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# **“BEYOND THE BOOKS: EMPOWERING YOUNG MINDS THROUGH LEGAL EDUCATION”**

AUTHORED BY - NAVREET KAMAL KAUR

## **ABSTRACT**

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In light of evolving legal and societal norms, it has become imperative to revisit how the legal system engages with not only adults but also children and young people. Legal education in India must be re-envisioned to extend its scope beyond professionals and adults, reaching younger generations as well. As the country's legal framework undergoes significant transformation, it is essential for children to be introduced to fundamental legal principles, statutory protections, and the concepts that sustain and fortify the nation's democratic structure. Justice M.N. Venkatachaliah aptly noted, *"Legal awareness must reach every section of society, especially children, as they are the future guardians of the nation's democratic values and constitutional ethos."* This observation underscores the necessity of integrating legal education at the foundational level, equipping young minds to contribute meaningfully to preserving and enhancing India's legal and democratic systems. The strength of any democracy rests with its younger generation, and educating children about their legal rights and responsibilities is crucial to ensuring they grow into informed citizens who comprehend their role in safeguarding democratic values. Empowering children with legal knowledge from an early age prepares them to participate actively in civic life and ensures the long-term vitality of the nation's democratic institutions. This article advocates for a comprehensive legal curriculum that includes essential legal principles, human rights, and contemporary issues such as cyber safety and respect for diversity. It emphasizes the importance of shifting the discourse from empowerment as a privilege to recognizing it as a fundamental right for all individuals, particularly women and children. Additionally, the article explores the evolution of gender-neutral laws and the significance of raising awareness among children regarding their legal protections. By integrating legal literacy into educational frameworks, we can cultivate a generation that is not only aware of its rights but also committed to upholding the values of justice and equality.

## I. EMPOWERMENT: BEYOND RIGHTS, A MUST-HAVE FOR WOMEN AND CHILDREN

Despite decades of progress, the conversation around empowerment-particularly for women and children- continues in 2024. However, it's time to shift the narrative from empowerment to what should be a must-have. Safety for women and children within their own country is not just an ingredient for empowerment; it reflects a larger societal responsibility.

*The rights of women and children are no longer just statutory or human rights; they transcend the legal domain to define the very essence of their existence as individuals.*

*Empowerment is not an option or privilege- it's essential.* While the legion of laws and guidelines have been promulgated to protect, safeguard, and uplift both women and children, the legal institutions still work indefatigably to improve these frameworks, the question remains: *Why do we still talk about empowerment, instead of "must-haves"?*

These are not just the rights of women and children but are foundational rights that belong to all individuals a woman, young boy or girl, or any child- who deserve safety, equality, and most importantly, dignity. *Empowerment should be reconsidered to embrace not only legal protections but also inherent recognition that these rights are integral to the very identity of women and children. This applies equally to all vulnerable communities, "underscoring the need for a shift from seeing empowerment as something granted to seeing it as something fundamentally deserved".*

## II. THE EVOLUTION OF GENDER-NEUTRAL LAWS AND WHY AWARENESS IS KEY.

One common question that arises among young boys and children when discussing gender-neutral or inclusive laws is, *"Why do so many laws seem to favor women?"* *In reality, the law has evolved to embrace gender inclusivity. The problem lies not in the imbalance of rights, but in the lack of awareness among young people about the efforts of the judiciary and legal institutions to create inclusive laws.* Gender-neutral terminology is being defined in ways that were never part of India's legal history, and this transformation is ongoing. Yet, young people may not fully understand how the legal landscape is shifting in their favor. This further points to a crucial need for legal education- ensuring children and youth are aware that laws are not only evolving to protect women but are increasingly becoming inclusive and protective for all genders. The issue is not that the laws haven't changed; it's that the awareness of these changes

is lacking.

### **III. STATUTORY FRAMEWORKS AND CORE-CONSTITUTIONAL VALUES: WHY THESE SHOULD BE TAUGHT TO CHILDREN?**

Legal frameworks are often taught exclusively in professional law courses or academic settings, limiting the understanding of rights and responsibilities to those pursuing legal careers. However, in today's world, where information is constantly flowing and societal interactions are becoming more intricate, it is imperative that children are made aware of these laws long before they enter adulthood. By introducing the significance of legal frameworks at an early age, children can develop a ground understanding that *human rights are not just abstract concepts but protections they are entitled to in their everyday lives.*

Early legal education plays an essential role in reducing children's curiosity towards certain negative conduct, including those they may discern in their families or surroundings, as per the National Crime Records Bureau (India, 2019), statistical data indicates that a total of 38,685 juveniles were arrested in 32,235 cases, with 35,214 juveniles detained under the Indian Penal Code (IPC) and 3,471 juveniles apprehended under special and local laws (SLL) in 2019. About 75.2% of the convicted minors (29,084 out of 38,685) were 16–18-year-olds who were arrested under both the IPC and SLL. 32,235 juvenile cases were reported in 2019, representing a 2.0% increase over 2018 (31,591 instances).<sup>1</sup> When *children grow up in environments where criminal behavior is rewarded or normalized or considered escapable, it can have an esoteric impact on their insight toward right and wrong.* Without proper guidance, they may internalize the idea that certain crimes are “normal” or that they won't face severe consequences for actions they have modeled around them.

### **IV. a. STATUTORY FRAMEWORKS- MORE THAN JUST THEORY:**

Essential laws, for instance, the POSCO Act<sup>2</sup>, IT Act<sup>3</sup>, Domestic Violence Act<sup>4</sup>, Juvenile Justice Act<sup>5</sup> and Sexual Harassment of Women at Workplace Act<sup>6</sup> are crucial not only for

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<sup>1</sup> Gupta, Madhu Kumari; Mohapatra, Subrajeet; Mahanta, Prakash Kumar, *Juvenile's Delinquent Behavior, Risk Factors, and Quantitative Assessment Approach: A Systematic Review*, 47(4) IJCM (2021)

<sup>2</sup> Protection of Children from Sexual Offences Act, 2012, No. 32, Acts of Parliament, 2012 (India).

<sup>3</sup> Information Technology Act, 2000, No. 21, Acts of Parliament, 2000 (India).

<sup>4</sup> Protection of Women from Domestic Violence Act, 2005, No. 43, Acts of Parliament, 2005 (India).

<sup>5</sup> Juvenile Justice (Care and Protection of Children) Act, 2015, No. 2, Acts of Parliament, 2016 (India).

<sup>6</sup> Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, No. 14, Acts of Parliament, 2013 (India).

adults, but also for children who may witness or experience harassment, violence, or abuse at their homes, schools, or communities. *Youth must understand that these crucial legislations are not merely theoretical concepts confined to legal textbooks; they form the foundation of protection and human rights for children and women.* Children who know about their rights are more likely to report instances of abuse or violence. Understanding these frameworks is especially important for children, as they grow up and begin to encounter complex social issues and are exposed to harsher realities of the world.

- **LEGAL LITERACY AND LEGAL AWARENESS PROGRAMME:** Thereby to bridge the gap between the legal protections in place and the awareness needed to access them, the Legal Literacy and Legal Awareness Programme<sup>7</sup> (LLLP) is an essential initiative by the Department of Justice, Ministry of Law and Justice, GOI, which is designed to educate citizens on their legal rights and obligations. Through workshops, seminars, and interactive sessions, LLLP seeks to empower individuals by informing them about laws that directly affect their lives.
- **PAN INDIA LEHAL LITERACY AND LEGAL AWARENESS:** The Legal Literacy and Legal Awareness Programme collaborates closely with the Education departments to integrate legal literacy into the educational curriculum. This partnership aims to familiarize students with essential legal concepts from an early age, promoting a foundation of knowledge that supports responsible citizenship and social accountability<sup>8</sup>.

### III. b. NEED FOR AWARENESS OF CONSTITUTIONAL VALUES:

Children must be educated on key constitutional values such as secularism, democracy, and liberty. These concepts enshrined in the preamble of the Constitution, form the foundation of India's democracy. Students should understand that these aspects are not just philosophical ideas but lived realities, deeply connected to their everyday lives as citizens of a diverse and democratic nation.

- **Secularism as a core value:** Introduced in the Preamble, Secularism is a fundamental value that should be integrated early in a child's education. By understanding Secularism, children learn that every citizen of India is free to profess, practice, and propagate any

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<sup>7</sup> Department of Justice, Ministry of Law and Justice, GOI, <https://doj.gov.in/legal-literacy-and-legal-awareness-programme-lllp/> (last visited October 25, 2024).

<sup>8</sup> Department of Justice, Ministry of Law and Justice, GOI, <https://doj.gov.in/legal-literacy-legal-awareness/> (last visited October 25, 2024).

religion.<sup>9</sup> They also gain awareness that discrimination based on religion- or any such grounds<sup>10</sup>, can have legal consequences.

- **Democracy as a core value:** Democracy, as embedded in the Constitution, is the principle that empowers every individual to participate in governance through rights such as freedom of speech, association, and voting. It is characterized by inclusivity, where all voices are respected, and citizens play an active role in shaping public policies and electing representatives. Understanding democratic values from a young age is crucial in building responsible, engaged citizens. This foundational knowledge helps them recognize that individual and collective actions contribute to societal development, fostering respect for others' viewpoints and promoting collaboration. Teaching these values not only prepares children to be informed voters and participants in civic life but also instills a sense of ethical responsibility.<sup>11 12</sup>
- **Justice as a core value:** teaching children about justice helps them understand the importance of kindness, empathy, and standing up against unfair treatment in their surroundings.
- **Liberty as a core value:** By understanding liberty, children learn the importance of free expression, respecting differences in opinion, personal freedom, individual's right to live with dignity and thinking independently- all essential for personal growth and democratic citizenship.<sup>1314</sup>

*Teaching these core values encourages children to appreciate and honor the varied beliefs within their community, laying the groundwork for an inclusive society.*

#### IV. LEGAL AWARENESS FOR THE DIGITAL AGE

- A. The role of the IT Act in protecting Online Safety:** In today's digital world children are growing up with access to the internet and social media platforms, often unaware of the legal implications of their online actions. It is crucial to educate them about the Information Technology Act<sup>15</sup>, which governs online behavior and sets boundaries to protect individuals from cybercrimes.

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<sup>9</sup> INDIA CONST. art. 25.

<sup>10</sup> INDIA CONST. art. 15.

<sup>11</sup> INDIA CONST. art. 19.

<sup>12</sup> INDIA CONST. art. 326.

<sup>13</sup> INDIA CONST. art. 19

<sup>14</sup> INDIA CONST. art. 21.

<sup>15</sup> Information Technology Act, 2000, No. 21, Acts of Parliament, 2000 (India).

- B. Circulating/Publishing/ Transmitting of Obscene Content under IT Act (Read with POSCO Act):** The IT Act penalizes the circulation, distribution, and publication of obscene or explicit content, underscoring the responsibilities surrounding digital behavior<sup>16</sup>. However, the POSCO Act criminalizes not only the distribution but also the possession of child sexual abuse material<sup>17</sup>. This approach was recently affirmed in the *Just Rights for Children Alliance & Another v. S. Harish & others*<sup>18</sup>, where the Supreme Court ruled that possessing, downloading, or even unknowingly storing child sexual abuse material (child pornography) constitutes an offense under POSCO.
- C. Content against National Integrity:** Sharing or promoting content that disrupts national integrity or security can also lead to severe penalties under the IT Act<sup>19</sup>. Children should be aware that spreading videos or messages that harm the nation's unity, security, or integrity, could result in legal actions.
- D. Privacy and Data Protection:** Teach children about protecting their privacy online and respecting others' privacy<sup>20</sup>. This includes recognizing when not to share personal details or private photos and understanding their misusing someone's personal information<sup>21</sup> can have legal implications.<sup>2223</sup>
- E. Cyber Etiquette and Responsible Behavior:** Teaching children about their "*digital footprint*" is essential for fostering responsible online behavior. *A digital footprint refers to the trail of data they leave behind with every online action, including social media posts and messages, which can often be traced even after deletion.* They need to understand that if they commit crimes online, such as cyberbullying or hacking, they can be held accountable under Indian laws regardless of where the act occurs, as Indian laws apply to citizens globally. Moreover, cooperation among countries can lead to legal consequences, including prosecution or extradition.<sup>2425</sup>
- F. Reporting mechanisms:** Help children understand how to report cybercrimes or seek help if they encounter online harassment, inappropriate content, or scams. Many are

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<sup>16</sup> Information Technology Act, 2000 § 67, No. 21, Acts of Parliament, 2000 (India).

<sup>17</sup> Protection of Children from Sexual Offences Act, 2012 § 15, No. 32, Acts of Parliament, 2012 (India).

<sup>18</sup> Criminal Appeal No(s).2161-2162/2024

<sup>19</sup> Information Technology Act, 2000 § 69A, No. 21, Acts of Parliament, 2000 (India).

<sup>20</sup> Information Technology Act, 2000 § 66E, No. 21, Acts of Parliament, 2000 (India).

<sup>21</sup> Information Technology Act, 2000 § 70, No. 21, Acts of Parliament, 2000 (India).

<sup>22</sup> Information Technology Act, 2000 § 43, No. 21, Acts of Parliament, 2000 (India).

<sup>23</sup> Information Technology Act, 2000 § 72, No. 21, Acts of Parliament, 2000 (India).

<sup>24</sup> Information Technology Act, 2000 § 66, No. 21, Acts of Parliament, 2000 (India).

<sup>25</sup> Information Technology Act, 2000 § 75, No. 21, Acts of Parliament, 2000 (India).

unaware that they can contact cybercrime helplines or trusted adults when facing online issues.

**G. Social Media Presence and Legal Awareness:** Children often engage on platforms like Instagram, TikTok, and YouTube without realizing that their online presence is subject to laws governing cyber security and privacy. Schools or parents must introduce lessons that teach children about the risks of cyberbullying, online harassment, and privacy violations. This would include understanding *what constitutes online harassment* and *how to protect themselves from it*, and understanding that actions like defaming others on social media or sharing private information without consent are legally punishable.<sup>26 27</sup>

**H. Financial Implications of Online Gaming:** Many online games encourage in-app purchases, and children may unknowingly spend large sums of money, sometimes draining their parents' accounts<sup>28</sup>. In certain cases, children have purchased virtual items or game credits without understanding the financial impact, leading to unauthorized transactions and legal consequences<sup>29</sup>. Teaching children about the value of money, the concept of online transactions, and the potential legal implications of unauthorized payments can help prevent such situations.<sup>30 31</sup>

## V. ROLE OF THE SOCIETY AND STATE:

Legal education plays a crucial role, in bridging the gap between legal protections and children's awareness of their rights and responsibilities. The state has an essential duty to protect children not only in physical and emotional contexts but also within the digital realm, where they are increasingly exposed to various risks<sup>32</sup>. Meanwhile, society—including schools, families, and community organizations—shares the responsibility of reinforcing these protections by integrating legal literacy and legal awareness into children's education. By combining state protections with societal support, we create a resilient framework where children are not only protected by law but also equipped with the tools and knowledge to actively protect themselves in both digital and physical environments.

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<sup>26</sup> Id. at 20

<sup>27</sup> Id. at 23.

<sup>28</sup> Indian Contract Act, 1872 § 10, No. 9, Acts of Parliament, 1872 (India).

<sup>29</sup> Guardians and Wards Act, 1890 § 7, No. 8, Acts of Parliament, 1890 (India).

<sup>30</sup> Information Technology Act, 2000 § 66, No. 21, Acts of Parliament, 2000 (India).

<sup>31</sup> Information Technology Act, 2000 § 75, No. 21, Acts of Parliament, 2000 (India).

<sup>32</sup> INDIA CONST. art. 39 cl. e.

## CONCLUSIONS AND SUGGESTIONS: A HOLISTIC LEGAL CURRICULUM FOR THE NEW GENERATION

In an ever-evolving society, integrating legal education into the lives of children and young people is not merely beneficial—it is imperative. A legal curriculum that addresses both foundational legal principles and contemporary issues prepares the next generation to engage actively and responsibly in their communities. By understanding their rights and responsibilities, children can grow into informed citizens who appreciate the significance of democratic values, social justice, and ethical conduct.

The dialogue surrounding empowerment must shift from viewing rights as privileges to recognizing them as fundamental entitlements for all individuals. As such, society must embrace a holistic approach to legal education that emphasizes not only legal literacy but also social responsibility, personal integrity, and respect for diversity. This approach entails several key components:

1. **Foundational Legal Knowledge:** A comprehensive legal curriculum should introduce young learners to essential legal concepts, including human rights, constitutional law, and the legal frameworks governing their lives. By fostering an understanding of these principles, students can better navigate societal norms and engage in informed discussions about legal issues that affect them directly.
2. **Critical Thinking and Problem-Solving Skills:** Encouraging critical thinking is crucial for young people to analyze complex legal situations and understand the implications of laws and policies. Incorporating case studies, simulations, and debates into the curriculum can help students develop the analytical skills necessary for evaluating legal scenarios and proposing viable solutions.
3. **Civic Engagement and Community Involvement:** Legal education should extend beyond the classroom, encouraging students to participate in their communities actively. Engaging in community service, legal aid initiatives, or youth advocacy groups allows students to apply their legal knowledge in real-world settings, fostering a sense of responsibility and commitment to social justice.
4. **Ethics and Personal Integrity:** A robust legal curriculum must instill the importance of ethics and integrity in the practice of law and everyday life. Discussions around moral dilemmas and the ethical responsibilities of individuals in positions of power can help shape students into conscientious citizens who prioritize justice and fairness.

5. **Respect for Diversity and Inclusion:** In today's globalized world, it is essential to cultivate an understanding and appreciation for diversity. Legal education should address issues of inequality and discrimination, fostering an inclusive environment where students learn to respect and advocate for the rights of all individuals, regardless of their background.
6. **Lifelong Learning and Adaptability:** The legal landscape is continually changing, and instilling a sense of lifelong learning in students is crucial. By encouraging curiosity and adaptability, legal education can empower young individuals to remain informed about evolving legal issues and societal changes throughout their lives.

In conclusion, a holistic legal curriculum designed for the new generation is essential for fostering informed, responsible, and engaged citizens. By providing young people with the tools to understand their rights, advocate for justice, and respect the rule of law, society can cultivate a generation equipped to contribute positively to their communities and champion the democratic values that underpin a just society.

### SUGGESTIONS FOR IMPLEMENTATION

1. **Incorporation of Legal Literacy into School Curricula:** Educational institutions should partner with legal professionals to develop and implement a legal literacy program tailored for students. This program can cover essential legal concepts, rights, and responsibilities, ensuring that children receive age-appropriate legal education.
2. **Interactive Workshops and Activities:** Schools should organize workshops and activities that engage students in practical scenarios, allowing them to explore legal concepts through role-playing and problem-solving exercises. This interactive approach can enhance their understanding and retention of legal principles.
3. **Collaboration with Community Organizations:** Collaboration with NGOs and community organizations can help extend legal education beyond the classroom. These partnerships can facilitate workshops and seminars focused on specific legal topics relevant to children, such as cyber safety, discrimination, and domestic rights.
4. **Parental Involvement:** Engage parents in the conversation by providing resources and information about legal rights and responsibilities. This can be done through seminars or informational pamphlets that help parents reinforce these concepts at home.
5. **Utilization of Digital Platforms:** Leverage digital platforms to create accessible resources that teach children about legal rights in an engaging manner. This could

include videos, online quizzes, and interactive games that introduce legal concepts and promote awareness of their rights in the digital space.

6. **Continuous Evaluation and Improvement:** Regularly assess the effectiveness of legal literacy programs and make necessary adjustments based on feedback from students, teachers, and legal professionals. Continuous improvement will ensure that the curriculum remains relevant and effective.

