Some of the suggestion is worth enumerating. There is desire for number of police station as well as staff and equipment there is a need to make offences cognizable to give more teeth for enforcement as in bigamy. Simplifying some procedure would greatly benefit the public as in minimizing paper works

Chapter – XI

Findings

Socio-economic status of the respondents

- Socio-economic background of the respondent’s age, education, occupation, and marital status, residence before and after marriage, parental economic status and educational qualifications are taken as important factors.
29.1 percentage of respondent belong to the age group of 41 and above, 24.8 percentages of the respondents belong to the age group of 20-25. Thus it seen that respondents are somewhat evenly distributed in the age pyramid.

62.1 percentages were married, and the above table shows that a miniscule minority are either divorce, separated or widow. This reveals that marriage is still consider as strong social institution. However the presence of unmarried respondents accounting 33 percentages gives another dimension to this study, which may be due to reason of professional’s advancement, higher education etc. and marital life of women not affecting amongst profession of women.

47.9 percentages followed by the respondents with the higher qualifications accounting 29.1 and 23 percentage respectively of Post Graduates and Researchers. This may reflect the fact that state and national literacy levels have been increasing in urban areas due to the aggressive government policies.

48.5 percentages and 40.9 percentages of the respondents belong to the nuclear and joint family system respectively.

33.33 percentages of the respondents belong to the Hindu religion and 33.33 percentages of the respondents belong to the Christian religion and 33.33 percentages of the respondents belong to the Muslim community

40 percent of the respondents belong to the backward community and 37.58 percent of the respondents belong to the most backward community and 22.42 percent of the respondents belong to the Schedule caste and Schedule tribe community.

20.30 percentage of the respondents belong to the monthly income group of 12001 – 14000, and 19.70 and 13.94 percentage of the respondents belong to the monthly income group of 16001 – 18000 and 18001 and above respectively.

Equal proportion of both male and female respondents has been taken for the purpose of the gender equality and knowing the opinion of the laws towards the safeguarding of the women from the both gender
38.5 percentages are with 16-20 years of experience as advocates, besides following above 21 years of experience accounting 20.6 percentages and below 5 years of experience accounting 11.24 percentage of experience as advocates and 6-10 years accounting 17.3 percent and 11-15 years of experience accounting 12.12 percent respectively.

**APPLW amongst Hindu respondents**

- Marital status of respondents determine only to some extent, the APPLW amongst respondents. Similarly age at marriage also influences respondents APPLW.
- The relationship between community affiliation and APPLW may reveal the general social inequities prevailing in the country. The study points to a somewhat greater awareness amongst the socially advantaged groups as forward and backward community.
- It is also to be noted that the type of family of respondents does not play a role in their APPLW.
- Increase in income levels reveals that a corresponding increases in APPLW amongst respondents.

**APPLW amongst Muslim respondents:**

- Gender plays an important role in APPLW. This is seen in the fact that men are comparatively more aware than women themselves.
- Age and APPLW on the whole are not related. This is revealed by the fact except for APPLW regarding marriage laws.
- Education determines APPLW to a great extent. This reflected in the fact that, with increase in education, there is a corresponding increase in the APPLW.
- Marital status also determines the extent of APPLW amongst respondents. Unmarried and divorced respondents appear to be somewhat more aware of some of women’s law.
The role of community in influencing awareness of legal rights is found to be very significant. There are sharp differences in APPLW of different communities which may reflect the prevailing social and economic disparities.

The type of family of Muslim respondents influences only to some extent the awareness of rights especially pertaining to divorce and marriage, mehr etc.

**APPLW amongst Christian respondents:**

The study reveals the interplay of the various variables in influencing APPLW on the whole; some variables do influence the awareness of APPLW of women amongst Christian respondents. Gender does play influencing APPLW men are comparatively more aware than women.

On the whole age does not play a role in APPLW.

Education is yet another major factor influencing APPLW amongst respondents. Higher qualification of respondents reveals higher awareness as well.

Marital status of respondents also plays in respondent’s awareness of laws regarding women’s law. It was found that respondents who are separated or divorced appear to be comparatively more aware of marriage laws.

The income level also plays a role in APPLW increase.

**Self image of women and APPLW:**

The study reveals that self image of women and awareness is quite high amongst all religious groups. Amongst Hindu women, self image and awareness are quite high especially with regard to marriage and personal laws. Chi square test reveals moderate to low self image and awareness as well. The self image of Muslim women and their awareness correlations are also high especially with regard to mehr and marriage. However, chi square test reveal no association between self image and awareness of rights, which means they are independent of each other. Christian women also reveal high self image and awareness correlations. Chi square test reveal even distribution of respondents at all three level of opinion vis a vis self image and
APPLW, which indicates a moderate association between self image and APPLW. On the whole, it is seen that self image of women does play a role in her a APPLW.

- Self image of women plays an important role in APPLW.

**Opinion of male and female respondents towards awareness of present piecemeal laws.**

- Awareness of piecemeal laws of women refers to the respondent’s knowledge and understanding of the following: constitution, family laws pertaining to marriage, dowry/mehr, divorce and maintenance and property laws under Hindu, Muslim and Christian personal laws and girl’s law and legislation, female fetus concerned laws.
- There is a moderate difference in awareness of the respondents towards women’s laws for the different age groups. It was observed that with regard to constitution, there is an awareness of women’s law with corresponding increase in age. Here older age groups people because of their experience as well as outside focus increased their awareness level.
- Increase in age, there is a marginal increase in awareness with respect to marriage laws. This may be attributed to the exposure at the work place, which enables them to become aware of the marriage laws.
- There is vast difference between the older age group and younger age group towards the awareness and also the percentage of the awareness level is decreased about the personal laws than the women’s law and marriage law. This unawareness of the younger age group indicates that men and family are more exposed to work culture and have a monopoly of landed assets in general.
- The overall age wise awareness about the women’s law, marriage law, personal laws, girls’ laws and rights in legislation indicates that with increase in age, there is a marginal increase in present piecemeal laws with respect to constitution, marriage. It was observed that there is little or no increase in awareness regard to personal laws and girls legislation.
* It is pertinent to note that respondents, who are older respondents aware of marriage laws. This can be attributed to their personal experiences at court, which also makes them understand court procedures, delays, other cases etc.

* Awareness of piecemeal law of women also reveals that the older respondents have a greater opinion of all the laws regarding to women. Rights of women at work place, especially maternity leave, working conditions etc. are issues, that have contributed to changing perceptions in the work place itself.

* Marriage shows correspondingly increase in awareness of piecemeal laws of women of all groups.

* Personal crisis or problematic situations (widowhood, divorce and separation), tend to equip individuals with an inner strength, to explore various opportunities for their life enrichment. Moreover there, present marital status, makes them more aware of the legal rights of women, because of their experiences in court, shared experiences with others etc.

* Awareness of piecemeal law of women also reveals that the married respondents have a greater opinion of all the laws concerning to women. Rights of women at work place, especially maternity leave, working conditions etc. are issues that have contributed to changing perceptions in the work place itself. About 70 percent of respondents are variously employed and about at least 30 percent of these are woman. Hence, their visibility at the work place is an accepted fact, which contributes to their greatest awareness of labor laws of personal laws.

* Increase in income levels, there is a corresponding increase in awareness of the present piecemeal laws of the women. it was found that lower levels of income of respondents may indicate their lack of ownership of assets and therefore their awareness of property rights may be limited.

* With regard to marriage laws, there is a slight decreases from the first income group to the second there is a steady increase in APPLW.

To analyze whether the present laws protecting women, enough or not
Either indifference or lack of faith in the legal systems as a result of greater APPLW of women. Thus the study is a pointer to a generation gap, with respect to respondent’s opinion about APPLW.

Respondents are less inclined to accept the law in its present form and favor changes in the laws which would help women. It may also reflect their greater awareness and sensitivity issues affecting women. Thus, the differences in opinion, implies that the viewpoints are more an individualized then religious one.

Low opinion amongst a greater proportion of women, may reflect the fact that they are aware of the discrepancies of the law and feel that the discrimination against women should be ended quickly.

More number of graduate professionals has a low opinion about present piecemeal law for women than other groups. This may indicate that they are aware of the laws of women, but have no faith in the legal system due its ineffectiveness and therefore feel the need for major changes in aspects of the law and gender, religion, income etc., in shaping individuals opinion towards women’s issues cannot be discounted.

Traditional and cultural set up is one of the important factors curtailing the women’s freedom. Indians irrespective of their sex are known for high moral values. There are standards which controls the freedom of people (freedom to do wrong). Indians do not like the woman to be viewed as a sex symbol.

**Opinion of respondents regarding the role of women’s law and implementation of law of women**

- The laws have not addressed the direct problems of women as seen in various welfare measures for women especially maternity benefits act and so an.
- The older age group of the respondents experienced with the laws regarding the women’s problem in the different sector.
Access to the law is limited and the reason attributed are cumbersome procedures, legal illiteracy, loopholes in the law, lack of resources etc., all of which portray a negative picture to the present piecemeal laws of women.

37.97 percent of the respondents said that activities by the society regarding violence against women are highly prevailed in the present day. 26.97 percent of the respondents feel that shoddy enforcement of law is the another cause to increase the women’s discrimination in the society. 16.97 percent of the respondents said that harassment against women in the way of beating; suspicion etc. and also minority of the respondents feel that the discrimination against women is not widespread as it is made out to be.

81.52 percent of the respondents are emphasizing the need of gender equality in the prevailing society. It is observed that employment is an area, where interaction between individuals takes plays a pivotal role in regulating behavior and implementation of rules and regulation for gender equality. Women, today, are active participants in decision making, planning, supervision at various levels, in different sectors of employment.

80.61 percent of the male respondents and 82.42 percent of the female respondents urged the need of gender equality in the prevailing society. And also it was observed that though the government implemented the laws for the gender equality in the society, most of the organized and unorganized sectors do not follow the gender equality. There is a divided opinion regarding this issue.

76.67 percent of the respondents said that there is discrimination in the unorganized sector. They feel that discrimination against women (men get preference in promotion, assignments etc), bribery and corruption, sexist bias at work, all work against women: moreover women and men in the unorganized sector cannot claim any benefits, since the law does not operate or regulate work in this sector.

82.42 percent of the respondents felt that there was excessive women’s discrimination in the unorganized sector. The vast majority of the male respondents
feel that the law to be simplified both in substance and procedure, which is easily understood by the lay women.. Unplugging the loopholes in various laws, increasing punishment for various offences etc would enable the law to play an effective role in dispensing speedy justice.

- 52.27 percent feel that the police have not helped women in any way, especially in dowry deaths, rape, sexual abuse in various forms etc. Tardy investigation, selective, case handling, bribery, corruption, misinformation are the other reasons for police inefficiency.

- 96 percent of the respondents belong to the age group of 41 and above said the police were not taking more seriously about the dowry death, rape etc. and also they feel that the police force by and large, are not the aware of the rights of women, so essential in implementation and the rules of investigation are generally not allowed by the police.

The role of the government in the implementation of the statue, awareness regarding policies and women’s law

- 49.7 percent of the respondents said that government is doing moderate job to implementing the statues, awareness’s regarding the policies etc., 45.15 percent of the respondents feel that the government performance is average and the government is preoccupied with remaining in power, than really governing the country.

Necessity of law for women

- More or less equal proportion of respondents shares a moderate and low opinion towards women. Exposure or lack of it towards women’s issue and problems, the impact of the mass media in its coverage of such issues, may determine their acceptance or rejection of women’s changing status.
Respondent’s opinions towards women are conditioned in that, they endorse women only to a certain extent where women do not dominate, it is acceptable, and otherwise it is unacceptable.

Gender plays an important role in shaping respondents opinion towards necessity of women’s law. The differences can be attributed to individual life experiences vis-à-vis women, as well as, to great extent, media images of women, upbringing of respondents in their formative years and so on.

Marital status plays a role in shaping opinion towards the necessity of law for women.

The advanced communities as Forward and Backward groups are proportionately more in their high opinion women. This may be the result of greater opportunities for some, which enables them to understand and accept women, their achievements and problems in a better way than those from other communities who are less fortune. The issues of reservation and minority rights, which are beneficial to certain communities, far outweigh women’s issues and problems in the general scheme of things. This may create an unfavourable opinion amongst respondents. Conversely, the advantaged communities with greater opportunities to education, employment etc, may be favorably disposed to women. It is evident that on the whole, community does not play a role in shaping opinion towards women.

The court and lawyers are doing decent job, but more needs to be done. More number of respondents feels that women lawyers are more approachable as. They understand women’s problems better and therefore can handle their cases better as well.

Respondents still feels empowerment of women laws by way of codifying women concerned to equip women.

Problems in enforcement:

- Procedural delays in court
- Flouting of court orders as in maintenance payments
Lack of basic infrastructure facilities and inadequate staff.
Legal ignorance amongst litigants and the general public.
Backlog of cases
Crime against women are not separated
Increase in rape cases in the year 2003 and continuance of same
Steep increase of molestation

Recommendations:

Accountability within a specific time frame work with regard to handling of cases is essential
Provision of basic infrastructural facilities in courts and police stations to facilitate greater interaction and co-ordination between the professionals and the public in the task of gender justice.
Lack of capterisation programmes need to be incorporated into the educational curriculum intensively and in a sustained manner as well as in work establishments. This would greatly facilitate people’s awareness of their rights and make the task of the enforcement bodies relatively easy.
Simplification of rules and procedures by minimizing them wherever record must be maintained. This should also be made accessible for public scrutiny.
Regular monitoring and follow up of disputes and a written record must be maintained.
Coordination between various women’s and activist groups media, police, lawyers, and public minded individuals with clear division of responsibilities is very essential.

Conclusion

The conclusion of the present study is presented according to the analysis and findings. The socio economic level of respondents incorporates gender analysis of female advocates of Hindu, Muslim, and Christian religion. Socio legally respondents depicted their ideas corresponding to age, education, sex, age at marriage, marital status, experience,
place of birth. Economically respondents exposed their ideas corresponding to their level of income, marital status, and experience is elucidated in the coverage personal profile of respondents. It was also concluded that the awareness level of the respondents forward communities are higher than respondents from all other groups, followed by each successive group. This reflection of general social conditions of inequity is prevailing in present Indian society. It merely emphasizes the relationship between community and access to power, knowledge, and privilege among others.

There is no doubt about the harsh reality of discrimination, in the area of liberalization and egalitarianism. It is concluded community affiliation has no bearing on awareness of law is not verified, since there are clear differences in the awareness level of different groups.

The increase in income levels may provide greater opportunities for acquiring legal knowledge, through various sources. When there is more income for the family, naturally, a smaller portion of the amount will be spent in buying books, through which they get more information regarding the legal rights of women.

It appears that respondents are well aware about various aspects of the women concerned laws. Differential awareness in areas as women concerned laws (from female fetus to death of female) and married women laws are clearly evident between women groups. With increase in education that appears to be corresponding knowledge regards to women’s legislation, property, and divorce and maintenance is much higher than other groups. This may be due to the fact that issues regarding divorce, labor disputes as well as property claims are far more visible in media reports than other aspects of the Family law.

The present decade is witnessing an explosion of knowledge and knowledge systems, as evidenced in advanced technologies, with a wide range of utilitarian values. In this scenario, the media, educational institutions, religion, the family etc, all play a determining influence in shaping public opinion to various issues and situations.
The minority of the respondents feel that the discrimination against women is not as widespread as it is made out to be. It is generally felt that gender equality is a known and accepted fact, situational variations, changing perception of individuals, the factor between custom and tradition on the one hand and the enabling process of law on the other leads to general difficulty in the implementation of laws.

It's not to be noted that employment is an era, where interaction between individuals takes place at various levels. The instrument of law also plays a pivotal role in regulating behavior and implementation of rules and regulations. Women today, are active participants in decision making, planning, supervision at various levels, in different sectors of employment.

Flexible working hours, maternity benefits, and child care facilities, rights to press charges of sexual harassment are all the result of progressive legislation. This also the result of a greater acceptance of the fact that women are vital contributors to the national economy and family as well. The recent years have been witness to some landmark interpretations and directives related to Violence against Women. Despite the constitutional mandate of equal legal status for men and women, the same is yet to be realized. The *dejure* laws have not been translated into *defacto* situation for various reasons such as illiteracy, social practices, prejudices, cultural norms based on patriarchal values, poor representation of women in policy-making, poverty, regional disparity in development, lack of access and opportunity to information and resources, etc. The ground situation more or less remains the same.

Most of the laws come with various institutional machinery, partnership between various stakeholders and active role of NGOs. These institutions need to be in existence in order for the law to be effective. Also the policies and programmes made at the top takes a long time to percolate to the bottom and there is an urgent need of sharing information and resources.
The awareness on laws and access to justice remains dismal. At the district and the state level sensitivity on women rights among judicial officers, administration and the police is very low. This leads to a situation where the implementation of the law becomes difficult.

Right to life includes the right to live with dignity but in real life, Indian women are either unaware they have rights to assert or they blend into the demands of their social life and family set up, thereby not raising their voices to fight for causes that really matter for their own well being and dignity in life. Laws, however broadly interpreted, may not be able to change this trend or mindset. Ultimately, women have to explore their strengths and resolve to be bold in questioning such experiences, not with fear or shame, but with the knowledge that they are right in doing so.

Indian law is enacted by the legislature. The Indian government developed the Protection of Women from Domestic Violence Act, 2005, mostly because of global pressure from other countries and women rights activists. However, five years later, the Act is still not implemented and remains an unviable proposition. The Act, which was developed with a purpose of prohibiting marital violence, protects women from any form of abuse and provides for them to be taken care of. In practice, however, there are many reasons why the provisions seem impractical.

Before filing a complaint against her husband and his family under the Protection of Women from Domestic Violence Act, a woman should consider its impact on her and her children. It is no doubt an admirable piece of legislation with the intention of empowering women.

But law alone cannot ensure gender justice and erase the fault lines in our society. Community intervention can also play an effective role in preventing domestic violence. If neighbors step in to save women from being abused and assaulted, it will not only come as an assurance for them but also make the guilty fearful of the consequences of their crime.

To begin with, there are several shortcomings in the Act. Firstly, it largely ignores the ground realities of overwhelming spousal abuse. On the administrative front, there is a need
for state wise recruitment of legally trained protection officers, register service providers and adequate medical facilities for the victims.

The other problem is that the Act pays no attention to the violence committed against a woman in a joint family by another female family member. However, recently the Delhi High Court held that a woman can also be held liable for violence against another woman. The court stated that absence of such a provision under the Act may promote men to encourage other female members of a family to become aggressive towards a woman.

In Indian society a suffering woman will have no idea whom to complain to and how to present her case to a magistrate and how to fight for her rights. In India, domestic violence against women is considered as a part and parcel of married life. It is not considered to be crime as compared to a murder or rape. This is something the government needs to create awareness and initiatives on. The first step would be to make domestic violence a non bail able, criminal offense.

**Fighting for family against legal Terrorism**

To bring dowry act, DVA and other gender biased laws under civil laws. To make 498 a bail able. To re place the word ‘husband’ or ‘wife’ with ’spouse’ in all related laws, so as to ensure equality in law for men & women which is have to be done in the Indian laws..

**Rational arguments to support our demands:** Present treatment of dowry and cruelty under criminal laws is not effective. It is destroying the institution of marriage itself. Sending thousands including women and children to custody, even though almost everyone agrees that most complaints under 498a are false and 98% result in acquittal. Once husband/family has been arrested, the chances of reunion are very low. Thus, even if a complainant realizes her mistake and wants to return later, she usually cannot. 498a is a potent weapon, which is often misused by women to wreak havoc on husband’s family and by police to make money. These laws have not served the purpose of protecting women, as because of a complaint by one irrational woman, several women in in-laws family are put to extreme suffering. It will
reduce workload on the criminal courts and thus help in speedy trial for all. Government itself and various others are trying to achieve this. Protect our privacy by stopping intrusion of police in our homes/domestic affairs. Almost all civilized societies domestic disputes are covered by civil laws. Fear of arrest is biggest weapon in hands of police, which they often misuse to earn extra money in the society and also it was practiced generally in the Tamilnadu police stations that “first cum first serve” even the accused lodge a complaint first.

It is said that the law without the public opinion is nothing but a bundle of papers. The gap between the men and women cannot be bridged by just enacting laws without any public support and opinion as social engineering laws are different from penal laws which are just related to injuries and punishment and are deterrent in nature but social engineering laws enacted to uplift the norms of the society and are progressive in nature and therefore it should be backed by the will of the people for whom it is enacted. It is also be clear that centuries old practice cannot be eliminated in one or two days it take much time. And when laws are enacted to bring radical change in society and are not backed by the will of the people or laws are ahead of public opinion then it has to face great resistance and opposition from the conservative thinking of the society and they are like dead law, which have no effect on society.

In India the most of the laws were not effective as they were ahead of public opinion and willingness of the people to change the society and give the women the status of equality in society too lacked, so in order to give women their respective position in the society strong public opinion should be created through education, seminars and by taking the help of various other instruments of the society such as media etc, so that the people of the society should get educated about and change their centuries old thinking and willingly implement the laws enacted for the emancipation for women.

To improve the status of the women in the society the need of the hour is that laws should be enacted but they should be backed by strong public willingness and public opinion because so long as conservative social thinking remain deep rooted in the society laws will
not be able to achieve their ends. It must be asserted that social reforms is in social thinking, behaviour and law would be effective only if they are backed by major section of the society.

Sexual harassment at work place, Night shifts for women, Equal opportunities for women, these are the top three concerns that, as a working woman in India, one needs to know. The law of the land is extremely weak to address these key issues and needs to be focused on immediately. Various women’s groups are bringing to the attention of the parliament the lacunae in the law for working women in India. To create an environment for woman to work and explore her potential to the fullest is to experience gender equality.

There are plenty of laws in India to ensure social justice for women, equal rights to police protection under the law, equal rights to inherit an equal share in their family property etc. Conspicuous by their absence are the enforcement mechanisms of all such laws implemented in their true spirit. In reality for women nothing has changed since Independence. The lack of political will and the general absence of public discourse, the lack of commitment to give Indian women their well deserved rights or create the proper mechanism to enforce any of these laws enacted many decades ago is the obvious problem.

There are enough laws favoring women but the concept of special courts for women are useless unless the judges are sensitized, expeditious time limits are set, lawyers are compelled to represent women on a contingency bases (getting a share of the awards) and unless there is strict oversight to review these cases to make sure that these laws are implemented, orders passed are enforced in compliance with the laws. To accomplish this, we must raise public awareness. Projects designed to teach legal literacy to women to learn and to claim all their rights. Most Indian women don’t know their rights hence their second-rate status despite the numerous laws promising them their rightful due. Many of the laws that are still awaiting implementation are so archaic that they could be comical if it wasn’t so tragic.
Marital Rape refers to unwanted intercourse by a man with his wife obtained by force, threat of force, or physical violence, or when she is unable to give consent. Marital rape could be by the use of force only, a battering rape or a sadistic/obsessive rape. It is a non-consensual act of violent perversion by a husband against the wife where she is physically and sexually abused.

Approximations have quoted that every 6 hours; a young married woman is burnt or beaten to death, or driven to suicide from emotional abuse by her husband. The UN Population Fund states that more than 2/3rds of married women in India, aged between 15 to 49 have been beaten, raped or forced to provide sex. In 2005, 6787 cases were recorded of women murdered by their husbands or their husbands’ families. 56% of Indian women believed occasional wife-beating to be justified.

Marriage does not thrive on sex and the fear of frivolous litigation should not stop protection from being offered to those caught in abusive traps, where they are denigrated to the status of chattel. Apart from judicial awakening; we primarily require generation of awareness. Men are the perpetrators of this crime. ‘Educating boys and men to view women as valuable partners in life, in the development of society and the attainment of peace are just as important as taking legal steps protect women’s human rights’, says the UN.

A major implications of this development for legal feminism is whether inevitability of bias or perspective leads to relativism, that is gender issues or no more relevant than any other difference like race, age, class education etc., gender should be conceptualized as not only constructed by one’s sex but a complex interplay of factors which go into constituting notions of masculinity and feminity. But there is scope for also acknowledging the hierarchy of gender and avoid failing into the trap of formal equality, that is, since both genders are constructs both are to treated on par. Otherwise it would amount to legal theory being gender neutral once again, only in a new grab.

Proposal as amendment to Indian Penal Code according to this research “Women and Law”.