

**ADDRESS ON THE OCCASION OF
NATIONAL LEGAL LITERACY DAY
ON 9th NOVEMBER, 2006**

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The growing number of issues and problems that plague societies today has given rise to the many causes that demand support from the people of the country. Be it the environment, poverty, literacy or public health, each cause is clamoring for public attention – and in an effort to get such attention, governments and organizations have come together to devote a particular day to a particular cause so that awareness may be raised regarding those issues. We have an Earth day to increase environmental awareness, we have an International Women’s day to increase gender-related awareness and similarly we have a Human Rights day, a World AIDS day, a World No Tobacco day and many, many others.

Today is Legal Literacy day and it is only right that we take some time out of our busy schedules to talk about legal literacy – what it is, why it is important, and how we can promote it.

In order to understand the relevance of legal literacy it is necessary to first fully comprehend the legal goals of our country. Once these legal goals become clear, legal literacy can be given a definite direction. For what the legal goals are, let us only see, what is laid down in the preamble of our constitution. It commits the nation to justice and to equality. However, these goals of justice and equality aren't purely legal terms by which only the laws and courts of the country must abide. Under the constitution, they demand a larger commitment. The preamble mandates not only of justice in its legal sense, but social, economic and political justice and equality of status and opportunity.

Undoubtedly, the country has made tremendous progress and development but, at the same time, we all have to bear in mind that despite the guarantee of such high ideals and despite the provision of a truly comprehensive constitution to assist in achieving these ideals, we seem to have fallen short of many of our goals towards a large section of the society. We are still a country where millions of people live in conditions of poverty, with millions living in conditions where they are without the most basic of their needs fulfilled. Unfortunately, this class is far away from achieving many of the ideals laid down in our constitution. And it is not only the constitution. A number of statutory provisions have been made allowing for

social welfare schemes and other legislative measures to alleviate the vast deprivation in our society. Yet, these programs too often have been unable to reach those most in need. It is my firm belief that laws or legal institutions will not be completely effective as an instrumentality geared to deal with issues of poverty or deprivations unless we first strengthen the mechanism of legal aid and advice.

So where exactly does legal literacy step in? The answer is simple. If legal literacy means making people aware of their rights, then by making the people literate, we would essentially be taking the first step in empowering them to fight for their rights. Our society is filled with various categories of persons whose rights are violated on a daily basis and these persons are unable to take any action to remedy this situation simply because they aren't even aware that they are assured certain rights. Particularly at risk are various vulnerable groups including the Schedules Castes and Scheduled Tribes, women, children and the disabled. These groups include those who have either historically been oppressed and denied mainstream opportunities or those who by their specific conditions cannot function as the mainstream does. Here is where the role of legal literacy is crucial. I truly believe that legal literacy is the core basis of the rule of law and essential for the survival of our constitutional democracy. Indeed, our entire justice delivery

system is based on the presumption that all people are aware of their rights and are able to approach the concerned institution.

I cannot stress enough the importance of education – it is perhaps the single-most empowering tool in any aspect of life for every person and the law is no exception. Indeed, most often it happens that the poor, the deprived or the exploited of the country remain poor and deprived and are unable to seek redress simply because they are not aware of the rights they are guaranteed and the remedies that are available. Legal literacy helps break this vicious circle by providing a way out for such people. It enables the deprived or disadvantaged sections of society to recognize violations of their rights and effectively challenge such violations. While it is true that education cannot single-handedly achieve this goal, education is essential to provide the necessary impetus for their achievement.

It is important to remember in this regard, that legal literacy cannot simply be understood as creating awareness regarding the rights of the people, for any efforts towards legal literacy necessarily involves a broader approach. When we say legal literacy, we do mean an awareness of rights, but such awareness *must* go hand-in-hand with awareness regarding the remedies, the relevant institutions and the procedure required to obtain that remedy. The point of legal literacy is to familiarize the weaker sections of

society with their rights, their scope and also provide them with information required for the assertion of such rights so that they may be able to take action and bring about a change in their circumstances. It is only when such comprehensive education is given, that legal literacy can be said to have been meaningful.

Once the deprived are made legally literate in this manner, we can confidently believe that we are one step closer to achieving the goals that our constitution has laid out for us. This is because an improvement in legal literacy will translate into the improvement of the financial status of the people, which in turn takes us closer to social justice and equality of opportunity. For example, when a worker is made aware that he or she is entitled to a minimum wage, and is also informed of the appropriate forum for the remedy and that he or she is entitled to free legal aid, the battle of that person will be half-fought already.

However, for legal literacy to be truly effective, information about the law must be spread in a simplified form. The first impediment that would be faced in this regard is with respect to language. The legal language of the country is primarily English – even our constitution is in English. How then can we expect those who do not speak or understand the language to be aware of their right to life or right to equality or any other right. Another

aspect of the matter is the criticism that legal language is overly complicated and even those familiar with the language are often uncertain as to the meaning of many provisions. To ensure effective legal literacy, it is essential that the legal provisions – including legislations, rules, notifications – which guarantee certain rights must be simplified and translated into the language of the common man. The advantage in this regard is that there is no formal dissemination of information required. Anyone with an understanding of the law and the knowledge of remedial process and the ability to convey it to the person can be just as effective. Thus, all these factors must be taken into account while spreading awareness regarding legal rights and remedies.

Another factor which plays an important role in the legal literacy mission, in addition to awareness amongst the people, is the perception that people have regarding legal institutions. It is necessary that people not only be aware of their rights and remedies, they must *believe* that the enforcement of such rights is possible and that they *will* get adequate remedies within a reasonable time, on a reasonable expense or no expense. Public perception of the legal institution is crucial in determining the success of such institutions. There is a direct proportionate relationship between the faith the people have in an institution and the success of that

institution. Therefore, it is necessary for the success of legal literacy that people must have faith in these institutions, if they are to rely on them for the enforcement of their rights. A lot more is required to be done by all organs to tackle the problem of time and expense. There does seem to be some marginal improvement in this direction but we still have a long way to go.

Yet, another factor which will definitely play an important role in the years to come regarding the public faith in institutional mechanism is the Right to Information Act. Armed with the knowledge that certain information can always be acquired, it will help the institutions to command public faith and the public in turn can quite confidently believe that the institution is acting bona fide.

However, the achievement of legal literacy is not an easy task, nor can it be accomplished by one or two institutions alone. It is absolutely essential that all three organs of the state must work tirelessly together. And it is not just these three organs of state alone. They too require the support of NGOs, particularly those which work at grassroot levels, individuals who have dedicated themselves to certain causes, international organizations, the media etc. Law schools also have a vital role to play where a new generation of legal talent is being trained and enthusiastic students can be

used to conduct legal literacy camps as is being done now. Everyone must come together and work in harmony and thereby do their bit to serve the society.

This does not of course mean that legal literacy is a magic, quick-fix solution, where with a flick of a wand all problems will disappear. The process of educating the masses of their legal rights will necessary involve a gradual change and we must have belief in the cause as well as sufficient patience to be able to finally see the results. It is also important to remember that the problems that our society faces today all feed into one-another and the effectiveness of legal literacy will be largely dependent upon the extent of such problems. Let me give an example. A person approaches a particular institution for a remedy and is faced with a corrupt official who demands a bribe, the person may be unable to obtain the remedy though he or she has been made aware of his or her rights. The same corrupt official may act differently while dealing with another person realising that he has the ability and capability to challenge such a demand. The cycle of poverty and deprivation thus becomes more difficult to break when it is faced with external challenges such as corruption. Other such hindrances include red-tapism, unnecessary delays, etc. However, we must not let these problems deter us. We must continue our efforts with great

determination and perseverance. Indeed, our efforts at promoting legal literacy can even assist in easing other problems such as corruption, poverty etc. Even though these problems spiral off each other to make each other worse, the solutions to these problems also play off each other and a victory in one area is a step towards remedying the other problems.

In conclusion, I would like to note that while we have taken Legal Literacy day today as an opportunity to discuss various issues, we cannot forget these issues tomorrow. The solutions to the many problems that can be tackled through legal literacy are not going to disappear overnight. Nor can our efforts end when the day comes to a close. Rather we must regard today as a renewed commitment that we have made towards legal literacy and strive to achieve all the high ideals that have been spoken about today, throughout the year.

My Best wishes.

Thank you very much.
