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Title: Role of Legislations and Justice Delivery System in Safeguarding Dignity of Women: Exploring the Perspective of Key Stakeholders

Women as equal partner in human existence, have a right to live with dignity and to be part of social and democratic development. The protection of human dignity involves the protection of inherent worth and realised self-worth (Kirchhoffer & Dierickx, 2011). But, even after sixty nine years of independence, women in India are still fighting for basic human rights. The human rights of women are being violated even before she opens her eyes to the world. The plight of her worth is getting worse by every passing day.

The state level legislations and enforcement mechanisms are considered to be the major instruments to safeguard the dignity of women and empower her. The present study is an attempt to understand the role of legislations and the justice delivery mechanism in promoting the dignity of women, from the perspectives of the key stakeholders. The study focuses especially on cases pertaining to domestic violence and rape as it represents two of the most aggressive forms of violations on women's dignity.

The research explores how women are treated within and outside the family prior to, during and post-confrontation with crime and legal justice system, the capability and sensitivity of the legal dispensation system to ensure and promote the dignity of women, and the perspectives of key stake holders on the issue of victim concerns. The study brings out the scope and constraints of the legislations and enforcement mechanism in the country and consolidates the suggestions for improvement.

To get an in-depth understanding about the issue the researcher has adopted qualitative research methodology. The perspectives of the victims of rape and domestic violence as well as the perspectives of other key stakeholders are subjected to examination. The key stakeholders included police officers, protection officers, counsellors, advocates and magistrates. Twenty each from the victims of domestic violence and rape were contacted to get the victims' perspective. Five each from the other key stakeholders were also interviewed, except the category of magistrates, where in spite of her best efforts; the researcher could

only get formal permission to contact just one magistrate. Purposive sampling method was used to reach out to the respondents. The methods of data collection were in-depth interview and observations, and the main tools for data collection were interview guide and field diary.

Based on the study, the researcher has reached to the conclusion that legislation and justice delivery mechanism is not the panacea for ensuring dignity of women. It only aids the process. Patriarchal social structure, stigma behind reporting the crime against women, and lack of awareness about the legislations and legal system forces women to keep themselves away from justice delivery mechanism, and succumb to their destiny.

Women approach the legal system only as a last resort. The trend of insensitive trial by the society and media, and frequent re-victimization at every stage of trial, is quite disturbing. The judicial system and process are time consuming as well as money consuming. The justice system is benefited more by upper and middle class than lower class. The existing system does not have enough resources to provide justice to the victims.

Though legislation is the main tool of social control by the state, it concentrates more on punishing the accused than preventing the crime and healing the wounds of the victims. Though the law restricts the media from disclosing the identity of the victim, the curious public identify the victim from the circumstances which defeats the purpose of law and further damages the self esteem of the victim.

The attitude of the individual, family and society has a major role in providing dignified life to the woman. While the non-discriminatory attitude helps in upholding the dignity of women, the biased and discriminatory attitude not only perpetrates crime against women but also prevents the conception and smooth implementation of women-friendly laws.

To provide a dignified life to the woman, a collective effort is needed from the part of individual, family and society. This is possible only by changing the way of thinking of each sections of the society. The self-respect of the woman can be boosted only if the family and society give a dignified and respectful treatment to her.

Justice delivery system, including judiciary, advocates, police, protection officers, counsellors, and the support mechanism including NGOs, medical unit and the community at large should also imbibe this orientation. The legislation alone cannot change situation; rather, efforts should be made to transform the mindset of the people.