

LEGAL EMPOWERMENT AS A MEAN OF ENSURING SOCIAL PROTECTION

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The purpose of this paper is to provide a starting framework for considering legal empowerment approaches to social protection. It is part of the broader, ongoing efforts of the Legal Aid Commission (LAC) in Sri Lanka that uses law and policy as tools to expand access to justice and provide legal assistance to people.

The LAC has a network of more than 50 multipurpose Legal Aid Centers island wide. These centers cater to legal needs of people and render legal advice and representations in courts and tribunals. The theoretical background for this study is based on the premise which was put forwarded by a key social theorist, Amartya Sen who argues that development's ultimate goal is to advance people's freedoms and capabilities. Legal empowerment draws on this concept by measuring developmental impact not only in economic terms but also as the enhancement of freedoms and capabilities.

Therefore, this paper seeks to investigate the problems of legal nature faced by people, reasons for low access to legal aid and how they can be helped out in providing solutions for their legal matters. The two major objectives of this study are to investigate legal issues mostly faced by people and what benefits and services people can obtain from legal aid commission centers. The project was carried out in Wattedema in the Kandy district.

A study sample of 18 families was interviewed for data collection followed by mobile legal aid clinics which included five focus group discussions with each group consisting 8-10 members. Topics covered during consultation and counseling were mostly on domestic violence, family law, debts, sales, property and inheritance law, labour law, and human rights. In many instances people became more aware of their rights and obligations and legal issues through discussions in the mobile legal clinics. Additionally, people were made aware of the developmental legal aid desks as they conduct legal and other proceedings and services for and on behalf of deserving persons in courts of law.

However, the extent of access to the law and legal institutions depends on one's wealth, education, access to information, and inclusion in social networks. The Legal Empowerment Volunteers' Project has been able to enhance the legal knowledge of the people in order to reduce their vulnerability in the face of their socio-economic backwardness.

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