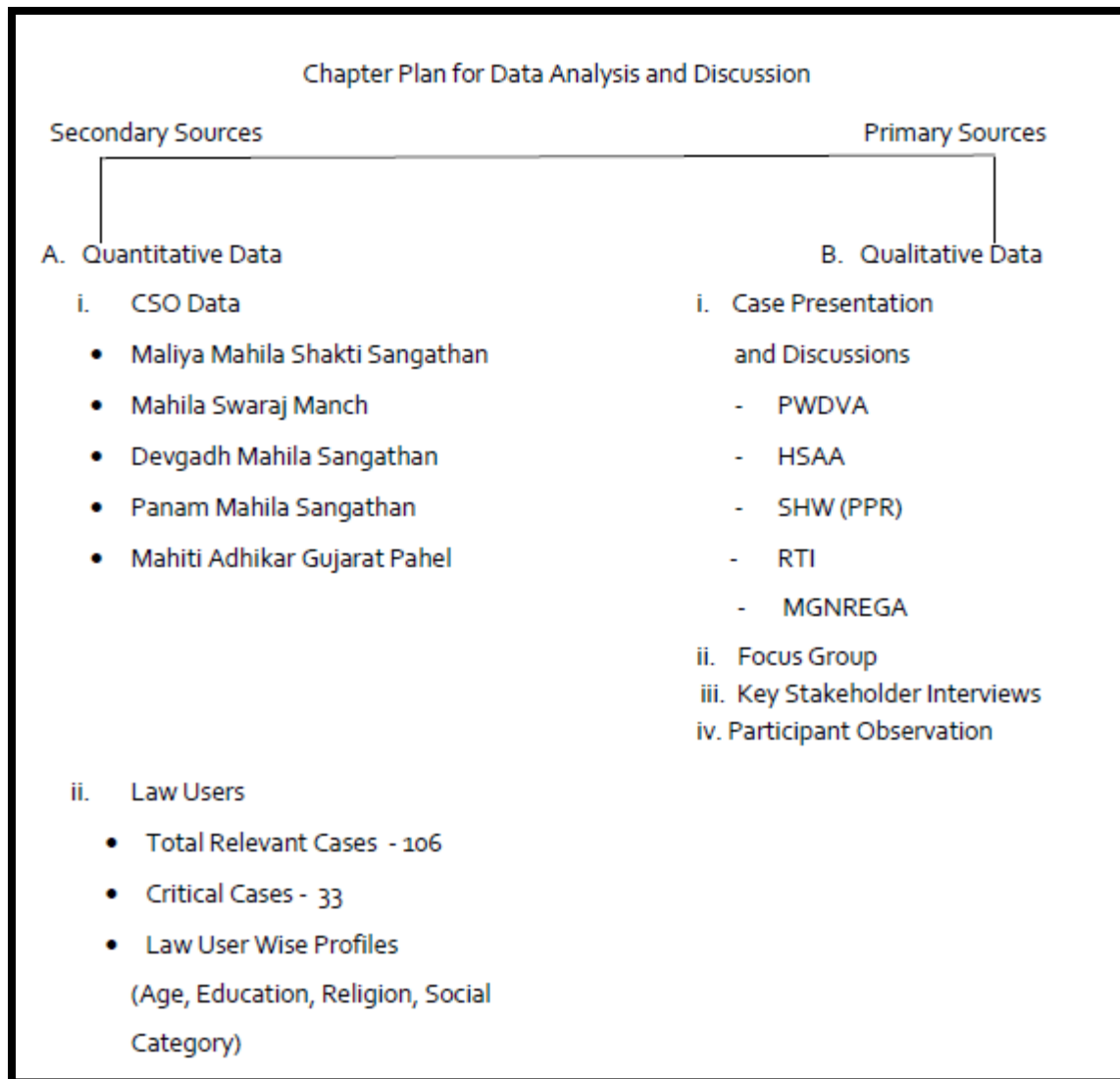
Certain details that are too painful to recount may get suppressed or diluted. However, the researcher's experience of being directly involved in community work and with women was helpful in drawing out the significant details.

The second limitation, is that the study is self funded and hence could not cover areas in North Gujarat and South Gujarat to make it more representative.

CHAPTER 4.

DATA ANALYSIS AND DISCUSSION

The study findings are organized chapter plan is presented below which shows the organization of quantitative and qualitative data.



SECTION A

QUANTITATIVE DATA

In this section, first a profile of the cases will be presented to give an overview of their background. In all 33 cases were covered as part of this research study.

The selection of the cases followed the 'most likely case' approach to identify the critical cases as described in the section titled "selection of critical cases" in the methodology chapter.

PROFILE OF THE CASES

Demographic characteristics of the law users have been presented in the tables in this section.

CSO WISE LAW USERS

Each of CSO's maintained detailed records of the cases that came to them with their names, address and details of the cases. Some cases were even written up as case studies on successful completion. In some cases the details of process followed with the case were sketchy, but the CSO team members were able to recall the details quite well.

Relevant cases and Critical Cases have been explained in the methodology section on "Criteria for Selection of Law Users" which are presented here again.

Relevant Cases were identified with the following criteria:

- ◆ The women's journey with the specific law should have begun in the period between 2011 - 2014.
- ◆ The women belong to socially, culturally, and economically vulnerable sections of society
- ◆ The women have used the laws selected for the study

Out of the Relevant Cases, **Critical cases** were identified using the following criteria as

- ◆ The women had at some point in their dealings with the law also used the services of a civil society organization – either right at the beginning or later on.
- ◆ Women who were willing to share their stories and where there has been adequate engagement with the law

- ◆ Women who are able to recall with fair amount of details, the process they have undergone.

Table No.5 Critical Cases Identified of Law Users

No	CSO	Total No. of Relevant Cases	Critical Cases	
			Cases	FGD
1	Maliya Mahila Shakti Sangathan (MMSS)	30	9	1
2	Mahila Swaraj Manch (MSM)	10	2	
3	Devgadh Mahila Sangathan (DMS)	33	8	1
4	Panam Mahila Sangathan (PMS)	8	7	1
5	Mahiti Adhikar Gujarat Pahel (MAGP)	8	5	
6	As individual	2	2	
	Total	106	33	3

The most critical cases of law users have been identified with the help of MMSS and DMS and PMS with 9, 8 and 7 cases respectively. Following the logic of 'critical case' these cases are not necessarily representative, but are critical as they belong to very impoverished backgrounds, where the systems of democratic governance are weak. Hence these cases will provide a vantage point to understand their experiences as law users and how they define empowerment.

LAW USERS ACCORDING TO THE LAWS

The table below give the profile of Law Users from the point of Laws that were identified for the study.

Table No 6 : Law wise Relevant and Critical Cases

No	Laws	Relevant cases	Selected cases
1	PWDVA	44	7
2	MGNREGA	33	15
3	HSA (2005)	9	4
4	SHW (PPR)	2	2
5	RTI	18	5
	Total	106	33

The maximum number of cases were identified for the law PWDVA and MGNREGA. Domestic violence is a phenomenon that has been acknowledged as a widely prevalent phenomenon across the globe and the communities where these CSOs work was not exception.

It has been nearly 10 years since the law has been passed and one can see that women have started using the law to seek a safe and secure environment. 44 cases were listed under PWDVA, but finally 7 were selected as there were some critical elements pointed out by the CSO members who had dealt with the cases. These features will become evident in the case presentation.

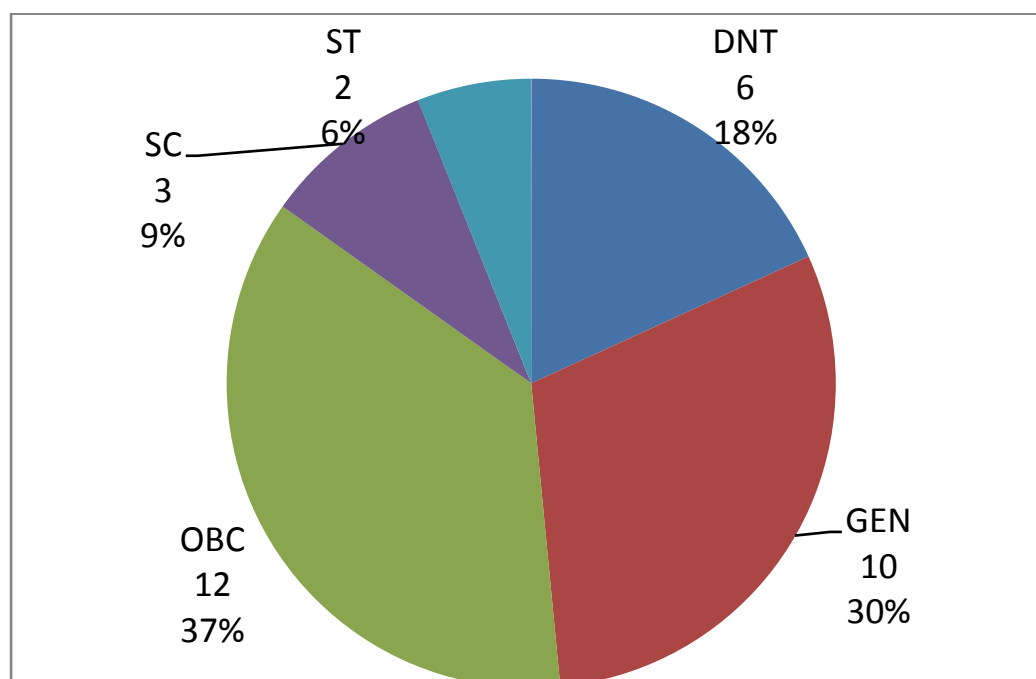
CASTE CATEGORIES OF LAW USERS

Of the total 33 law users,

- Majority of them belong to OBC category with 12 cases which is 37%.
- General Category Law users comprise 10 cases and 30% ;
- The DNT – De Notified Tribes comprise 6 cases and 18 %;
- The SC (Scheduled Caste) comprise of 3 cases and 9 %
- ST (Scheduled Tribes comprise 2 cases each and 6%

The chart below gives the spread of law users across social categories.

Figure No : 10 Caste-wise Break up of Law Users



This distribution reflects the effort to identify women law users from marginalized and vulnerable social group thus fulfilling the 'critical case criteria'.

AGE AND EDUCATIONAL BACKGROUND OF THE LAW USERS

The profile of the law users on age and education is presented here.

Table No: 7 Law users by Age and Education Status

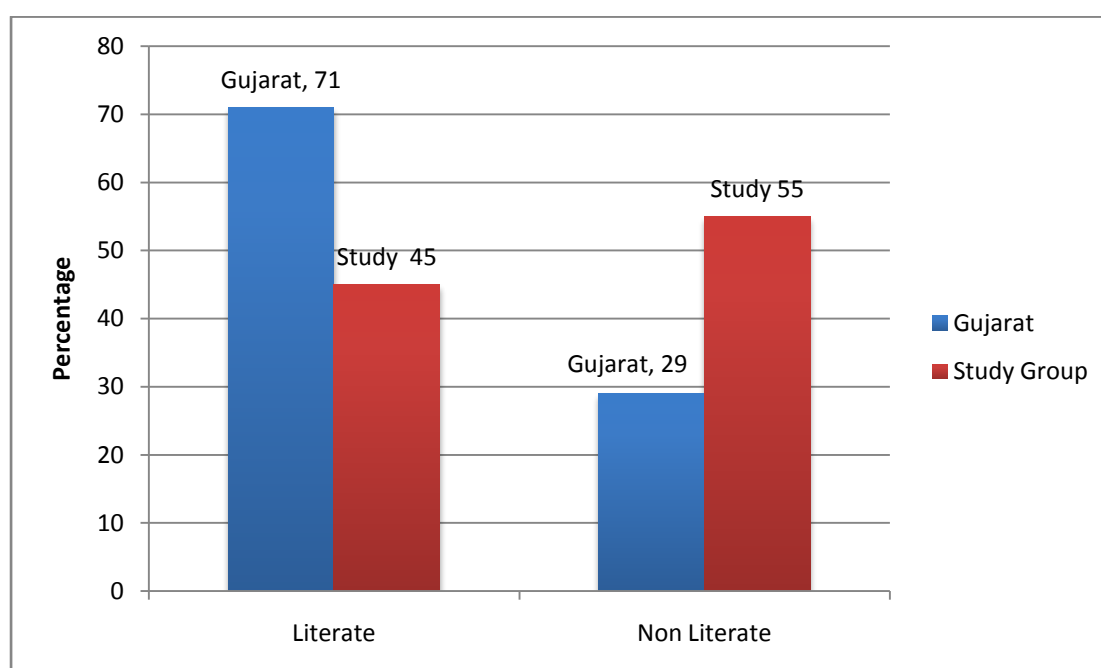
Education	Non literate	1st to 5th	6th to 9th	10-12 th	BA and Above	Total
Age						
19 -30	2	1	1	2	1	7
31-40	9		1	1		11
41-50	6		1	2	1	10
51-70	1	1	2	1		5
Total	18	2	5	6	2	33
Percentage	55%	6%	15%	18%	6%	100%

The maximum number of cases fall within the age bracket of 31 to 50 years with 63% of the cases. The least number of law users can be found in the oldest age group, but the number at 5 out of 33 is not insignificant either.

In terms of education majority of the law users are non literate at 55% and nearly one third of the law users have completed 6 to 12 years of formal education. As expected only 2 out of the 33 law users have reached graduation or more.

Compared to the female literacy rate of Gujarat as per the Census 2011, which is at 70.73%, the percentage of literate law users in this study is much lower at 45%. Conversely, while 29.27% of Gujarat women are non literate as per 2011 Census, in the present study 55% of the women are non literate.

Figure No: 11 Comparison of Study Group and Gujarat on Literacy Parameter

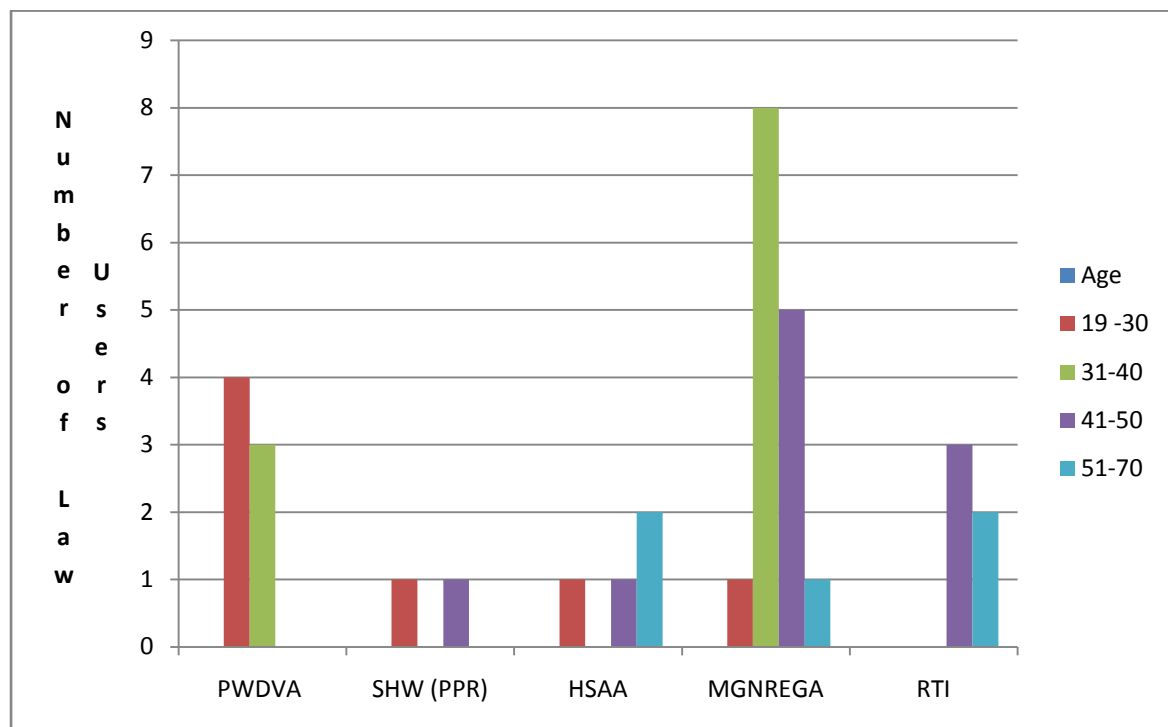


To the extent that there is a wide gap between the state level statistics, one can say that on the parameters of the education the law users do not form the most likely cases. However, as discussed in the methodology chapter, being more disadvantaged offers a useful vantage point to critically assess the role of laws, civil society facilitation and empowerment.

AGE AND LAWS USED THE LAW USERS

An interesting pattern emerges when one looks at the age group and the laws being used.

FIGURE NO 12 : AGE WISE LAW USERS



It is the younger women who are using the PWDVA and the older women who are using the RTI Act. This indicates that young women of this study do not want to accept violence in their lives and seek laws that affect their personal lives. Whereas the older women of this study group are engaging with the larger system when they are using the RTI.

The MGNREGA is being used by women of all age groups, with the largest number falling in the age group 31-40 years. Those are among the most productive years of the human life and also the age when they are expected to support their family.

Table No: 8 Age Group and Laws being used

Laws	PWDVA	SHW (PPR)	HSAA	MGNREGA	RTI	Total
Age						
19 -30	4	1	1	1		7
31-40	3			8		11
41-50		1	1	5	3	10
51-70			2	1	2	5
Total	7	2	4	15	5	33

The HSAA is being used by 3 middle aged and older women compared to 1 women who is 28 years old in this group of law users suggesting that land and property are sensitive issues which requires a strength that comes with advancing years. Not many young women know about the law which enables them to claim land and property in their natal homes and hence the low number in the category 19-40 years.

There is one law user each in the age group 19-30 and 41 to 50 years suggesting that Sexual harassment for women has little bearing on age and women are vulnerable to it any stage in their lives.

RELIGION OF LAW USERS

Majority of the law users i.e. 23 out of 33 belong to the Hindu religion, where as 6 follow Islam, 3 follow the Adivasi form of worshipping and 1 the Buddhist form of spiritual belief.

The spread of the law Users across different religions is presented below

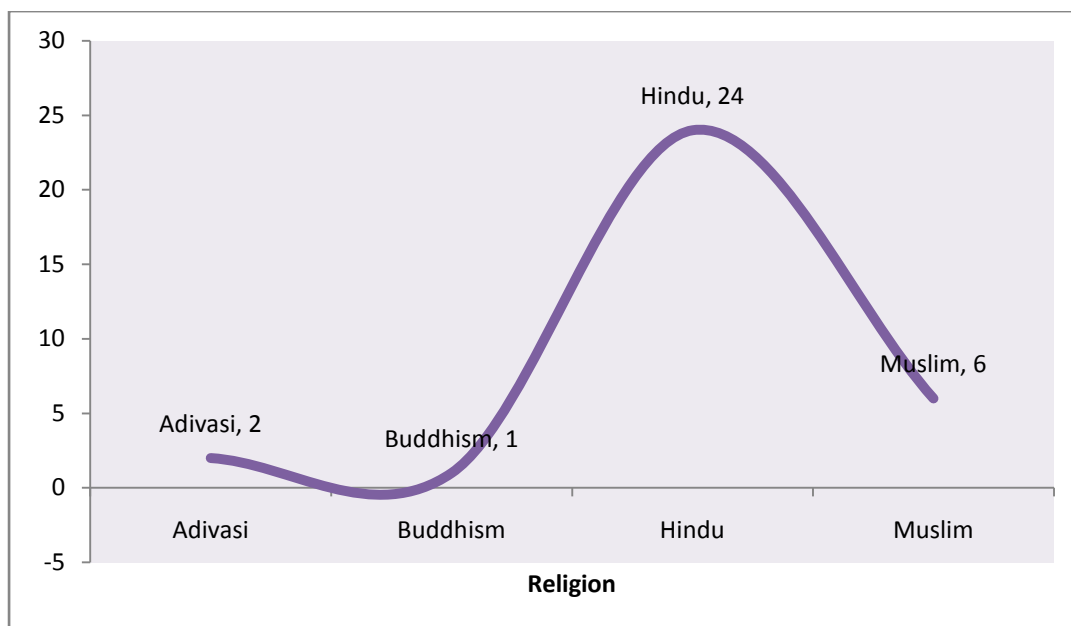
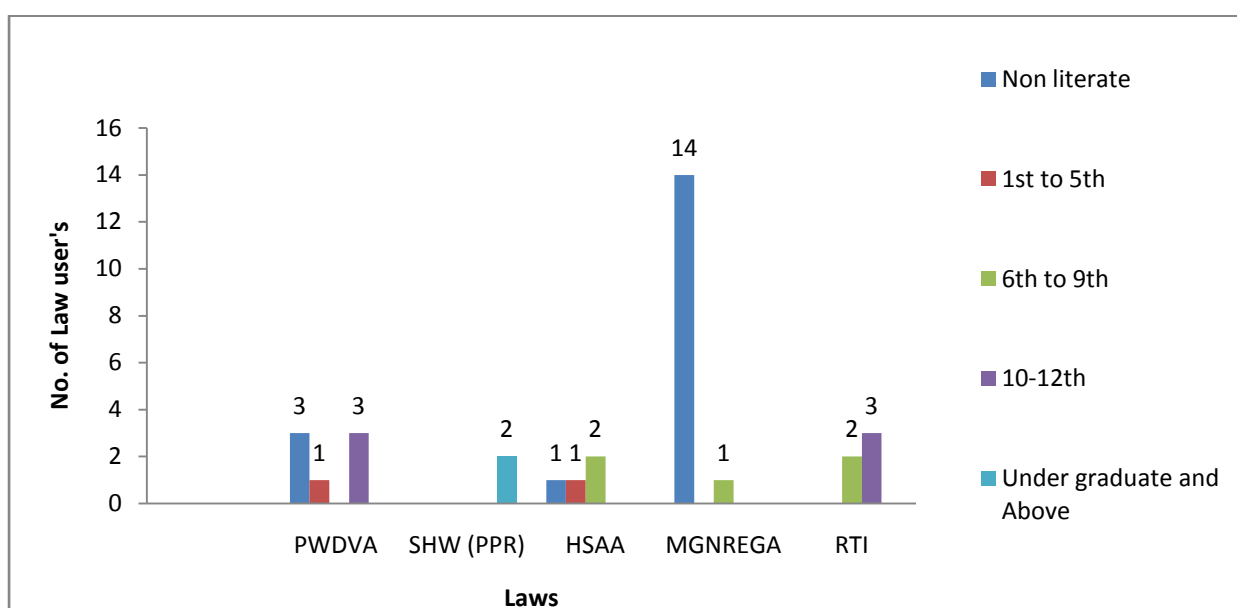


Figure No : 13 - Law users and Religion

EDUCATION AND USE OF LAWS

The Figure below shows the relationship between the Education Status and Law for the study group.

Figure No: 14 Law Users and Educational Status



MGNREGA mostly offers wage work to unskilled work, although the Act provides for some component of higher wages for skilled work. The study group points out that the largest percentage of Non literates have used the MGNREGA to secure wage work. RTI Act has been used by women who have studied upwards of 6th standard with two women having studied between 6th to 9th standard and 3 women having studied between 10th to 12th std. Both the women law users of the SHW (PPR) are either studying for an under graduate course or completed it.

The table below gives data for each category. And one can see that within the category of PWDVA law users, 43% are non literate and the same percent of women have studied upto 10th -12th and hence in this study group there is no definite relation between education and use of PWDVA.

The percentage of women who have studied between 6th to 9th standard in the study group is at 50%

Table No. 9 Education wise Use of Laws by the Law Users

(figures in parentheses are in %)

Education	Non literate	1st to 5th	6th to 9th	10-12th	Undergraduate and Above	Total
Laws						
PWDVA	3 (43)	1 (14)		3 (43)		7 (100)
SHW (PPR)					2 (100)	2 (100)
HSAA	1 (25)	1 (25)	2 (50)			4 (100)
MGNREGA	14 (93)		1 (7)			15 (100)
RTI			2 (40)	3 (60)		5 (100)
Total	18	2	5	6	2	33

Interesting a difficult law such as the HSAA has been used equally by women who have completed 5 years of study or less and women who have completed between 6 to 9 years of study. There is some reason to believe therefore that for the group under study there is a clear link between education status for the use of RTI, MNREGA and SHW (PPR). However the same cannot be said for PWDVA and HSAA.

CONSOLIDATED PROFILES FOR EACH OF THE LAWS

In this section detailed law wise profiles are presented on parameters of

- Age,
- Education
- CSO affiliation
- Social Category
- Religion
- Whether part of a support group and
- One key parameter which is unique to each of the laws.

PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT - PWDVA

There are seven cases of law users covered of which two women belong to Scheduled Castes (SC), three to General category and one each to Scheduled Tribe (ST) and Other Backward Communities (OBC). Three women are not part of a regular support group and four women are.

All the women except Senthiliben (Name changed) have used other legal provisions available to address the violence they were facing. Rakshaben (Name Changed) has also filed a case under 376 which applies to crime of rape as she was raped by one of her in-laws. This points that women have used multiple legal provisions to seek justice.

Table No. 10 : Overview of PWDVA Law Users

Name	Age	Edu	CSO link	Social Category	Religion	Other legal provisions used	Whether part of women's Support group
Bhavyaben	28	5	MSM	OBC	Hindu	498, A, and 125	No
Senthaliben	35	NL	DMS	ST	Adivasi	None	Yes
Rimiben	30	NL	DMS	ST	Adivasi	498 A	Yes
Raksha	30	11	PMS	Gen	Hindu	376	Yes
Heera	21	12	DMS	Gen	Hindu	498 A and 125	No
Gangaben	35	NL	MMSS	SC	Hindu	125	Yes
Komal	32	10	MSM	Gen	Hindu	498 A	No

(All names have been changed)

HINDU SUCCESSION ACT AMENDMENT - HSAA

In all 4 cases of women who had sought a share from their parents land or property. Of these 4 only one woman was successful in getting the land in her name. The journey is a long and complicated one as will be see in the case presentation in the qualitative section. Three out of four women who have used this law have support from women's group.

Table No. 11 Overview of HSAA Law Users

Name	Age	Edu	CSO link	Social Category	Religion	Whether successful in getting natal property	Whether part of women's Support group
Ranjan	28	7	MMSS	SC	Hindu	Yes	Yes
Ramiben	51	7	DMS	ST	Adivasi	Ongoing	Yes
Railiben	44	NL	DMS	OBC	Hindu	Ongoing	Yes
Karanba	55	3	MMSS	Gen	Hindu	Ongoing	No

(All names have been changed)

SEXUAL HARASSMENT AT WORKPLACE (PREVENTION PROHIBITION AND REDRESSAL)

It was possible to cover only two cases under this law as women and young girls preferred not to divulge their cases as provided by the confidentiality clause of the law. As explained in the methodology chapter, these cases were identified as individuals, however, one of them is part of support group. .

Table No: 12 Overview of SHW (PPR) Law Users

Name	Age	Edu	CSO link	Social Category	Religion	Whether case taken to logical conclusion	Whether part of women's Support group
Nitya	19	SYBA	Indi	Gen	Hindu	Partially	No
Rajul	44	MSW	Indi	SC	Buddhis m	Yes	Yes

(All names have been changed)

RIGHT TO INFORMATION – RTI

In general few women use RTI compared to men and hence out of the 8 relevant cases identified five critical cases were covered. One of the woman could not be contacted on the address or phone number given by her. As mentioned in section on Profile of CSO's in the the Methodology Chapter, MAGP primarily works to promote awareness of RTI through a variety of media and provides a service to those who seek to use RTI. They do not actively promote formation of support group. Hence only one woman law user reported being part of a support group which she has initiated.

Table No. 13 Overview of RTI Law Users

Name	Age	Edu	CSO link	Social Category	Religion	Key reason to seek RTI	Whether part of women's Support group
Bhartiben	48	12	MAGP	Gen	Hindu	For Maintenance	No
Gulab ben		7	MAGP	Gen	Hindu	For Inheritance	No
Parvatiben	44	10	MAGP	Gen	Hindu	For inheritance	No
Umaben	54	12	MAGP	Gen	Hindu	Support for Disabled	No
Radhaben	46	7	MAGP	OBC	Hindu	Support for Disabled	Yes

(All names have been changed)

MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME – MGNREGA

The highest number of law users 15 out of 33 selected critical cases belonged to this law indicating the economic need of the sample identified. All the women who used this law have reported to be part of a support group. 9 out of 15 women belong to the OBC group and the rest are categorized under the De Notified Tribe (DNT) of Miyana and they follow the Islamic religion.

All most all the women have taken to participating in the larger village level processes, which will be covered in more detail in the FGD of data presentation.

Table No: 14 Overview of MGNREGA Law Users

Name	Age	Edu	CSO link	Social Category	Religion	Whether participating in other village level processes	Whether part of women's Support group
Galiben	55	NL	DMS	OBC	Hindu	Yes	Yes
Paruben	40	NL	DMS	OBC	Hindu	Yes	Yes
Jatanben	35	NL	DMS	OBC	Hindu	Yes	Yes
Urmila	38	7	PMS	OBC	Hindu	Yes	Yes
sangitaben	32	NL	PMS	OBC	Hindu	Yes	Yes
Alkaben	45	NL	PMS	OBC	Hindu	Yes	Yes
Reenaben	42	NL	PMS	OBC	Hindu	Yes	Yes
Kiran	32	NL	PMS	OBC	Hindu	Yes	Yes
Kamlaben	48	NL	PMS	OBC	Hindu	Yes	Yes
Sharifa	37	NL	MMSS	DNT	Islam	Not always	Yes
Karina	45	NL	MMSS	DNT	Islam	Not always	Yes
Rehmat	30	NL	MMSS	DNT	Islam	Not always	Yes
Zohra	32	NL	MMSS	DNT	Islam	Not Always	Yes
Rubina	50	NL	MMSS	DNT	Islam	Yes	Yes
Anchal	40	NL	MMSS	DNT	Islam	Yes	Yes

(All names have been changed)

SECTION B

QUALITATIVE ANALYSIS

CASE PRESENTATION

This section has 4 four sub- sections each covering the following four laws,

- PWDVA Protection of Women from Domestic Violence Act, 2006
- SHW (PPR) Sexual Harassment at Workplace (Prevention, Prohibition and Redressal), 2013
- HSAA Hindu Succession Act - Amendment 2005
- RTI Right to Information Act, 2005

Each sub section begins with a brief overview of the cases covered, followed by Case Presentations. As presented in the section on Methods of Data Analysis under the Methodology Chapter, some of the critical observation of the researcher are reflected in the case narrative.

The data of each of the cases is presented under key headings which were arrived through the following stages described under the section “Methods of Analysis” in the Methodology Chapter;

- correction of raw field notes,
- “data reduction”
- Arriving a the domains and themes

These themes are the sub headings created for each of the laws and are critical to nature of enquiry the present study aims to do. Sometimes these themes fall clearly within the objectives and sometimes the themes have emerged from the narratives. Such themes have added to the “case study strategy” used to study the phenomenon of “Impact of Progressive Laws and Civil Society Facilitation from a Law Users Perspective.”

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After all the cases are presented discussion and emerging analysis is presented in the final section under each law.

The overall conclusions will be presented in the last chapter titled "Conclusion and Recommendations".

SUBSTANTIVE DISCUSSION AND ANALYSIS ON PWDVA LAW USERS

This section will analyse the findings under the four objectives of the study to draw conclusions for this specific law.

- a) EXPLORE OUTCOMES OF INTERPLAY OF ASSERTION OF WOMEN'S RIGHTS , THE
LEGAL PROVISIONS AND SUPPORT STRUCTURES OF THE STATE

From assertion to becoming a Law User

Each of the cases are examples of assertion of what is acceptable to women in a marriage and what is not. However, none of them immediately thought of using a law. The consciousness of invoking a law did not exist. Heera is the only person whose parents went to a lawyer on the advice of community members. Here too the lawyer was seen as an expert and there was faith that he would do all that is necessary.

It was only when the women came in touch with the CSO team members that they were explained about the laws and especially the PWDVA which they could use.

If their friends and acquaintances face marital conflict, Sonal of Bhavnagar and Heera state that they speak about the law. **This is another form of being a law user – not just to secure justice for one's self but also to apply it to other situations.**

About the experience of using the Law

Each of the law user knew the name of the law in short as "gharelu hinsa no kaydo" translates to "Law on Domestic Violence". They recalled that an order was passed which vindicated their claim that the husband and or the in laws were in the wrong and that it affirmed their claim to justice.

None of them were able to reply to the question on what "relief or protection" (*rahat or saurakshan*) did they ask for as part of the law. But when asked what was their "demand,"

(maang) they were able to clearly list out what they wanted be it “stopping of violence,” or “begin to live separately from the in-laws” or “restitution of conjugal rights” or be it “maintenance”.

The law uses a particular language which reflects the state approach and in this instance, it certainly seems that the state sees itself as being responsible for **providing relief and protection “to someone who is unable to secure it for herself”** and the state will apply the law to secure the same.

*However, the **women who are exercising agency** by becoming a law user, are actually “demanding” various things. In other words, **they are seeking what they think is fair and therefore also forms part of what they see as justice.***

Regarding experiences with police and judiciary

Although strictly speaking there need not be any role of the police in the application of the PWDVA as it is a civil law and the women can directly approach the Protection Officer. The reality is that most women do not know about this law and hence they would approach the police station where the case gets recorded under Indian Penal Code 498 - A. Of the 7 cases only two women had experience of going to the police station. Raksha had a negative experience where they just did not take her complaint and she had to go to a lawyer to get her rape complaint filed. Komal reported a positive experience and attribute it to being accompanied by the lawyer appointed by the CSO or a CSO team member. It was the lawyer who had suggested that along with PWDVA, she must file a case under 498 A and hence they went with her.

Once again it needs to be noted the stereotypical images of police stations being unfriendly places for women to go, cultural norms about “good women do not go to police station” are actually deterring factors for women to seek help. **Yet when women do approach the police, it is an act of assertion and agency.**

Compared to the experiences with the police, all the law users have reported that the Judge gave a fair hearing, that the overall experience was positive. Yet, Gangaben states that she did not get justice as there were no final orders.

None of the law users were able to clearly recount the number of hearings or details of the case proceedings and they all pleaded either that it was a long time ago or that they were non literate and hence could not be expected to recall such details.

Only in the case of Komal did the judge give his interim and final orders within the stipulated time. But none of the law users knew or recollected that there are time restrictions for the judicial proceedings. Even with delay, final orders were issued in only four cases – of Senthiliben, Raksha, Heera and Komal. In the other 3 cases, the parties had tried other mechanisms to arrive at a settlement or have left the court matter as it is too time consuming.

Overall, each of the law users stated that they had a positive experience with the judiciary. They had thought that it would be intimidating, but with the support of the CSO team members and their lawyers, they were able to be at ease and participate in the proceedings without fear or anxiety.

It was a high point for the women that the judge spoke to them directly and asked them their views. This act itself was quite empowering, as each of the law user felt that someone powerful is even asking them to talk about what is otherwise considered as private and very 'un woman like', i.e. to speak about their marital problems.

b) EXPLORE NATURE OF CHANGES IN THE WOMAN'S RELATIONSHIPS WITH HER FAMILY MEMBERS, MEN AND WOMEN IN THE COMMUNITY AS THEY SEEK JUSTICE

Changing social relations

Empowerment as discussed in chapters one and two is a concept that can take many meanings. One of the propositions of this study is that a measure of empowerment is that a woman who feel empowered in one arena will bring about changes in her relations with other members of family and the community.

The law users have indicated in different ways how they have become more confident in their dealing with other members. Senthiliben has become so strong that she independently now goes to negotiate with Sarpanch of her own village and that of

neighbouring village to settle dispute related to her daughter's marriage. Hers is a dramatic transformation.

Heera has discovered a skill that she can manage people and not just teach in a school and hence has been moved up by the school management.

Komal states that she is able to assert herself with her mother in law and husband with much more confidence.

Bhavya's case is yet to reach a logical conclusion and hence in her case it is difficult to state how her relations have changed. But she does speak about now being able to speak up with her employer and co workers without fear.

Gangaben was able to complete her daughter's marriage ceremony on her own from identifying the groom to all the ceremonies without the help of her spouse.

All the cases prove that as women increase their assertion, they exercise their agency and in turn feel empowered when they believe that they have secured justice. The empowering feeling is not limited to only one sphere of their life but affects various social relations.

Economic Implications of Assertion

Women make significant contributions to the economy and yet their contribution remains under valued and invisible. This in turn means that most often a woman has nothing but her physical labour through which she can support herself. Her right to a shelter is mediated through her relationships with male family members – father, brother, husband, son, father in law, brother in law etc. In these circumstances, if a woman has to assert herself, she has to first consider where will she stay if she is asked to leave the house or if she herself decided to walk out of the house.

While Heera, Bhavya, Sonal, Raksha, had the support of their natal families, Rimiben, Senthliben and Gangaben did not have that kind of support. These three women had to take tough decisions – Senthliben knew that only if she stayed in her marital home, she would be able to work on their farms and support herself and her three children. But that was exactly the place where her brother in law would threaten her with life.

It would be difficult to put an economic value to the risk Senthiliben was taking by going and staying in the same house. Or for that matter it would be difficult to calculate the value of the support provided by Mojliben who was able to build her confidence to go and stay in her own house.

Gangaben's home is a small shed of 7 ft by 4 ft, where one can barely stand erect. She has cot to sleep on and a stove to cook food and one water pot. She has saved every penny that she could from her wage work and looking after the buffalo and selling milk. With this she raised her daughter single handedly and got her married. She had to sell her buffalo to do so. Gangaben was hopeful that there will be an order for the husband to give her maintenance or pick up the wedding costs of their daughter.

Such are the economic implications of poor women who stand up to say no to violence. Most of them had not tracked the amount they had spent on the case as the lawyers' fees were paid for by the CSO. Only Heera's family had paid the lawyer fees which amounted to Rs. 2 lakhs. The husband paid Rs. 3.5 lakhs as part of the settlement, so in effect she got only Rs. 1.5 lakhs. Heera states, that by the time the case reached this level, she was fed up and just wanted to be done with the entire matter. Thus even though she knew that the amount was hardly sufficient to support her or her son in any way, she agreed just so that the matter could come to a close.

While there are free legal aid services available – the cost of travel from their homes to the court, loss of wages can act as a deterrent to pursuing the cases for working class women. And when the court does not give any interim orders there is no motivation.

Some measures such as supporting the woman and her children through free ration till the case is going on can be thought of to support basic survival of women and her children.

- c) EXPLORE DIFFERENCES IN OUTCOMES WHEN A WOMAN IS PART OF A WOMEN'S COLLECTIVE OR SUPPORT GROUPS AND WHEN SHE SEEKS HELP AND GOES THROUGH THE JOURNEY ON HER OWN

Role of the civil society organization

Of these seven women, 4 are part of some form of village level or block level women's group and 3 were not part of a village level support group but came to use the services provided by the CSO. Of the 4 who are part of the women's support group, 3 are non literate where as all the three who are not part of any support group have completed 5th, 10th and 12th std respectively. This is indicative of the fact that the CSO's reach out to those women who are most vulnerable as defined by poor education and points to a general belief that women who are educated are strong women and can manage their lives without support. Thus the 3 educated women came only to seek help of the CSO to expedite matters for resolution or avail advice and support.

None of the law users of the PWDVA knew of the Act prior to approaching the CSO. In fact Heera's lawyer had only invoked the earlier section of criminal law – 498 A and section 125 for maintenance. In the case of Raksha's case too it was the clever strategizing by the CSO to take recourse to the PWDVA so that she get the economic relief and control of the livelihood assets that she had left behind. This strategy paid off and Raksha was able to gain get her buffalo back which is a source of income for her. This has also raised her hopes that she will be able to gain shelter rights. If she had only pursued the rape complaint the whole family would have turned against her. With this victory, she has also gained confidence and is waiting for the rape case to commence in the court.

Heera very clearly states that earlier, her father did all the leg work and talking to the police and the lawyer, but **once the CSO got involved the team members would prepare in advance and guide her to say the truth.** She even began to go to these offices and court on her own. She clearly attributes the confidence to the CSO guidance.

In the case of Gangaben, it was the CSO who suggested that she must go to the gram sabha and seek the larger body's support to bring peace to her married life. Here one can see that the **CSO is pushing the boundaries of what possible roles could institutions of democratic governance play to address domestic violence.** They has prepared Gangaben to share that while the case was going on in the court and she expects to get justice, and

hence she appealed to the gram sabha and the Sarpanch to intervene to get speedy solution to her problem.

Based on what the law users stated and the CSO leaders stated, it is apparent that the **CSO's had to play a significant role in getting the law implemented as the government machinery was still falling into place even after 5-7 years of the law being passed.** For instance, the CSO was able to push for the Protection Officer to make home visits and to file their report in the court.

The CSOs have built a credible position for themselves by offering to support the work of the courts when it comes to delivering the summons. However, from a long term perspective and from the fact that in cases where no CSO is involved, the problem of who will deliver summons would still remain.

The biggest role of the CSO lies in interpreting the law and applying it to solve the domestic violence cases that come to them.

The leaders of the CSO also use the provisions of the law while they are negotiating out of court settlements between the two parties.

CSO representatives have also been invited to make presentations at state level forum of Ministers and senior Government officials with a view to suggest improvements in the implementation of the law.

There are multiple roles that CSO's play in securing justice for women through the use of PWDVA.

d) EXAMINE HOW WOMEN LAW USERS EXPERIENCE CHANGES IN THEIR LIVES AND
MORE SPECIFICALLY HOW THEY DEFINE JUSTICE AND EMPOWERMENT

Point of Seeking Help

Majority of the law users are in the age bracket of 21 to 35 years of age, which is an indication that young women are coming out to state that they will not tolerate domestic

violence. Each of them stated that they first made efforts on their own to settle their differences, this was especially true for the cases filed against the husband. They first spoke to the husband then to the elder in-laws and then to their own family members.

It was usually episodes of severe physical abuse that led to the women taking the step of leaving their homes.

Instead of interpreting this as escape or the response of a victim, these steps must be seen as exercising “agency”, especially because later on they went to the extent of using the law to seek justice.

The case of Heera was different as she left the house when she realized that her mother in law and sister in law were engaged in sex work and she feared that she may be pushed into it as well. It was her sense of self esteem and dignity as described by Martha Nussbaum in her definition of **Bodily Integrity** as one of the Universal needs that Heera took the decisive step to protect herself and moved out. It also related to the first domain listed by John Snow Institute’s six domains of Empowerment i.e. **Sense of Self and Vision of Future** as she was trying to protect herself from a possible future situation of sexual abuse..

Senthaliben can be said to have initially gone away fearing for her life due to the threats of her brother in law, but was torn by the concern she felt for her children. Her sense of agency needs to be understood from the point when she says, “ I was afraid of what would happen to my children if I died too. Life for children without parents can be terrible.” She chooses to find support and can be said to be fulfilling Nussbaum’s universal need to “Life” such that she does not have to die prematurely and the need to “Emotions” which states, “Not having one’s emotional development blighted by overwhelming fear and anxiety, or by traumatic events of abuse or neglect.”

Decision to Improve one’s circumstances and seeking outside help

As the years of democratic nation advance, there is a commensurate breaking down traditional forms of approval and sanction. The rule of law becomes an integral component of democracy has gained ascendancy. The belief that “family matters should not be taken outside the home” has considerable weakened. These law users mentioned that despite reaching out to the elders in the family or even in the community, there were no

improvements. In some cases the husband or the in-laws just did not show up for any arbitration, or if they came they did not agree to sufficiently commit to change their ways. Thus it can be said that the reason these methods have become weakened is because once again the women are asserting themselves and are clear about the terms of a married life. They have gone along with the decisions to an extent as did Bhavya of Shihor, but returned as soon as the violence and abuse resumed.

What is empowerment

Empowerment for all the law users of the PWDVA act lies first and foremost in the fact that they decided that they had had enough. The law helped them to achieve their goal. **The significant point therefore is that in the first place there is a law, next that it is being used by those who face violence and that it is followed in spirit. Only when this process is complete then can it lead to empowering experiences.**

However, the term empowerment as it is used in gujarati language, “sashaktikaran” is a word that most law users are unfamiliar with. Those who are part of the CSO activities actually acknowledged that it was a word they had heard of. But they were able to ascribe a variety of meanings to it.

SUBSTANTIVE DISCUSSION ON HSAA AND LAW USERS

Based on the four cases of women who have used the HSAA, this section discusses and analyzes the data around the objectives of the study

a) EXPLORE OUTCOMES OF INTERPLAY OF ASSERTION OF WOMEN'S RIGHTS , THE LEGAL PROVISIONS AND SUPPORT STRUCTURES OF THE STATE

The whole matter of land and property is governed by several legal provisions, different types of land and different judicial procedures. Even for men the whole matter of land ownership, land transfers and land inheritance is very complicated.

Despite the 1956 Hindu Succession Act, including women as inheritors of property in their marital family has been a challenge, due to strong patriarchal notions reinforced by religious and cultural practices. As stated in the methodology chapter, the CSO team initially interpreted working on HSAA as the same as working on cases of mutation (*varsai*) in martial property after death of husband.

In two out of the four cases initially the women began seeking land titles for their brother or mother as others had wrongfully excluded them. They came to know through the CSO that even they can get a share under the HSAA (2005).

This knowledge gave them energy to assert themselves and keep up the tedious process of completing the procedures.

The case becomes far more complicated in instances of fraudulently taking over the land to divest the daughter,. The woman not only has to prove that she is the rightful daughter but would also have to file a criminal case to prove fraud. In both the cases of Railiben and Pavanba, the opposing party also have strong political connections and have threatened them with violence.

This law is the most challenging one for women to assert for, follow the legal procedures and get justice.

Only in the case where Ranjan's mother who was supportive of her claim, was it possible to transfer the land on her name with least hurdles.

**b) EXPLORE NATURE OF CHANGES IN THE WOMAN'S RELATIONSHIPS WITH HER
FAMILY MEMBERS, MEN AND WOMEN IN THE COMMUNITY AS THEY SEEK JUSTICE**

Both Karanba and Railiben would justify their visits to government offices by saying that they were seeking the rightful claim of their mother/brother respectively. In a patriarchal world, this was a plausible reason for a woman to leave her household responsibilities.

Karanba states that she would have to spend money to travel first to her mother's village and then bring her to the court for the case. None of her brothers or other sisters would help her economically. She states that she was lucky that her in-laws did not object.

Railiben's case shows how her persistent efforts, led her to unearth the fraud that the Sarpanch and his nephew had committed. This has helped to bridge the estranged relationship between her parents. She is hopeful that together they would be able to reclaim their land.

The case of Ramiben and her mother is perhaps an extreme case and shows the complicated relationship between money lending, and alcohol and divesting land from tribal to non tribal hands. Some powerful people in the village want to take away her mother's land as she is a widow. They offer alcohol to young nephew and instigate him that his grandmother would give the land away to her daughter. Ramiben's brother too does not earn, gets into debt and the same village people ask him to mortgage his mother's land. Ramiben's case shows the struggle she goes through with her brother and nephew on one side and her mother the other.

It is through the support of the sangthan leader in her village that Ramiben tries to find meaning and a way out. The most difficult part for her is that sometimes her elderly mother also behaves in a very patriarchal way and support her sons and covers up for them.

Once again this shows the challenges women face when they seek to change the male bastion of land ownership even when there is a law that supports her.

c) EXPLORE DIFFERENCES IN OUTCOMES WHEN A WOMAN IS PART OF A WOMEN'S COLLECTIVE OR SUPPORT GROUPS AND WHEN SHE SEEKS HELP AND GOES THROUGH THE JOURNEY ON HER OWN

Except for Karanba all the cases had the support of women's groups. The difference is evident in that all the other women have had interventions at the village level to at least get access to the land through the CSO intervention at the village level.

When they do the journey on their own they rely on lawyers, who can be unfari as seems the case with Karanba. The lawyer's fee would have been reduced, had she got the CSO to intervene. The fees were causing a drain on her finances and she was no longer sure if she had the mean to fight out the case.

In contrast in the case of Ramiben, CSO's and women's groups at the village level were able to use feminist understanding and a combination of customary practices and formal laws to protect women's land ownership.

d) EXAMINE HOW WOMEN LAW USERS EXPERIENCE CHANGES IN THEIR LIVES AND MORE SPECIFICALLY HOW THEY DEFINE JUSTICE AND EMPOWERMENT

Of the four cases, Railiben was most articulate in linking the information she got and the strength she derived from the CSO meetings. These helped her to pursue the matter even when no one was supporting her and when she was beaten up.

However none of the women were familiar with the term "sashaktikaran". They were able to make a link between their claims to land, the HSAA and justice and fairness far more clearly.

SUBSTANTIVE DISCUSSION ON SHW (PPR) AND LAW USERS

Based on the two cases of women who have used the SHW (PPR) this section discusses general observations around the objectives of the study.

a) EXPLORE OUTCOMES OF INTERPLAY OF ASSERTION OF WOMEN'S RIGHTS , THE LEGAL PROVISIONS AND SUPPORT STRUCTURES OF THE STATE

The law is rather recent and in both the cases, the procedure of formation of committees to address SHW was incomplete or not started. In the case of the young student, the organization where she was interning had a policy, but the place where she was sexually harassed was another one where she had been placed. This Organization referred to as X in the case study did not have a proper committee in place. In the second case of Rajul the organization had yet to appoint an external person on the committee though they had completed orientation of their staff on the law.

In the case of the older woman the state has shown an amazing sense of outreach on the basis of a blog which featured the case. Senior police officials contacted the law user and helped to bring a closure to the matter.

On the basis on this case it can certainly be stated that the state provided excellent support to implement the law.

b) EXPLORE NATURE OF CHANGES IN THE WOMAN'S RELATIONSHIPS WITH HER FAMILY MEMBERS, MEN AND WOMEN IN THE COMMUNITY AS THEY SEEK JUSTICE

In the case of the college student, the girl chose not to disclose the incident to her immediate family as she felt that it would disrupt her studies. However she has shared the incident with her aunt who had had a similar experience. Her aunt was not very hopeful of the procedures and a dampening effect to the efforts being made by the organization head where she was interning. The organization of the offending person as stated above was not keen on following the procedures and seemed to protect the offender and its image.

This case brings out the “price” girls and women have to pay in the patriarchy scheme of things where she had to choose between education and justice and felt that she would not get support to do pursue both.

In the case of the older lady, she had complete support of her family and the seniors in her organization. However, she grapples with the question of why the incident took place. This is typical of all cases of sexual assault where women carry some guilt, even though it is blatant case of violence and not their fault at all.

Sexual Harassment in comparison can be far more complicated as the society perpetuates the belief that ‘women invite sexual advances through their dresses and behaviour.

The law is very clear that sexual harassment is to be defined by the woman.. As per the law *"sexual harassment includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely :-*

- i) *Physical contact and advance; or*
- ii) *A demand or request for sexual favours; or*
- iii) *Making sexually coloured remarks; or*
- iv) *Showing pornography; or*
- v) *Any other unwelcome physical verbal or non verbal conduct of sexual nature;*

The operative part of the definition is the word **“unwelcome”** which is a subjective assessment for each woman.

Even after the application of the law in its spirit by the organization where the older woman law user works, she describes the entire process as painful and is dealing with the question of why it happened to her.

This indicates the long journey to substantive gender equality – which is a combination of effective use of laws and decisive shift in cultural norms and beliefs. As the term is there in the legal definition, it will be possible for women over time to exercise its use to layout and state what is unwelcome and thereby change the nature of gender relations.

**c) EXPLORE DIFFERENCES IN OUTCOMES WHEN A WOMAN IS PART OF A
WOMEN'S COLLECTIVE OR SUPPORT GROUPS AND WHEN SHE SEEKS HELP
AND GOES THROUGH THE JOURNEY ON HER OWN**

Both the cases can be said to have had support groups in the form of the CSO that they belonged to. Their CSOs offered the best possible support to them. However, in the case of the young student, the organization of the sexual offender dragged their feet and tried to subvert the process. The offender eventually left the organization but they did not make it explicit that he was asked to leave due to his misconduct. Had they done so it would sent a much stronger message to promote a safe environment for women workers and students.

**d) EXAMINE HOW WOMEN LAW USERS EXPERIENCE CHANGES IN THEIR LIVES AND
MORE SPECIFICALLY HOW THEY DEFINE JUSTICE AND EMPOWERMENT**

The older woman was articulate and unlike other women law users had heard the term and even used it. She too mentioned all outward elements of empowerment which are similar to the expressions of other women law users and those stated in the six domains.

However she highlighted that there is big element of spirituality which is important to deal with the challenges that come with being a strong woman. Spirituality she said was important to be at peace with the contradictions that women like her have to deal with.

SUBSTANTIVE DISCUSSION ON RTI AND LAW USERS

Based on the five cases of women who have used the RTI, this section discusses and analyzes the data around the objectives of the study.

a) EXPLORE OUTCOMES OF INTERPLAY OF ASSERTION OF WOMEN'S RIGHTS , THE LEGAL PROVISIONS AND SUPPORT STRUCTURES OF THE STATE

First use of RTI

By the time each of the women learnt about the RTI, they had already been law users and were conversant with complications and procedures involved in using the law. In fact it was the undue delay in these primary cases that led them to use the RTI.

Each of the five women law users stated that they came to know of the law through the media – either the TV, the radio, the newspaper or a pamphlet. Interaction with Ms. Pankti of MAGP explains that they had taken up huge drives and had tie –up with the radio and TV to do regular shows giving information about the law. They had also run a series of newspaper articles on the subject of Right to Information written by different people.

These seem to be effective strategies which did reach the law user and in fact Parvatiben had filed her first RTI application on own. Most of the other law users approached MAGP through the given address.

All the five law users unequivocally state that they found the law effective in getting them information that they otherwise did not have access to.

Parvatiben and Bharatiben who are 10th and 12th std pass respectively state that all responses under the RTI Act also provide information about whom to approach in case they are not satisfied with the information. This indicates that there are effective provisions in the law which are being implemented and can be used by citizens with basic literacy.

Having stated that three law users state that initially they received prompt replies, but in the recent years, they have either not got appropriate responses or there was undue delay and they had to go for second appeals to get the requisite information.

These experiences tie in with the fact that there has been an increase in the number of RTI applications being filed as stated in the review of literature section. This could be due to the growing awareness and as well as the general positive experiences of the RTI applicants.

**b) EXPLORE OUTCOMES OF INTERPLAY OF ASSERTION OF WOMEN'S RIGHTS , THE
LEGAL PROVISIONS AND SUPPORT STRUCTURES OF THE STATE**

There is no clear pattern emerging from the five cases about the changes in relationships with family members.

Out of five cases two women with disabilities went through separation soon after their marriage and were living on their own with limited support from their natal families. Of these two, one of them has had a particularly bad set of experiences with her brothers and the men in her neighbourhood. Although as a law user she feels strong it is her disability and that she is single, that creates a vulnerable feeling. This suggests that single women with disabilities need additional support to feel empowered.

Three of the law users, Bharatiben, Parvatiben and Gulab ben have certainly become stronger in their family relationships and even command a certain respect. Bharatiben and Gulab ben particularly speak about leaving behind insecurities and leading more confident lives.

However, with the exception of Radhaben who has set up her own NGO, most of the other women lead pretty much private lives and not too many people around them are aware that they have used these laws. Radhaben is well known and respected in her locality due to the social service activities she is engaged in.

It so emerged that four out of the five women were single – three due to martial conflict and one due to the death of her husband. This itself posed economic challenges and women had find various means to support themselves. Each of them also had to take care

of the expenses to fight the cases. Umaben in that respect comes across as the most vulnerable as she is past 50, lives in a hostile neighbourhood, brothers who do not support her. The telephone booth hardly yields any income as there is no use of public telephone in these days of mobile phones.

c) EXPLORE DIFFERENCES IN OUTCOMES WHEN A WOMAN IS PART OF A WOMEN'S COLLECTIVE OR SUPPORT GROUPS AND WHEN SHE SEEKS HELP AND GOES THROUGH THE JOURNEY ON HER OWN

As stated in the previous section all the women except Radhaben have not been part of any regular support group and they have all gone through the journey on their own.

The guidance they receive from the CSO has been critical for each of them in getting the information they needed. The CSO was recognized as technical support on the RTI Act and to help them strategize on how to use various provisions to get their work done.

d) EXAMINE HOW WOMEN LAW USERS EXPERIENCE CHANGES IN THEIR LIVES AND MORE SPECIFICALLY HOW THEY DEFINE JUSTICE AND EMPOWERMENT

None of these women had heard of the Gujarati word, "sashaktikaran", but on a little probing their responses reveal the strong link between justice and empowerment.

The women law users state that the orders passed by the State Information Commissioner led to officials who were otherwise misguiding the women, to give them appropriate responses. Getting responses from the government to support women's rightful claims has a direct link with the feeling of justice and empowerment.

However, Umaben goes a step further that justice is done not just when the orders are passed but when the orders are actually implemented.

This group of women showed a far greater understanding of substantive justice.

SUBSTANTIVE DISCUSSION ON MGNREGA AND LAW USERS

Based on the three FGDs covering 15 women this section discusses and analyzes the data around the objectives of the study

a) EXPLORE OUTCOMES OF INTERPLAY OF ASSERTION OF WOMEN'S RIGHTS , THE LEGAL PROVISIONS AND SUPPORT STRUCTURES OF THE STATE

As this is an act that comes from the affirmative action from the state, it is unlike the PWDVA and the SHW (PPR) where the immediate trigger for the use of the law is denial or violation of an established right. This law is similar to the RTI Act and the HSAA where the state has made provisions or made it possible for the citizens to avail of various measures to achieve gender equality,.

In all three villages, the women pointed out that they learnt about the MGNREGA from the CSO. Women of Bariafali and Nandarva learnt about it by attending meetings in other village or attending meetings called by the CSO. The CSO held specific meetings in the village itself with the Self Help Group women to orientation them about the law. They say that at that time there were no TV ads or radio programs about this new law.

In fact one can see that the village officials themselves did not know what to do with the applications as seen in the FGD of Bariafali and the Talati of Nandarva actually chided the women for coming and asking him about the law when no one else was asking for it in other villages.

Women had to be persistent, and use their collective strength to get the MGNREGA started. Thus one can say that for MGNREGA, assertion started right at the beginning when women had to find out about the procedures and to submit forms at the village panchayat.

Therefore one can say that the support structures are weak in design and implementation.

Relevance of the Act

Two of the study groups which are located in the eastern part of the state very clearly stated that the law clearly addressed their livelihood needs. The women spoke of the tough times they had to face when the rains fail and there is no work. Having experienced these hardships, they were immediately able to see the opportunity this law provided.

For the group at Vavaniya, located in the western part of the Saurashtra region, where the women did not sustain the work beyond two years, it can be said getting wage work in the village itself was not a very big priority. For, men in the family could find work in nearby cities of Morbi and Rajkot and return to their homes each day. The women also spoke of the fact that they have to look after their children which takes away a lot of their time. The Miyana community do not adopt family planning measures. Girls are married off at the age of 16-18 years and continue to bear children as late as 40 years. Thus the burden of child care and family care and engaging in labour was the reason they gave up the struggle.

Thus one sees that in Vavaniya, even though the women had success in getting their payments when they went to the block office to get their payments, they did not do it the second time and lost interest in the work saying that despite working they did not get the wages.

While comparing the three groups one can say that the Vavaniya group of women did not persist as much as the Nandarva or Bariafali women. However, the key question to ask is why the state officials do not streamline the processes to make sure, that a law passed through a democratic mechanism, is not properly implemented?

Assertion provides the circumstances for women to experience empowerment and to understand the state machinery, but it cannot remain a constant feature for the poor and marginalized who have to struggle to make two ends meet. The state machinery need to become more response.

In later section of Key stake holder interviews, it can be seen that government officials speak about their limitations and the political leaders make promises, but the situation for women is fraught with newer challenges.

Process of accessing the provisions of the law

This law provides for direct engagement with the state machinery and the democratic apparatus of the nation. All the three groups took up the opportunity to engage with the gram panchayat official and the elected representatives. This process gave them courage and they moved from being afraid to even go to the panchayat office or the block office to seeking accountability from the officials.

Nandarva women in particular have shown that after the initial years of getting inputs from the CSO, they are able to follow up with the various desks at the block office for matters that are stuck. They find solutions on their own and support one another.

All the groups have understood the nitty-gritty's of the law in terms of differential payment for different kind of soil, they are aware of the changing minimum wages and the importance of taking correct measurements of the work done. This has enabled them to argue their case forcefully with officials and to get their work done. **Having full information about the law and all its provisions not just the benefits but information about grievance redressal procedure, payment procedures and so on is an important aspect.** Only because the women of Bariafali knew the procedure for payments they were able to corner the block official by suggesting alternatives to him. This in turn ensured that the official had to commit to make the payment soon.

Technology creating new Barriers

It is generally believed that use of computers and technology reduces human errors and increases efficiency. While this would be true in some instances, but they are operated by human beings and computer records too can be corrupted. The study groups, which comprises of largely non literate people, whose payments are now linked to computers, find that that these are new hurdles with which they are completely unfamiliar. In fact, as Sangitaben states, "We don't know whom to catch when a computer makes an error – we don't know whom to catch and ask."

These observations point to the limitations of technology but more importantly to the new challenges that rural poor women have to deal with as the society moves towards

technological advances. Even as literacy standards improve and as these women have got better and higher education for their daughters, the lag is likely to remain.

Technology cannot be offered in a gender blind manner. Realities of women who have barely have had access to literacy cannot be expected to deal with computers and “on line” information.

A single window system to deal with such problems needs to be developed so that even where there are no CSO's people with similar problems can get solutions and regular payments.

However, the biggest challenge remains that of intent and corruption. All the women have clearly hinted that men and even women in powerful positions do not do their jobs, instead find out ways and means to subvert to law, tweak the entries and gang up to take away what rightfully belongs to the poor citizens.

**b) EXPLORE OUTCOMES OF INTERPLAY OF ASSERTION OF WOMEN'S RIGHTS , THE
LEGAL PROVISIONS AND SUPPORT STRUCTURES OF THE STATE**

Life before they learnt of the MGNREGA

By dwelling on question of how life was before they learnt of MGNREGA, the researcher wanted to understand the context and position from which women speak about the changes.

Out of the three groups, two groups elaborate in great detail the challenges posed by poverty and migration especially for women. The women from Ghogamba particularly speak about the near starvation experience for their children and themselves. Women did not like to leave their homes and migrate to the cities. It was much more unsafe both in the cities and for their homes in the villages. These incident though not of the immediate past, they had a deep impact on their minds. Therefore when the opportunity presented itself in

the form of MGNREGA, they took up several new roles to make sure that they get wages to support their families.

Women from displaced communities of Shehera too had seen better days and their struggle to regain the same economic standard for their families provides a strong motivation to challenge gender roles and power inequalities.

Changing Gender Relations , Investing to reduce drudgery and in girls education

The **shift in the gender relations at the home front is not linear or clear cut** when one looks at the patterns emerging from the narratives of the Focus groups Discussions.

The Vavaniya women themselves did not acknowledge any significant change as they had not pursued the works after the second year. They kept emphasizing that the **women of the Miyana community in Vavaniya blindly trusted anybody and did not use their judgment**. Here one can see that they are merely reinforcing the stereotypes held for women.

In Nandarva women are playing a proactive role in deciding how to spend the money they have earned. They are clearly deciding to invest their incomes to reduce their drudgery. It was obvious that the CSO had not planted this idea, but the women were taking independent decisions. **They are critically assessing their reality and seeking to change it. They may not put it across as altering gender relations, but the impact is that families members are seeing a changing decision making patterns.**

In Bariafali the women are relieved that they do not have to migrate out for work with the men and are saved the hardships and vulnerabilities that come with staying in cities. However, this does means that they are staying back in their homes and play the gendered role of the care taker. Galiben had lost her husband a few years ago and she was the head of the household. This inadvertently put her in decision making role at the home front. But she does mention that **she spends on her own travel to attend meetings implying that she values going out and learning from events organized by the CSO.**

Therefore on the home front it is difficult to state whether there is an automatic positive change in gender relations when women use the MGNREGA.

The change in gender relations at the community level are far more pronounced and clear with the use of MGNREGA.

In Bariafali, men openly acknowledged that it was due to the women that they had regularly got work at the village for the past 4- 5 year. Women clearly stated that there was more respect in the eyes of most men.

In Nandarva, it was the women who convinced the family members to vacate the encroachments so that a road could be built to access the crematorium ground and the school.

In Vavaniya too, the Muslim women made a significant stir by showing up in large numbers at the block office to get their payments expedited. Muslim women stepping out of their villages and travel 20 kms to the block place was unheard of.

Subsequently these women are also playing a key role in village development by participating in gram sabhas.

Thus the MGNREGA has offered more opportunities to women to participate in the public sphere and change the gendered roles played by women and men.

c) EXPLORE DIFFERENCES IN OUTCOMES WHEN A WOMAN IS PART OF A WOMEN'S COLLECTIVE OR SUPPORT GROUPS AND WHEN SHE SEEKS HELP AND GOES THROUGH THE JOURNEY ON HER OWN

In the case of MGNREGA, all the women were part of a support group and the worksite labour arrangement lent itself to collective action. This was reflected also in the fact that the women preferred to talk about their journey in a group and not as individuals.

It is evident that by working in a group these women have experienced empowerment in different spheres.

**d) EXAMINE HOW WOMEN LAW USERS EXPERIENCE CHANGES IN THEIR LIVES AND
MORE SPECIFICALLY HOW THEY DEFINE JUSTICE AND EMPOWERMENT**

In this group too only the women who had been to training programs organised by the CSO had heard the Gujarati term for empowerment – "*sashaktikaran*". On probing further however, they are able to narrate the various elements of empowerment.

All the aspects mentioned in JSI domains of empowerment are reflected in the way women have articulated empowerment. Mobility is seen as important to empowerment. For instance, Galiben clearly links her empowerment with awareness, which in turn comes from her mobility and ability to go to various meetings and events where she listens to the senior government officials and leaders from other organizations.

They are all planning for a better future and for economic security and are participating in public spheres of decision making.

The link between justice and the working of the law can be seen in the fact that women have stood up to the officials when they believed that they were holding up their payments.

The nuances being added by this group of women to the concept of empowerment is that they are saying that the experience of empowerment emerges out of the struggle and challenges faced successfully. They are also linking the ability to work together to face risks.

There is a clear articulation on how empowerment gets operationalised from these narratives.

CHAPTER 5

CONCLUSION, RECOMMENDATIONS AND ACTION PLAN

It has been a long journey for the researcher moving from over two decades of being a social worker to the past five years of simultaneously being a research scholar. In the previous chapter, each of the law section had a set of conclusions pertaining to the five laws selected for the study. In this chapter the endeavour is to present the conclusions on the four objectives and to offer recommendations for the government, for social work practice and for further research.

Humanities as a discipline is considered a young science when compared with pure sciences and within that social work is even more recent to join the category of a formal discipline. For long it was considered an arena of practice which combines several professions. (Beckett, 2006). Social work practice has widened to cover many fields and become more specialised. Universities have had academic faculty teaching social work for over half a century now.

The 2014 definition by International Federation of Social Work states that it is a practice based profession and an academic discipline; further it incorporates notions of empowerment and social justice as goals of social work.

This research study endeavours to add to the body of knowledge of social work discipline and to provide insights on meaning of empowerment and social justice from the perspective of law Users.

- e) EXPLORE OUTCOMES OF INTERPLAY OF ASSERTION OF WOMEN'S RIGHTS , THE
LEGAL PROVISIONS AND SUPPORT STRUCTURES OF THE STATE**

A democratic nation acknowledges the need to reduce inequalities and strives to promote conditions that will allow all its citizens to realise their full potential and contribute to development. In the 69 years of Independence, India has made significant progress in this direction. In the past few years there has been an acute realisation of the need to fast track measures that will reduce gender inequalities. This study looked at 5 selected legal measures adopted by the nation to assess how women who have used these laws experience the process. Three laws directly related to women unequal status were identified as they were the most recent laws brought about and two laws meant for all were selected to study how women have benefitted or used them to bridge the gender gap.

The key conclusions are:

1. The most widely used law among these 5 laws was the PWDVA and women were able to secure justice using these laws. They were able to improve their situation either by arriving at a negotiated set of terms and conditions with the husband and in laws or by securing some financial support as they decided to live separately.
2. None of the women knew of the PWDVA, or the HSAA - two critical laws to achieve gender equality, till they were informed by the CSO. They had not heard of it through news papers, radio or any other forms of public media. However, majority of the women who had used the RTI Act had heard about it from the public media such as radio, television or the news paper and later were directed to the CSO.
3. The women law Users knew the broad contours of the law, but not the detailed sections under each of them. But it was sufficient for them to draw out the benefits accrued from the laws. A significant aspect of the effective use of law was the role of civil society in navigating the legal procedure to secure justice.
4. It is when women go through the full procedure of court proceedings that it gives confidence in the strength of the law giving credence to the belief that "Laws are good only when they are put to use."
5. The support structures of the state are not strong enough for women to access these laws. Significant work remains to be done to spread awareness about these laws or the free legal aid services for woman who cannot afford lawyer's fees.
6. Poor implementation of laws is reflective of the larger shift that is taking place where the state is unable to deliver on its roles and is withdrawing from critical roles.

Emerging government reports indicate that vacancies in important departments such as the judiciary, rural development, women and child are not being filled up in a timely manner. There is increasing reliance on ad hoc appointments or public private partnership model which affects the quality of services and the accountability mechanisms are weak.

Thus as women will become more assertive, unless the state and its machinery to implement the progressive laws does not become fully functional, gender equality will remain a distant goal.

f) EXPLORE NATURE OF CHANGES IN THE WOMAN'S RELATIONSHIPS WITH HER FAMILY MEMBERS, MEN AND WOMEN IN THE COMMUNITY AS THEY SEEK JUSTICE

All human activity is mediated by the culture they belong to. Women's unequal status is strongly linked to patriarchal norms and social patterns. When women decide to use the progressive laws to justice, the message they give out is that they want to change these patriarchal norms. All the law users in this study, by the sheer fact that they are women are in a way challenging the stereotype that women are weak. The key conclusions that this study offers in this realm are,

1. In becoming a law user and in defining how they want to change their lives, the women redefined gender roles. They came in contact with government officials, lawyers, judges and other women like them. They developed a critical view of how they saw themselves.
2. Women had to renegotiate how they spent their time at home, for work and to deal with the legal systems.
3. The women law users chose to spend their incomes on reducing their drudgery and invested in their daughter's education.
4. Some of the women law users grew confident of dealing the marital problems faced by their daughter, when earlier they were afraid to speak up for their own safety.
5. Women law users who got justice are now recognised as knowledgeable women and guides not just for other women but also men.

6. Though the legal process may be long drawn, women going to the court, to the police station, shelter homes provides a broader perspective to the women. They were able to reposition themselves as those who have an independent view.
7. From being perceived as victims by their family and community, the women clearly emerged as survivors and gained respect for having pursued the legal matter.
8. At the community level, the women no longer felt afraid of the local power centres such as the Sarpanch or the Talati as they had gained experience of dealing with Judges, magistrates and court official who are seen as more powerful.

g) EXPLORE DIFFERENCES IN OUTCOMES WHEN A WOMAN IS PART OF A WOMEN'S COLLECTIVE OR SUPPORT GROUPS AND WHEN SHE SEEKS HELP AND GOES THROUGH THE JOURNEY ON HER OWN

In a democratic society, CSO's play a critical role in reducing inequalities by focusing social justice, working with the marginalised communities and by providing critical inputs for legal reform. Today there are a wide range of CSOs which play diverse roles. From a social work perspective there are CSO's that work at the individual level, at the systemic level through poverty alleviation programs, supporting state programs or corporate initiative. Social action at the community level to secure social justice are also considered part of social work intervention. Empowerment is recognised as both goal and as a means.

This study provides insights into role played by CSOs in enabling women to become law Users to secure justice through an empowering process.

1. Over 10 years of focusing on the marginalised sections, has provided a credibility to the CSOs in the area. They make arrangements such that the law user do not incur unnecessary costs while attending the legal proceedings.
2. The CSOs have used a strategy to train their cadre in the progressive laws. Literacy is not a barrier for this training and even non literate CSO leaders were fully conversant with the various elements of the law. Using this legal information they use the clauses

and provisions to help women arbitrate and negotiate both in the informal Nyay Samiti forums as well as the formal court.

3. CSO places confidence in the woman to begin with and conveys to them that they are right in their assertion, to stand up against violence. Through the period of the case, the CSO provides information to the women on their options and helps them to weigh their pros and cons. Instead of simply going by what the women say, they work with her to make sure that they understand the situation and analyse it from various angles. This instills the idea that women can take up critical thinking and make considered decisions.
4. Gender Transformation which will not just address individual inequalities, but challenge the structures and systems requires work at multiple levels which all the five CSOs are doing. They provide concrete support to the women law Users and also work with the community through campaigns that spread awareness about the laws, and work with the systems to make them more gender sensitive and gender responsive.
5. When women are part of collective processes, the impact of assertion is seen in public spheres more clearly. Women of this study have pointed out the clear links between moving out of the house to attend meetings, rallies – to participate in collective action and the strength they feel to keep pursuing justice.
6. When women of this study took services of CSO like most of the RTI cases, the changes in women's lives were limited to their private lives. They took up jobs and explored skills they had not thought of and become fearless in their dealings with the larger family and community.

**d) EXAMINE HOW WOMEN LAW USERS EXPERIENCE CHANGES IN THEIR LIVES AND
MORE SPECIFICALLY HOW THEY DEFINE JUSTICE AND EMPOWERMENT**

Beginning with Friere's introduction of the concept of empowerment to the present day inclusion as a sustainable development goal, the understanding of empowerment has gone through major changes. Multiple meanings are ascribed to it and given that it has been only about 40-50 years since this concept was popularised and being used in development parlance, there is scope to add to these meanings.

At the end of this study a few key lessons emerge

1. The word of empowerment in the local language Gujarati – “sashaktikaran” is a term that most women are not familiar with. It was a tough word to pronounce. Even for the Civil Society Organisation (CSO) leaders who have been working for women’s empowerment found it difficult to say the word.
2. Despite the term being a mouthful and difficult to pronounce, its meaning was extremely well understood by the CSO leaders and they added nuances to the term, such as “ To be able to live on one’s own term of what is the truth”; “knowing that there are a set of women with similar beliefs who will support me in when I need it”; “empowerment is the ability to put facts together and make judgement.” Most of the others have spoken about more straightforward meanings of the term to include, “inner strength, being able to use one’s capability, being unafraid, being treated with respect and so on.”

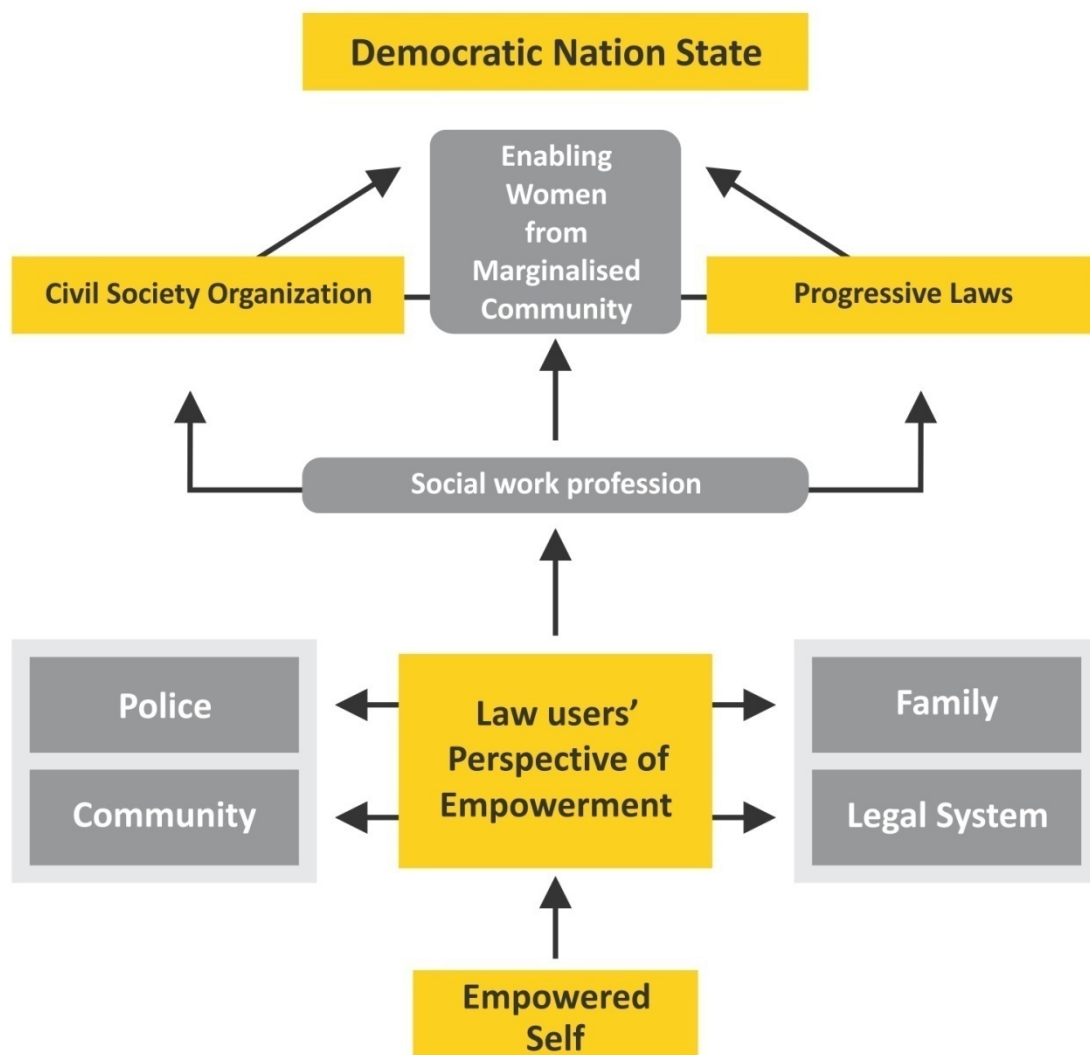
This points to relevance of the term. Women who became law Users have mostly been able to reflect on the changes in their lives and most of them except in 2 cases gave immediate responses.

3. Being a “law user” was a significant contributor to the feeling of empowerment for the group of women identified in this study. Being a law user means that the woman evaluates her own situation from the point of the law, and then used various provisions to seek justice.
4. The next important aspect of this process is being able to stand up in the court and put forth one’s point of view and the judge listening and asking questions to the woman directly. This strengthens the feeling of empowerment
5. Empowerment in one sphere of their lives undeniably leads to changes in the way women deal with the world as expressed in the way they deal with family, the community, and participate in public affairs.
6. The concept of justice was more easily understood by women law users of the PWDVA and RTI. They were able to articulate the meaning of substantive justice more clearly than other law users of this study.
7. The six domains of empowerment presented by JSI were reflected in different degrees throughout the cases identified for the study. However, these domains do

not explicitly speak about justice. Amartya Sen's conceptualisation of justice needs to be incorporated into these domains as has been presented in the study through the voices of the law Users. The researcher would like to add a seventh domain which can be called **"Ability to define justice "** which would include to include **being able to evaluate one's own situation in terms of fairness and to secure justice by using formal and informal legal mechanisms.**

A schematic understanding that this study provides is presented in the diagram below.

Figure No: 15 Women Law Users Perspective on Empowerment in A Democratic Nation State



Explanation:

This diagram depicts the following

- In the democratic nation state of India there is a focus on ensuring equality as citizens to women and empowerment of women from the marginalised communities
- Democracy promotes the rule of law to secure justice and fairness.
- Democracy also allows for the working of Civil Society Organisations.
- The social work professions deals with all the above – civil society organisations, Progressive laws and women from marginalised sections.
- The social work profession needs to be informed and highlight the law Users Perspective of Empowerment.
- In order to do so social workers will have to understand and examine further the relationships and experiences of women law users with the police, the community, the family and the legal system.
- It is in relation to these systems that the woman will experience herself as an “empowered self”

SUGGESTIONS AND ACTION PLAN

1. SUGGESTIONS FOR SOCIAL WORK PRACTICE /PRACTITIONERS

- Community based social workers must have adequate knowledge of progressive laws and assist law users as this helps them secure justice and empowers them.
- Social workers must make communities aware about the various provisions of the progressive laws and promote its application to resolve conflicts through formal and informal mechanisms.
- Social workers seeking to promote gender equality must hold sharing meeting between women who are seeking justice and actively promote support groups among themselves as it has a positive effect on empowerment.
- Counselling and action must not be limited to merely giving appropriate advice but must ensure that the desired outcome in terms of empowerment and social justice must be achieved.
- Social workers must continuously endeavour to find nuances of empowering experiences of women and record them in detail for further policy and research purposes.
- The significance of the term empowerment must not be lost by diluting its meaning or using it without understanding the element of power which is embedded in the word.
- Innovative methods to help law users keep count of the number of visits they make to the court using methods that even non literate women can use and understand. For instance, develop a colour coded system of 'post-its' or like marks that are put on Mamta cards for vaccination records of children. This will inform the women about the judicial process is responding to their case and will empower them to state their demand more clearly.

ACTION PLAN FOR SOCIAL WORK PRACTITIONERS AND TRAINING INSTITUTES

- Objectives:**
- *To have updated knowledge about the progressive laws for gender equality and empowerment*
 - *To strengthen community based interventions to promote use of gender just laws*
 - *To refresh counselling skills to incorporate formal and informal conflict resolutions mechanisms*

- Target Group:**
- Social Work Practitioners, Implementers

- Resources**
- Tool kits that offer information of progressive laws in user Friendly formats.
 - Successful case studies

- Time Frame**
- One Day workshops at regular Intervals

- Costing**
- Rs. 75,000/- (includes, venue, food, tools kits , travel of resource persons to be conducted at district level.)

Program Content:

- Orientation to Progressive Laws
- Panel Discussions with Successful Cases and Women Law Users
- Building Strategies of combining gender just laws to further women's rights and gender equality
- Innovations developed in conflict resolution especially through alternative dispute resolution mechanisms
- Organise Field Exposures to interact with successful CSO.
- Conduct Group Exercises to try out skills learnt.

2. SUGGESTIONS FOR GOVERNMENT

These recommendations come from the belief that a strong democratic nation must have robust state mechanisms. While the Public Private Partnership Model would work for infrastructure development, the government must squarely take responsibility for the human development sectors. Departments such as Women and Child Department, Rural Development Department, Panchayati Raj must have all its vacancies filled up and ensure adequate budget and full utilisation of the same. More specifically some the recommendations for the relevant government departments are presented below

No	Department	Recommendations
1	Women and Child Department	<ul style="list-style-type: none"> ▪ Must undertake wide scale awareness campaign on the key provisions of PWDVA particularly the relief that women can avail, to reach the rural areas ▪ Must regularly proactively disclose the number of Positions of Protection Officers that are vacant and filled up ▪ Must regularly undertake wide scale awareness drive on the need for schools and colleges to address sexual harassment through proper formation and procedures followed by the Internal Complaints Committee under the SHW (PPR) Act.
2	Gender Resource Centre	<ul style="list-style-type: none"> ▪ Must take up training programmes for the members appointed on the Internal Complaints Committee under the SHW (PPR) Act. ▪ Must collaborate with Colleges of Social Work to take up annual report on status of Implementation of PWDVA – to cover interim order's passed, final orders passed and to critically look at the quality of the orders passed.
3	State Legal Aid Services Authority	<ul style="list-style-type: none"> ▪ It must collaborate with colleges of social work, women's organisations, CSOs working in rural areas to offer para legal worker's training on progressive laws that can reduce gender inequalities. ▪ Even as para legal workers are being placed at village level to hold legal clinics, there needs to be better monitoring to ensure that women have access to information about laws at their doorstep. ▪ Must issue orders and display the names at the village level of the para legal workers thus trained. ▪ Take up regular training of Talatis, Mamlatdars to make them aware of the HSAA

4	Sardar Patel Institute of Public Administration	<ul style="list-style-type: none"> Conduct training for all District and Block Level officials on the Human Rights Framework and the International Treaties that Government of India has signed to protect human rights and in particular the CEDAW – Convention on the Elimination of all forms of Discrimination Against Women
5	Rural Development Department	<ul style="list-style-type: none"> Must put out data in the local news papers and not just on the website about the number of workers per village and the updates on payment released so that information is accessible to women in the villages. Must announce district wise awards for maximum number of workdays completed by women. These awards to be given at the gram sabha level panchayat level by senior officials to motivate women to participate in public spaces.
6	Judiciary	<ul style="list-style-type: none"> Must give primacy to uphold the rights of women as given in the laws and not let cultural practices and gender bias affect their analysis. Must develop a plan to hold mobile courts for gender specific laws so that women who give up their cases for want of the costs involved in travel can get justice.
7	Shelter Homes	<ul style="list-style-type: none"> The social workers at Shelter Homes must offer counselling to women referred under PWDVA to effectively deal with the situation and not create the feeling that they are at fault and landed up in a 'jail'. Must collaborate with the CSO that has refreed the case to develop an effective plan of rehabilitation such that the local CSO take responsibility of follow up home visits and submit reports to the Court. CSO must be acknowledged and compensated for the time they provide to conduct home visit
8	Gram Panchayat Level	<ul style="list-style-type: none"> While the Government of Gujarat is promoting Nari Adalats which are like the Nyay Samities described in the study, there has to be adequate monitoring mechanisms must be in place to ensure that local politics do not adversely impact objective of women's rights These Nari Adalats must have trained social workers to provide effective guidance to ensure justice. Credible local CSO such as described in the study must be invited as collaborators and those CSOs that have credible Nyay Samities or similar structures must be invited to run the Nari Adalats.

ACTION PLAN FOR ANNUAL ROUNDTABLE FOR POLICY MAKERS, IMPLEMENTERS AND CIVIL SOCIETY

Objectives:	<ul style="list-style-type: none">• <i>Sharing Policies for women's rights</i>▪ <i>Reviewing status of Implementation of Women's Laws</i>▪ <i>Devising Mechanisms for Improvement and Modifications</i>
Target Group:	<ul style="list-style-type: none">• Senior Judges, Senior Government Officials of Relevant Department, CSO that work with women law users and empowerment approach
Resources	<ul style="list-style-type: none">• Data on legal cases registered, orders passed, vacancies, trainings conducted etc• Analytical Reports And Case studies that highlight challenges and successful strategies
Time Frame	<ul style="list-style-type: none">• One Day workshops on an Annual Basis
Costing	<ul style="list-style-type: none">• Rs. 1, 00,000/- (For 100 participants includes, venue, food, tools kits , travel of resource persons – to be conducted at state level)
Program Content:	
<ul style="list-style-type: none">• Dissemination of Progressive Laws in People Friendly Language• Review of Progress• Identify loop holes and barriers to Implementation.• Develop and Present Gender Action Plans to focus on promotion of effective use of Progressive Laws.	

3. SUGGESTIONS FOR FURTHER RESEARCH

- A longitudinal research on a larger cohort of women law Users needs to be undertaken to understand empowerment and the impact of progressive laws.
- Research on the use of Hindu Succession Act Amendment 2005 (HSAA 2005) needs to be undertaken to throw light on daughters experiences to acquire coparcenary rights.
- Even though the Sexual Harassment at Work Place (Prevention Provision and Redressal) SHW (PPR) is a recent act data on how many institutions have formed the committees and the kind of cases and procedures followed could be useful area of research.
- Comparative Studies on Women and MNREGA can be undertaken to examine the links between participation in MNGREGA and local self governance.
- Study the effect of women using progressive laws on male family members, male co-workers in case of gender specific laws and on immediate stake holders in case of RTI and MGNREGA.