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a peer reviewed international journal

Focal Issue:

Law, Culture, and Justice in the Global South

Guest Editor:
Daud Salim Faruque

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*Department of Anthropology
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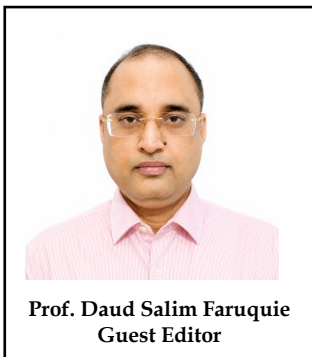
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SHOEB ALI

Guest Editorial

Law, Culture and Justice in the Global South: Towards an Evidence-Informed Anthropology of Human Dignity

"The life of the law has not been logic; it has been experience."

~ Oliver Wendell Holmes Jr.



societies negotiate power, belonging, rights and responsibilities.

The twenty-first century has confronted humanity with paradoxes that are as profound as they are persistent. Never before has the world witnessed such unprecedented advances in science, technology and global interconnectedness, yet never have questions of justice, identity, environmental sustainability, cultural survival and social inequality appeared so urgent. Across the Global South, these challenges are particularly complex because they are embedded within colonial legacies, socio-economic disparities, ecological vulnerabilities, demographic transitions and rapidly evolving political landscapes. In such a milieu, anthropology offers a vital reminder that law is not merely an institutional arrangement, nor culture simply an inherited tradition. Rather, both constitute living systems through which

The present focal issue of *Anthropological Bulletin* arrives at a particularly significant historical moment. Under the theme "**Law, Culture and Justice in the Global South**," the contributors collectively illuminate the intricate intersections between legal institutions, cultural practices and lived human experiences. While the papers explore diverse empirical settings, from environmental restoration and juvenile justice to cultural heritage, community rights, rehabilitation and governance, they converge upon a common intellectual proposition: justice cannot be meaningfully understood without appreciating the cultural contexts within which it is imagined, contested and realised.

Anthropology has long challenged the assumption that law exists solely within statutes, constitutions or courtrooms. As Clifford Geertz (1983) observed, law is fundamentally "a distinctive manner of imagining the real." Legal systems are simultaneously repositories of norms and arenas of social negotiation. They derive their legitimacy not merely from legislative authority but from their resonance with people's lived realities. The Global South, characterised by legal pluralism and diverse cultural traditions, exemplifies this dynamic with remarkable clarity. Here, customary institutions often coexist with formal legal structures, and questions of justice frequently extend beyond legal compliance to encompass dignity, identity, historical memory and collective wellbeing.

An equally compelling thread emerging from this issue is the growing recognition that evidence and context are not competing paradigms but complementary foundations of effective policy. Contemporary public discourse often presents evidence-based policymaking as synonymous with quantitative indicators, experimental designs or statistical certainty. Such perspectives, while valuable, remain incomplete unless they are enriched by contextual understanding. Anthropology contributes precisely this dimension. Through ethnographic inquiry, historical analysis and qualitative interpretation, it uncovers forms of evidence embedded within everyday life, evidence that reveals not only *what* works, but also *why, for whom* and *under what conditions* interventions succeed or fail (Dopson, & Fitzgerald, 2005).

This integration of empirical evidence with contextual understanding has become increasingly indispensable in addressing the multidimensional challenges confronting the Global South. Environmental degradation, armed conflict, migration, youth vulnerability, digital transformation and

widening inequalities cannot be adequately understood through disciplinary silos. They require interdisciplinary scholarship capable of connecting ecological realities with legal frameworks, cultural values with institutional reforms, and local experiences with global policy debates.

The contributions assembled in this volume collectively demonstrate this intellectual richness. The opening paper's exploration of ecological recovery and environmental justice illustrates how sustainable development extends beyond technical conservation to embrace community participation, cultural values and social equity. Environmental restoration, viewed through an anthropological lens, becomes not simply a scientific enterprise but a profoundly human endeavour involving relationships between people, institutions and ecosystems.

Equally significant is the examination of juvenile justice, where the authors invite readers to reconsider conventional punitive paradigms in favour of evidence-informed rehabilitation and child-rented approaches. Contemporary criminological research increasingly demonstrates that restorative interventions, family support and community engagement often yield more sustainable outcomes than purely retributive measures. Such scholarship reminds us that justice is ultimately measured not by the severity of punishment but by society's capacity for transformation and reintegration.

Another noteworthy contribution addresses the protection of libraries and cultural heritage during armed conflict. In an age when wars increasingly target symbols of identity alongside civilian populations, safeguarding cultural memory assumes renewed importance. Libraries, archives and museums represent far more than repositories of books or artefacts; they embody collective memory, intellectual continuity and civilisational resilience. Their destruction impoverishes not merely individual nations but humanity as a whole. The discussion therefore extends beyond heritage preservation to fundamental questions concerning international humanitarian law, cultural rights and global ethical responsibility.

Several papers further explore the relationships between governance, social institutions, community participation, legal consciousness and marginalised populations. Although differing in disciplinary orientation and methodological approach, these contributions collectively underscore a shared insight: justice becomes meaningful only when institutions remain responsive to the lived experiences of those whom they are intended to serve. Whether addressing vulnerable communities, cultural identities, legal awareness or administrative practices, the authors consistently demonstrate that sustainable reform requires engagement with local realities rather than reliance upon abstract institutional models.

Taken together, the contributions illustrate the remarkable breadth of contemporary anthropological inquiry. They reveal anthropology not as an isolated academic discipline but as an integrative framework capable of connecting law with culture, policy with practice, and empirical evidence with ethical reflection. This interdisciplinary orientation is especially valuable at a time when societies increasingly confront problems that transcend traditional disciplinary boundaries.

The contemporary policy landscape further reinforces the relevance of such scholarship. The United Nations Sustainable Development Goals, particularly those relating to peace, justice, strong institutions, reduced inequalities and climate action, all recognise that development cannot be sustained without inclusive governance and culturally sensitive policymaking (Oosterhof, 2018). Yet implementation frequently falters because universal frameworks encounter diverse local realities. Anthropology bridges this divide by illuminating how global aspirations are interpreted, negotiated and adapted within specific social contexts.

This perspective also resonates strongly with the emerging philosophy of evidence-informed governance. Evidence should not be understood merely as statistical significance or measurable outcomes; it should encompass historical experience, institutional learning, community knowledge and ethical deliberation. Robust policymaking requires methodological pluralism, an appreciation that quantitative analysis and qualitative understanding together provide a more comprehensive basis for decision-making than either approach alone. Such an integrated conception of evidence is particularly pertinent for societies navigating complex developmental transitions.

As Guest Editor, I regard this focal issue as more than a thematic collection of scholarly articles. It represents an invitation to rethink how anthropology contributes to contemporary debates on justice and governance. The papers encourage readers to move beyond binary distinctions: between tradition and modernity, formal and informal institutions, quantitative and qualitative evidence, local knowledge and global policy. Instead, they advocate a more nuanced understanding in which these dimensions interact to shape human wellbeing and social transformation.

The strength of this volume ultimately lies in its commitment to intellectual dialogue across disciplines, regions and methodological traditions. At a time when public debates are increasingly polarised, anthropology reminds us that complexity should not be feared but embraced. Justice is rarely achieved through universal prescriptions alone; it emerges through continuous engagement with culture, history, institutions and human experience.

It is hoped that the discussions presented in this issue will stimulate further interdisciplinary research, encourage evidence-informed legal and social reforms, and inspire scholars, practitioners and policymakers to recognise that sustainable justice must always remain culturally grounded, empirically informed and fundamentally centred upon human dignity. Such a vision is not merely relevant for the Global South; it offers valuable lessons for an increasingly interconnected world where the pursuit of justice remains one of humanity's most enduring aspirations.

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Acting as the Planet: A Developmental Interpretation of Ecological Recovery Movements

Anna Sixtensson *

ABSTRACT

This article explores what is here termed Ecological Recovery Movements (ERM), an emerging set of initiatives combining environmental issues with recovery traditions inspired by the Twelve Steps of Alcoholics Anonymous. Such initiatives have mainly been described in terms of climate grief, behavioural change, ecological concern and community support. This article argues that they may also be viewed as contexts for developmental expansion of identity. Drawing on the developmental theories of Kohlberg, Loevinger, Kegan, Torbert and Wilber, this study explores how ecological recovery, rather than merely inspiring behavioural change, may involve a broadening of self-understanding, from the individual toward increasingly inclusive forms of identification. The article suggests that these movements may be viewed as cultural laboratories, in which new interpretations of human embeddedness and ecological responsibility are explored. The idea of Acting as the Planet is presented as a developmental horizon characterising a transition from viewing oneself as a separate, independent subject acting for the environment toward experiencing oneself as a participant within interconnected living systems. The article further suggests that ecological recovery can be understood as a component of a larger cultural process, in which issues of sustainability become inextricably linked to issues of identity, meaning-making, and global wellbeing. This argument draws on perspectives from wellbeing studies, relationality research and ecological anthropology. The study also provides a foundation for future research on ecological recovery by adding a developmental perspective to an area that has primarily remained practice-oriented.

Keywords: Ecological Recovery Movements; developmental theory; climate change; environmental anthropology; identity expansion; Twelve-Step recovery; ecological spirituality; global wellbeing; relationality; Acting as the Planet

Introduction

During the last ten years or so, numerous efforts have started combining climate concern with recovery movements, such as The Twelve Steps of Alcoholics Anonymous (Alcoholics Anonymous, 2001). In this article, I employ the concept *Ecological Recovery Movements (ERM)* referring to these attempts to address climate issues with the help of recovery traditions.

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These movements include climate grief support groups as well as online recovery initiatives and communities of practice (Climate Sobriety, 2015; Climate Grief Group, n.d.; Macy & Johnstone, 2012; Sensus, 2026). While varying in focus and form, from emotional wellbeing to lifestyle changes and climate action, they all reframe the language of addiction and recovery in relation to the ecological crisis and wellbeing. This emerging field points to an emerging shift in the understanding of humanity's place within the living world. A shift that may be seen as an expansion of identity. In this study developmental theory is used to elucidate this expansion of identity, from the self to the planet itself, expressed in the article as *Acting as the Planet*. Although this expression is meant as a metaphor, rather than a literal psychological or metaphysical claim, it indicates an increased emphasis of our human embeddedness in the more-than-human world.

The developing field of ecological recovery movements remains predominantly practice-oriented, rather than academic. Most initiatives operate primarily through community networks, rather than within established research. However, in alignment with traditional anthropological focus on lived experiences this kind of emerging meaning-making in everyday life can be viewed as significant enough (Geertz, 1973). Similarly, scholars in other research traditions, such as lived religion also view practical experience as a source of knowledge rather than simply an expression of prior theory (Ammerman, 2021).

The new approaches are explored in many contexts, by individuals and communities, as a response to the ecological crisis. Often, the dialogue is not limited to political, scientific and technical aspects, but also includes questions around the identity and role of humanity as well as our view of the world we live in. Some of the initiatives clearly take inspiration from the Twelve Steps of Alcoholics Anonymous, while reinterpreting the language of recovery from addiction and relating it to unsustainable lifestyles causing environmental decline. Groups and networks engage in sharing experiences and supporting each other to shift into more sustainable ways of living. Such approaches also inspire reflection on our human relationship with nature, while collectively cultivating ecological awareness.

These initiatives can also be seen as examples of modern ecological spirituality, where new approaches to environmental challenges are formed and tested. Within these contexts it becomes clear that the current climate crisis is not only about pollution, loss of biodiversity and social fragmentation. It is also about who we are and how we view ourselves and the world. So, while these emerging networks in themselves offer valuable perspectives, they also give rise to a significant question: *What is the imagined subject, the primary actor of transformation?* This study, being mainly theoretical in nature, argues that developmental theory may provide a valuable framework for exploring this question: it examines an understanding of ecological recovery as a potential expansion of identity, instead of just a shift in behaviour. The article thus suggests that *Ecological Recovery Movements (ERM)* can be seen as cultural laboratories for expansion of identity, where new perspectives on agency, responsibility and human embeddedness are interpreted and tested in response to the climate crisis.

Despite the increasing practical interest in ecological recovery initiatives, they have rarely been analyzed from the perspective of developmental theory. Current dialogue often highlights emotional support, change in lifestyle and behaviour and climate action, while less attention is given to the underlying assumptions regarding identity and agency that influence these movements. Rather than offering original ethnographic data or contrasting particular initiatives, the article aims to contribute to this research gap, by examining how developmental theory might contribute in understanding the emerging ecological recovery movements and the forms of identity they seem to embrace.

Ecological Recovery Movements: The gap

Many initiatives to ecological recovery focus on the individual and connect to local communities or societal change brought about by responsible citizens. Although these aspects are significant, this article explores whether they should be situated within a broader framework, encompassing personal as well as social, societal and planetary levels of awareness. Ecological recovery may thus ultimately concern identity before behaviour. This perspective seems to represent a gap in the literature, as it has rarely been examined from a developmental perspective. The article will therefore explore how ecological recovery movements can illuminate and address this gap with the help of developmental theory.

Developmental theory has been described by scholars such as Kohlberg (1981), Loevinger (1976), Kegan (1982; 1994), Torbert (2004; 2005) and Wilber (2000, 2006). These scholars propose models in which human meaning-making may develop toward increasing complexity by including and transcending different levels of awareness, responsibility and identity. From a developmental perspective, ecological movements can be seen, not only as behavioural patterns, but as processes where individuals and communities develop their ability to see themselves as a larger whole.

Examples include Climate Grief Groups, modifying the recovery approach to ecological anxiety and grief; Climate Sobriety initiatives, describing unsustainable lifestyles such as consumption as a kind of addiction; and the online project *Another End of the World is Possible*, created as an ecological interpretation of the Twelve Steps tradition (*Another End of the World Is Possible*, 2022; Climate Sobriety, 2015; Climate Grief Group, n.d.) These initiatives are mentioned as examples of an emerging field, rather than being analyzed through systematic comparison. In Sweden, comparable concepts have emerged through literature, self-help circles and study groups. One example is *12 steg för planetmissbrukare* (12 Steps for Planet Abusers) aligning climate concern more strictly to recovery traditions (Sensus, 2026). Rather than comparing or evaluating particular ecological recovery movements, this article proposes a theoretical framework for understanding their developmental potential. With inspiration from developmental theory and wellbeing frameworks, the study proposes the concept of *Global Wellbeing* as a vision that encompasses interconnected dimensions of wellbeing at individual as well as social, ecological and planetary levels. (Sixtensson, 2025).

Thereby, the article proposes that ecological twelve-step movements can be interpreted as expressions of a wider cultural transformative process, and that developmental theory can fill in the gaps of expansion, so that new forms of human identity and worldview emerge in relation to the current climate challenges.

Ecological Recovery: Moving Beyond the Individual

Inspired by the programme Twelve Steps of Alcoholics Anonymous, the idea of ecological recovery initiatives is to combine it with environmental concern. Most initiatives do so by using the language of addiction and recovery to handle the unsustainable lifestyles of ecological destruction. Just as we may be trapped in substance abuse and toxic behaviour, these initiatives suggest that we get stuck in different forms of ecologically harmful behaviours, such as consumerism, pollution and conflict. For this reason, the ecological recovery movements aim to adjust the twelve steps in order to support behavioural change and healing through similar processes of shared deep reflection and dialogue.

Some of the initiatives focus on climate anxiety and grief. Others are more concerned with behavioural change and climate action. However, most of them understand individual awareness as the start of ecological transformation, the process of recovery being seen as a process by which individuals learn to identify and change their thought patterns and their lifestyles.

Many initiatives focus on individual transformation, thus raising significant existential aspects connected to the climate crisis, such as grief, loss of hope or despair. In alignment with the traditional recovery movements, they involve sharing these experiences, thus supporting each other in safe contexts. This approach, however, also highlights questions about the scale and scope of the intended transformation. While individual choices contribute to the climate crisis, it is also caused by political and economic systems as well as collective worldviews. Thus, focusing merely on individual recovery runs the risk of perpetuating a kind of individualism, where collective and systemic patterns remain invisible.

From an anthropological standpoint, this becomes especially apparent when examining the issue of agency: *Who is seen as the actor in the process of ecological transformation?* Within many of the climate-based recovery models, the individual remains the primary subject, even if the focus can also embrace close relationships and local networks. Although these dimensions are crucial for any healing process, there is a remaining presumption that all transformation is something mainly connected to individual initiatives. This presumption mirrors more general trends in contemporary Western society, where individual autonomy is often seen as the foundation for social change.

At the same time, there are many facts that challenge this tendency. There is an increasing awareness of a complexity that operates across scales and beyond individual experiences or local action in the form of political and cultural patterns, biodiversity and global economic structures. Therefore, the current ecological crisis calls for a re-evaluation, not merely of personal behaviour, but also of the forms of identity that define and drive responsibility.

The following chart may describe the emerging field and the different approaches to agency and emphasis. To illustrate this theoretical discussion, the study also draws on another initiative within this emerging field, 12 Steg till globalt välbefinnande (*12 Steps to global wellbeing*). Although initiated in Sweden, the programme has been developed with collaborators in several countries and is intended as globally applicable framework (Sixtensson, 2025).

Initiative	Primary emphasis	Primary agent of transformation
Climate Grief Groups	Climate grief, emotional resilience	Individual in community
Climate Sobriety	Behavioural change	Individual lifestyle
<i>12 Steps for Planet Abusers (Sweden)</i>	Ecological responsibility	Individual and society
<i>12 Steps to Global Wellbeing (Global)</i>	Developmental expansion of identity	Planet, (eco-)systems, living systems

Ecological recovery, then, seems to point toward an expansion beyond the individual. Rather than merely trying to involve more people in personal ecological recovery,

the movement suggests that it is important to also examine systems and societies as agents of change. While including and affirming the individual level, an additional vertical approach can be interpreted as more inclusive understandings of identity and responsibility, involving more than behavioural change. This kind of shift would require a completely different understanding of identity.

From this perspective, ecological recovery can be understood as a contributing component in a developmental process aiming to increasingly widen the view of identity. Rather than just acting as a responsible individual citizen or local community, the idea is to deepen our understanding of consciousness in such a way that it can interact and co-exist with the wellbeing of complex living systems as a whole. This potential is among the possibilities within developmental theory and therefore the main subject of this article. If ecological crises operate across interconnected living systems, ecological recovery may likewise require a corresponding expansion of identity. Yet, this developmental dimension has received limited scholarly attention. The following section therefore examines how developmental theory may be a fruitful lens for understanding this kind of expansion.

Developmental Theory: Expanding Identity

Developmental theory provides one possible framework for understanding how ecological identity may expand beyond the individual. Several developmental theorists, although representing diverse intellectual traditions, share a view of human maturity as a gradual expansion of identity, meaning making and scope of responsibility. Here, Ingold's critique of the nature-culture divide and his understanding of life as a meshwork of relations may be seen as an anthropological parallel to the developmental expansion discussed in this study (Ingold 2000; 2011).

Lawrence Kohlberg, one of the earlier scholars in the field of developmental theory, described moral development as a process from self-interest and conformity toward more and more universal ethical mindsets including an increasing ability to embrace the wellbeing of broader and more complex aspects of society, as well as all sentient beings as a whole, instead of focusing merely on the interests of one individual or group at a time. Similarly, Jane Loevinger argues that human growth means increasing the capacity to include more complexity and integrate many different perspectives simultaneously. Maturity leads to relying less on established views of one's self and roles, while gradually including more ambiguity, interdependence and systemic views of reality.

Robert Kegan has further evolved these ideas, by describing adult development as a process of meaning-making and constructing reality in more and more complex ways. A significant aspect of Kegan's contribution is his distinction between a self-authoring mind and a self-transforming mind. The capability of the former individual centres around forming coherent values and goals, while the latter can perceive how every worldview is partial and integrated within wider systems. This ability to embrace multiple viewpoints at the same time becomes particularly relevant in relation to the ecological crisis that transcends many levels of reality as well as national, cultural and disciplinary horizons. William R. Torbert contributes to the field of developmental theory by a more action-oriented approach. His model of action logic shows how individuals as well as communities gradually develop more refined ways of engaging with complexity. One of Torbert's concepts is especially interesting: that of the Alchemist, referring to the capability to address personal, organisational and societal transformation simultaneously. This action logic is undoubtedly relevant for leaders and agents within ecological recovery movements, where sustainable lifestyles and initiatives may embrace a genuinely systemic understanding of transformation.

Another approach to developmental theory is offered by Ken Wilber. In his model AQAL (All Quadrants, All Levels), he argues that human development simultaneously moves through multiple dimensions: individual, cultural, behavioural and systemic. This *Integral Theory* suggests that all these four aspects need attention in order for the context to reach the next level. It is not sufficient to develop one or two dimensions. Transformation requires concern for all four Quadrants. All these developmental theorists, although different in some ways, agree on the idea of gradual expansion of identity and worldview. While not rejecting the former stages, every new step will include and transcend the former. The field of developmental theory offers a significant possibility, allowing identity and responsibility to expand beyond the individual as well as community and society, thus leaning into identifying with larger living systems and even the planet as a whole.

For many environmental scholars such as Vandana Shiva, this would relate to their idea of human wellbeing being intertwined with ecological wellbeing. In a similar way, this interconnectedness of multiple dimensions of wellbeing is mirrored by the deeper principles of the *Gross National Happiness* model (GNH), a more inclusive alternative to Gross National Product, GDP (Ura 2012; 2017; Rosengren, 2016), especially in the adapted form that is scalable for personal as well as for organisational, societal and national levels (Sixtensson 2025). All these approaches suggest that ecological transformation needs to go beyond personal and behavioural change, developing forms of consciousness that embrace gradually more complex systems of coexistence, making ecological engagement not merely a question of ethical responsibility, but of identity.

This article primarily focuses on how the ecological twelve step movements can be interpreted as contributing to this form of development. Some initiatives mainly support individuals in handling climate anxiety and lifestyle changes, others focus more on collective social engagement. Developmental theory posits that identity can progressively expand to encompass more inclusive forms of consciousness. This creates the opportunity for what this article metaphorically calls *Acting as the Planet*.

Acting as the Planet: A Developmental Horizon

This article suggests *Acting as the Planet* as a potential developmental horizon. If developmental theory outlines expanding types of identity, how could this expansion be understood in the context of ecological recovery?

Ecological recovery movements can, according to the former sections, be seen as an example of expanding the traditional frameworks of recovery and climate action, thereby extending the interpretation of addiction from personal to global self-harm. Still, there are many ecological recovery initiatives that view the individual as the primary subject of transformation.

Rather than focusing merely on individual development, the aim here is to examine whether we also learn to identify with larger contexts. For this purpose the developmental theories are helpful. Although different in approach, they share a similar idea of a human development that may be called *vertical*, i.e a deeper and/or higher form of maturity that is increasingly expanding identity and capability to handle complexity. Development means to them moving from self-interest toward concern for and identification with larger wholes. Ecological awareness can thus be viewed not merely as ethical concern for the more-than-human world, but as an intimate embeddedness within it. From an anthropological perspective, Ingold (2000; 2011) and Kohn (2013) both highlight that humans are not external to nature. Instead, meaning, life and agency emerge through continuous networks of relationships between humans and the more-than-human world. Similar thoughts are emphasised by scholars in various other fields, such as phenomenology, ontology, ecology and ecotheology (Abram, 1996; 2010; Kimmerer, 2013; Shiva, 1988; 2005; Rowe, 2024). Rather

than harm being inflicted against something external to ourselves, ecological destruction will consequently be experienced as something internal, occurring within a larger living system in which we are included. We hurt ourselves when we hurt each other and nature.

A shift of this kind seems to be helpful for the ecological movement in general and for the recovery-based initiatives in particular. As an example among the developmental theorists, Ken Wilber's integral model (AQAL) offers tools and terms for identifying this transformation from egocentric to ethnocentric, world centric and potentially even cosmocentric levels of awareness, increasingly moving toward more inclusive understandings of identity and concern. Already the world centric level embraces responsibility for society, leaning toward concern for humanity as a whole. However, the climate crisis calls for further development thus including the more-than-human world as well as future generations. This suggests the possibility of more expansive forms of identification, such as a *planetary*, or even *cosmocentric*, perspective, involving the capacity to see oneself as a part of a much greater process of life.

Not only developmental psychology supports this idea of widening scope of identification, but also systems theorists have highlighted the significance of understanding the interdependence of society and ecosystems. In many indigenous traditions, documented by scholars such as Kimmerer, this human embeddedness in nature is being expressed as a network of relatives rather than a hierarchical understanding of human stewardship over the rest of the living world (Kimmerer, 2013). Vandana Shiva is yet another scholar emphasizing this interdependence and interrelatedness (Shiva, 1988; 2005).

It is from this understanding of deep interrelatedness that the notion of *Acting as the Planet* emerges. Contrary to approaches focusing mainly on individual recovery and wellbeing, this metaphor is based on this kind of multi-layered interconnectedness involving individuals, societies, nature and the Earth as a whole - what this article refers to as *Global wellbeing*. Wellbeing, from this perspective, is not merely something for individuals, but emerges from within recovering relations between interrelated living systems. This means that personal wellbeing is fundamentally intertwined with social and ecological wellbeing. This process of transforming worldviews and identity also helps explain why ecological crises raise deep existential questions. It is natural that questions about identity, meaning and purpose arise when we get in touch with the boundaries of our worldviews and self-concept. The developmental process thus leads us beyond political and behavioural change into a profound existential dimension: it is about who we ultimately are.

From this perspective, the ecological twelve-step movements may be interpreted as something much more than recovery groups or climate activism. Depending on their approach, they can be seen as communities of practice or cultural laboratories where new forms of identity and worldviews are tested. The focus is gradually shifting from individuals saving the planet toward a natural participation in the wellbeing of all living systems. In this regard the developmental concept of evolving identity overlaps with anthropological discussions of relationality, where humans are viewed as emerging through continuous relationships with each other as well as with the more-than-human realms (Ingold, 2000; 2011; Kohn, 2013).

Rather than asking how human beings may save the planet, ecological recovery may in alignment with this, ultimately invite the question: how might we learn to act as the planet - and what would it mean?

Toward an Integral Ecology of Recovery

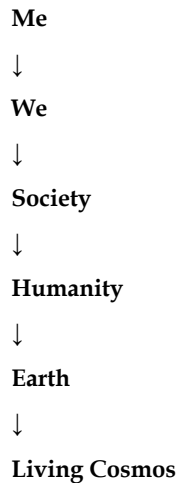
As the previous sections have suggested, the emerging ecological recovery movements can be viewed as responses to the contemporary climate crisis in terms of developmental theory. Instead of seeing the different efforts as opposing strategies, this article proposes that they may be understood as complementary expressions of an emerging ecology of recovery, contributing with different approaches to and levels of transformation. Some focus more on personal growth, others involve social and systemic dimensions, while a few initiatives lean toward embracing more complex stages connected to an expanded identification and global wellbeing.

Promoting developmental expansion does not imply dismissing earlier stages as wrong or unnecessary. Individual maturity remains significant as a foundation for expansion of identity through ecological recovery. The developmental process is not about excluding, but instead including and transcending, by placing previous levels on a larger map of natural systems. Here I call this kind of expanding awareness *vertical* development, i.e. an increasingly deepening understanding, including multiple dimensions and levels of reality.

One example of this vertical development is the ecological recovery programme 12 Steps to Global Wellbeing (Sixtensson, 2025). Based on adapted steps from the traditional recovery programme in combination with developmental theory and a scalable version of Gross National Happiness (Rosengren, 2020; Sixtensson, 2025; Ura, 2012), this programme is a method for expanding identification toward being part of larger wholes. Rather than being a subject of empirical assessment, the programme serves here as an example of how perspectives focused on development and wellbeing can be incorporated within an ecological recovery framework. The larger map of vertical development can be described by this model:

Developmental Horizon	Primary Identity	Main Concern	Primary Ecological Response
Personal Recovery	Individual self	Healing personal suffering	Lifestyle change
Relational Recovery	Family, group, community	Mutual support and belonging	Collective action
Social Recovery	Society and institutions	Justice and systemic reform	Social transformation
Planetary Recovery	Humanity and Earth systems	Ecological sustainability	Planetary stewardship
Global Wellbeing	Interconnected living systems	Flourishing of whole systems	<i>Acting as the Planet</i>

Another model for illustrating the vertical development may move from caring for *me* to including concern for and identification with a broader *we*, *society*, *humanity*, *Earth* and finally *Living Cosmos*.



This simple chart and model should not be understood as a complete or rigid theory, but rather as an outline for illustrating how ecological responsibility and identity become gradually more expanded and inclusive. It is also not meant to imply that all of this is realistically possible to experience here and now. However, it is a direction, a vision and a horizon. The final horizon of ecological responses, here expressed as Acting as the Planet, is meant to describe embracing the full complexity of contemporary global wellbeing challenges. Instead of understanding humanity as external masters with stewardship over nature, this approach involves being identified with and participating in larger living systems of wellbeing. The kind of shift required for this kind of consciousness and agency is not only based on influencing political institutions or technical innovation, but also involves many other arenas, such as rewriting cultural and existential narratives, self-images and worldviews.

From this horizon, contemporary ecological twelve-step movements may be interpreted as continuously ongoing workshops or communities of practice for an emerging culture of global wellbeing. Their contribution is not merely about advocating sustainable lifestyles and individual transformation, but about cultivating new ways of understanding what it means to be human in a world of interconnected relations. A future challenge could be creating integral frameworks for vertical development and all-inclusive maps, rather than choosing between competing ecological models and approaches. A maturing ecological recovery perspective would seek to attain this very kind of integration, where personal transformation is honoured, while at the same time opening for expanding the horizon toward social and planetary wellbeing.

Conclusion

This article has aimed to explore how contemporary ecological recovery initiatives may be interpreted and expanded through the lens of developmental theory. Although this article does not suggest that developmental theory is the only possible interpretation of these movements, it has opened for dialogue around this perspective. This is not to imply that all ecological recovery movements follow the same developmental pattern, but rather to suggest developmental theory as one possible analytical lens for interpreting emerging aspects of this field.

The emerging ecological recovery movements thus seem to reflect an increasing insight that climate crises must not be reduced to merely political or technical challenges. They also call for inquiries of identity, meaning-making and developmental expansion. By means of adapting the language and basic principles of traditional twelve-step programmes to

ecological concerns, these movements contribute with spaces for new lifestyles, mutual support and dialogue, but also for testing new patterns for identity and emerging worldviews. At the same time, the article has argued that many ecological recovery approaches continue to operate within an implicit framework in which the individual remains the primary subject of transformation. While such approaches are both valuable and necessary, developmental theories suggest the possibility of a further expansion of identity and concern.

Drawing on the work of Loevinger, Kegan, Torbert, Kohlberg and Wilber, the article proposes that ecological engagement can be understood as part of a broader developmental movement toward increasingly inclusive forms of awareness. Ecological responsibility, from this perspective, is not just about adopting sustainable behaviours or influencing society, but about cultivating a capacity to identify with larger systems of life. The notion of *Acting as the Planet* has been mentioned as a possible horizon for the increasing inclusiveness, based on global wellbeing, that in this article refers to the flourishing of multiple interconnected dimensions simultaneously: personal and societal as well as ecosystems and the planet as a whole. From this perspective, *acting as the Planet*, serves as a metaphor for an expanded consciousness embracing not only the individual as a separate agent within ecological systems, but as an intertwined participant in the larger living systems. This means placing personal agency within a wider interrelational and ecological context, rather than dismissing any level.

The ideas, models and concepts put forth in this article should not be understood as a rigid framework or as a comprehensive developmental theory of ecological recovery movements - nor as a critique of any such endeavor. The aim is merely to provide a tentative line of reasoning and an opening for dialogue regarding the significance and function of developmental expansion in a context of ecological recovery movements. In facing the ongoing ecological crises, we are continuously challenged to question inherited assumptions about humanity's place in the world, while new cultural, spiritual and developmental narratives and practices emerge.

Ecological recovery movements can be a significant area for testing these emerging phenomena. Future studies may look more closely at how the various ecological recovery strategies support a development of interdependent agency and global wellbeing. From this perspective, the ecological recovery movements serve as both responses to climate crises and as experimental spaces where new forms of identity and agency can develop. Ultimately, the question is not only how individuals can save the planet, but how humans may learn to recognize themselves as participants in the living systems they seek to protect.

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Recreational Exercise as a Rehabilitation Approach in Juvenile Justice: Effects on Inappropriate Interpersonal Behavior among Juvenile Delinquents in India

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ABSTRACT

Juvenile delinquency poses a significant challenge to criminal justice systems worldwide, with behavioural disorders frequently hindering the rehabilitation and social reintegration of young offenders. Contemporary juvenile justice systems increasingly emphasize rehabilitation rather than punishment, highlighting the need for evidence-based interventions that foster positive behavioral changes. Recreational exercise has emerged as a promising non-pharmacological intervention capable of enhancing psychological well-being, promoting social interaction, and reducing maladaptive behavior. This study examined the effectiveness of a structured recreational exercise program in reducing inappropriate interpersonal behavior among juvenile delinquents residing in a Government Observation Home in India. Fifty (50) juvenile boys, age ranging between 14-17 years were randomly selected as subjects from the Government Juvenile Home (Boys), Mathura. They were randomly divided into two groups of 25 each: the recreational exercise group and the control group. Subjects' behavior for inappropriate interpersonal behavior was rated by their supervisors on the Emotional and Behavior Problem Scale (EBPS) developed by McCarney and Arthaud (2012) in pre- and post-intervention sessions. The subjects were administered selected recreational exercises for 12 weeks. A paired-samples t-test was used to determine the significance of the difference between the pre- and post-scores. In the recreational exercise group, the mean scores for inappropriate interpersonal behavior at pre-test (10.12 ± 1.05) were higher than the mean scores at post-test ($9.52 \pm .65$). The t-test indicated a statistically significant change in these scores ($t = 4.24, p < .001$). This study concludes that recreational exercises reduce emotional and behavioral problems and enhance well-being, mental focus, mood, attention, and stress tolerance among juvenile delinquents. These findings indicate that structured recreational exercise can serve as an effective rehabilitation approach for improving interpersonal behavior in juvenile delinquents. This study supports the integration of recreational exercise programs into juvenile rehabilitation policies and institutional practices as a complementary behavioral intervention aimed at facilitating positive psychosocial development and successful social reintegration.

Keywords: Juvenile Delinquency, Recreational Exercise, Juvenile Justice, Behavioural Rehabilitation, Inappropriate Interpersonal Behaviour

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Introduction

Juvenile delinquency continues to be one of the most pressing social and legal concerns confronting contemporary societies. Adolescents involved in delinquent behavior frequently experience emotional, behavioral, educational, and interpersonal difficulties that adversely affect their personal development and increase the likelihood of continued antisocial behavior in adulthood (Moffitt, 2018). Consequently, juvenile justice systems worldwide have gradually shifted from punitive approaches to rehabilitation-oriented models that emphasize behavioral modification, psychosocial development, and successful reintegration into society (Heilbrun, K., DeMatteo, D., King, C., & Filone, S. (2017).

In India, the Juvenile Justice (Care and Protection of Children) Act, 2015, advocates a child-centered approach that prioritizes care, protection, education, counselling, skill development, and rehabilitation over punishment. Observation Homes function as temporary residential institutions where juveniles receive supervision, counselling, education, vocational training, and behavioral guidance pending legal proceedings or rehabilitation planning. However, despite these institutional efforts, many juveniles continue to exhibit behavioral difficulties, particularly inappropriate interpersonal behavior, characterized by poor peer relationships, aggression, hostility, social withdrawal, and difficulties in maintaining constructive social interactions. Such behavioral characteristics frequently impede successful rehabilitation and increase the risk of reoffending.

Physical activity has gained considerable attention as a valuable psychosocial intervention capable of improving mental health and behavioral functioning in children and adolescents (Li, Z., Li, J., Kong, J., Li, Z., Wang, R., & Jiang, F. 2024). Recreational exercise, in particular, differs from competitive sports by emphasizing enjoyment, voluntary participation, cooperation, communication, and social engagement, rather than performance outcomes (Eime, R. M., Young, J. A., Harvey, J. T., Charity, M. J., & Payne, W. R. 2013). Structured recreational activities provide opportunities for emotional expression, teamwork, self-control, empathy, conflict resolution, and development of positive interpersonal relationships. Previous investigations have reported that participation in recreational and physical activity programs contributes to reductions in aggression, anxiety, depression, behavioral disorders, and social maladjustment while simultaneously improving self-esteem, emotional regulation, and social competence (Biddle & Asare, 2011; Lubans et al., 2016).

Within juvenile correctional settings, recreational exercise may represent an effective behavioral rehabilitation tool because it encourages the constructive use of leisure time, enhances peer cooperation, strengthens institutional discipline, and provides opportunities for positive social interaction under professional supervision. Regular participation in structured recreational programs has been associated with improvements in emotional regulation, reduced impulsivity, enhanced self-discipline, and better interpersonal adjustment among adolescents experiencing behavioral challenges (World Health Organization, 2020). Nevertheless, empirical evidence examining the effectiveness of recreational exercise among institutionalized juvenile delinquents in India remains limited.

The present study addresses this gap by investigating whether a structured 12-week recreational exercise program can significantly reduce inappropriate interpersonal behavior among juvenile delinquents residing in a Government Observation Home in India. Using a randomized pre-test-post-test control group design and a culturally adapted Emotional and Behavior Problem Scale, this study sought to provide empirical evidence regarding the role of recreational exercise as a rehabilitation approach within juvenile justice institutions. The findings are expected to contribute to the growing body of evidence supporting non-custodial behavioral interventions and may assist policymakers, correctional administrators, psychologists, physical education professionals, and social workers in strengthening rehabilitation programs for juveniles in conflict with the law.

Methodology

The present study adopted a true randomized pre- and post-test experimental design to examine the effectiveness of recreational exercise in reducing inappropriate interpersonal behavior among juvenile delinquents. This design enabled a comparison of behavioral changes before and after the intervention while controlling for potential threats to internal validity through the random allocation of participants into experimental and control groups. Fifty (50) juvenile boys, age ranging between 14-17 years were randomly selected as subjects from the Government Juvenile Home (Boys), Mathura.

The study was conducted at the Government Observation Home in Mathura, Uttar Pradesh, India. Fifty (50) juvenile boys, age ranging-14-17 years were randomly selected and divided into two equal groups comprising 25 participants each.

- **Recreational Exercise Group**
- **Control Group**

Random allocation was performed using Microsoft Excel randomization procedures to minimize the allocation bias. Written informed consent was obtained before the commencement of the study, and all intervention procedures were explained to the participants and institutional authorities. Behavioral assessment for inappropriate interpersonal behavior was carried out using the **Emotional and Behavior Problem Scale (EBPS-2R)** developed by **McCarney and Arthaud (2012)**.

Intervention Program

Participants assigned to the recreational exercise group underwent a 12-week structured recreational exercise program, conducted five days per week during morning sessions between 7:00 a.m. and 9:00 a.m.

Recreational Exercise Program:
Recreational Exercises schedule for twelve weeks

Day	Recreational Games	1 to 4 weeks	5 to 8 weeks	9 to 12 weeks
Monday & Thursday	Musical chair & Blind man's buff	30 minutes	40 minutes	50 minutes
Tuesday & Friday	Dodge ball & Burning balls	30 minutes	40 minutes	50 minutes
Wednesday	Stole the meet & Lemon race	30 minutes	40 minutes	50 minutes

The subjects in the recreational exercise group (Group 'B') were administered with selected recreational exercises. They performed the above six recreational games as recreational exercises. Two games were played every day, and each game was played for 15 minutes at the beginning. There was 5 minutes rest between games. The duration of games was increased after every four weeks for a specific time as per the schedule.

The intervention was administered under the direct supervision of the researcher, with assistance from wardens to ensure consistency and participant safety. The control group continued routine institutional activities without exposure to any structured or recreational interventions.

Behavioral ratings were obtained before and after the intervention using observer ratings rather than self-reports. Wardens responsible for supervising the juveniles completed the EBPS after receiving detailed orientation regarding the assessment procedure. The first

assessment constituted the pre-test, whereas the second assessment was conducted immediately after the completion of the twelve-week intervention program.

Statistical Analysis

Descriptive statistics (Mean and Standard Deviation) were computed to summarize the behavioral scores. To determine behavioral changes within groups, **paired-samples t-tests** were employed to compare pre- and post-test scores. Statistical analyses were performed using **SPSS Version 17**, and the level of statistical significance was set at $p < .05$.

Results

To determine the effectiveness of recreational exercise in reducing inappropriate interpersonal behavior, paired-samples *t*-tests were performed separately for the control and recreational exercise groups.

Comparison of means between pre and post-test of both the groups

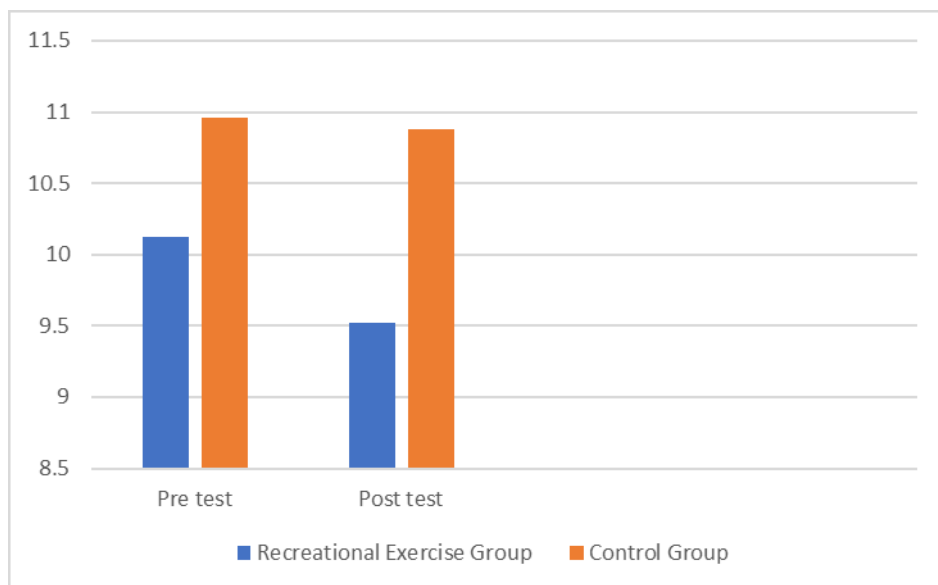
Group	Mean		Mean difference	Standard Deviation		t	(p)
	Pre	Post		Pre	Post		
Recreational Exercises	10.12	9.52	.60	1.05	.65	4.24	<.001
Control	10.96	10.88	.08	4.33	4.07	.70	.491

A paired-samples *t*-test was employed to examine the effectiveness of the 12-week recreational exercise program by comparing the pre-test and post-test scores of the recreational exercise and control groups. The results revealed a statistically significant reduction in inappropriate interpersonal behavior among participants who underwent the recreational exercise intervention. The mean score decreased from 10.12 ± 1.05 in the pre-test to 9.52 ± 0.65 in the post-test, yielding a mean reduction of **0.60 points** ($t(24) = 4.243, p < .001$). This finding indicates that participation in structured recreational exercise produces a meaningful improvement in interpersonal behavioral functioning among juvenile delinquents.

In contrast, the control group showed only a negligible reduction in mean scores, from 10.96 ± 4.33 in the pre-test to 10.88 ± 4.08 in the post-test, with a mean difference of **0.08 points**. The observed change was not statistically significant ($t(24) = 0.700, p = .491$), indicating that routine institutional care without structured physical activity did not produce measurable improvements in inappropriate interpersonal behavior.

Taken together, these findings demonstrate that the significant reduction in inappropriate interpersonal behavior can be attributed to the recreational exercise program rather than to the passage of time or routine institutional care. The intervention appears to have promoted healthier interpersonal relationships, improved behavioral regulation, and enhanced social adjustment among juvenile delinquents. These results support the effectiveness of recreational exercise as a rehabilitation approach within juvenile justice institutions and underscore its potential role as a complementary behavioral intervention for fostering positive psychosocial development in adolescents.

Fig.1: Graphical representation of the mean of inappropriate interpersonal behavior of both groups.



The graphical representation demonstrates that the behavioral scores remained almost unchanged in the control group, whereas the recreational exercise group exhibited a noticeable decline in inappropriate interpersonal behavior following the intervention. Lower scores indicate improved behavioral functioning, emphasizing the effectiveness of recreational exercise as a rehabilitation approach within juvenile justice institutions.

Discussion

This study examined the effectiveness of a structured recreational exercise program in reducing inappropriate interpersonal behavior among juvenile delinquents. The findings revealed that participants who completed the 12-week intervention demonstrated a significant reduction in inappropriate interpersonal behavior, whereas the control group showed no significant improvement. These results indicate that recreational exercise is an effective behavioural rehabilitation approach for improving interpersonal functioning among juveniles in conflict with the law.

The observed improvement may be attributed to the psychosocial nature of recreational activities, which emphasize cooperation, communication, teamwork, and emotional regulation over competition. Through repeated participation in structured group activities, juveniles develop self-control, conflict resolution skills, and positive peer relationships, thereby reducing maladaptive interpersonal behaviors.

These findings are consistent with previous research demonstrating that regular physical activity positively influences psychological well-being and behavioral adjustment. **Biddle and Asare (2011)** reported that physical activity improves emotional well-being, social functioning, and behavioral regulation while reducing symptoms of anxiety and depression. Similarly, **Lubans et al. (2016)** found that structured physical activity enhances self-esteem, resilience, and interpersonal skills. The present study extends this evidence by demonstrating that recreational exercise can effectively improve inappropriate interpersonal behavior among institutionalized juvenile delinquents in India.

These findings are also supported by the **Positive Youth Development (PYD)** framework, which proposes that structured physical activity promotes personal and social competencies through experiential learning. Recreational games encourage cooperation, communication, empathy, and responsible decision-making, fostering prosocial behavior and supporting behavioral rehabilitation. From a juvenile justice perspective, the findings reinforce the rehabilitative philosophy advocated by the United Nations Convention on the Rights of the Child, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), and India's Juvenile Justice (Care and Protection of Children) Act, 2015, all of which emphasize rehabilitation, education, and social reintegration over punitive measures. The present findings provide empirical support for incorporating structured recreational exercise into institutional rehabilitation programs.

The absence of significant behavioral improvement in the control group further highlights that routine institutional care alone may be insufficient to bring about measurable changes in behavior. Instead, systematic and engaging interventions, such as recreational exercise, appear to be necessary to facilitate positive psychosocial development among juveniles (Kumar, G., & Faruque, D. S. *Editorial Board*, 41). From a practical standpoint, recreational exercise is a cost-effective and easily implemented intervention that requires minimal infrastructure. Its enjoyable and participatory nature enhances motivation and adherence, making it particularly suitable for Observation Homes and other juvenile rehabilitation institutions, especially in resource-constrained settings (Mathunjwa, M. L., Mazibuko, S., Avramov, D., & Gudani, M. G. 2026).

Despite these encouraging findings, this study was limited to a single Government Observation Home with a relatively small sample size. Future research involving multiple institutions, larger samples, longer follow-up periods, and additional behavioral outcomes is recommended to strengthen the evidence regarding the role of recreational exercise in juvenile rehabilitation.

The present study contributes to the growing evidence that structured recreational exercise is an effective behavioral intervention in juvenile justice settings. Beyond improving physical health, it promotes healthier interpersonal relationships, emotional regulation, and prosocial behavior, thereby supporting the broader objectives of juvenile rehabilitation and successful reintegration into society.

Conclusion

The present study demonstrated that a structured twelve-week recreational exercise program significantly reduced inappropriate interpersonal behavior among juvenile delinquents residing in a Government Observation Home in India. Participants who engaged in recreational exercise exhibited meaningful behavioral improvement, whereas no statistically significant change was observed among juveniles who received routine institutional care without structured physical activity. These findings indicate that recreational exercise can serve as an effective rehabilitation approach in juvenile justice institutions.

The results support the growing recognition that behavioral rehabilitation requires interventions addressing not only legal or disciplinary concerns but also the psychosocial development of young offenders. Recreational activities create opportunities for cooperation, communication, emotional regulation, and positive peer interaction, thereby facilitating improvements in interpersonal functioning that are essential for successful community reintegration into society. From a policy perspective, the findings suggest that recreational exercise programs should be systematically incorporated into the rehabilitation framework of Observation Homes, Special Homes, and other juvenile correctional institutions. Such programs may complement counselling, education, vocational training, and psychological

services by providing a holistic approach to behavioral development. Investing in structured recreational activities has the potential to strengthen rehabilitation outcomes while supporting the broader objectives of India's juvenile justice system and international child rights frameworks. Recreational exercise represents a practical, cost-effective, and evidence-based rehabilitation strategy that can foster positive behavioral changes among juvenile delinquents. Integrating structured recreational programs into institutional rehabilitation policies may contribute to healthier interpersonal relationships, improved psychosocial adjustment, and enhanced opportunities for successful reintegration into society.

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Libraries under Fire: Evaluating Legal Situations and Digital Protections in Modern Warfare: A Case Study of Ukraine

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ABSTRACT

Libraries serve as the baseline infrastructure of national identity, making them strategic targets for cultural cleansing libricide during total war. Examining the Russo-Ukrainian War (2022–2026), this study highlights the failures of international frameworks like the 1954 Hague Convention against modern warfare. While Ukraine's macro-level Infrastructure Attrition Rate sits at 2.02%, front-line regional facility losses soar between 30% and 50%. To counter kinetic destruction and ideological purges, Ukraine implemented a dual-track survival strategy: combining local grassroots efforts (physical fortification and mobile suitcase libraries) with state-backed digital alliances (partnering with SUCHO to secure 50+ Terabytes of data in the cloud). This case demonstrates how modern library science can transition vulnerable physical assets into resilient, decentralized data repositories to preserve sovereign knowledge during military conflict.

Keywords: Libricide; Infrastructure Attrition Rate; Cloud Migration; SUCHO; Wartime Library Science.

1- Introduction

Libraries and archival systems are more than physical repositories; they are the baseline infrastructures holding a nation's collective identity, historical records, and sovereign information space. In periods of total war, however, they are often transformed into strategic targets. The destruction of libraries during wartime historically termed *libricide* or *biblioclasm*. The term *libricide* Coined and popularized by library historian Rebecca Knuth, libricide does not refer to accidental losses during a fire or standard war collateral damage. It implies a deliberate intent to murder a culture by erasing its records. It is a form of cultural genocide, where an aggressor target-bombs or torches a library specifically to eliminate a community's history, language, and shared identity. Whereas the term *biblioclasm*, includes the massive destruction of libraries during wartime, it also encompasses smaller, localized acts – such as a

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single regime publicly burning a specific stack of banned books in a town square, or an individual ripping up a text out of religious or political anger.

The targeting of documentation centres and libraries is rarely accidental; it frequently functions as an act of “cultural cleansing” aimed at erasing an independent nation’s unique historical narrative. The systematic dismantling of library networks, archives, and educational backbones aims to fracture the psychological continuity, linguistic heritage, and sovereign memory of a population (Gosart, 2024; Heleta, 2025). By destroying a nation’s libraries, an enemy tries to erase that nation’s history and claim they never really existed.

On February 24, 2022, a war was outbreak between Russia and Ukrainian, it is a multi-layered geopolitical crisis war causes destruction to libraries, and it is still going on therefore, this paper shows how international laws fail to protect libraries during war, using Ukraine’s response to bombed infrastructure as a case study. By examining how Ukraine quickly shifted to scanning books, archiving websites, and using cloud storage, this study explains how modern library science can create automated digital backups. These safety nets ensure a nation’s knowledge survives even if its physical buildings are destroyed.

2- Literature review

Tracing of destruction of libraries due to war crimes reveals a recurring pattern where repositories of knowledge become major casualties of military conflict. Here arranging the crimes against libraries in chronological order.

1761 BC (The Library of Zimri-Lim, Mari): The earliest documented instance occurred during the Bronze Age when King Hammurabi of Babylon torched the city of Mari, destroying the Library of Zimri-Lim (Parrot, 1953). Though the palace archive was levelled, the intense heat accidentally baked and preserved its thousands of cuneiform tablets for modern recovery.

612 BC (The Library of Ashurbanipal, Nineveh): Over a millennium later, a second major structural catastrophe occurred when the monumental Library of Ashurbanipal in Nineveh was buried under ruins during the imperial capital’s fall to an allied coalition of Babylonians and Medes (George, 2020).

48 BC (The Great Library of Alexandria, Egypt): The most culturally resonant wartime loss in history remains the burning of the Great Library of Alexandria. Unlike the deliberate targeting of the Mesopotamian collections, a massive portion of Alexandria’s irreplaceable scroll repository was accidentally consumed by fire during Julius Caesar’s naval siege (El-Abbadi, 1992). Trapped by enemy forces, Caesar ordered his fleet to be set ablaze, but the fire spread uncontrollably from the dockyards to the city’s literary quarters.

262 AD (The Library of Celsus, Ephesus): This destructive pattern continued into the common era when a Gothic invasion devastated Asia Minor, torching and ruining the famous Library of Celsus in Ephesus and leaving only its iconic front facade standing (Denker, 2025; Parsons, 1989).

1193 AD (Nalanda University Library, India): In the medieval period, the conquest by Bakhtiyar Khalji’s forces resulted in the burning of the legendary Nalanda University Library, known as Dharmaganja, which served as the grandest repository of Buddhist and Vedic knowledge in the ancient world (Kalpalatha, 2020; Suvimalee, 2021).

1914–1992 (Twentieth-Century Conflicts): The vulnerability of libraries persisted into modern warfare, heavily categorized under the academic frameworks of state-sanctioned libricide and physical biblioclasm (Hoeniger, 2024; Knuth, 2007). This era was marked by the deliberate German burning of Belgium’s Library of Louvain in 1914 (Hoeniger, 2024), the massive book losses across Britain and Germany during World War II aerial bombings, and

the catastrophic 1992 Serb incendiary shelling that targeted and destroyed the National Library of Sarajevo (Knuth, 2007).

3- Objectives

The present study deals with the following objectives:

- 1- To analyse why international laws, fail to protect libraries from being bombed during modern wars.
- 2- To find the numbers of libraries and books have been damaged, destroyed, or stolen in Ukraine.
- 3- To evaluate the number of regions libraries affected due to the war.
- 4- To estimate the Infrastructure Attrition Rate to calculate regional facility losses.
- 5- To identify what strategies how Ukraine's government and librarians adapted to protect the libraries.

4- Methodology

This study uses a mixed-methods case study design to evaluate the survival of library networks during armed conflict, focusing on the Ukrainian system from 2022 to 2026. The methodology combines qualitative policy analysis—reviewing the 1954 Hague Convention, government field decrees, and open-source cloud migration logs—with quantitative tracking of satellite-verified damage data from UNESCO and the Ukrainian Ministry of Culture. To measure the impact of war on cultural infrastructure, the research applies mathematical metrics, including an infrastructure attrition rate formula to calculate regional facility losses and a modified. By cross-verifying data across multiple independent sources and maintaining strict security safeguards regarding live data servers, this framework provides a reliable, dual-track analysis of how public library networks transition from vulnerable physical buildings to resilient, cloud-based data repositories.

5- Data analysis and interpretation

5.1- *Failing of international laws, to protect libraries:*

Here is the breakdown of why international laws fail, organized into a clear, scannable table for your study.

Table 1: Structural Flaws and Operational Failures of Cultural Property Law regarding Wartime Libraries.

Failure Category	Legal Concept / Tool	Operational Flaw (Why it Fails in Reality)
The Legal Loophole	Imperative Military Necessity (Article 4, 1954 Hague Convention)	If an army claims the enemy is using a library for military purposes (like housing soldiers), its civilian protection is instantly cancelled. Commanders routinely abuse this excuse to justify attacks.
Technological Backlog	The Blue Shield Emblem (Physical warning symbols)	Physical markers on a roof are useless against modern warfare. Long-range, GPS-guided missiles and heavy artillery are programmed via digital coordinates from miles away and cannot "see" a painted symbol.
Ideological Warfare	Cultural Identity Protection (Treaty baseline rules)	International laws assume both sides respect human heritage. However, in conflicts driven by cultural cleansing, an attacking army deliberately targets libraries to erase the enemy's independent history, language, and identity.

Structural Inability	Punitive Jurisdiction (International Criminal Court / War Crimes Law)	Global law is <i>punitive, not preventative</i> . Courts can only prosecute war crimes years after the fighting ends. Law cannot stop a missile mid-flight or un-burn a rare manuscript collection.
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The 1954 Hague Convention fails to protect libraries because commanders abuse the “military necessity” loophole to justify strikes, while physical safety emblems are useless against modern GPS-guided weapons. Furthermore, international law cannot prevent deliberate cultural cleansing where libraries are targeted intentionally, nor can it stop a missile mid-flight. Because the International Criminal Court only punishes crimes years later, libraries must rely on active digital backups rather than legal promises.

5.2- Numbers of libraries damaged and destroyed:

This section presents the documented impact of the war on Ukraine's library infrastructure, drawing from verified data directly from verified wartime assessments conducted by organizations such as: The Ukrainian Ministry of Culture and Strategic Communications; The Luhansk Regional Human Rights Centre “Alternative” (which published the comprehensive monitoring study “Russian Attack on Ukrainian Libraries”); Field reports from PEN Ukraine and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

Before the 2022 conflict, Ukraine's network of 35,000 libraries—comprising roughly 18,200 public, 14,600 school, and 1,850 academic or national institutions—served as a massive cornerstone of the nation's cultural infrastructure. Since then, this system has faced severe devastation through war damage and ideological cleansing, resulting in over 700 structurally damaged libraries and the systemic purging of more than 2.5 million Ukrainian volumes in occupied zones.

The table below catalogues a representative list of these confirmed institutions, divided by their status of damage and regional location:

Table 2: Ukraine Library Casualties: Structural Damage and Collection Loss Metrics.

S.No.	Library Name	Location (Oblast / Region)	Legal / Operational Damage Status	Key Material or Collection Loss
1	Mariupol Central City Public Library (named after V. H. Korolenko)	Donetsk Oblast (Mariupol)	Entirely Destroyed	Total loss of local history collection, infrastructure completely levelled.
2	Donetsk Regional Library for Children	Donetsk Oblast (Mariupol)	Entirely Destroyed	Levelled during urban siege; thousands of specialized children's volumes lost.
3	Toretsk Central Library	Donetsk Oblast (Toretsk)	Entirely Destroyed	Completely gutted by direct artillery strikes.
4	Chernihiv Regional Library for Young People	Chernihiv Oblast	Entirely Destroyed	Historic 19th-century building completely collapsed from a bomb

				hit.
5	Factor Druk Printing and Library Distribution Hub	Kharkiv Oblast	Entirely Destroyed	Missile strike on May 23, 2024, burned 50,000 books concurrently.
6	Zahaltsi Village Branch Library	Kyiv Oblast	Entirely Destroyed	General structure housing the library suffered complete roof and wall collapse.
7	Kharkiv State Scientific Library (named after V. H. Korolenko)	Kharkiv Oblast	Severely Damaged	One of Europe's largest libraries; building facade, rare book vaults, and glass roofs shattered.
8	Chernihiv Regional Universal Scientific Library (named after S. and O. Rusov)	Chernihiv Oblast	Severely Damaged	Historic 1913 building sustained heavy structural damage, windows blown, walls cracked.
9	Kherson Regional Universal Scientific Library (named after Oles Honchar)	Kherson Oblast	Severely Damaged	Subjected to multiple close-range shillings; structural fire heavily burned upper floors.
10	Kherson Regional Library for Children (named after Dniprova Chaika)	Kherson Oblast	Severely Damaged	Heavy shell damage to reading rooms, computational equipment systematically looted.

5.4- Geographic Distribution of Impact:

The physical toll is heavily concentrated in the eastern and southern regions of Ukraine, directly mirroring the primary paths of military operations:

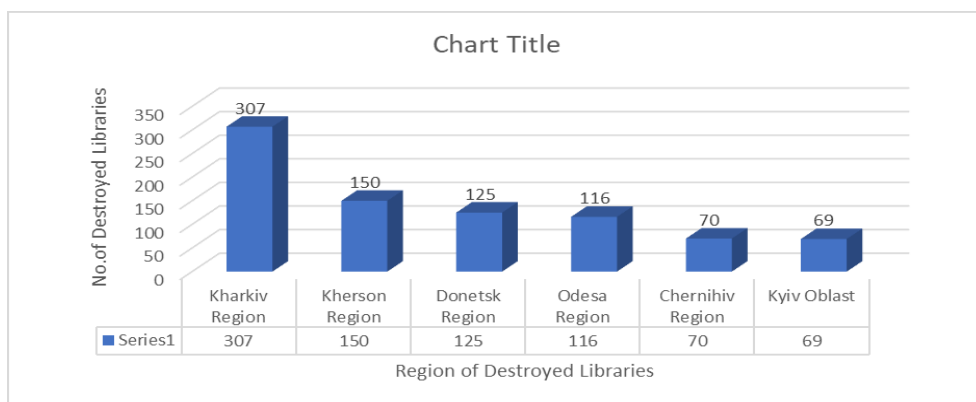


Figure 1: Regional breakdown of library infrastructure casualties in Ukraine.

The above bar chart illustrates the total number of destroyed libraries across six Ukrainian regions, highlighting that the Kharkiv Region suffered the heaviest losses with 307 impacted facilities.

5.4- Infrastructure Attrition Rate of libraries:

Here is the streamlined, clear breakdown of Ukraine’s library Infrastructure Attrition Rate based on current cultural data.

- Pre-War Baseline (s_{start}) =35,000 total libraries
- Physically Damaged/Destroyed (L_{lost})= 700 libraries
- Remaining Baseline (F_{end}): 34,300 libraries
- Average Active Footprint (A_{average}): {35,000 + 34,300}{2} = 34,650

Applying the Formula:

$$\frac{I_{AR} = (F_L)}{(F_{Avg})} \times 100$$
$$I_{AR} = \frac{(700)}{34,650} \times 100 = 2.02\%$$

While the 2.02% macro national average implies structural stability, isolating the public library sector reveals a higher systemic attrition rate of 3.35%. Furthermore, in heavily targeted frontline hotspots like Donetsk, Kharkiv, and Kherson, localized infrastructure attrition easily exceeds 30% to 50%, completely reshaping regional library access.

5.5- strategies Ukraine’s government and librarians adopted:

During military conflicts, cultural infrastructure faces both kinetic destruction and ideological purging. Ukraine’s response combines grassroots local action with state-level policy into a highly coordinated dual-track survival strategy.

(5.5.1). Local and Grassroots Adaptation (The Librarians)

- **Collection Conservation:** Librarians built sandbag walls, taped windows, packed rare manuscripts into sealed, plastic-lined crates, and hid valuable historical archives in deep basements.
- **“Wandering Libraries”:** Displaced staff packed essential books, laptops, and mobile routers into suitcases to run mobile book stations out of host centres or vehicles.
- **Community Fortresses:** Reinforced library basements became 24/7 bomb shelters, while reading rooms were repurposed into defines hubs for weaving camouflage nets and hosting emergency power, heat, and Starlink connectivity.

(5.5.2). State-Level Institutional Adaptation

- **Legislative Pivots:** The government legally redefined public libraries as Community Support Centres and integrated them into the national *Points of Invincibility* network to provide housing, legal, and psychological aid to displaced citizens.
- **Digital Alliances:** Partnering with international volunteer groups like SUCHO (Saving Ukrainian Cultural Heritage Online), the state migrated over 50 Terabytes of digital library collections and metadata to secure, external cloud servers.
- **Evidence Documentation:** Libraries deployed open-source intelligence (OSINT) to launch digital evidence portals, geolocating and archiving photos and records of destroyed institutions to build future war-crimes portfolios.

(5.5.3). *Core Matrix of Coordinated Protection***Table 3: Strategic Matrix of Ukraine's Dual-Track Library Protection Framework (Grassroots Local Action vs. State-Level Institutional Support).**

S.No.	Area of Protection	Local Librarian Action (Grassroots)	Government/Institutional Support (State)
1.	Physical Assets	Fortified structures with sandbags; packed and buried rare collections.	Coordinated cross-border evacuations; distributed fireproof preservation materials.
2.	Operational Services	Operated suitcase libraries; wove defines nets; ran civilian bomb shelters.	Legally reclassified libraries as crisis centres; funded utility resilience hubs.
3.	Digital Infrastructure	Digitized catalogues in basements using local backup drives and generators.	Secured off-site cloud hosting with SUCHO (saving Ukrainian Cultural Heritage Online); deployed Starlink satellite networks.
4.	Cultural Défense	Concealed banned literature; documented localized building damage.	Established national damage-tracking databases for international legal prosecution.

6- Conclusion

The systemic targeting of Ukraine's library infrastructure highlights a modern execution of *libricide*, where the destruction of physical repositories serves as a tool for cultural cleansing. Because international legal instruments – such as the 1954 Hague Convention – fail due to operational loopholes like military necessity and an inability to prevent active missile strikes, physical structures alone can no longer guarantee the survival of a nation's collective memory. Ukraine's response provides a vital blueprint for modern library science during periods of total war. By combining immediate grassroots resourcefulness (such as wandering libraries and physical fortification) with robust, state-backed digital alliances like SUCHO, Ukraine has effectively separated the survival of knowledge from the vulnerability of physical buildings. This highly coordinated, dual-track framework proves that while architecture can be levelled by kinetic force, a nation's sovereign information space can be rendered indestructible through cloud-based dispersion and proactive digital defence.

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Achieving Zero Hunger through Food Justice: Analysis of Government Schemes and Anganwadi Kendra in Tribal India

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ABSTRACT

India, despite significant progress in reducing hunger and improving food security, continues to grapple with high levels of child malnutrition, food insecurity, and undernourishment. According to the 2024 Global Hunger Index (GHI), India's score of 27.3, categorized as "serious," highlights the persistent challenges in addressing hunger, particularly in tribal regions. The country's child wasting rate is the highest globally, while the child stunting rate and prevalence of undernourishment remain alarmingly high. This paper aims to analyze the role of key government schemes, including the Public Distribution System (PDS), National Food Security Act (NFSA), and Integrated Child Development Services (ICDS), in addressing hunger in tribal India. Special focus is given to Anganwadi Kendra's, which are vital in providing nutrition, healthcare, and early childhood education at the grassroots level. By exploring the successes and challenges of these schemes, the paper highlights the critical need for improved implementation, infrastructure, and community participation to overcome the unique barriers faced by tribal populations in accessing nutrition and healthcare services. Despite some improvements, particularly in child mortality rates, the high levels of malnutrition in tribal India demand urgent attention to ensure sustainable food security and improved health outcomes. The paper concludes with recommendations for enhancing the effectiveness of these schemes, strengthening Anganwadi Kendra's, and addressing the geographical, social, and cultural barriers that continue to hinder progress towards achieving zero hunger in tribal India. .

Keywords: Global Hunger Index (GHI), Child Malnutrition, Food Insecurity Undernourishment, Child Wasting, Child Stunting, Public Distribution System (PDS) Integrated Child Development Services (ICDS), Anganwadi Kendra's

Introduction:

The status of malnutrition in India can be assessed from the fact that the 2024 Global Hunger Index (GHI) continues to reflect concerning performance. According to this report, India ranks 105th out of 127 countries, with a score of 27.3, placing it in the "serious"

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category. The GHI score is based on four main components: the rate of undernourishment, the ratio of children's height to weight, the prevalence of stunted growth, and child mortality rates. Stunting and wasting rates in India remain at a "very high" level, indicating severe malnutrition. The report highlights that although some progress has been made, there is a critical need for significant improvements in the nutritional status of children and women. In India, 2.9% of the population is undernourished, 35.5% of children under the age of five are stunted, 18.7% of children under five are underweight, and the child mortality rate for children under five is 13.7%.

Tribal India and Hunger India's tribal population constitutes approximately 8% of the total population. These communities often face severe malnutrition due to geographical isolation, socio-economic marginalization, and cultural barriers. Most tribal communities reside in remote areas where access to markets, healthcare services, and government schemes is limited. Poverty, lack of formal employment, and restricted access to education and resources contribute to food insecurity. Traditional dietary practices and food taboos can further limit nutritional diversity.

Nutritional Status in Tribal Communities The malnutrition rate among tribal children is significantly higher than that of non-tribal children. According to the National Family Health Survey-4 (NFHS-4), 42% of tribal children are underweight, which is 1.5 times higher than that of non-tribal children. The prevalence of malnutrition in tribal populations exceeds 50% (Doddalingannavar et al., 2020). High disease burdens, such as malaria, are also observed among tribal groups, accounting for 30% of cases and 50% of malaria-related deaths within 8.6% of their population. This high disease burden exacerbates the malnutrition crisis (Doddalingannavar et al., 2020).

In Madhya Pradesh, nutritional deficiencies among Mawasi and Sahariya tribal women are widespread. Among Mawasi women, 79% suffer from moderate to severe anemia, with deficiencies in vitamin A, C, folic acid, vitamin B12, iron, and calcium in their daily diet (Negi et al., 2024). Similarly, 90.1% of Sahariya tribal women suffer from anemia, while 42.4% face energy deficiencies (Ghosh-Jerath et al., 2013; Rajak & Bhopal, 2020). The nutritional status of tribal women is deeply linked to their socio-economic conditions. Limited food security and lack of education further impact their nutritional well-being (Majumder, 2021; P, 2019).

Government Schemes and Their Role in Tribal Food Security India has introduced several policies and schemes to combat hunger and malnutrition, aligning with the United Nations' Sustainable Development Goals (SDGs) to achieve "Zero Hunger" by 2030. Programs such as the Integrated Child Development Services (ICDS) and the Nutrition Mission are playing a crucial role in addressing these challenges. Efforts to improve monitoring, education, and local community participation under integrated rural development and nutrition programs aim to enhance the situation.

PDS provides subsidized food grains such as rice, wheat, and sugar to eligible families, including those in tribal regions. It has significantly helped in reducing hunger. NFSA covers nearly two-thirds of India's population and ensures access to nutrient-rich food for tribal communities. The act specifically ensures access to essential nutrients for tribal populations, addressing food insecurity and malnutrition effectively.

Role of Anganwadi Centers in Achieving "Zero Hunger" Madhya Pradesh has witnessed significant improvements in nutritional outcomes in tribal areas through strengthened Anganwadi centers, community participation, and better monitoring of PDS distribution. These efforts have helped reduce malnutrition rates among tribal children in some regions.

Objective

The primary objective of this study is to evaluate the effectiveness of government schemes, such as the Integrated Child Development Services (ICDS), the Public Distribution System (PDS), and Poshan Abhiyan, in addressing malnutrition among tribal populations in Madhya Pradesh. This study also aims to examine the role of Anganwadi centers in reducing malnutrition and hunger in these areas.

Major Research Questions

1. What is the current status of malnutrition among tribal populations in Madhya Pradesh?
2. How effective are government schemes such as ICDS and PDS in improving nutritional outcomes among tribal communities?
3. What role do Anganwadi centers play in achieving "Zero Hunger" in these communities?

Data and Methods

This study relies on secondary data. Secondary data is collected from national reports such as the Global Hunger Index (GHI), National Family Health Survey (NFHS), and government health and nutrition reports from Madhya Pradesh. Additionally, data from various government departments, including the Department of Women and Child Development, is analyzed to assess the reach and effectiveness of government schemes.

Methods: Descriptive Analysis: Descriptive statistical methods are employed to summarize the nutritional indicators (e.g., underweight children, maternal health) in tribal regions compared to state and national averages. **Comparative Analysis:** Comparative analysis of data from Bhagwanpura block and other tribal areas is conducted to identify regional disparities in nutritional outcomes.

The Mission Saksham Anganwadi and Nutrition 2.0 - Poshan Abhiyan was launched on March 8, 2018, with the objective of improving the nutritional status of adolescent girls, pregnant women, and lactating mothers in a time-bound manner. Additionally, efforts under the Anganwadi services and the Poshan Abhiyan were revived to address malnutrition challenges among children, adolescent girls, pregnant women, and lactating mothers, and were transformed into *Saksham Anganwadi and Nutrition 2.0* (Mission Nutrition 2.0).

The goal of Nutrition 2.0 is to address the challenging issue of malnutrition among children under the age of 6, adolescent girls (14-18 years), pregnant women, and lactating mothers, and contribute to achieving the SDGs, particularly Zero Hunger (SDG 2) and Quality Education (SDG 4), focusing on the growth and development of children, healthy nutrition, and the basic importance of early childhood care and education.

Anganwadi Centers as Service Delivery Points - Anganwadi Centers (AWCs) are community centers established under ICDS that provide nutrition, health services, and early childhood education. These centers are particularly important in tribal areas where access to formal health services and education is limited. The key services provided by Anganwadi Centers include supplementary nutrition, immunization, health and nutrition education, early childhood education, and the impact on hunger and malnutrition.

The state government has made provisions for providing supplementary nutrition to children from 6 months to 6 years, pregnant/lactating mothers, and underweight children in Anganwadi centers. The following table outlines the daily nutritional provisions for each beneficiary:

Table No. 3

Beneficiary	Revised Rate from 2018	Amount of Protein to be Provided	Number of Calories to be Provided
Children from 6 months to 6 years	□8.00 per child per day	12-15 grams	500 calories
Underweight children (6 months to 6 years)	□12 per child per day	20-25 grams	800 calories
Pregnant/lactating mothers	□9.50 per beneficiary per day	18-20 grams	600 calories
Sources: Administrative Report 2022-23, Department of Women and Child Development			

The above table (Table No. 3) describes the supplementary nutrition provided by Anganwadi centers. In the Khargone district of Madhya Pradesh, under the Bhagwanpura block, which is a highly tribal area, 223 Anganwadi centers are operational across 115 villages under 61 Gram Panchayats. This table compares various health and nutrition indicators for Bhagwanpura, Madhya Pradesh, and India as a whole.

Table No. 4

S.N.	Health and Nutrition	Bhagwanpura	Madhya Pradesh	India
1.	Percentage of pregnant women registered for (ANC) within first trimester.	67.1%	77.8%	79.4%
2.	Percentage of institutional deliveries against total reported deliveries	64.8%	77.8%	79.4%
3.	Percentage of low-birth-weight babies (less than 2500 gm) Lower performance is better	12.7 %	18.8%	12.8%
Sources: Ministry of health and family welfare F.Y. 2022-23				
4.	Percentage of pregnant women taking supplementary nutrition under the ICDS programme regularly.	0.1 %	2.3%	26.2%
5.	Percentage of children from 6 month to 6 years taking supplementary nutrition under the ICDS programme regularly.	0.2 %	2.5 %	18.8%
6.	Measurement efficiency of children enrolled at Anganwadi centres	0.0%	12.3%	63.2%
7.	Percentage of children under 5 years with severe acute malnutrition (SAM) Lower performance is better	0.0%	0.2%	1.8%
8.	Percentage of children under 5 years with	0.0 %	0.7%	3.5%

	moderate acute malnutrition (MAM)			
	Lower performance is better			
Sources: Ministry of women and child development F.Y. (2022-23)				

The above table (Table No. 3) describes that In Bhagwanpura, 67.1% of pregnant women registered for ANC (Antenatal Care) in the first trimester of pregnancy, while this percentage was 77.8% in Madhya Pradesh and 79.4% in India. Among all reported deliveries, institutional deliveries (deliveries in hospitals or health centers) accounted for 64.8% in Bhagwanpura, while this figure was 77.8% in Madhya Pradesh and 79.4% in India. In Bhagwanpura, 12.7% of infants were born with low birth weight, while this percentage was 18.8% in Madhya Pradesh and 12.8% in India. Only 0.1% of pregnant women in Bhagwanpura received regular supplementary nutrition, while this figure was 2.3% in Madhya Pradesh and 26.2% in India. In Bhagwanpura, only 0.2% of children received supplementary nutrition, while 2.5% of children in Madhya Pradesh and 18.8% of children nationwide received this benefit.

Efficiency of Child Measurement in Anganwadi Centers - In Bhagwanpura, this figure was 0.0%, while it was 12.3% in Madhya Pradesh and 63.2% in India for regular measurement of children. In Bhagwanpura, 0.0% of children were severely malnourished (SAM), while this figure was 0.2% in Madhya Pradesh and 1.8% nationwide. The percentage of moderately malnourished (MAM) children under the age of 5 (the lower, the better) was 0.0% in Bhagwanpura, while it was 0.7% in Madhya Pradesh and 3.5% in India.

Institutional deliveries and ANC registration percentages in Bhagwanpura are lower than the national average. The efficiency of child measurement in Anganwadi centers is very low, which could impact proper monitoring of children's nutritional status. Cases of severe and moderate malnutrition are nearly zero in Bhagwanpura, which is a positive sign. However, the number of children and pregnant women receiving supplementary nutrition is extremely low, which is concerning and needs improvement.

Challenges and Future Directions: In many tribal areas, Anganwadi workers are overburdened, inadequately trained, or struggling with a lack of resources, which limits their effectiveness. Due to the inaccessibility of many tribal villages, Anganwadi centers are unable to reach all the families in need. Tribal welfare departments should include nutrition-sensitive and nutrition-specific interventions in maternal nutrition enhancement projects, targeting at-risk populations (Doddalingannavar et al., 2020). Despite 100% maternal and child protection registration, not all antenatal care visits have 100% participation, which indicates flaws in the monitoring system. This suggests that the expected impact of government investments is not being realized (Doddalingannavar et al., 2020). The geographical isolation of many tribal communities makes it difficult to efficiently distribute food and services. Poor road infrastructure, limited access to markets, and difficulty in reaching remote villages pose significant barriers to the effective implementation of government schemes like PDS and ICDS.

Conclusion

Achieving "Zero Hunger" in tribal India, particularly in regions like Madhya Pradesh, is a multifaceted challenge that requires a comprehensive approach. Government schemes such as ICDS, PDS, and Poshan Abhiyan have shown some success but still face significant barriers in terms of access, implementation, and effectiveness. The role of Anganwadi centers is central to achieving sustainable food security in these areas. However, improvements are necessary in staff training, monitoring systems, and addressing logistical and cultural barriers.

Key recommendations include:

1. **Improved Staff Training and Resources:** Anganwadi workers should receive better training and adequate resources to deliver nutritional support effectively.
2. **Focus on Maternal Nutrition:** Nutrition-sensitive interventions targeting pregnant and lactating women should be prioritized.
3. **Community Engagement and Awareness:** Efforts to raise awareness about nutrition and health should focus on local cultural practices and leverage community-based approaches to improve adoption of recommended nutritional practices.
4. **Economic Conditions and Food Security:** Food insecurity and low calorie intake are major causes of nutritional deficiencies in tribal communities. Government interventions are essential to improve economic conditions and increase food security (Majumder, 2021; Rokade et al., 2020).
5. **Education and Awareness:** The level of maternal education and nutrition awareness has a significant impact on children's nutritional status. Higher education and awareness can improve nutrition (Adhikari et al., 2020; Kumar et al., 2024).
6. **Lack of Public Services in Tribal Areas:** The lack of public services and apathy toward government services further deteriorates the nutritional status. Improved availability and utility of services could lead to better outcomes (Shirisha, 2019; P, 2019).
7. **Cultural Food Practices and Family Structure:** Cultural food habits and family structure also influence nutrition. Extended families and following traditional practices can enhance nutrition (Dey & Bisai, 2019; Chandra et al., 2021).
8. **Tribal Lifestyle:** The lifestyle of tribal people, which includes the use of alcohol and tobacco, affects their nutritional status. Health and nutrition promotion activities are needed (Roy, Sahel, 2023).
9. **Utilizing Local Food Resources:** Promoting the use of local food resources and increasing dietary diversity can help overcome nutritional deficiencies. Studies on the Munda tribe show that consuming local foods can increase vitamin and mineral intake (Ghosh-Jerath et al., 2022).

In conclusion, while the efforts made under government schemes have contributed to progress, the nutritional challenges in tribal areas are far from resolved. A more integrated approach involving improved implementation, community engagement, and infrastructure development is needed to ensure that tribal communities benefit from these schemes and move closer to achieving "Zero Hunger."

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Libraries and Social Justice: Bridging Information Inequalities across Caste, Gender, and Class

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ABSTRACT

Public libraries are often described as neutral, open institutions, yet access to library services remains shaped by caste, gender, and class in many postcolonial societies. This conceptual paper examines how these social hierarchies produce unequal information access, and proposes an integrated theoretical framework for understanding and addressing this problem. Drawing on Chatman's theory of information poverty, Savolainen's model of everyday life information seeking, Crenshaw's concept of intersectionality, and library and information science scholarship on social justice, the paper builds a four stage model that links structural inequality to insider or outsider status within libraries, to class shaped everyday information habits, and finally to the point where deliberate library practice can interrupt this chain and produce more equitable outcomes. The paper reviews evidence on caste-based exclusion in Indian public libraries, gender gaps in library internet access, and calls within the library profession to move away from claims of neutrality toward active social justice practice. It concludes with implications for library and information science theory, everyday library practice, library policy, and future empirical, comparative research, particularly across South-South contexts.

Keywords: libraries, social justice, information poverty, caste, gender, class, information access

1. Introduction

Libraries are usually described as neutral, open institutions that serve everyone equally. In practice, access to libraries and to the information they hold is shaped by the same social hierarchies that structure the rest of society. Caste, gender, and class continue to decide who feels welcome in a library and who can use its resources with confidence.

In India, membership fees as small as one hundred rupees a year can still exclude working class families, even though the amount barely affects a library's budget (ZNetwork, 2025). Grassroots groups such as India's Free Libraries Network argue that public libraries

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need to be explicitly anti-caste and feminist in practice, not only formally non-discriminatory on paper (ZNetwork, 2025).

Library and information science offers useful tools for understanding this problem. Chatman (1996) described how people who see themselves as outsiders develop habits of secrecy and risk avoidance that keep them away from information controlled by insiders. Savolainen (1995) showed that information seeking behaviour is shaped by a person's broader way of life, which is itself shaped by social class. Cooke, Sweeney, and Noble (2016) argued that library education needs to place social justice at the centre of its curriculum rather than treating it as an add-on topic.

Legal and sociological scholarship helps explain why caste, gender, and class do not act separately but combine to produce compounded disadvantage. Crenshaw (1991) showed that Black women face discrimination that cannot be understood by looking at race or gender alone. A similar logic applies in South Asian contexts, where Dalit women face discrimination shaped by caste, gender, and disability acting together, not as separate categories (Kothari et al., 2019).

This paper brings these two bodies of knowledge together. It asks three questions. First, how do existing library and information science theories explain unequal access to libraries along lines of caste, gender, and class? Second, what mechanisms, such as membership fees, physical space, digital access, and staff behaviour, produce this inequality? Third, how can libraries move from formally neutral institutions to active agents of social justice? The paper builds a conceptual framework connecting LIS theory with social justice theory, aimed at librarians and policymakers in postcolonial and Global South contexts.

2. Literature Review

Libraries, caste, and social exclusion: Research directly linking libraries and caste is still limited, and much of the available documentation comes from advocacy and journalism rather than peer reviewed LIS journals. India's Free Libraries Network, a coalition of more than one hundred community libraries, has pushed for a public library policy explicitly designed to counter caste and class exclusion, arguing that being free of cost is not enough if people do not feel safe or respected inside the library (ZNetwork, 2025). This connects to wider caste discrimination research. A study of caste-based discrimination in South India found that Dalit women face exclusion shaped jointly by caste, gender, and disability, showing that these identities interact rather than operate on their own (Kothari et al., 2019).

Libraries, gender, and the digital divide: Gender based exclusion in library settings has received more sustained empirical attention, particularly around internet access. Dixon et al. (2014) conducted a long-term study of public libraries and community technology centres in Austin, Texas, and found that male users consistently outnumbered female users at public internet access points, even after accounting for age and ethnicity. The same study found that women reported higher levels of both library anxiety and computer anxiety, showing that physical access alone does not guarantee equal use (Dixon et al., 2014). Comfort and confidence matter as much as availability.

Class, information poverty, and everyday life: Two theories from information behaviour research explain why class shapes library use. Chatman (1996) described how people who see themselves as outsiders to mainstream institutions develop behaviours such as secrecy and risk avoidance around information seeking, a pattern she observed among groups such as janitors and the elderly poor. She argued that insiders, who already hold institutional power, often reinforce this poverty by dismissing information sources from outside their own world (Chatman, 1996). Applied to libraries, this suggests that a library designed around middle-class assumptions may unintentionally signal to working class patrons that they are outsiders, regardless of stated policy.

Savolainen (1995) added a complementary layer through his model of everyday life information seeking. His study compared industrial workers and teachers and found that a person's way of life, shaped strongly by social class, affects how they seek and evaluate information. Workers leaned toward a more practical and affective style, while teachers leaned toward a more analytical style, a difference linked to their different social and educational worlds (Savolainen, 1995). This theory suggests that class differences in library use reflect learned habits and expectations rather than differences in ability or interest.

Social justice as a framework for library practice: Cooke and colleagues argue that library neutrality, meaning the idea that libraries should avoid taking a position on social issues, actually works against marginalised communities, since silence tends to protect existing power structures rather than challenge them (Gibson et al., 2017). Cooke, Sweeney, and Noble (2016) further argue that library and information science education needs sustained institutional commitment to social justice, not single elective courses.

Intersectionality as a conceptual bridge: Crenshaw's (1991) work on intersectionality showed that Black women face a form of discrimination that cannot be captured by looking at race or gender separately, because antidiscrimination law and social movements were built around single category thinking. Her broader argument, that institutions can only be challenged in ways that reflect their own internal logic, is directly relevant to library reform, since it suggests surface level policy changes will not work if the underlying institutional logic still assumes a single, unmarked type of user (Crenshaw, 1991).

Gap in the literature: Taken together, this literature shows strong separate strands of research on caste and library access, gender and the digital divide, class and information behaviour, and social justice as a value in library practice. What is missing is a combined framework treating caste, gender, and class together, using LIS specific theories alongside intersectionality.

3. Theoretical Framework

This paper draws on four theoretical strands and integrates them into a single framework for understanding libraries and information inequality.

Information poverty and small world theory: Chatman's (1996) theory of the impoverished life world is the starting point. Chatman found that people who consider themselves outsiders to mainstream institutions develop four behaviours around information: secrecy, deception, risk avoidance, and situational relevance, meaning that information is only judged useful if it fits the immediate concerns of daily survival. She argued that insiders, those who hold institutional power and status, reinforce this poverty by rejecting information sources that come from outside their own social world (Chatman, 1996). This theory is useful here because it does not treat information poverty as simply a lack of resources. It treats it as a social relationship between insiders and outsiders, which fits directly with how caste, gender, and class operate inside library spaces. A library can have full shelves and free internet and still function as an insider space if its staff, rules, and design assume a particular kind of user.

Everyday life information seeking: Savolainen's (1995) model adds a second layer by showing how a person's broader way of life shapes their information behaviour. In his study, industrial workers and teachers showed different patterns of seeking orienting information, the background knowledge people gather to understand their world, and practical information, the knowledge needed to solve immediate problems. Workers displayed a more affective and practical orientation, while teachers displayed a more cognitive orientation, a difference Savolainen linked to social class (Savolainen, 1995). Applied to libraries, this model suggests that class shaped habits of information seeking, built up over years outside the library, do not disappear the moment someone walks through the door.

Intersectionality: Crenshaw's (1991) concept of intersectionality provides the connecting logic between the separate categories of caste, gender, and class. Crenshaw showed that Black women in the United States faced a distinct form of discrimination that could not be explained by race or gender considered on their own, because law and activism at the time were built around single category thinking. Her insight, that institutions can only be challenged effectively in ways that match their own internal logic, is directly useful here (Crenshaw, 1991). Kothari et al. (2019) apply this same logic empirically, showing that caste, gender, and disability combine in South Indian institutional settings to produce a distinct pattern of exclusion that none of the three categories alone can fully explain.

Libraries as sites of social justice: The final theoretical strand comes from LIS scholarship on neutrality and social justice. Gibson et al. (2017) argue that library neutrality functions as a form of support for the status quo, because silence protects existing power structures rather than challenging them. Cooke et al. (2016) extend this by arguing that social justice needs to be built into the structure of LIS education and practice, not treated as an occasional training module.

Integrated framework: These four strands connect into a single explanatory chain. Structural inequality along lines of caste, gender, and class, understood through an intersectional lens (Crenshaw, 1991; Kothari et al., 2019), produces patterns of information poverty and insider or outsider status inside institutions (Chatman, 1996). This status interacts with a person's everyday information habits, built up through their social class position over time (Savolainen, 1995). Libraries that fail to recognise this chain risk reproducing exclusion even while claiming neutrality. Libraries that actively work against this chain, following the social justice model proposed by Cooke et al. (2016) and Gibson et al. (2017), can instead interrupt it.

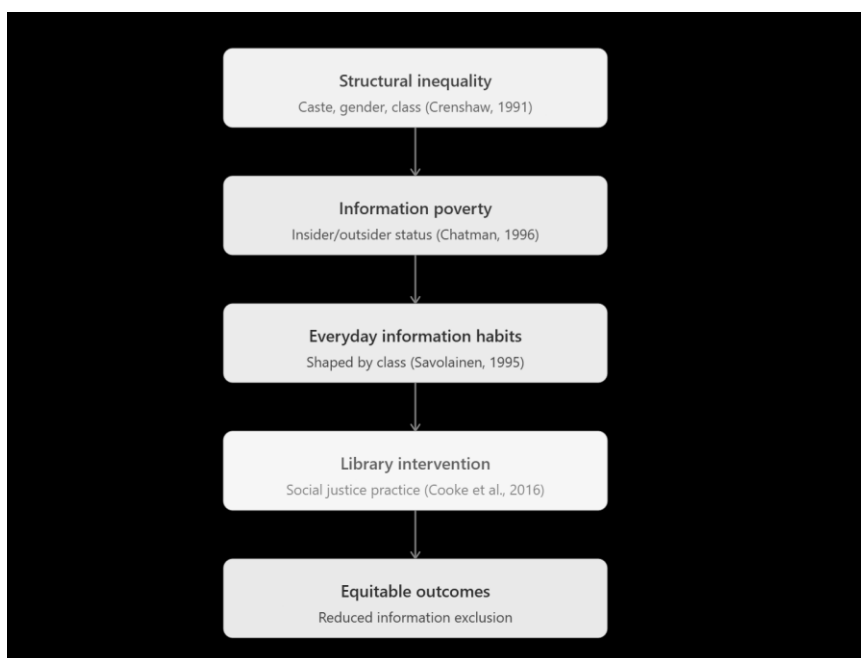


Figure 1 illustrates this integrated model: structural inequality leads to information poverty, which shapes everyday information habits, which library intervention can interrupt to produce equitable outcomes.

4. Conceptual Synthesis

The model proposed in this paper treats library exclusion as a four stage chain rather than four separate explanations. The chain begins with structural inequality. Caste, gender, and class do not act as separate, additive disadvantages. Crenshaw (1991) showed that overlapping identities produce a distinct form of exclusion that cannot be reduced to any single category, and Kothari et al. (2019) demonstrated this empirically for caste, gender, and disability in South India. For a librarian designing services, this means a program aimed only at women or only at Scheduled Castes may miss the compounded exclusion faced by, for example, a Dalit woman from a poor household.

This structural position then shapes a person's status inside the library as an insider or an outsider. Chatman (1996) showed that outsiders develop secrecy, risk avoidance, and a narrow definition of what counts as useful information, while insiders reinforce this by dismissing information sources that do not match their own worldview. A library that hires staff, sets rules, and designs spaces around an implicit insider, typically an educated, upper caste, male, middle class user, will produce outsider status for anyone who does not match that profile, regardless of formal policy.

Insider or outsider status then interacts with a person's everyday information habits, which Savolainen (1995) linked to social class. A patron whose daily information seeking is built around immediate, practical survival needs will experience a library organised around long term, analytical research differently than a patron whose class position has trained them in that analytical style. This is not a matter of intelligence or motivation. It is a matter of fit between institutional design and lived habit.

The fourth stage is where the model becomes actionable rather than only explanatory. Gibson et al. (2017) argued that library neutrality functions as tacit support for existing power structures, since silence protects whoever already benefits from the status quo. Cooke et al. (2016) showed that meaningful change requires embedding social justice into the structure of library education and practice, not treating it as a one-time training session. This is the point in the chain where deliberate library action, such as fee waivers, staff training on caste and gender bias, multilingual signage, or outreach into marginalised neighbourhoods, can interrupt the pattern that the earlier three stages describe.

The final stage, equitable outcomes, is the goal rather than an automatic result. Without deliberate intervention at stage four, the chain runs from structural inequality straight through to reduce library use among marginalised groups. With intervention, the same starting point can lead instead to genuine inclusion. This model gives librarians and policymakers a diagnostic tool: for any observed pattern of exclusion, they can ask which stage of the chain is failing and target their response accordingly.

5. Implications for Theory, Practice, and Policy

For LIS theory: This paper extends existing information behaviour theory by connecting it explicitly to intersectionality. Chatman's (1996) insider or outsider framework and Savolainen's (1995) everyday life model were both developed without a sustained focus on how multiple social categories combine. Reading them alongside Crenshaw (1991) shows that outsider status in a library is rarely produced by one factor alone. A poor, lower caste woman does not experience three separate barriers that happen to overlap. She experiences one compounded barrier that none of the three theories fully explains on its own. Future LIS theory building should treat this compounding as the normal case rather than an exception, particularly in postcolonial and South-South contexts where caste, gender, and class histories are deeply intertwined.

For library practice: The four stage model gives librarians a practical diagnostic checklist rather than only an abstract argument. At the level of structural inequality, librarians can ask

who is not showing up at all, and why, using membership and footfall data broken down where possible by neighborhood, gender, and other available proxies for caste and class. At the level of insider or outsider status, librarians can examine their own hiring patterns, dress codes, language use, and unwritten rules of behaviour, since these are the everyday signals that tell a patron whether they belong. India's Free Libraries Network's call for libraries to be explicitly anti-caste and feminist, not just formally non-discriminatory, is a direct example of action at this stage (ZNetwork, 2025). At the level of everyday information habits, library staff can rethink how services are organised, for instance by supporting oral and community-based information sharing alongside catalogued print collections, recognising that not every patron approaches information the same way Savolainen's (1995) teacher respondents did. Finally, at the level of library intervention, Cooke et al. (2016) and Gibson et al. (2017) both point toward the same practical step: social justice training needs to be built into regular staff development and institutional planning, not delivered as an occasional workshop disconnected from daily practice.

For policy: At a policy level, this framework suggests that library funding and accreditation bodies should require evidence of inclusive practice, not just evidence of physical infrastructure such as building space or book counts. A library can meet every infrastructure target and still function as an insider space if hiring, fee structures, and everyday conduct exclude marginalised patrons. Policymakers designing public library acts or national library missions could use the four stage model as a set of minimum standards, covering fee structures, staff composition and training, physical accessibility, and community outreach, so that formal openness is matched by lived openness.

For future research: This paper is conceptual and does not include original fieldwork. The most useful next step would be empirical studies that test each stage of the model in specific settings, for example comparing library use patterns across caste groups in an Indian state, or comparing staff attitudes in libraries that have and have not adopted explicit social justice training. Comparative, South-South studies would be especially valuable, since most of the empirical literature on library exclusion and the digital divide currently comes from the United States, as seen in Dixon et al.'s (2014) Texas based study, while direct empirical work on caste and libraries remains limited to advocacy sources such as the Free Libraries Network reporting used in this paper (ZNetwork, 2025). Comparing library systems across India, South Africa, and Brazil, for instance, could test whether this four stage model holds across different postcolonial contexts or needs to be adapted for each.

6. Conclusion

Libraries are not automatically neutral simply because they are open to the public. This paper has argued that caste, gender, and class continue to shape who feels welcome in a library and who is able to use its resources with confidence, through a chain that runs from structural inequality, through insider or outsider status, through class shaped everyday information habits, to the point where deliberate library action can either reinforce or interrupt the pattern.

By bringing together Chatman's (1996) theory of information poverty, Savolainen's (1995) model of everyday life information seeking, Crenshaw's (1991) concept of intersectionality, and the social justice scholarship of Cooke et al. (2016) and Gibson et al. (2017), this paper offers librarians and policymakers a single, connected way of thinking about exclusion rather than four separate ones. The model is deliberately practical. It asks not only why exclusion happens, but at which specific stage a library can intervene.

For librarians working in postcolonial and Global South contexts in particular, this framework offers a starting point for turning formal commitments to equal access into lived, everyday inclusion. Future empirical and comparative research, especially across South-

South contexts, will be needed to test and refine this model further. The central claim of this paper, however, is a modest but important one: libraries that wish to be truly open institutions must be willing to examine, and act on, the ways caste, gender, and class quietly shape who walks through their doors.

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Gender, Culture, and Health Equity: A Scoping Review of Sociocultural Barriers to Physical Activity among Tribal Women in India

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ABSTRACT

Physical activity is a fundamental determinant of physical, mental, and social well-being, yet its distribution across populations remains deeply unequal. Tribal women in India occupy a particularly disadvantaged position because gender inequality, cultural norms, geographical isolation, poverty, and weak infrastructure intersect to restrict their access to health-enhancing movement. Although tribal women perform physically demanding occupational and domestic labour, such labour rarely substitutes for structured, health-promoting physical activity, since it is characterised by drudgery, nutritional deprivation, and limited recovery rather than planned exercise. This systematic review synthesises peer-reviewed and grey literature published between 2005 and 2026, following PRISMA 2020 reporting standards, to examine the sociocultural determinants of physical activity participation among tribal women and their implications for health equity. Using an interdisciplinary lens drawing on sociology, anthropology, public health, and physical education, the review identifies recurring themes of gendered time poverty, restricted mobility, weak infrastructure, and fragmented policy implementation, while also highlighting the protective and enabling potential of indigenous knowledge, traditional games, and community-driven interventions. The review concludes that improving health equity for tribal women requires culturally responsive, gender-sensitive, and community-owned strategies that integrate physical education with broader efforts toward indigenous health and social justice, in line with Sustainable Development Goals 3, 5, and 10.

Keywords: Tribal women, Physical activity, Health equity, Gender, Culture, Physical Education, Indigenous communities

1. Introduction

Physical activity is widely recognised as one of the most cost-effective strategies for improving population health across the lifespan, contributing to cardiovascular fitness, metabolic regulation, mental well-being, and the prevention of non-communicable diseases (World Health Organization [WHO], 2022). The WHO estimates that nearly one in three women worldwide fails to meet recommended activity levels, making physical inactivity a

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leading modifiable risk factor for premature mortality (WHO, 2022). Participation in physical activity, however, is not determined by individual motivation alone; it is shaped by social structures, cultural beliefs, gender relations, and public policy operating across multiple interacting levels, as articulated by the Social Ecological Model (Sallis et al., 2015).

These structural inequalities are especially pronounced among indigenous populations, who frequently experience historical marginalisation and restricted access to healthcare, education, and recreational resources (United Nations Permanent Forum on Indigenous Issues [UNPFII], 2021). Indigenous women face overlapping disadvantages shaped simultaneously by ethnicity, gender, poverty, and geography, producing intersecting inequities that persist across generations (Crenshaw, 1989; Marmot, 2005). India is home to over 104 million Scheduled Tribe (ST) people, roughly 8.6 percent of the national population, spread across more than 700 tribal groups (Census of India, 2011). Traditional tribal livelihoods historically demanded substantial physical exertion, but socioeconomic transformation, environmental degradation, and restricted access to services have reshaped these patterns while introducing new health challenges (Ministry of Tribal Affairs, 2023).

Within tribal communities, women carry disproportionate responsibility for agricultural labour, household work, childcare, and the collection of fuel and water, while experiencing limited decision-making power and unequal access to education and healthcare (National Family Health Survey-5 [NFHS-5], 2021). Although this labour is physically strenuous, it does not necessarily translate into fitness, since it is repetitive and exhausting and is frequently performed under nutritional deprivation, distinguishing occupational labour from the planned, structured movement associated with health-enhancing physical activity (Bull et al., 2020). Inadequate sports infrastructure, restrictive gender norms, and minimal institutional support further exclude tribal women from the broader benefits of organised physical activity.

Anthropological scholarship emphasises that physical activity cannot be understood independently of culture: beliefs about the female body, acceptable gender roles, and leisure behaviour shape women's opportunities to move (Inhorn & Wentzell, 2012; Kleinman, 1980). Sociologically, patriarchal structures assign women primary responsibility for unpaid domestic work while limiting autonomy and public participation (Connell, 2012), and intersectionality theory helps explain how gender, poverty, and ethnicity combine to produce distinctive barriers for tribal women rather than acting independently (Crenshaw, 1989). Health equity, understood as fairness in opportunity rather than identical distribution of resources, requires addressing these broader determinants rather than targeting individual behaviour alone (Braveman & Gruskin, 2003).

The Government of India has introduced several relevant initiatives, including the National Health Mission, Poshan Abhiyaan, Khelo India, the Fit India Movement, and the National Education Policy 2020, yet evidence on their effectiveness in reaching tribal women remains fragmented across disciplines. Most existing studies concentrate on maternal health, malnutrition, and healthcare utilisation, leaving comparatively little attention to how sociocultural barriers shape participation in physical activity. This review addresses that gap by synthesising interdisciplinary evidence, situating physical activity within the broader discourse on gender justice, indigenous rights, and social equity, and informing culturally responsive policy for one of India's most marginalised populations.

Although substantial literature addresses tribal health, maternal nutrition, and healthcare access in India, research specifically examining sociocultural barriers to physical activity among tribal women remains limited and dispersed across public health, anthropology, sociology, and sports sciences, with few attempts at integration. Most reviews emphasise nutritional or healthcare outcomes rather than treating physical activity as a

multidimensional phenomenon shaped by gender norms and structural inequality. Systematic evidence on the effectiveness of Khelo India, the Fit India Movement, and tribal development programmes in promoting physical activity specifically among tribal women is similarly scarce, limiting evidence-based policy formulation and culturally appropriate intervention design.

This systematic review critically synthesises existing literature on the sociocultural barriers influencing physical activity among tribal women in India and examines their implications for health equity through interdisciplinary perspectives drawn from physical education, sociology, anthropology, and public health.

Conceptualising Physical Activity and Health Equity

The WHO defines physical activity broadly as any bodily movement requiring energy expenditure, but public health scholarship distinguishes occupational physical activity, which is repetitive and demanding, from health-enhancing physical activity, which is planned and structured to improve fitness (Bull et al., 2020). This distinction matters for marginalised women, whose daily labour involves substantial exertion without producing the physiological and psychological benefits of recreational exercise. Globally, roughly 31 percent of adults fail to meet recommended activity levels, contributing to the burden of cardiovascular disease, diabetes, and premature mortality (Lee et al., 2012; WHO, 2022). Health equity, as distinct from equality, requires that disadvantaged populations receive context-specific support to achieve comparable outcomes (Braveman & Gruskin, 2003), a principle reinforced by the WHO Commission on Social Determinants of Health, which located health inequities in the unequal distribution of power, income, and education rather than biology alone (Marmot et al., 2008). Physical activity is therefore both a determinant and an indicator of health equity, and international instruments such as UNESCO's International Charter of Physical Education, Physical Activity and Sport frame participation as a fundamental right regardless of gender or ethnicity (UNESCO, 2015), linking the issue directly to Sustainable Development Goals 3, 5, and 10 (United Nations, 2015).

Physical Activity and Women's Health

Regular physical activity reduces women's risk of cardiovascular disease, obesity, hypertension, and certain cancers, while supporting healthier pregnancies and postpartum recovery (Warburton & Bredin, 2017; WHO, 2020). It also yields psychosocial benefits, including reduced depression and anxiety and greater self-esteem and social cohesion (Biddle et al., 2019). Despite these benefits, women consistently report lower activity levels than men worldwide, particularly in low- and middle-income countries (WHO, 2022). Gender norms remain a central determinant: women's disproportionate responsibility for unpaid domestic work leaves little time for leisure, while expectations regarding modesty and mobility further restrict participation (Connell, 2012). Feminist scholarship argues that women's physical activity cannot be explained through biomedical frameworks alone, since it is embedded in family support, education, and public policy (Azzarito et al., 2017); interventions that target individual motivation without addressing these structural conditions have shown limited effectiveness among disadvantaged groups. In India, gender disparities in physical activity are intensified in rural and tribal regions, where patriarchal norms, safety concerns, and weak infrastructure compound one another despite national campaigns such as Fit India and Khelo India.

Tribal Women in India: Sociocultural Context

Recognised constitutionally as Scheduled Tribes, India's more than 700 ethnolinguistic tribal groups share experiences of historical marginalisation, geographical isolation, and limited access to public services (Census of India, 2011). Tribal women sit at the intersection of these disadvantages and gender discrimination, bearing disproportionate responsibility for agricultural labour, fuelwood and water collection, and childcare, work undertaken from

economic necessity rather than for fitness and often accompanied by nutritional deficiency. Anthropological research situates these lives within kinship structures and indigenous ecological knowledge, even as deforestation, migration, and market integration transform traditional livelihoods without corresponding gains in recreational opportunity. Tribal women consistently show poorer outcomes than national averages on anaemia, maternal health, and healthcare utilisation, reflecting the combined effects of poverty, remoteness, and limited institutional responsiveness.

6.4 Gender, Culture, and Physical Activity

Contemporary scholarship attributes disparities in physical activity primarily to socially constructed gender roles and unequal access to resources rather than biological difference (Connell, 2012; WHO, 2022). Feminist scholars describe women's combined productive, reproductive, and community responsibilities as a "double" or "triple burden" that produces time poverty, one of the most significant yet under-recognised barriers to active living (Moser, 1993). In India, norms governing mobility, clothing, and modesty further restrict girls' sporting opportunities from childhood onward, with restrictions often persisting into adulthood (Nanda, 2000). Occupational labour should not be conflated with health-enhancing activity: excessive physical work without adequate nutrition or rest can increase musculoskeletal disorders and fatigue rather than improving fitness (Holtermann et al., 2018), a distinction with direct relevance to tribal women whose heavy workloads are often mistakenly read as evidence of good physical health. Culture also shapes acceptable forms of movement, and programmes that ignore local values and traditions typically achieve low participation, whereas those integrating traditional games, dance, and community festivals demonstrate greater acceptance and sustainability (Macniven et al., 2019). Women's decision-making autonomy and financial independence are similarly associated with greater participation in recreational activity (Jejeebhoy, 2000), while fear of harassment and unsafe public spaces further discourage outdoor exercise (WHO, 2022).

6.5 Sociological Perspectives

Sociology frames physical activity as socially organised behaviour shaped by power relations and institutions rather than individual choice. Intersectionality theory explains how tribal women's gender, ethnicity, poverty, and geographic isolation interact to produce distinctive experiences of marginalisation not reducible to any single dimension (Crenshaw, 1989). Bourdieu's (1984) concepts of habitus, capital, and field further clarify how economic, cultural, and social capital shape access to sport: limited education constrains awareness of preventive health behaviours, economic deprivation restricts access to programmes, and weak transportation reduces participation outside the immediate community. The WHO Social Determinants of Health Framework situates these dynamics within broader conditions of education, employment, and infrastructure (Marmot et al., 2008), while feminist sociology cautions against health promotion that emphasises individual responsibility without addressing unequal domestic workloads (Connell, 2012). Community-designed interventions involving local leaders and women's self-help groups consistently demonstrate greater sustainability than externally imposed programmes.

6.6 Anthropological Perspectives

Anthropology situates physical activity within cultural systems of meaning rather than treating it purely as biomedical behaviour (Kleinman, 1980). Traditional subsistence activities such as farming, forest gathering, and craft production once integrated movement into daily and ritual life, but rapid social transformation has eroded these patterns without corresponding increases in recreational activity. Scholars caution against deficit-based framings of indigenous communities and instead advocate recognising indigenous knowledge, traditional games, and seasonal festivals as culturally meaningful and potentially health-enhancing forms of movement (Macniven et al., 2019). Because tribal women often

draw on both indigenous and biomedical health systems, interventions that ignore local beliefs risk limited acceptance, whereas participatory, community-led approaches that treat women as knowledge holders rather than passive beneficiaries are more likely to achieve sustained engagement, aligning with contemporary calls to decolonise health promotion.

6.7 Government Policies and Programmes

India's National Health Policy (2017) frames health promotion as central to universal health coverage but offers limited guidance on culturally specific interventions for indigenous women (Ministry of Health and Family Welfare [MoHFW], 2017). The Fit India Movement (2019) and Khelo India Programme have expanded awareness and school-based sport nationally, yet evaluations report considerably lower reach in rural and tribal areas due to digital exclusion and weak infrastructure (Kumar & Singh, 2022). The National Education Policy 2020 recognises sport as integral to holistic education, including indigenous games, though implementation in tribal schools remains uneven due to teacher shortages and inadequate facilities (Ministry of Education, 2020). Nutrition- and maternal-health-oriented programmes such as Poshan Abhiyaan and the National Health Mission indirectly support tribal women's health but face logistical and staffing constraints in remote areas (MoHFW, 2021), while Ministry of Tribal Affairs initiatives such as PM-JANMAN address structural determinants like roads and schools without explicitly promoting physical activity. Internationally, the WHO Global Action Plan on Physical Activity 2018-2030 advocates multisectoral approaches to building active societies (WHO, 2018). Across these efforts, existing literature identifies recurring implementation challenges: universal programme designs that overlook tribal cultural diversity, monitoring systems focused on service delivery rather than behavioural outcomes, and weak coordination across health, education, and tribal welfare departments.

7. Theoretical Framework

This review integrates five complementary perspectives. The Social Ecological Model situates physical activity within individual, interpersonal, community, institutional, and policy levels, emphasising that sustainable change requires coordinated multilevel intervention (Sallis et al., 2015). Intersectionality theory explains how gender, tribal identity, poverty, and geographic isolation combine to produce distinctive barriers rather than acting in isolation (Crenshaw, 1989). Bourdieu's (1984) theory of practice highlights how economic, cultural, and social capital, together with habitus, shape opportunities for active living. The Capability Approach (Sen, 1999) reframes health equity as the expansion of women's real freedoms, including time autonomy, safety, and supportive social norms, rather than the mere provision of facilities. Finally, the WHO Social Determinants of Health Framework (Marmot et al., 2008) situates education, employment, housing, and governance as upstream influences on both physical activity and broader health outcomes. Synthesising these perspectives, the review proposes a pathway in which structural inequalities shape gender norms and cultural practices, which in turn condition access to resources such as time, infrastructure, and family support; this access determines participation in physical activity, which subsequently influences physical, mental, and social health outcomes and, ultimately, health equity and women's empowerment. This integrated framework guides the interpretation of evidence throughout the review.

8. Methodology

This review employed a systematic review methodology to synthesise evidence on sociocultural barriers to physical activity among tribal women in India, following the Preferred Reporting Items for Systematic Reviews and Meta-Analyses (PRISMA 2020) guidelines (Page et al., 2021) and standards recommended by the Cochrane Handbook. Because the available literature consists primarily of observational, qualitative, ethnographic, and policy-based studies, a qualitative narrative synthesis was undertaken rather than

statistical meta-analysis, given the heterogeneity of designs, outcome measures, and definitions of physical activity. A review protocol specifying research questions, eligibility criteria, and synthesis procedures was developed before the literature search; the protocol was not prospectively registered in PROSPERO, as the review addresses interdisciplinary sociocultural rather than clinical interventions.

Searches covered Scopus, Web of Science, PubMed/MEDLINE, SPORTDiscus, Google Scholar, JSTOR, ScienceDirect, Taylor & Francis Online, SpringerLink, and SAGE Journals, supplemented by grey literature from the WHO, United Nations, UNESCO, and relevant Indian ministries, along with NFHS and NSSO reports. The primary search string combined terms for tribal or indigenous women ("tribal women" OR "indigenous women" OR "Scheduled Tribe*" OR "Adivasi women"), physical activity ("physical activity" OR exercise OR sport OR fitness OR "physical education"), sociocultural determinants (gender OR culture OR sociocultural OR anthropology OR sociology), and India, combined with Boolean operators. Backward and forward citation tracking supplemented database searching.

Studies were included if they examined tribal or Scheduled Tribe women in India, addressed physical activity, exercise, sport, or fitness, explored sociocultural or structural determinants, reported original empirical findings or systematic reviews, were peer-reviewed, were available in English, and were published between 2000 and 2025. Studies focused solely on clinical treatment, male populations, non-Indian indigenous groups without comparative value, or lacking peer review were excluded. Selection followed the four-stage PRISMA process of identification, screening, eligibility assessment, and inclusion, with two independent screening rounds and documented reasons for exclusion.

A standardised extraction form captured bibliographic details, study location and tribal community, design, sample characteristics, physical activity indicators, sociocultural barriers and facilitators, policy relevance, and limitations. Qualitative studies were appraised using the Critical Appraisal Skills Programme checklist (CASP, 2018), and quantitative studies using Joanna Briggs Institute checklists (JBI, 2020), with each study classified as high, moderate, or low quality; quality appraisal informed interpretive weighting rather than automatic exclusion.

Given heterogeneity across studies, evidence was integrated through thematic narrative synthesis (Popay et al., 2006), proceeding through familiarisation, initial coding, theme development, and interpretation through the theoretical framework in Section 7. As a review of published literature, no ethical approval was required, though APA 7th edition referencing and transparent, reproducible reporting were maintained throughout. Limitations include restriction to English-language sources, heterogeneity precluding meta-analysis, possible publication bias affecting unindexed grey literature, and the descriptive rather than causal nature of the synthesised evidence.

Thematic synthesis of the included literature identified nine recurring themes. First, structural inequalities in education, income, and infrastructure consistently underpinned other barriers, limiting awareness of and access to organised physical activity. Second, gender norms and time poverty emerged as the most pervasive constraint, with domestic and caregiving responsibilities leaving little discretionary time for recreational movement. Third, the literature consistently distinguished occupational labour from health-enhancing activity, showing that physically demanding subsistence work frequently coexists with, rather than prevents, chronic fatigue and musculoskeletal strain. Fourth, weak sports infrastructure, absent female coaches, and unsafe public spaces were repeatedly identified as environmental barriers specific to remote tribal regions. Fifth, cultural expectations regarding modesty, marriage, and motherhood shaped the perceived appropriateness of women's participation in organised sport, though these norms varied considerably across the more

than 700 tribal communities studied. Sixth, indigenous knowledge systems, traditional games, and community festivals emerged as underused but promising vehicles for culturally acceptable physical activity promotion. Seventh, government programmes such as Fit India, Khelo India, and the National Education Policy 2020 demonstrated measurable achievements at the national level but limited penetration into tribal areas due to infrastructural and communication gaps. Eighth, women's autonomy, educational attainment, and household decision-making power were positively associated with participation across multiple studies, reinforcing the relevance of the Capability Approach. Ninth, community-led and participatory interventions consistently outperformed externally designed programmes in terms of acceptance and sustainability. Collectively, these themes indicate that physical inactivity among tribal women is best understood as a socially produced outcome of intersecting structural and cultural constraints rather than a matter of individual choice.

Discussion

The synthesised evidence confirms that physical activity among tribal women cannot be separated from the broader structures of gender inequality, poverty, and cultural expectation documented across the sociological and anthropological literature. The recurring conflation of occupational labour with health-enhancing activity is particularly significant, since policies that assume tribal women are already sufficiently active risk overlooking their heightened vulnerability to musculoskeletal disorders and chronic fatigue (Holtermann et al., 2018). At the same time, the consistent success of culturally grounded interventions, such as those incorporating traditional games and community festivals, suggests that health-enhancing movement need not be imported wholesale from urban, biomedical models; indigenous practices already carry considerable public health value if recognised and supported rather than displaced (Macniven et al., 2019). The gap between well-intentioned national programmes and their limited reach in tribal areas mirrors broader critiques of universal policy design that fails to account for geographic and cultural diversity (Solar & Irwin, 2010). These findings collectively support the review's interdisciplinary theoretical framework: interventions confined to a single level, whether individual motivation campaigns or infrastructure provision alone, are unlikely to succeed without corresponding attention to gender norms, women's autonomy, and community ownership. The scarcity of longitudinal and participatory research, noted throughout the literature review, limits confidence in causal claims and underscores the need for future studies that move beyond cross-sectional description toward evaluating specific culturally responsive interventions over time.

Conclusion

This systematic review demonstrates that sociocultural barriers, rather than individual preference or biological limitation, primarily explain the low participation of tribal women in health-enhancing physical activity in India. Gendered time poverty, restrictive cultural norms, weak infrastructure, and fragmented policy implementation intersect with the structural disadvantages of tribal identity to produce persistent inequities in health and well-being. Addressing these inequities requires culturally responsive, gender-sensitive, and community-driven interventions that recognise indigenous knowledge systems, integrate traditional games and festivals into physical education programming, strengthen safe and accessible sports infrastructure in remote regions, expand female coaching capacity, and improve intersectoral coordination among health, education, sports, and tribal welfare departments. Future research should adopt longitudinal, mixed-method, and participatory designs capable of capturing the diversity of India's more than 700 tribal communities and rigorously evaluating intervention effectiveness. Ultimately, improving health equity for tribal women is inseparable from broader commitments to gender justice and inclusive development articulated within Sustainable Development Goals 3, 5, and 10.

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Digital Empowerment of Rural Women: Opportunities and Challenges

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ABSTRACT

Digital technologies have become a powerful instrument for promoting inclusive growth, economic development, and social transformation. In developing countries such as India, digital empowerment has emerged as a critical strategy for improving the socio-economic status of rural women. Access to digital tools, internet connectivity, online education, digital financial services, and e-governance has created new opportunities for women to participate in economic activities, improve their livelihoods, access healthcare, and engage in decision-making processes. However, despite significant progress under initiatives such as Digital India, PMGDISHA, and the National Rural Livelihood Mission, rural women continue to face several barriers including digital illiteracy, inadequate infrastructure, affordability issues, socio-cultural norms, and concerns regarding online safety. This paper examines the opportunities and challenges associated with the digital empowerment of rural women in India. It also reviews government initiatives, identifies existing gaps, and proposes policy recommendations for achieving inclusive digital development.

Keywords: Digital literacy, Digital India, Financial inclusion, Women empowerment, ICT, Rural development.

1. Introduction

Digital transformation has become one of the defining features of the twenty-first century. The rapid advancement of Information and Communication Technology (ICT), smartphones, internet connectivity, artificial intelligence, cloud computing, and digital financial systems has significantly transformed societies worldwide. Digital technologies are no longer confined to urban populations but are increasingly reaching rural communities through government initiatives, affordable smartphones, and improved internet infrastructure.

According to the Census of India (2011), women constitute nearly half of India's population, with approximately two-thirds residing in rural areas. Rural women play a

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crucial role in agriculture, livestock management, household activities, handicrafts, and informal employment. Despite their significant contributions, they continue to experience inequalities in education, healthcare, employment opportunities, property ownership, financial independence, and decision-making.

According to UN Women (2023), digital empowerment refers to enabling individuals with digital skills, access to technology, confidence, and opportunities to effectively utilize digital resources for personal and community development. For rural women, digital empowerment goes beyond access to smartphones; it involves acquiring digital literacy, participating in online education, accessing government services, conducting digital financial transactions, engaging in entrepreneurship, and improving social participation.

India's Digital India Mission, launched in 2015, has accelerated digital inclusion by promoting broadband connectivity, digital governance, electronic service delivery, and digital literacy (Ministry of Electronics and Information Technology, 2025). Various government schemes specifically target women and rural populations, aiming to bridge the digital divide. However, significant disparities remain between urban and rural areas and between men and women in terms of internet usage and digital skills.

According to the GSMA Mobile Gender Gap Report (GSMA, 2025), women in low- and middle-income countries remain significantly less likely than men to use mobile internet. In India, although smartphone ownership among women has increased considerably, a substantial digital gender gap still exists, particularly in rural regions.

Digital empowerment therefore represents both an opportunity and a challenge. While technology can enhance women's economic participation and social inclusion, unequal access may further widen existing inequalities if systemic barriers remain unaddressed.

2. Literature Review

Recent literature indicates that digital technologies have become a major driver of women's socio-economic empowerment. However, despite improvements in digital infrastructure and smartphone penetration, a significant digital gender gap persists, particularly in rural areas.

2.1 Global Scenario

The GSMA Mobile Gender Gap Report 2026 reports encouraging but slow progress in digital inclusion (GSMA, 2026). Women in low- and middle-income countries (LMICs) are still 12% less likely than men to use mobile internet, representing approximately 200 million fewer women online. Around 810 million women remain unconnected, with more than two-thirds living in South Asia and Sub-Saharan Africa. Although the gender gap in mobile ownership has narrowed slightly, affordability, digital skills, literacy, and online safety continue to be the primary barriers to women's digital inclusion.

The GSMA Mobile Gender Gap Report 2025 similarly highlights that progress in closing the mobile internet gender gap has largely stalled (GSMA, 2025). The report found that 63% of women in LMICs use mobile internet, yet women remain 14% less likely than men to access mobile internet. Approximately 885 million women remained offline in 2024, with South Asia accounting for a substantial proportion of the digitally excluded population. The report emphasizes that improving affordability, digital literacy, and online safety is essential for women's empowerment.

According to the International Telecommunication Union (ITU, 2024), universal and meaningful digital connectivity requires more than internet access. Digital inclusion depends on affordable connectivity, digital literacy, relevant digital content, cybersecurity awareness, and supportive policy environments. The ITU (2024) stresses that women in rural communities continue to face multiple disadvantages in accessing digital technologies

because of educational inequalities and socio-cultural barriers. These findings underline the need for gender-responsive digital policies.

The World Economic Forum's Global Gender Gap Report 2025 ranks India 131st out of 148 countries, indicating persistent gender disparities in economic participation and digital opportunities (World Economic Forum, 2025). The report emphasizes that increasing women's participation in digital education, entrepreneurship, and technology-based employment is critical for inclusive economic growth.

UN Women's (2025) Gender Snapshot warns that the gender digital divide could widen with the rapid adoption of artificial intelligence. It is estimated that 28% of women's jobs globally are exposed to AI-related transformation compared with 21% of men's jobs, highlighting the urgency of equipping women with advanced digital skills to participate in the future digital economy.

The World Bank's (2024) digital development research emphasizes that digital technologies improve access to financial services, education, healthcare, agricultural extension services, and government welfare programmes. However, the benefits of digital transformation remain uneven because women, particularly in rural areas, have lower levels of device ownership, internet use, and digital skills. The World Bank (2024) recommends investments in affordable broadband, digital literacy programmes, and gender-inclusive digital policies to bridge these disparities.

Recent evidence therefore suggests that digital technologies have enormous potential to empower rural women by expanding access to education, healthcare, financial services, entrepreneurship, and governance. However, realizing these benefits requires addressing structural barriers such as affordability, digital literacy, infrastructure deficits, and gender-based social norms.

2.2 Indian Scenario

Empirical studies focused on India provide further insight into the digital empowerment of rural women. Kumar et al. (2026) examined digital literacy as a pathway toward empowering rural women and highlighted the role of structured skill-building interventions in improving socio-economic outcomes. Mukherjee et al. (2024) studied a digital skills training programme for poor, unemployed working-age women in India and found that such interventions can enhance employability and self-confidence. Udisha and Philomina (2024) examined how mobile technology has supported rural women farmers in Kerala, demonstrating the potential of digital tools to bridge agricultural information gaps. Gupta et al. (2025), in a quasi-experimental study, evaluated the design and implementation of a digital literacy training programme in rural India and reported measurable improvements in digital competence among participants.

Indradevi et al. (2025) applied the Unified Theory of Acceptance and Use of Technology (UTAUT) model to assess the role of Digital India initiatives in empowering rural women. Tharash (2025) presented a case study from Karnataka on the empowerment of rural women through digital media, while Meenu et al. (2025) explored digital literacy as a pathway to socioeconomic inclusion for rural women. Jawale and Reddy (2023) found that barriers to digital inclusion extend beyond bandwidth and infrastructure to include deficits in self-esteem and confidence among rural women and third-gender individuals. A bibliometric and scoping review mapped the growing body of research examining the impact of digitalisation on rural women's socio-economic status ("Exploring the Impact of Digitalisation," 2025). Anand et al. (2025) examined whether earning money empowers women in India, offering evidence on the link between economic participation and women's broader empowerment.

Official data sources further illustrate the scale of India's digital divide. The National Sample Survey Office's Comprehensive Modular Survey: Telecom provides statistics on internet access, smartphone ownership, digital skills, and telecom usage among Indian households (Ministry of Statistics and Programme Implementation, 2025). The National Family Health Survey (NFHS-6) includes data on women's mobile phone ownership, internet usage, and financial inclusion (Ministry of Health and Family Welfare, 2025). NITI Aayog's (2026) *DPI@2047 for Viksit Bharat: A Strategic Roadmap* examines how Digital Public Infrastructure—including Aadhaar, UPI, and DigiLocker—can promote inclusive digital growth and reduce digital exclusion, while NITI Aayog's (2025) India Voluntary National Review assesses India's progress toward the Sustainable Development Goals, including digital inclusion and gender equality.

The Ministry of Electronics and Information Technology's (2025) Digital India Programme reports assess the implementation of digital literacy, e-governance, and digital infrastructure schemes, and its PMGDISHA progress reports specifically evaluate rural digital literacy initiatives among women and marginalized communities (Ministry of Electronics and Information Technology, 2024). The Department of Telecommunications' (2025) BharatNet progress reports present data on rural broadband connectivity and village-level optical fibre deployment. The Telecom Regulatory Authority of India (2025) publishes annual statistics on telecom subscriptions, internet penetration, and rural-urban digital connectivity, and the Reserve Bank of India's (2025) Digital Payments Index tracks the growth of digital payments and financial inclusion across the country. Together, these datasets and reports provide a comprehensive evidence base for assessing the digital divide facing rural women in India.

3. Major Challenges

Despite considerable progress in digital infrastructure and the implementation of various government initiatives such as Digital India, BharatNet, and the Pradhan Mantri Gramin Digital Saksharta Abhiyan (PMGDISHA), rural women in India continue to experience significant barriers to digital inclusion. The digital divide is no longer limited to access to technology; it also encompasses disparities in digital skills, affordability, social acceptance, safety, and meaningful use of digital technologies. These interconnected challenges hinder rural women's ability to fully participate in the digital economy and benefit from digital governance, education, healthcare, and financial services.

3.1 Limited Digital Infrastructure

Although internet connectivity has expanded rapidly in India, digital infrastructure remains unevenly distributed across rural and remote regions. Many villages continue to experience poor broadband connectivity, weak mobile network coverage, slow internet speeds, and frequent power outages. Such infrastructural deficiencies restrict access to online education, telemedicine, digital banking, e-commerce, and government services. In hilly, tribal, and geographically isolated areas, inadequate telecommunications infrastructure further widens the digital divide. Without reliable internet and uninterrupted electricity, digital empowerment initiatives cannot achieve their intended outcomes.

3.2 Affordability of Digital Devices and Internet Services

Economic inequality remains one of the most significant barriers to digital inclusion. Although smartphone prices have declined in recent years, purchasing smartphones, tablets, or laptops remains financially challenging for many rural households. In addition, recurring expenses for internet data plans, device maintenance, and repairs discourage continuous digital engagement. Within low-income families, digital devices are often prioritized for male members or children, limiting women's independent access to technology. Financial constraints therefore contribute directly to gender-based digital exclusion.

3.3 Low Digital Literacy

Access to digital devices alone does not guarantee digital empowerment. Many rural women lack the knowledge and practical skills required to operate smartphones, navigate digital applications, use government portals, conduct online banking, or participate in digital learning. Limited literacy and low educational attainment further reduce their ability to understand digital content and utilize online services effectively. Moreover, many women are unfamiliar with cybersecurity practices, making them vulnerable to online fraud and misinformation. Continuous digital literacy training is therefore essential for meaningful digital inclusion.

3.4 Gender-Based Social and Cultural Norms

Deep-rooted patriarchal norms continue to influence women's access to technology in many rural communities. Cultural beliefs often discourage women from owning mobile phones or using the internet independently. Household responsibilities, restrictions on mobility, and limited decision-making power further reduce opportunities for digital participation. In some families, women require permission from male relatives to access digital devices or visit Common Service Centres (CSCs). These social constraints significantly hinder women's digital empowerment despite improvements in technological infrastructure.

3.5 Educational Disparities

Education plays a crucial role in determining digital competence. Rural women generally have lower educational attainment than men due to historical gender inequalities, early marriage, school dropout, and limited access to higher education. Lower levels of education reduce confidence in using digital technologies and make it difficult to understand online information, complete digital transactions, or access e-governance services. Improving female education is therefore fundamental to bridging the digital divide.

3.6 Language and Local Content Barriers

Most digital platforms, government websites, educational resources, and mobile applications are primarily available in English or a limited number of regional languages. Rural women who communicate in local dialects often face difficulties understanding digital interfaces and online content. The lack of culturally relevant and localized digital content reduces meaningful engagement with technology. Developing multilingual applications and voice-based digital services can significantly improve accessibility for rural women.

3.7 Online Safety and Cybersecurity Concerns

Cybersecurity has emerged as a major concern for first-time internet users. Rural women frequently encounter risks such as cyber fraud, phishing attacks, identity theft, financial scams, cyberbullying, misinformation, and online harassment. Fear of these threats discourages many women from adopting digital technologies or conducting online financial transactions. Limited awareness of cybersecurity practices further increases their vulnerability. Strengthening cyber awareness and establishing secure digital environments are essential for encouraging greater participation.

3.8 Lack of Digital Confidence and Self-Efficacy

Many rural women hesitate to use digital technologies because they fear making mistakes, damaging devices, losing money during online transactions, or being unable to resolve technical problems. This lack of confidence often results from limited exposure to technology and inadequate training opportunities. Psychological barriers can persist even after women gain access to smartphones or internet connectivity. Mentorship, peer learning, and community-based digital training programmes can help build confidence and encourage independent technology use.

3.9 Persistent Digital Gender Gap

Despite rapid digital expansion in India, significant gender disparities remain in smartphone ownership, internet usage, digital skills, and participation in online economic activities. According to the GSMA Mobile Gender Gap Report (GSMA, 2026), women in low- and middle-income countries remain 12% less likely than men to use mobile internet, and South Asia continues to experience one of the largest gender gaps globally. This imbalance restricts women's access to employment opportunities, financial services, online education, and digital entrepreneurship. Addressing the digital gender gap requires targeted gender-sensitive policies and sustained investments in women's digital inclusion.

3.10 Limited Access to Digital Financial Services

Digital financial inclusion has improved considerably through initiatives such as Jan Dhan Yojana, UPI, Aadhaar-enabled Payment Systems (AePS), and Direct Benefit Transfer (DBT) (Reserve Bank of India, 2025). However, many rural women still face difficulties in accessing and effectively using digital financial services. Challenges include limited financial literacy, inadequate understanding of mobile banking applications, lack of smartphone ownership, concerns regarding online fraud, and dependence on intermediaries for digital transactions. Strengthening digital financial literacy is essential for enhancing women's economic empowerment.

3.11 Inadequate Digital Skills Training

Although programmes such as PMGDISHA have significantly improved digital literacy (Ministry of Electronics and Information Technology, 2024), their coverage and quality remain uneven across regions. Many training programmes focus only on basic smartphone operations without developing advanced digital competencies such as online entrepreneurship, digital marketing, cybersecurity, artificial intelligence applications, or e-commerce management. Furthermore, the absence of regular follow-up training limits long-term skill retention. Continuous capacity-building initiatives are necessary to ensure sustainable digital empowerment.

3.12 Accessibility Challenges for Marginalized Groups

Women belonging to Scheduled Castes (SCs), Scheduled Tribes (STs), minority communities, economically weaker sections, elderly women, and women with disabilities often experience multiple forms of exclusion. They face additional barriers related to poverty, social discrimination, inaccessible technologies, inadequate assistive devices, and limited institutional support. Inclusive digital policies must address these intersecting inequalities to ensure that no group is left behind in the digital transformation process.

3.13 Weak Institutional Coordination

Digital empowerment programmes are implemented by multiple ministries, state governments, local authorities, non-governmental organizations, and private sector institutions. However, inadequate coordination among these stakeholders often results in fragmented implementation, duplication of efforts, inconsistent monitoring, and inefficient resource utilization. A coordinated, multi-stakeholder approach with clearly defined roles and measurable outcomes is necessary to maximize the impact of digital inclusion initiatives.

3.14 Resistance to Technological Change

Technological adoption is often influenced by social attitudes and behavioural factors. Many rural communities remain hesitant to adopt digital technologies because of limited awareness, distrust of online platforms, fear of financial losses, and preference for traditional methods of communication and financial transactions. Older women, in particular, may perceive digital technologies as complex or unnecessary. Community awareness campaigns, demonstration projects, and peer support networks can help overcome resistance and encourage greater acceptance of digital technologies.

3.15 Measuring Digital Inclusion and Impact

Evaluating the success of digital empowerment initiatives remains a major challenge due to the lack of standardized indicators and comprehensive gender-disaggregated data. Existing assessments often focus on infrastructure development or internet access while overlooking meaningful indicators such as digital skills, frequency of use, quality of engagement, economic outcomes, and improvements in decision-making capacity. Developing robust monitoring and evaluation frameworks is essential for assessing the long-term impact of digital inclusion programmes and guiding evidence-based policy decisions.

The digital divide among rural women is a multidimensional challenge influenced by economic, social, educational, cultural, technological, and institutional factors. Bridging this divide requires an integrated strategy that combines affordable digital infrastructure, universal digital literacy, gender-sensitive policies, localized digital content, secure online environments, financial inclusion, and continuous capacity building. Addressing these challenges will not only enhance women's digital participation but also contribute to inclusive economic growth, gender equality, and the achievement of the Sustainable Development Goals (SDGs) (United Nations, 2025).

4. Ways Forward: Strategies to Bridge the Digital Divide

Achieving digital empowerment for rural women requires a comprehensive approach involving government agencies, private sector organizations, civil society, educational institutions, and local communities. The following strategies can help bridge the digital divide and ensure inclusive digital development.

4.1 Strengthen Digital Infrastructure

The government should accelerate the expansion of high-speed broadband and reliable mobile connectivity in rural and remote areas through initiatives such as BharatNet and the Universal Service Obligation Fund (USOF) (Department of Telecommunications, 2025). Ensuring uninterrupted electricity supply and affordable internet services is equally important for sustained digital access.

4.2 Promote Affordable Access to Digital Devices

Affordable smartphones, tablets, and internet services should be made available to women from economically weaker sections through subsidies, easy financing, or public-private partnerships. Community digital centres and shared digital facilities can further improve access for women who cannot afford personal devices.

4.3 Expand Digital Literacy and Capacity Building

Digital literacy programmes should move beyond basic smartphone use and include digital financial literacy, cybersecurity awareness, e-governance services, online education, artificial intelligence (AI), and digital entrepreneurship. Continuous training through schools, colleges, Self-Help Groups (SHGs), Common Service Centres (CSCs), and Panchayats can enhance women's digital competence.

4.4 Develop Gender-Sensitive Digital Policies

Government policies should explicitly address the digital gender gap by prioritizing women's access to technology, digital education, entrepreneurship, and employment opportunities. Gender-disaggregated data should be regularly collected to monitor progress and design evidence-based interventions.

4.5 Promote Digital Financial Inclusion

Financial institutions should strengthen awareness of digital payment platforms such as UPI, mobile banking, and Aadhaar-enabled Payment Systems (AePS) (Reserve Bank of India, 2025). Special financial literacy programmes should be organized for rural women to improve confidence in digital transactions and reduce dependence on intermediaries.

4.6 Encourage Women's Digital Entrepreneurship

Women entrepreneurs should be supported through access to e-commerce platforms, digital marketing training, business incubation, microfinance, and mentorship programmes. Government initiatives such as Startup India, Stand-Up India, and the National Rural Livelihood Mission (NRLM) can be leveraged to promote women-led digital enterprises (Ministry of Rural Development, 2024).

4.7 Create Local Language and Inclusive Digital Content

Government portals, educational resources, healthcare applications, and agricultural advisory services should be available in regional languages and local dialects. Voice-enabled technologies and user-friendly interfaces can make digital platforms more accessible to women with limited literacy.

4.8 Strengthen Cybersecurity Awareness

Awareness programmes should educate rural women about cyber fraud, phishing, identity theft, online harassment, misinformation, and safe digital practices. Establishing accessible cybercrime reporting mechanisms and providing legal support can increase women's confidence in using digital platforms.

4.9 Promote Community Participation

Self-Help Groups (SHGs), Anganwadi Centres, Panchayati Raj Institutions, NGOs, and local educational institutions should actively participate in promoting digital literacy and awareness. Community-based learning creates peer support networks that encourage sustained digital engagement.

4.10 Enhance Collaboration Among Stakeholders

Effective digital empowerment requires coordination among government ministries, private technology companies, telecom providers, educational institutions, civil society organizations, and international agencies. Public-private partnerships can accelerate digital inclusion through innovation, investment, and knowledge sharing.

4.11 Focus on Marginalized and Vulnerable Groups

Special attention should be given to women from Scheduled Castes (SCs), Scheduled Tribes (STs), minority communities, women with disabilities, and elderly women. Accessible technologies, assistive devices, and targeted digital literacy programmes are essential to ensure equitable participation.

4.12 Strengthen Monitoring and Evaluation

A robust monitoring framework with measurable indicators should assess digital access, digital literacy, internet usage, digital financial inclusion, and socio-economic outcomes. Regular evaluation using gender-disaggregated data will help improve programme effectiveness and policy implementation.

Bridging the digital divide is not merely a technological challenge but a socio-economic and developmental imperative. Digital empowerment of rural women can significantly enhance financial inclusion, education, healthcare, entrepreneurship, and civic participation. However, achieving meaningful digital inclusion requires addressing barriers related to infrastructure, affordability, digital literacy, gender norms, cybersecurity, and institutional coordination. A collaborative, gender-responsive, and inclusive approach can ensure that rural women become active participants in India's digital transformation, thereby contributing to sustainable development and the realization of Sustainable Development Goal 5 (Gender Equality) and SDG 9 (Industry, Innovation, and Infrastructure) (United Nations, 2025).

5. Policy Implications

The findings of this study suggest that bridging the digital divide among rural women requires a holistic and gender-responsive policy framework that addresses not only digital infrastructure but also affordability, digital literacy, social inclusion, and institutional coordination. The following policy implications are recommended to strengthen digital empowerment initiatives in India.

5.1 Adopt a Gender-Responsive Digital Inclusion Policy

Digital policies should explicitly recognize the unique challenges faced by rural women and incorporate gender-specific targets and measurable outcomes. Government programmes under Digital India should prioritize women's access to digital technologies, digital skills, and online economic opportunities (Ministry of Electronics and Information Technology, 2025). Gender-disaggregated data should be systematically collected to monitor progress and evaluate policy effectiveness.

5.2 Strengthen Rural Digital Infrastructure

Accelerating the implementation of BharatNet and improving last-mile connectivity should remain a national priority (Department of Telecommunications, 2025). Policymakers should ensure reliable broadband services, uninterrupted electricity supply, and affordable internet access in remote and underserved regions. Public investment in digital infrastructure is essential for reducing regional disparities in digital access.

5.3 Expand Digital Literacy through Community-Based Models

Digital literacy programmes such as Pradhan Mantri Gramin Digital Saksharta Abhiyan (PMGDISHA) should be expanded with a greater focus on rural women (Ministry of Electronics and Information Technology, 2024). Training should extend beyond basic smartphone use to include digital financial literacy, cybersecurity, e-governance, digital entrepreneurship, artificial intelligence (AI) awareness, and responsible use of social media. Community-based institutions such as Self-Help Groups (SHGs), Common Service Centres (CSCs), Panchayati Raj Institutions, and educational institutions should be actively involved in delivering these programmes.

5.4 Improve Affordability of Digital Devices

The government, in collaboration with private sector organizations, should introduce subsidy schemes, low-interest financing, and installment-based purchase options for smartphones and digital devices for economically disadvantaged women. Affordable internet data plans and public Wi-Fi facilities in villages can further promote digital inclusion.

5.5 Promote Women's Digital Entrepreneurship

Policy measures should encourage women-led digital enterprises by providing access to skill development, business incubation, digital marketing support, microfinance, and e-commerce platforms. Strengthening linkages between women's Self-Help Groups and digital marketplaces can increase income generation and economic independence.

5.6 Enhance Cybersecurity and Digital Safety

National and state governments should implement large-scale awareness campaigns on cyber hygiene, online fraud prevention, digital privacy, and safe internet practices. Accessible grievance redressal mechanisms and cybercrime reporting systems should be strengthened to enhance women's confidence in using digital platforms.

5.7 Develop Inclusive Digital Content

Government departments and technology providers should ensure that digital services, educational resources, healthcare applications, and agricultural advisories are available in regional languages and local dialects. User-friendly interfaces, voice-enabled technologies,

and accessibility features should be incorporated to support women with limited literacy and persons with disabilities.

5.8 Strengthen Multi-Stakeholder Collaboration

Effective digital empowerment requires coordinated efforts among government ministries, telecom service providers, technology companies, educational institutions, non-governmental organizations, financial institutions, and international organizations. Public-private partnerships should be encouraged to leverage innovation, investment, and technical expertise in expanding digital inclusion.

5.9 Promote Continuous Monitoring and Evaluation

A comprehensive monitoring framework should be established to evaluate digital empowerment programmes based on measurable indicators such as internet usage, digital literacy, financial inclusion, online entrepreneurship, and socio-economic outcomes. Regular impact assessments using gender-disaggregated data will facilitate evidence-based policymaking and improve programme implementation.

5.10 Align Digital Empowerment with Sustainable Development Goals (SDGs)

Digital empowerment policies should be aligned with the United Nations Sustainable Development Goals, particularly SDG 5 (Gender Equality), SDG 8 (Decent Work and Economic Growth), SDG 9 (Industry, Innovation and Infrastructure), and SDG 10 (Reduced Inequalities) (United Nations, 2025). Integrating digital inclusion into broader rural development and women's empowerment strategies will contribute to inclusive, sustainable, and equitable growth.

The digital empowerment of rural women should be viewed as a strategic investment in India's socio-economic development rather than merely a technology initiative. Policies that simultaneously improve infrastructure, affordability, digital literacy, safety, and economic opportunities can significantly reduce the digital divide. A coordinated, inclusive, and gender-sensitive policy framework will enable rural women to participate effectively in the digital economy, enhance their livelihoods, strengthen social inclusion, and contribute to achieving the vision of Viksit Bharat 2047 (NITI Aayog, 2026).

6. Conclusion

Digital empowerment has emerged as a transformative force for achieving gender equality, inclusive growth, and sustainable rural development. For rural women, digital technologies provide unprecedented opportunities to access education, healthcare, financial services, government welfare schemes, entrepreneurship, agricultural information, and social networks. Government initiatives such as Digital India, BharatNet, Pradhan Mantri Gramin Digital Saksharta Abhiyan (PMGDISHA), the Jan Dhan-Aadhaar-Mobile (JAM) Trinity, Unified Payments Interface (UPI), and Common Service Centres (CSCs) have significantly expanded digital infrastructure and improved access to digital services across rural India.

Despite these advancements, the benefits of digital transformation remain unevenly distributed. Persistent challenges including inadequate digital infrastructure, affordability constraints, low digital literacy, gender-based social norms, educational disparities, language barriers, cybersecurity concerns, and limited digital confidence continue to restrict rural women's meaningful participation in the digital ecosystem. Recent national and international reports indicate that while internet penetration and smartphone ownership have increased substantially, the digital gender gap persists, particularly in rural and economically disadvantaged communities (GSMA, 2026). This highlights that digital inclusion is not merely about providing access to technology but also about ensuring the capability, confidence, and opportunity to use digital tools effectively and safely.

Bridging the digital divide requires a comprehensive, gender-responsive, and multi-stakeholder approach. Investments in reliable digital infrastructure must be complemented by affordable devices, continuous digital literacy programmes, localized digital content, cybersecurity awareness, and targeted support for women's digital entrepreneurship. Greater collaboration among government agencies, educational institutions, civil society organizations, the private sector, and local communities is essential to ensure that digital initiatives reach the most marginalized women. Regular monitoring using gender-disaggregated data and evidence-based policymaking will further strengthen the effectiveness and sustainability of digital inclusion programmes.

Ultimately, the digital empowerment of rural women is not only a matter of technological advancement but also a catalyst for social justice, economic resilience, and inclusive national development. Empowered with digital knowledge and skills, rural women can become active participants in the digital economy, informed decision-makers within their households and communities, successful entrepreneurs, and contributors to India's innovation-driven growth. Therefore, narrowing the digital divide should remain a national priority to realize the vision of *Viksit Bharat 2047* (NITI Aayog, 2026) and to advance the United Nations Sustainable Development Goals, particularly SDG 5 (Gender Equality), SDG 8 (Decent Work and Economic Growth), SDG 9 (Industry, Innovation and Infrastructure), and SDG 10 (Reduced Inequalities) (United Nations, 2025). Ensuring equitable digital access and meaningful digital participation for rural women will not only empower individuals but also strengthen communities and accelerate India's journey towards an inclusive, digitally empowered society.

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Women and Justice under the Constitutions of Bangladesh and Nepal: A Comparative Study

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ABSTRACT

This paper explores the idea of gender justice and how it has evolved within the constitutional and legal frameworks of two South Asian countries namely Nepal and Bangladesh. It examines how both countries, despite sharing similar historical, cultural, and regional backgrounds, have taken different paths in addressing gender inequality. The study uses a doctrinal and socio-legal approach to analysis constitutional provisions, judicial developments, and international instruments such as Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and South Asian Association for Regional Cooperation (SAARC) charters. It critically assesses the role of personal laws and customary practices in hindering substantive equality despite progressive constitutional mandates. Nepal's Constitution and judiciary have shown more progressive engagement in women-centric cases, while Bangladesh's journey highlights challenges in implementation and access to justice. Through this comparative analysis, the paper identifies gaps between law and practice, showing that constitutional promises often fail to translate into lived equality. It argues that legal pluralism and weak enforcement mechanisms remain key barriers to gender justice across both jurisdictions. It concludes that achieving real gender justice in the region requires stronger enforcement of existing laws, deeper social reform, and collective regional efforts under SAARC to promote equality and empowerment for all genders.

Keywords: Gender Justice, CEDAW, SAARC, Women's Right, South Asian Legal Systems

1. Introduction

Gender justice generally means equality between women and men in law, institutions, and everyday life. It ensures that every person regardless of gender or sexual identity can enjoy their human rights in reality, not just in theory. It is not only about being equal before the law but also about having equal access to the judicial system, participation in decision-making, and fair representation in state institutions. Equality and participation should not be

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only symbolic or decorative; they must bring real and positive change in people's lives, irrespective of their gender identity.

Justice, in this sense, includes both equality the same rights and treatment under law and equity, which means ensuring fairness by considering different needs of individuals and communities. Most importantly, gender justice seeks to restructure unequal power relations so that all citizens can freely enjoy their rights without formal or informal barriers. It focuses on the diverse experiences, needs, and leadership of people who suffer most from discrimination and inequality.

Different international organizations explain gender justice in their own ways, but their aim remains the same to build an equal and fair society. Oxfam³ defines it as achieving both equality and equity between men and women in all areas of life. The Global Fund for Women⁴ looks at it from an intersectional view, recognizing that women face different forms of discrimination based on class, race, or sexuality. Similarly, CEDAW⁵ focuses on changing unequal power relations to build a just society. Altogether, these organizations highlight that gender justice is not just about recognizing equality in law but ensuring it is practiced in real life, so that all people, regardless of gender, can enjoy their rights equally.

This paper aims to examine the constitutional evolution of Bangladesh and Nepal concerning women's rights and gender justice, it aims to understand how the two SAARC countries have addressed the concept of gender justice, traced its historical development and examined the role of the judiciary in shaping it. It explores how these countries have developed their constitutional and legal frameworks, how their municipal laws and judicial pronouncements address gender inequality, and to what extent these efforts have achieved the constitutional promise of equality and justice for women.

It also explores how, despite having regional instruments, ratifying global conventions, and incorporating gender justice provisions within their domestic legal frameworks, these nations have still fallen short of achieving complete gender equality in practice. The study further analyses how different legal systems within these countries have responded to and attempted to resolve the persistent challenges in realizing true gender justice.

This study follows a doctrinal, socio-legal, and comparative constitutional approach, relying on constitutional provisions, judicial decisions, academic writings, and international instruments, along with analyzing laws and case precedents.

2. Historical Background

The idea of gender justice has not been the same throughout time. In the beginning, when thinkers like Aristotle, Rousseau, and Kant talked about justice, they mostly discussed it in relation to men and the public life of society, excluding women and the family from its scope. The family, where women mainly lived, was never seen as a part of justice, and this is where inequality actually began. Later, many principles emerged and several scholars started to speak about feminist entitlements in education, property, and public life. After the adoption of international instruments like the *Universal Declaration of Human Rights* (1948) and the *Convention on the Elimination of All Forms of Discrimination Against Women* (1979), the focus of justice became wider it started to include women's equality in law and society.

³ Oxfam International, 'Gender Justice & Women's Rights' (Oxfam International, 2022) <<https://policy-practice.oxfam.org/gender-justice-womens-rights>> accessed 20 October 2025

⁴ Global Fund for Women, 'What is Gender Justice?/FAQs' (Global Fund for Women, 2022) <<https://www.globalfundforwomen.org/faqs/>> accessed 20 October 2025

⁵ *Convention on the Elimination of All Forms of Discrimination against Women* (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13 (CEDAW)

Feminist scholars like Susan Moller Okin then argued that real justice cannot be achieved unless the injustice within the family is also addressed. In today's time, gender justice means not only having equal laws but also making sure that both men and women get equal opportunities, respect, and outcomes in every part of life, whether in home or outside.⁶

Women rights in Bangladesh were overlooked in the beginning because it came out of war and the focus was on the rights and development of nation as a whole⁷, following Bangladesh's independence, the question of women's rights received limited attention, as the newly formed state focused primarily on reconstruction and national development after the Liberation War. The idea of gender justice in Bangladesh has developed slowly through history and is shaped by its colonial past, religion, and modern law. Bangladesh inherited a dual legal system from British India and Pakistan, which included both general laws and personal laws to deal with marriage, divorce, property, and family matters. These personal laws were made and interpreted mostly by men, so they reflected patriarchal thinking and often kept women in unequal. Although the Constitution of Bangladesh promises equality and non-discrimination for all citizens, there is still a clear conflict between this constitutional equality and the discriminatory realities. Over the years, feminist movements and some progressive judges have tried to change this by using constitutional equality and international human rights laws like CEDAW, to make justice more equal for women. But even today, as Hossain notes⁸, there is a big gap between the theory of gender justice and its practice, because, plural legal systems, and conservative traditions still hold strong. So, the journey of gender justice in Bangladesh shows progress in law and awareness, but real equality is still limited by patriarchal interpretation of laws and social resistance.

The evolution of gender justice in Nepal is rooted in its patriarchal and caste-based social system, where women's roles were long confined to domestic and subordinate spaces. Nepal's gender relations have historically been shaped by social hierarchies of caste, class, and ethnicity, which limited women's access to resources and authority. Although constitutional and policy reforms after 1990 introduced gender equality and women's empowerment, development institutions continued to reflect male dominance and high-caste privilege. By coming up with the 2015 Constitution Nepal tries to ensure equal rights and representation, yet deep-rooted cultural attitudes still restrict women's participation and justice. Thus, Nepal's journey shows progress in law and policy but continuing struggle against patriarchal norms and caste-based inequalities.⁹

3. Constitutional Framework

The Constitution reflects the fundamental ideas on which a nation chooses to build its future; therefore, it is important to examine its formation and provisions to understand how the Constitution addresses and protects the entitlements of female.

⁶Susan Moller Okin, *Justice, Gender and the Family* (Basic Books 1989); Susan Moller Okin, 'Justice and Gender' (1987) 16(1) *Philosophy and Public Affairs* 42 <<https://www.jstor.org/stable/2265205>> accessed 13 December 2026

⁷ Naila Kabeer, 'Subordination and Struggle: Women in Bangladesh' (1988) 168 *New Left Review* 95 <<https://newleftreview.org/issues/i168/articles/naila-kabeer-subordination-and-struggle-women-in-bangladesh.pdf>> accessed 20 October 2025

⁸Julaikha B Hossain, 'Rethinking Personal Laws and Gender Justice from a Bangladesh Perspective' in Ragnhild Lund, Philippe Doney and Bernadette P Resurrección (eds), *Gendered Entanglements: Revisiting Gender in Rapidly Changing Asia* (NIAS Press 2015) 293

⁹ P B Udas and M Z Zwartveen, 'Can Water Professionals Meet Gender Goals? A Case Study of the Department of Irrigation in Nepal' in Ragnhild Lund, Philippe Doney and Bernadette P Resurrección (eds), *Gendered Entanglements: Revisiting Gender in Rapidly Changing Asia* (NIAS Press 2015) 233

In the case of Nepal, female played a transformative yet constrained role in constitution-making process. The 2008 Constituent Assembly (CA) was historic as it ensured 33 per cent female representation through the quota provision introduced by the Interim Constitution of 2007. For the first time, women from diverse groups including Dalit, Janajati, Madhesi, and Muslim communities participated in drafting the nation's constitution, marking a major shift toward inclusive governance¹⁰. However, despite this achievement, the male-dominated political culture limited women's substantive influence; most key decisions were made by senior male leaders in informal forums, and ideological as well as caste-based divisions among women weakened collective advocacy for gender equality. Nonetheless, women's persistent engagement ensured that the Constitution of Nepal 2015 enshrined strong gender justice provisions.¹¹

The Constitution of Nepal (2015) strongly reflects the idea of gender justice throughout its different parts. From the very Preamble, it promises to eradicate all modes of marginalization rooted in class, caste, region, language, religion, and gender, showing that equality and inclusion are at the heart of the Constitution. **Article 18**¹² ensures equality before the law and prohibits discrimination on the basis of sex, while **Article 38**¹³ gives women rights to equal lineage, property, maternal wellness, and defence from violence and abuse. **Articles 42**¹⁴ and **43**¹⁵ focus on social justice and social security for women, ensuring their participation and state protection, especially for those from marginalized backgrounds. The Directive Principles under **Article 51(j)(1) and (2)**¹⁶ further guide the State to include women in all levels of decision-making and to promote their empowerment and advancement. To make these rights effective, the Constitution also establishes special constitutional bodies, the National Commission for women¹⁷, the National Commission on Inclusion¹⁸ and other inclusion-related commissions¹⁹, which work to protect and promote women's rights in practice. Altogether, these parts show that Nepal's Constitution does not treat gender justice as a single issue but as a continuous goal that runs through the whole constitutional framework.²⁰

In case of Bangladesh after independence in 1971, Bangladesh formed a Constituent Assembly of 404 members to draft its first Constitution. A 34-member Drafting Committee, led by Dr. Kamal Hossain, out of the 34 members in the Constitution Drafting Committee of Bangladesh, only one was a woman Begum Razia Banu, who was a senior leader of the Awami League²¹. She contributed to discussions on fundamental rights and equality, and her presence was an important step towards women's inclusion in national decision-making. However, her actual influence remained limited, as the committee was largely male-

¹⁰Ara Kanel, 'Women's Political Representation in Nepal: An Experience from the 2008 Constituent Assembly' (2014) 20(4) *Asian Journal of Women's Studies* 39 < <https://www.tandfonline.com/doi/abs/10.1080/12259276.2014.11666197> > accessed 11 January 2026

¹¹International IDEA, Nepal Law Society and Women's Caucus of the Constituent Assembly, *Women Members of the Constituent Assembly: A Study on Contribution of Women in Constitution Making in Nepal* (International IDEA 2012)

¹²*Constitution of Nepal* 2015, art 18

¹³*Constitution of Nepal* 2015, art 38

¹⁴*Constitution of Nepal* 2015, art 42

¹⁵*Constitution of Nepal* 2015, art 43

¹⁶*Constitution of Nepal* 2015, art 51

¹⁷*Constitution of Nepal* 2015, art 248

¹⁸*Constitution of Nepal* 2015, art 252

¹⁹ *Constitution of Nepal* 2015, art 253

²⁰*The Constitution of Nepal* 2015 (adopted 20 September 2015, Government of Nepal)

²¹ M Rafiqul Islam, *Constitutional Law of Bangladesh* (3rd edition, Mullick Brothers 2018) 42-45

dominated, however, even though women's direct participation was restricted, the spirit of gender equality was embedded in the Constitution through several key provisions.

The Constitution of Bangladesh (1972) embodies idea of gender justice and justice and equality. The Preamble declares the aim of building a society founded on equality and social justice for both men and women. Under the Fundamental Principles of State Policy, **Article 10**²² directs the State to facilitate women's engagement in all sectors of the nation, while **Article 19(3)**²³ calls for equal opportunity for all citizens. This principle gains legal strength in the Fundamental Rights chapter, where **Article 27**²⁴ guarantees equality before the law and **Article 28(1)**²⁵ prohibits discrimination based on sex. At the same time, **Article 28(4)**²⁶ permits special measures for women and children to correct existing inequalities, and **Article 65(3)**²⁷ reserves seats for women in Parliament, ensuring their political presence. Collectively, these provisions demonstrate that Bangladesh's Constitution envisions gender equality as part of broader social justice. Yet, unlike Nepal, it focuses on legal and political equality, without establishing institutional mechanisms to enforce gender justice in practice.

4. International Instrument

As members of SAARC, both Bangladesh and Nepal are bound by the *SAARC Social Charter (2004)*²⁸, which affirms the promotion of women's status, elimination of discrimination, and integration of gender perspectives in national development. Despite this shared regional commitment, the realization of gender justice within their domestic frameworks remains uneven²⁹

The *SAARC Convention* adopted at the Kathmandu Summit, commits all South Asian state reflecting their regional obligation to address gender-based exploitation in line with their constitutional commitments to dignity and equality.³⁰

In continuation of earlier commitments, SAARC adopted the *Gender Policy Advocacy Framework (2010)* to mainstream gender perspectives across all policy areas and ensure women's full participation in governance and development. Both Bangladesh and Nepal have aligned several national strategies with this framework, reflecting their regional commitment to achieving gender justice.³¹

Both Bangladesh and Nepal have accepted major international instruments on gender justice, such as CEDAW³², the ICCPR³³, and the ICESCR³⁴, showing their commitment to

²²Constitution of the People's Republic of Bangladesh 1972, art 10

²³Constitution of the People's Republic of Bangladesh 1972, art 19

²⁴Constitution of the People's Republic of Bangladesh 1972, art 27

²⁵Constitution of the People's Republic of Bangladesh 1972, art 28

²⁶Constitution of the People's Republic of Bangladesh 1972, art 28

²⁷Constitution of the People's Republic of Bangladesh 1972, art 65

²⁸SAARC Social Charter (adopted 4 January 2004, Islamabad) < <https://saarc-sec.org/publications/saarc-social-charter> > accessed 23 October 2025

²⁹ *ibid*

³⁰SAARC Convention on Preventing and Combating the Trafficking in Women and Children for Prostitution (adopted 5 January 2002, Kathmandu, Nepal, entered into force 15 November 2005) < <https://saarc-sec.org/publications/detail/saarc-convention-on-trafficking> > accessed 23 October 2025

³¹SAARC Gender Policy Advocacy Framework (adopted 2010, SAARC Secretariat, Kathmandu, Nepal) < <https://saarc-sec.org/publications/detail/saarc-gender-policy-advocacy-framework> > accessed 23 October 2025

³²Domestic Violence (Prevention and Protection) Act 2010 (Bangladesh)

³³International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171

promoting equality and women's rights. However, the level of incorporation into domestic law differs. Nepal, after ratifying CEDAW, has strongly integrated its principles into the Constitution of 2015, which guarantees equality rights of women, and mandates the state to implement gender equality through special measures. It has also reformed over fifty discriminatory laws through the Gender Equality Act 2006, showing a close link between its constitutional, legal, and international obligations. In contrast, Bangladesh, though an early ratifier of CEDAW, did so with reservations to key provisions relating to family and personal law. Its implementation has mostly come through policies and statutory laws such as the Domestic Violence Act 2010³⁵ and the National Women Development Policy 2011³⁶, rather than full constitutional incorporation. Thus, while both countries are formally committed to gender equality, Nepal demonstrates a more direct and constitutional alignment with international standards, whereas Bangladesh's approach remains partial and policy-driven.

5. Judicial Development in Bangladesh

With respect to judicial developments Bangladesh has not delivered a large number of gender-related rulings but in the landmark case of *Bangladesh National Women Lawyers Association (BNWLA) v Government of Bangladesh* ³⁷ a turning point was marked in the legal protection of women in Bangladesh. The High Court Division recognized sexual harassment as a violation of fundamental rights under Articles 27, 28, and 31 of the Constitution and declared that the absence of legal safeguards violated Bangladesh's liability under CEDAW, which the country had ratified in 1984. Drawing upon CEDAW principles and the Indian precedent³⁸, in direct response, the Parliament of Bangladesh passed the Domestic Violence (Prevention and Protection) Act 2010, which extended legal protection against physical, sexual, psychological, and economic abuse. Additionally, the National Women Development Policy 2011 incorporated the Court's directions on workplace harassment. Together, these legal and policy reforms transformed the judicial guidelines into enforceable state obligations, aligning Bangladesh's domestic law with its constitutional principles of equality and international commitments under CEDAW.

6. Judicial Development in Nepal

Nepal's judiciary has played a very active and progressive role in improving the condition of women and promoting gender justice. Over the years, the Apex Court of Nepal has decided many important cases related to women's rights and equality. In *Pun Devi Maharjan v GoN, Office of Prime Minister and Council of Ministers and Others Supreme Court of Nepal* (2008)³⁹ A petition challenged the traditional practice of appointing young girls as *Kumaris* or "living goddesses," claiming social restrictions placed and exclusion from religious festivals violated children's rights. Following an inquiry, the Apex Court determined that the Kumari tradition neither obstructed the girls' educational opportunity nor amounted to exploitation. Instead, it recognized the *Kumari* as an important part of Nepal's cultural and religious heritage. The Court told the administration to compensate former Kumaris who had not been properly reunited into society and to conduct a study to

³⁴International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3

³⁵Domestic Violence (Prevention and Protection) Act 2010 (Bangladesh)

³⁶National Women Development Policy 2011 (Bangladesh)

³⁷*Bangladesh National Women Lawyers Association (BNWLA) v Government of Bangladesh* [2009] 14 BLC (HCD) 694

³⁸*Vishaka v State of Rajasthan* AIR 1997 SC 3011 (India)

³⁹15 Renowned Precedents Set by Nepalese Courts: Noteworthy Cases That Established Legal Precedence in Nepal - *१५नजीरहरु* (Nepali Talim, 15 June 2023) < <https://www.nepalitalim.com/2023/06/15-renowned-precedents-set-by-nepalese.html> > accessed 30 October 2025

recommend ways to protect the entitlements, welfare, and communal security of both present and previous Kumaris. This judgment reflects the Court's careful effort to balance respect for cultural traditions with the defense of children's entitlement and establishes an important precedent for emphasizing the real child development in social justice overhaul.⁴⁰

In a particular case the Apex Court of Nepal addressed the discriminatory provisions of the *Muluki Ain* that restricted daughters' right to inherit property if they married before the age of 35. The Court held that such provisions violated the constitutional right to equality and Nepal's international obligations under CEDAW, affirming that daughters have equal inheritance rights regardless of marital status. This judgment became a milestone in advancing women's property entitlements and gender parity in Nepal.⁴¹

Nepal courts also come up with decisions with issues like reproductive rights, marital rape, privacy, and citizenship rights in a case⁴² and *Jit Kumari Pangeni v Office of Prime Minister and Council of Ministers and Others* (2008). The Court has also taken a stand against hurtful customs and exploitation⁴³ and addressed discrimination faced by marginalized communities in *Tek Tamrakar v HMG Cabinet Secretariat* (2005) and *Punyabati Pathak v Ministry of Foreign Affairs* (2005). Similarly, in different *Meera Dhungana* cases (2004, 2005, 2006), the Court worked to end discrimination in property, marriage, and dowry laws. Later cases like *Rama Panta Kharel v Office of Prime Minister and Council of Ministers* (2008) and *Achyut Prasad Kharel v Office of Prime Minister and Council of Ministers* (2008) also showed how the Court is trying to balance traditional values with modern constitutional ideas of equality. Altogether, these cases show that Nepal's courts have continuously worked for women's upliftment and equality, making the law a tool for real social change.

7. Comparative Analysis

As part of the South Asian region, our countries share many common principles, customs, and challenges. The problems related to justice, especially gender justice, are more or less similar across the region. However, after careful analysis, it appears that the Constitution of Nepal addresses women's issues more clearly and comprehensively than that of Bangladesh. Nepal's Constitution gives special attention to matters such as equality, participation, maternity rights, and other aspects of women's empowerment. It contains well-defined provisions and has also shown strong judicial activism, with courts frequently delivering women-centric judgments.

On the other hand, the Constitution of Bangladesh upholds the principles of equality and social justice and includes provisions for women's welfare. However, these are not dealt with as extensively or in as much detail as in Nepal. Moreover, Bangladesh has fewer landmark judicial decisions focused specifically on women's rights compared to Nepal.

Every country in South Asia faces its own challenges in achieving gender justice. No nation can progress effectively when half of its population continues to struggle for basic security, dignity, and equal opportunity. This situation affects not only each country's

⁴⁰*Pun Devi Maharjan v Government of Nepal (GoN), Office of the Prime Minister and Council of Ministers and Others* NKP 2065 (7981) (Supreme Court of Nepal) <<https://www.law.cornell.edu/gender-justice/resource/pun-devi-maharjan-v-gon-office-of-prime-minister-and-council-of-ministers-and-others>> accessed 30 October 2025

⁴¹ *Meera Dhungana v Office of Prime Minister and Council of Ministers and Others* Supreme Court of Nepal [2007] writ no: 063-WS-0019 of the Year 2060

⁴² *Sapana Pradhan Malla v Office of Prime Minister and Council of Ministers and Others* [2007] Writ No. 3561 of the year 2063 B.S. (2006)

⁴³ *Somprasad Paneru v Office of Prime Minister and Council of Ministers and Others* [2006] NKP 2063, Decision No. 7709

development but also the overall image of South Asia, especially in the eyes of the world. The Indian Constitution appears as a beacon of guidance when navigating the country's gender equality landscape, showing the way to a society that is more just and equal. Even though there has been a lot of progress, there are still obstacles to overcome, which serves as a reminder of how important it is to stick to the fundamental principles of equality, justice, and dignity for all.

The foundation for revolutionary change lies in the constitutional guarantees of gender equality, found in clauses such as the Right to Equality, the Directive Principles of State Policy, and specific provisions. In addition to upholding women's rights, these clauses enable them to exercise their agency, confront discriminatory acts, and establish their rightful place in society. It is impossible to overestimate the judiciary's role as the defender of constitutional principles. By establishing precedents for dealing with problems like sexual harassment, reproductive rights, and gender-based violence, landmark rulings have broadened the scope of gender equality. However, the judiciary's responsibilities go beyond making decisions; they also include promoting an accountable culture and making sure that legislative protections are implemented effectively.⁴⁴ The Constitution encourages women to participate in administration on an equal footing with men. But nationwide, this kind of involvement is really rare. They barely participate in Indian politics. The demand for 33 percent of the seats in the Lok Sabha and Vidhan Sabha to be reserved for women has resulted from this circumstance. The Constitution (73rd Amendment) Act of 1992 and the Constitution (74th Amendment) Act of 1992, which set aside seats for women in Gram Panchayats and Municipal Bodies, have contributed to women's political empowerment. Several causes, including financial dependence, social disadvantages, spousal abuse, illiteracy, and a lack of political understanding, push women back. Equal economic rights for women in terms of working conditions, pay, maternity benefits, equal compensation, property rights, succession, etc., are provided by several laws. These laws operate in accordance with the Directive Principles of State Policy and fundamental rights. Personal laws are established to give women the same social standing as men. Criminal law and process are in place to support victims of violence against women both inside and outside the country.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 was created to shield women from sexual harassment at work. It seeks to give women a safe and secure work environment.⁴⁵ The Constitution (One Hundred and Sixth Amendment) Act 2023, which reserves one-third of seats in the Lok Sabha and State Legislative Assemblies for women, strengthened political representation. The Apex Court has acknowledged that social security programs, such as the Maternity Benefit Act 1961, which was revised in 2017 to extend paid leave to 26 weeks, are essential to women's right to livelihood and dignity under Article 21. Discriminatory personal laws have also been addressed by legislative amendments, such as the Muslim Women (Protection of Rights on Marriage) Act 2019, which made quick triple talaq illegal. Government initiatives to raise awareness of menstrual hygiene and provide access to sanitary pads go beyond legislation and demonstrate a broader commitment to substantive equality. These developments show

⁴⁴ N S Ambedkar, 'Upholding Gender Equality: The Role of the Indian Constitution' (2024) 14(5) *International Journal of Innovative Practice And Applied Research* 136 <<https://jesdrf.com/IJIPAR%20Vol%2014%20SI%205%20May%202024.pdf#page=141>> accessed 14 January 2026

⁴⁵ Gyan Chand Yadav, 'Constitutional Safeguards and the Pursuit of Gender Justice in India' (2025) 11(4) *International Journal of Science and Consciousness* 33 <<https://doi.org/10.5281/zenodo.18213243>> accessed 22 February 2026

that, despite ongoing implementation difficulties, constitutional provisions may result in concrete rights for women when combined with legislative intent and judicial sensitivity. To move forward, our first priority must be to ensure the effectual execution of the laws and international charters that these countries have already accepted. Gender justice cannot remain only a constitutional promise it must be a lived reality through strict enforcement, awareness, and regional cooperation.

8. Conclusion and suggestions

The voices for gender justice have been strong across the world, especially in the global south. But still, they are not always taken as seriously as they should be. Even though there have been many talks, reforms, and international commitments, the real issues that women face in daily life are often ignored or remain unsolved. Writers and academicians alike point out that even today, they are struggling with problems related to gender justice. Daniel Aguirre and Irene Pietropaoli argue that Nepal's transitional justice process after the civil war should not only focus on punishing crimes but also deal with the deep roots of inequality, especially gender discrimination. They explain that women suffered heavily during the conflict but were mostly left out from the peace and rebuilding process. They believe that real justice should be transformative, not to return to the same old unequal system, but to build a fair one where women have full participation, equality, and dignity in society.⁴⁶

In the same way, Bangladesh's experience shows both progress and ongoing struggles. As Hasle⁴⁷ points out that, even though the Constitution promises equality, poor women still face many hurdles like corruption, gender bias, and high legal costs. However, some positive changes are seen through organizations like BNWLA⁴⁸, which used public interest litigation and legal aid to help women access justice. The NU-shalish mechanism discussed by Hasle is a good example of local innovation, as it mixes legal awareness and community participation to make justice more accessible for poor rural women.

Even though there are still challenges, both Nepal and Bangladesh have tried to work within their own realities and limitations through law, international instruments, and social change. What matters now is identifying where the real problems lie whether in the law itself, its implementation, or in the mindset of society and addressing them honestly. Both countries can also learn from other SAARC nations like India, where the courts have been proactive in advancing women's rights. A comparative look at India, the largest democracy in South Asia and a fellow SAARC nation, offers a valuable lesson for both Nepal and Bangladesh. Over decades India's Apex Court has transformed provisions into a robust body of gender justice jurisprudence. Binding Guidelines against workplace sexual harassment has laid down, the right to privacy as a fundamental right with significant implications for women bodily autonomy, illustrate how judicial activism can fill the gap left by the legislature. More recently, the Apex Court ruling decriminalizing adultery and its progressive

⁴⁶Daniel Aguirre and Irene Pietropaoli, *Gender Equality, Development and Transitional Justice: The Case of Nepal* (International Centre for Transitional Justice 2012) < <https://www.ictj.org/publication/gender-equality-development-and-transitional-justice-case-nepal> accessed 22 December 2025

⁴⁷Lena Hasle, 'Too Poor for Rights? Access to Justice for Poor Women in Bangladesh' (2003) 29(1/2) *The Bangladesh Development Studies* 99 < <https://www.jstor.org/stable/40795683> > accessed 28 October 2025

⁴⁸Bangladesh National Women Lawyers' Association (BNWLA) < <https://bnwla.org.bd/> > accessed 30 October 2025

reading of reproductive rights in a series of judgment demonstrate the court's willingness to reinterpret constitutional norms in the light of evolving social realities. Overall, India's journey reflects that legal reform, judicial activism, and institutional infrastructure are necessary but not sufficient conditions for gender justice. Real transformation requires addressing structural patriarchy, caste based discrimination, and economic inequality, lessons that Nepal and Bangladesh too must internalize as they continue their own journeys towards substantive equality.

If these efforts continue with cooperation at the regional level, SAARC can move toward a stronger, collective framework for gender justice. Such unity will not only improve the condition of women in South Asia but also strengthen the global south as a region that stands for equality, dignity, and shared progress. Our hopes for a more just and inclusive future are reflected in the Indian Constitution. Its tenets serve as a moral compass, pointing us in the direction of a society in which gender equality is a lived reality rather than only a constitutional need.

The following suggestions are offered to strengthen the realization of gender justice in both countries and across the South Asian region:

- Both Bangladesh and Nepal must move beyond symbolic constitutional guarantees by establishing dedicated enforcement bodies with real authority, adequate funding, and independence from political interference. Nepal's National Women's Commission should be empowered with binding adjudicatory powers, while Bangladesh needs a comparable institutional structure rather than relying solely on policy-driven approaches.
- A major obstacle to gender justice in both countries remains the coexistence of discriminatory personal and customary laws governing marriage, divorce, inheritance, and property to align them with constitutional equality guarantees and CEDAW obligations.
- Both nations should advocate for a binding SAARC Gender Justice Protocol that establishes minimum standards, peer review mechanisms, and shared enforcement tools. Regional solidarity can help overcome domestic political resistance to reform, particularly on issues like trafficking, child marriage, and workplace harassment that transcend borders.
- Judges, Lawyers, and law enforcement officials should receive regular gender-sensitization training. Specialized family courts and fast track benches for gender-based violence cases should be expanded across both countries, particularly in rural and underserved areas where access to formal justice remains extremely limited.
- As Bangladesh's NU- shalish model demonstrates, community- based justice mechanisms can bridge the gap between formal law and lived reality. Both governments should formally integrate and fund civil society organizations, women's legal aid networks, and community mediators as complementary pillars of the justice system rather than treating them as a peripheral actors.



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The Contribution of the International Criminal Court to Ending Impunity and Upholding the Rule of Law

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ABSTRACT

This abstract delves into the imperative role played by the International Criminal Court (ICC) in preserving justice amidst the challenges posed by national conceit. As nations grapple with the complexities of sovereignty and domestic priorities, the ICC stands as a beacon of accountability, promoting the rule of law on the global stage. This paper explores the historical evolution of the ICC, its mandate, and its mechanisms for prosecuting individuals responsible for the most egregious international crimes. Emphasizing the tension between national interests and the pursuit of justice, the abstract analyzes cases where national conceit has obstructed the pursuit of accountability and underscores the ICC's significance in overcoming such hurdles. Additionally, it investigates the potential avenues for strengthening the ICC's authority and effectiveness in the face of increasing nationalist sentiments. Ultimately, the paper advocates for a collaborative international approach, recognizing the indispensable role of the ICC in upholding justice and fostering a world where impunity for heinous crimes is not tolerated, even in the face of national conceit.

Keywords: Upholding justice, International Criminal Court (ICC), National conceit, Sovereignty, Global accountability, international crimes, Impunity.

Introduction

In the intricate tapestry of global affairs, nations often find themselves at crossroads where the pursuit of national interests converges with the imperative of international justice. It is during these critical junctures, marked by the conceit of nations, that the significance of institutions committed to upholding justice becomes most pronounced. The International Criminal Court (ICC), established in 2002 through the Rome Statute, emerges as a lighthouse in the storm, guiding the world through the tumultuous seas of impunity and ensuring that

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the darkest corners of human conduct are exposed to the light of accountability. In a world where nations often find themselves entangled in conflicts, both internal and external, the importance of international institutions committed to upholding justice cannot be overstated. The International Criminal Court (ICC) stands as a beacon of hope, providing a mechanism for accountability and justice when nations succumb to the temptation of conceit. This article explores the vital role played by the ICC in times of national conceit and the significance of its mandate to ensure that no one is above the law.

The very essence of the ICC lies in its mission to address the most egregious crimes that transcend borders—genocide, crimes against humanity, war crimes, and the crime of aggression. As a permanent international tribunal, the ICC serves as a sentinel against the excesses of power and a bulwark against the tendencies of national conceit that may lead to the erosion of justice within the borders of sovereign states.

The genesis of the International Criminal Court was a response to a historical realization that the international community needed a robust mechanism to confront those who commit atrocities, particularly when national legal systems prove inadequate or unwilling to dispense justice. In this regard, the ICC stands not as an encroachment on national sovereignty, but as a necessary supplement, intervening only when the pillars of justice within a nation begin to crumble under the weight of political expediency.

National conceit, often fuelled by political considerations, has historically led to instances where leaders remain shielded from accountability within their own jurisdictions. The ICC, with its mandate to act as a court of last resort, challenges the prevailing culture of impunity by asserting that no one is immune to the reach of justice. By doing so, the court asserts a fundamental principle—that even the most powerful leaders must be held accountable for their actions, and the victims of heinous crimes deserve redress, regardless of political affiliations or national allegiances.

The following exploration delves into the multifaceted role that the ICC assumes in times of national conceit. From preventing impunity and safeguarding human rights to fostering international cooperation and serving as a deterrent against future transgressions, the ICC emerges as a linchpin in the machinery of global justice. As the world grapples with evolving geopolitical dynamics and the persistent challenge of balancing national interests with the imperative of international accountability, understanding the crucial role of the ICC becomes paramount in charting a course towards a more just and equitable world order.

The primary responsibility of the International Criminal Court (ICC) is to serve as a court of last resort, capable of trying individuals for crimes against humanity, war crimes, and genocide, if national courts are unable or unable to do so for whatever reason.¹

The genesis of the international criminal court

The establishment of the International Criminal Court (ICC) marks a watershed moment in the pursuit of global justice. Born out of the Rome Statute, which was adopted in 1998 and entered into force in 2002, the ICC represents a response to the need for a permanent international tribunal dedicated to addressing the most severe transgressions against humanity. This brief delves into the historical context and deliberations that led to the creation of the ICC, examining the motivations, challenges, and aspirations that culminated in the formation of this pivotal institution. From the Nuremberg Trials to the ad hoc tribunals for Rwanda and the former Yugoslavia, the journey to establish the ICC is one that reflects the evolving understanding of the international community regarding the necessity of a standing court to hold individuals accountable for genocide, crimes against humanity, war

¹ <https://www.cfr.org/backgrounder/role-international-criminal-court> accessed on 15-01-2024.

crimes, and the crime of aggression. With the ratification of the Rome Statute, ICC aiming to address the lack of a permanent international tribunal to prosecute individuals for the most egregious crimes—genocide, crimes against humanity, war crimes, and the crime of aggression. The court operates as a court of last resort, intervening only when national legal systems prove unwilling or unable to genuinely prosecute these offenses.

Preventing impunity

Impunity, the shield behind which perpetrators of heinous crimes often find refuge, undermines the very fabric of justice and accountability. This brief explores the imperative of preventing impunity, emphasizing the need for robust mechanisms such as the International Criminal Court (ICC). In the context of national conceit, where powerful leaders may evade accountability within their own legal systems, the ICC serves as a bulwark against this culture of immunity.

Impunity thrives in environments where the powerful remain beyond the reach of justice, shielding themselves from the consequences of their actions. The ICC, established in 2002 through the Rome Statute, disrupts this status quo by providing a global forum for prosecuting individuals responsible for genocide, crimes against humanity, war crimes, and the crime of aggression. By doing so, it dismantles the protective shield of impunity that often surrounds leaders accused of grave offenses.

This section delves into the mechanisms employed by the ICC to prevent impunity. From its role as a court of last resort to its intervention when national legal systems prove inadequate or unwilling to prosecute, the ICC operates on the principle that justice should be blind to political affiliations or national borders. Through case studies and examples, we illuminate how the ICC acts as a deterrent against the unchecked exercise of power and ensures that no individual, regardless of their position, is immune from accountability. In examining the concept of preventing impunity, we underscore the importance of global efforts to foster a world where justice is not only pursued but is seen to be pursued, even in the face of national conceit.

In times of national conceit, the International Criminal Court (ICC) assumes a pivotal role in preventing impunity, acting as a staunch deterrent against the shielding of perpetrators from justice within their own jurisdictions.² This section explores how the ICC, as a court of last resort, stands as a critical mechanism to ensure accountability for the most egregious crimes, challenging the prevailing culture of immunity that often accompanies the abuse of power by national leaders. By examining specific cases and the impact of the ICC's interventions, we illuminate the court's indispensable role in curbing impunity and promoting a global commitment to justice.

One of the primary reasons for the creation of the ICC was to put an end to the culture of impunity that often prevailed when powerful leaders committed grave crimes within their territories. National conceit, driven by political considerations, could lead to the shielding of perpetrators from accountability within their own legal systems. The ICC, however, acts as a check against such tendencies, ensuring that those responsible for the most serious crimes face justice, irrespective of their position or nationality.

Safeguarding human rights

National conceit can manifest in the form of oppressive regimes violating the basic rights of their citizens. The ICC plays a pivotal role in safeguarding human rights by holding

² S Joseph, *Corporations and Transnational Humans Rights Litigation*, Oxford: Hart Publishing, 2020; D Leader, 'Business and human rights - time to hold companies to account', *International Criminal Law Review* humanitarian law:

accountable those responsible for acts such as mass atrocities, systematic torture, and widespread persecution. This not only provides justice for the victims but also sends a powerful message that the international community values the protection of fundamental human rights.³

In the intricate landscape of international relations, the protection and promotion of human rights stand as a moral imperative and a cornerstone for fostering a just and equitable world. Amidst the challenges posed by national conceit, where oppressive regimes may violate the fundamental rights of their citizens, the International Criminal Court (ICC) emerges as a critical instrument in safeguarding human rights.

Addressing systematic violations

The ICC plays a pivotal role in addressing systematic human rights violations. By focusing on crimes such as genocide, crimes against humanity, and war crimes, the court targets offenses that often result in mass atrocities and widespread human rights abuses. In situations where national legal systems falter or are compromised due to political considerations, the ICC steps in as a beacon of hope for the victims, offering the promise of justice and accountability.

Providing justice for victims

Central to the ICC's mission is the provision of justice for victims of heinous crimes. In instances of national conceit, where oppressive regimes may suppress dissent and perpetrate violence against their own citizens, the court becomes a platform for those who have suffered to seek redress. The ICC's commitment to impartiality ensures that the pursuit of justice is not swayed by political interests, allowing victims to find solace in the international community's commitment to human rights.

Setting precedents for accountability

By holding individuals accountable for grave offenses, the ICC contributes to the establishment of legal precedents that emphasize the inviolability of human rights. The court's decisions and judgments serve as a deterrent, discouraging potential perpetrators from engaging in gross human rights violations. This preventive aspect of the ICC's role contributes to a global environment where the protection of human rights is upheld as a universal value.

Challenging impunity for human rights abuses

In situations where national conceit might lead to the shielding of perpetrators within sovereign borders, the ICC challenges impunity. Its intervention underscores the principle that no individual, regardless of their position or nationality, should escape accountability for crimes against humanity. This proactive stance against impunity reinforces the idea that human rights are not subject to geopolitical considerations but are inviolable principles that must be upheld globally.

Promoting a culture of human rights

Beyond its immediate legal functions, the ICC contributes to fostering a culture of human rights. By actively pursuing cases that involve the most egregious violations, the court sends a powerful message that the international community places paramount importance on the protection of human dignity. This, in turn, influences nations to reassess their commitment to human rights and encourages the development of robust domestic mechanisms to prevent abuses.

³ International court: Libya can try uadhans son, Ine guardian, 11 November 2011, at <http://www.guardian.co.uk/world/feedarticle/9960502>; and 'icc orders Libya to hand over Gadhafi's former spy chief

Fostering international cooperation

The ICC operates on the principle of complementarity, meaning it only steps in when national legal systems fail. This encourages nations to strengthen their own judicial institutions and promotes international cooperation in addressing crimes of global concern. By fostering collaboration between nations, the ICC contributes to the development of a more just and harmonious world order.

In an interconnected world where the actions of one nation can reverberate globally, fostering international cooperation is not just a diplomatic nicety but an essential component of addressing complex challenges, especially in times of national conceit. The International Criminal Court (ICC) exemplifies a paradigm of collaboration, serving as a catalyst for nations to work together in the pursuit of justice and the prevention of impunity.

Complementarity principle

At the heart of the ICC's approach to international cooperation is the complementarity principle. This principle stipulates that the ICC only intervenes when national legal systems are unable or unwilling to genuinely prosecute individuals for the most egregious crimes. By placing faith in the capacity of nations to administer justice, the ICC encourages and complements domestic legal processes, fostering cooperation rather than superseding national sovereignty.

Strengthening domestic legal systems

The ICC's emphasis on complementarity acts as a powerful incentive for nations to strengthen their domestic legal systems. Recognizing that effective national judiciaries are the first line of defence against impunity, the court's intervention serves as a reminder to states that investing in robust legal institutions is not only a domestic imperative but also a contribution to the global pursuit of justice.

Mutual legal assistance

The ICC actively engages in mutual legal assistance, collaborating with national authorities to gather evidence, locate suspects, and facilitate the smooth conduct of trials. This cooperative approach not only expedites the judicial process but also builds bridges between the ICC and national legal entities, fostering a spirit of shared responsibility in the pursuit of justice.

Global information sharing

In confronting international crimes, information is a critical currency. The ICC facilitates global information sharing, creating a network where nations contribute intelligence, evidence, and expertise. This collaborative sharing of information enhances the court's ability to investigate and prosecute cases effectively, transcending national borders in the pursuit of truth and justice.

Preventing safe havens

The ICC's global jurisdiction sends a clear message that there are no safe havens for individuals accused of the most serious crimes. This dissuades nations from becoming refuge points for those seeking to evade justice, creating a shared understanding that accountability transcends national boundaries. In doing so, the ICC fosters a cooperative environment where nations actively contribute to preventing impunity.⁴

⁴ Priya Pillai, "The African Union, the International Criminal Court, and the International Court of Justice: At the Fault Lines of International Accountability", *American Society of International Law* 22, no. 10 (2018).

Diplomatic and political cooperation

The ICC operates in a geopolitical landscape where diplomatic and political considerations often come to the fore. Fostering international cooperation requires adept diplomacy and collaboration among nations. The ICC engages in diplomatic efforts to garner support, encourage cooperation, and build consensus, recognizing that the success of its mission is intricately linked to the goodwill and collaboration of the international community.

Capacity building

Recognizing the diversity in legal systems and capacities across nations, the ICC engages in capacity-building initiatives. This involves providing training, technical assistance, and support to enhance the ability of nations to investigate and prosecute international crimes. By investing in the capabilities of member states, the ICC contributes to a collective global effort to combat impunity.

Deterrence and prevention

The mere existence of the ICC serves as a deterrent against potential perpetrators of international crimes. The knowledge that there is a global institution committed to pursuing justice can dissuade leaders from engaging in acts of aggression or gross human rights violations. In this way, the ICC plays a crucial role in preventing the escalation of conflicts and the commission of heinous crimes.⁵

In the realm of international justice, the concepts of deterrence and prevention take center stage, serving as crucial pillars in the mission to curtail impunity and uphold human rights. The International Criminal Court (ICC) plays a pivotal role in this dynamic by not only prosecuting individuals responsible for grave crimes but also by acting as a deterrent against future transgressions.⁶ This section delves into the mechanisms through which the ICC contributes to deterrence and prevention in times of national conceit.

Symbolic deterrence

The existence of the ICC alone carries significant symbolic weight. The knowledge that there is a standing international tribunal committed to prosecuting individuals for genocide, crimes against humanity, war crimes, and the crime of aggression acts as a deterrent. Leaders contemplating egregious actions are reminded that their deeds could lead to global condemnation and legal consequences, creating a deterrent effect that transcends borders.

Individual accountability

The ICC's emphasis on individual criminal responsibility is a cornerstone of its deterrence strategy. By holding specific individuals accountable for their actions, the court sends a powerful message that no one, regardless of their position or title, is immune to justice. This individualized approach reinforces the principle that those who order or commit serious crimes will be personally responsible and face the consequences.

Preventing escalation of conflicts

The ICC's involvement in situations of national conceit serves as a deterrent against the escalation of conflicts. The prospect of facing international justice can influence leaders to reconsider their actions, particularly in situations where gross human rights violations or acts of aggression could lead to further destabilization. By acting as a deterrent, the ICC contributes to the prevention of the exacerbation of existing conflicts.

⁵ Kristof, Nicholas. "Schoolyard Bully Diplomacy." *The New York Times*. The New York Times, October 16, 2005. <https://www.nytimes.com/2005/10/16/opinion/schoolyard-bully-diplomacy.html>

⁶ See Guido Acquaviva's response to this piece, "International Criminal Courts and Tribunals as Actors of General Deterrence? Perceptions and Misperceptions", in this issue of the Review.

Creating accountability norms

Through its jurisprudence and legal precedents, the ICC contributes to the development of accountability norms. By establishing what constitutes criminal conduct on the international stage, the court sets clear standards that individuals and nations are expected to uphold. This normative framework acts as a preventive measure, shaping behavior and discouraging actions that could lead to international crimes.

Fostering a culture of justice

The ICC's commitment to justice fosters a global culture where accountability is valued and sought after. This cultural shift contributes to the prevention of atrocities by creating an environment where leaders understand that their actions will be scrutinized. The ICC's work reinforces the idea that justice is not an option but an essential component of responsible governance, thus influencing decision-makers to act within the bounds of international law.

International cooperation in prevention

The ICC's role in fostering international cooperation extends to collaborative efforts in preventing crimes. By actively engaging with nations, sharing intelligence, and cooperating in investigations, the court contributes to a collective effort to prevent the occurrence of egregious offenses. The collaborative approach emphasizes that preventing international crimes is a shared responsibility.

Discouraging safe havens

The ICC's global jurisdiction and commitment to pursuing justice wherever crimes occur send a clear message that there are no safe havens for those accused of the most serious offenses. This discourages nations from becoming refuges for individuals seeking to evade accountability, contributing to the prevention of impunity.

Conclusion

In times of national conceit, when leaders may be tempted to act with impunity, the International Criminal Court stands as a bulwark against injustice. Its mandate to prosecute those responsible for the gravest crimes ensures that no individual, regardless of their position or nationality, is above the law. As the world continues to grapple with complex geopolitical challenges, the ICC remains a crucial instrument in fostering accountability, upholding human rights, and promoting international cooperation for a more just and peaceful world.

In the intricate dance between national interests and the pursuit of global justice, the International Criminal Court (ICC) emerges as a beacon of hope and a steadfast guardian against the shadows of impunity. As nations grapple with the temptations of national conceit, the ICC stands as an indispensable institution, weaving a narrative of accountability, deterrence, and the safeguarding of human rights that transcends geopolitical boundaries.

The genesis of the ICC, rooted in the Rome Statute of 1998, represents a collective recognition that egregious crimes demand a response beyond the confines of sovereign borders. It is a response to historical lessons learned from Nuremberg, the ad hoc tribunals for Rwanda and the former Yugoslavia, and the realization that a permanent international tribunal is paramount to confront the darkest corners of human conduct. The ICC's establishment symbolizes a commitment to a shared global vision—one where justice is not a luxury for the privileged but an inalienable right for every individual.

The world is gradually evolving toward "dual sovereignty," also known as truncated sovereignty. This type of sovereignty, far from being absolute, merely grants the territorial state limited jurisdictional rights in a few, highly specialized areas that have little bearing on global society. States have turned become transmitters of global standards into the national mainstream, making choices increasingly limited in the post-Cold War world of

interconnectedness and interdependence. Since there is a greater chance of peace and justice within a larger international organization than relying on a single Superpower to deliver justice through war, it may be preferable for small and weak nations to pool their sovereignties in international organizations rather than directing their sovereign energies towards a few, or rather, one powerful player in international politics. Therefore, reason rather than realism should direct the actions of weak and tiny states when determining the future course of action on strengthening international organizations.

Sovereignty is the backbone of the state, if it exists at all. Neo-realists contend that a nation's standing both domestically and internationally is determined by its military might and economic backbone. Constructivists, on the other hand, contend that since no person or state can maintain a rigid backbone for an extended period of time, the spine's flexibility is what allows the state to carry out and uphold a sound balance between its commitments both domestically and internationally. The question of how far a state should bend to prevent its back from breaking, however, is moot. Participating in international organizations such as the International Criminal Court may not undermine sovereignty to the same degree as being compelled to enter the global institutions established by a global hegemony.

Preventing impunity, a formidable challenge in times of national conceit, is at the core of the ICC's mission. By acting as a court of last resort and intervening when national legal systems falter, the ICC breaks the chains that often bind leaders to a culture of immunity. It stands as a reminder that no one is above the law, irrespective of their position or nationality. In preventing impunity, the ICC serves as a voice for the voiceless, providing justice for victims who have endured the gravest of human rights violations.

Safeguarding human rights, another cornerstone of the ICC's mandate, amplifies its significance in times of national conceit. The court becomes a sanctuary for those trapped under oppressive regimes, offering a pathway to justice when domestic institutions fail. Its commitment to impartiality ensures that the pursuit of justice is blind to political considerations, establishing a precedent that underscores the inviolability of human dignity.

Fostering international cooperation is a nuanced strategy employed by the ICC to navigate the complexities of global politics. Through the principles of complementarity, mutual legal assistance, and capacity-building, the ICC becomes a catalyst for nations to work collaboratively in the pursuit of justice. By preventing safe havens for perpetrators and promoting a culture of human rights, the ICC fosters an environment where international cooperation becomes not just a diplomatic nicety but a shared responsibility.

Deterrence and prevention, integral components of the ICC's role, paint a vision of a world where the shadows of mass atrocities and gross human rights violations recede. The court's symbolic deterrence, emphasis on individual accountability, and creation of accountability norms contribute to a global culture where the prospect of facing justice dissuades leaders from actions that could lead to international crimes.

In the International Criminal Court's role in upholding justice during times of national conceit is not confined to courtrooms and legal statutes. It is a testament to the resilience of human rights, the power of global cooperation, and the unwavering belief that justice is an inherent right, not a negotiable commodity. The ICC, with its mission to prosecute the most egregious crimes, stands as a testament to humanity's collective commitment to a world where justice prevails, even in the face of the gravest challenges posed by national conceit. As the ICC continues its journey, it leaves an indelible mark on the pages of history, reminding nations that the pursuit of justice is an enduring flame that can illuminate even the darkest corners of our shared humanity.
