
EMANCIPATION LAWS UNDER INDIAN LEGAL FRAMEWORK: AN EXTENSION OF HUMAN RIGHTS

Rishiraj Nalte, Alliance School of Law, Bangalore¹

ABSTRACT

The proposed research undertakes a comprehensive examination of how global international human rights norms, particularly those pertaining to the emancipation and personal autonomy of minors and children, may be integrated into the Indian legal framework. The study employs a comparative legal approach, analysing the legal frameworks and doctrines prevalent in other jurisdictions and assessing their applicability and relevance within the socio-legal context of India. Under the Constitution of India, the right to life and personal liberty enshrined in Article 21, together with the Protection of Human Rights Act, 1993, provides the foundational definition and scope of human rights within the Indian legal system. This paper critically analyses the interpretative potential of these provisions in addressing the evolving discourse on the emancipation of minors. In doing so, it examines pertinent legislative texts, judicial precedents, and the evolving jurisprudence surrounding the rights of children to exercise personal autonomy within the boundaries of Indian law.

A key focus of the study is the comparative analysis of the ‘doctrine of the mature minor,’ which recognizes the capacity of certain minors to make autonomous decisions under specific circumstances, and its potential recognition or adaptation within the Indian legal context. Furthermore, the research explores the treatment of minors under criminal law, including the nature and extent of punishments prescribed for juvenile offenders, and juxtaposes this with their legal status and agency under other legislative enactments in India. Through this multidisciplinary and comparative inquiry, the study aims to assess whether the existing legal provisions sufficiently safeguard the evolving capacities and rights of minors, or whether reforms are necessary to align India’s domestic laws with progressive international standards on the emancipation and autonomy of children.

Keywords: doctrine of mature minor, emancipation, Human Rights, article 21, personal autonomy.

¹ Alliance School of Law, Bangalore

METHODOLOGY

This study employs a qualitative and descriptive research methodology, relying primarily on secondary data sources and informal social observation to analyse the chosen topic. Data was collected from three main sources: published articles, credible websites, and everyday observations of social behaviour. Articles were drawn from academic journals, newspapers, and relevant publications to provide critical viewpoints and in-depth discussions, with priority given to peer-reviewed or otherwise authoritative works. Websites were selected for their accessibility and timeliness, focusing on government portals, institutional reports, and established news sources, while information was cross verified where possible to ensure reliability. Social observation was used as a supplementary method, involving reflective notes on patterns of community interaction, public discourse, and recurring trends on social platforms, thus offering insights into how issues manifest in everyday life. Data collection was carried out through targeted keyword searches and systematic review of relevant materials, while observations were recorded over a three-week period to capture consistent social patterns. The analysis was conducted thematically by identifying recurring ideas, perspectives, and concerns across the different sources, enabling triangulation between literature, online information, and lived social realities. This strengthened the credibility of the findings and minimized bias. However, the study acknowledges certain limitations, such as the reliance on secondary materials, the subjective nature of informal observation, and the absence of quantitative data, which may restrict the generalizability of conclusions. Despite these limitations, the chosen methodology is appropriate for generating a well-rounded qualitative understanding of the research problem.

1. INTRODUCTION

A “Minor” as defined under the Indian majority act ²are limited and restricted of personal autonomy under the Indian legal framework, such as not being able to enter into contracts, making family decisions, taking part in financial aspects, etc. This paper discusses about children as minors (below the age of 18 as per Indian law) and their legal rights.

India is a country established on many different moral principles varying across different geographical state borders, however one common value that is engrained in each and every tradition is the respect towards elders. Elders are given respect regardless of their work, gender, place or even the way they speak or their knowledge. However, this has arguably formed a rigid mindset which in many instances helps elders force a thinking or their decisions on the younger generation. Parents are a perfect example of control, where it is a repeated occurrence by parents to force a particular type of education or marriage on their children. While countries like United states or Singapore accept minors as a separate legal person, in Indian law they are treated as property of the parents under various law, ranging from contracts to property law.

While supervision is necessary, it ought not to be enforced without due consideration of individual circumstances., and this narrow look of the law has also negatively affected children who live in uninhabitable households troubled by alcoholic parents, dangerous customs, or mismatched ideologies of career and dreams.

Very few minors in India are able to break free of societal barriers and develop opportunities into something big, we have young minds in various fields such as entrepreneurship, sports, entertainment, etc who have made India proud on not only domestic platforms but also on international events.

Human rights primary focuses around protecting welfare of humans which is a broad and undefined topic. Greater importance should be accorded to recognising children as individuals with distinct needs, instead of prioritising parental interests without scrutiny. While certain parameters must be set for which children can avail emancipation benefits, to the nation, this remains a foreign and uncharted avenue for the protection of children, imposing a prima facie limitation on the discourse before it has even entered the realm of legislative deliberation.

² <https://www.indiacode.nic.in/bitstream/123456789/15299/1/majorityact.pdf>

While India does not have concepts of child rights and child welfare the way many western countries do, it has many legislative acts that protect and promote the interests of children such as Juvenile Justice (Care and Protection of Children) Act 2015³, Protection of Children from Sexual Offences (POCSO) Act 2012⁴, Right of Children to Free and Compulsory Education (RTE) Act 2009⁵, etc all primary derived from the he Constitution of India, 1950. The Indian legal framework does not recognize emancipation as a legal right of the child, however, per contra Indian criminal law recognizes a child of 16 to be tried as an adult in accusations of heinous crimes.

In India, a child who has completed or is above the age of sixteen years can be tried as an adult for heinous crimes under the Juvenile Justice (Care and Protection of Children) Act, 2015. The According to Section 15 ⁶of the Act, *“if a heinous offence is alleged to have been committed by a child who is sixteen years or older, the Juvenile Justice Board (JJB) is required to conduct a preliminary assessment regarding the child's mental and physical capacity to commit such an offence, as well as their ability to understand the consequences of the offence. If the Board finds that there is a need for trial as an adult, it may transfer the case to the Children's Court.”*

The courts in the case of *Karan @ Fatiya v. State Of Madhya Pradesh*⁷ highlighted the process for determining if a juvenile should be tried as an adult and the maximum punishment that can be imposed.

The law's recognition of a child's capacity to commit offences grave enough to warrant treatment under the adult criminal justice framework should equally compel acknowledgment that, in numerous households, children commence work as early as five years of age to contribute to family sustenance, or may be highly controlled by parental decision making over their decisions, and that, when provided with adequate opportunities, these minors are capable of exercising a degree of independence and live better lives individually.

Giving individual autonomy to a younger member of the family is not in the Indian culture, a seemingly easy example is the concept of “Karta” who is generally considered as a head of the

³ <https://www.indiacode.nic.in/bitstream/123456789/2148/1/a2016-2.pdf> (Accessed: 24 August 2025).

⁴ <https://www.indiacode.nic.in/bitstream/123456789/9318/1/sexualoffencea2012-32.pdf> (Accessed: 24 August 2025).

⁵ <https://www.indiacode.nic.in/bitstream/123456789/9318/1/sexualoffencea2012-32.pdf> (Accessed: 24 August 2025).

⁶ Juvenile Justice (Care and Protection of Children) Act, 2015, S 15

⁷ *Karan @ Fatiya v. State Of Madhya Pradesh* (2023 INSC 197)

Hindu undivided family.⁸ The simple claim that youngsters are not old enough to prove that they must remain and endure that lifestyle until they are eighteen years old and deemed to be majors does not hold water when they are subjected to domestic harassment, restrictions, or human rights violations.

2. HUMAN RIGHT IN INDIA

In the Indian context, human rights are explicitly stated and developed in the protection of human rights act, 1993⁹, although globally being a broad concept with different rights protected under it depending on the jurisdiction in all applicable laws.

Adopted by the UN General Assembly in 1948, the Universal Declaration of Human Rights serves as the foundation for contemporary human rights. The document's preamble states that "the foundation of freedom, justice, and peace in the world is the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family."

The rights to equality, freedom of speech and expression, and life and liberty are the three main pillars of human rights.

The idea of human rights is fundamental to Indian law and is incorporated in part three of the constitution. The judiciary has given it a unique interpretation through the golden triangle, which consists of articles 14, 19, and 21 of the Indian constitution.

Section 2(1)(d)¹⁰ of the Protection of Human Rights Act also defines Human Rights as the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of India¹¹.

According to the Indian legal system, emancipation legislation can therefore be viewed theoretically as an extension of a minor's fundamental and human rights.

3. WHAT IS EMACIPATION?

Emancipation has different meanings based on context and subject of discussion, politically

⁸Beerreddy Dasaratharami Reddy vs. V. Manjunath and Ors. (13.12.2021 - SC) : MANU/SC/1241/2021

⁹ Protection of Human Rights Act (PHRA), 1993

¹⁰ Protection of Human Rights Act (PHRA), 1993, S.2(1)(d)

¹¹ The constitution of India ,1950

and in general literature it is understood and defined as the act of giving people social, political or legal freedom and rights they recognize¹². In the most general sense, the concept of emancipation refers to an entity's liberation from control, dependence, restraint, confinement, restriction, repression, slavery, or domination¹³. The liberation mentioned generally under legal understanding refers to liberty from parental/ guardian control over legal rights and decision making, Rousseau's well-known statement that "*man is born free, but everywhere he is in chains*" is frequently cited in philosophical discussions on emancipation laws that are drawn from his writings.

Under legal frameworks which are directed towards protecting child rights, Emancipation laws are generally negative rights against the parents or guardians which result in legal autonomy of the children that allows them to take their decisions on their own without being bound by parental consent or control, this as a result creates a special protection to minors where they need not require legal consent of parents for generally restricted aspects like, entering contracts, making medical and legal decisions, or any other power and fiduciary duty that the law grants the parents/ legal guardians.

Western countries interpret the concept of "*Doctrine of mature minors*" to invoke these claims; the doctrine refers to the maturity of a minor who can give legal consent for medical decision on the body and autonomy of the child. In several Western jurisdictions, judicial precedents and statutory provisions have been employed to inform and validate decision-making in matters involving parent-child conflicts and claims of emancipation. In the absence of a specific emancipation statute or procedural framework, the court may serve as the principal adjudicatory authority in matters concerning a minor's petition for emancipation and the conferral of emancipated legal status.¹⁴

These claims are invoked under legal status generally by children facing domestic abuse or difference in opinion on career choices or any other decision including marital partners, children, political ideologies, etc. While legally parents have restricted (but not absolute) decision making powers on the minor's life, the psychological effect of not getting their approval or support is an immense threat to mental health that is generally ignored in India.

¹² dictionary.cambridge.org

¹³ Susen, S. (2015). Emancipation. In: Gibbons, M. T., Coole, D., Ellis, E. & Ferguson, K. (Eds.), *The Encyclopedia of Political Thought*. (pp. 1024-1038). Chichester, UK: Wiley Blackwell. ISBN 9781118474396

¹⁴ emancipation of minors | Wex | US Law | LII / Legal Information Institute

4. DOCTRINE OF MATURE MINOR

The “mature minor” doctrine provides a process for minors to consent to medical procedures if, in the judgment of the treating clinician, they demonstrate they are mature enough to make a medical decision on their own behalf¹⁵. This doctrine is also used in other various arguments for child rights during domestic abuse cases or cases where a minor wants complete freedom of decision making in extreme cases of professional life or other personnel decisions. This doctrine allows for a third party to conclude if a minor is mentally mature enough to know the results of their decisions and the outcomes that their actions could lead to.

While Indian legal framework discusses similar jurisprudence under juvenile justice system it does so in absence of any particular law, precedent or doctrine, it simply considers if the juvenile can be tried as an adult based on the facts of the case they may be treated as matured adults.

The “Rule of Sevens,” states that children under 7 years of age do not have the capacity necessary to make their own decisions; children from 7 to 14 years of age are presumed not to have this capacity until proven otherwise in individual cases, and those 14 years of age and older and deemed “mature” by their treating clinician did not require parental consent for certain healthcare services, including immunizations¹⁶.

These discussions and theories raise evident concern in the comparative discussion on treatment of children in India, per-contra to other countries which are arguably considered to be well developed in child rights and related frameworks.

5. CONSTITUTIONAL PREREQUISITES FOR LEGISLATIVE ACTION IN THE INDIAN LEGAL SYSTEM

India has seen an abundance in cases of child brutality varying from domestic abuse, forced marriages and forced prostitution. Having a framework inclusive of options where children have the right to access the fundamental rights is not only crucial but also mandatory to exercise the rights enshrined in the constitution of India and uphold the justice system.

¹⁵ Sigman GS, O’Connor C. Exploration for physicians of the mature minor doctrine. *J Pediatr* 1991

¹⁶ Coleman DL, Rosoff PM. The legal authority of mature minors to consent to general medical treatment. *Pediatrics* 2013;

These rights will make it a possibility for underprivileged minors to protect their lives from arbitrary parents who are negatively impacting their lives. While emancipation laws currently do not exist in India their dire need is evident, this research however also validates the contradiction that emancipation ideologies can also negatively impact the society as witnessed in many criminal cases where the crime has been carried out by a minor, generally due to poverty or non-parental supervision in lifestyle, therefore accepts that the law in discussion (emancipation laws) cannot be discussed in isolating to social and political aspects relating to minors in India, however, the absence of a justice redressal opportunity is the definition of violation of rights and duties of the legal framework, the law must provide an opportunity to approach the justice system for protection of rights and a citizen, even if that citizen is merely a child by social context.

6. WHO SHOULD BE ELIGIBLE?

The idea of emancipation is not absolute and does come with considerations of limitations to the law itself, where certain parameters must be made to curb the misuse of the legislation.

While not determinant, this research does have some suggested parameters that can be taken into consideration while looking at the framing of Emancipation laws.

i. Financial condition of minor:

The first aspect that should be considered while looking into emancipation possibilities, the first consideration that should be there is the financial stability of the minor, as living in today's world with rising costs has become expensive and has even made it difficult for adults to earn enough for basic livelihood, the first expense would also be the litigation costs to undergo the emancipation process if any process is ever established.

Litigation costs itself have made many minors unable to access emancipation provisions in foreign countries where proper legislations and precedents exist for Emancipation laws. Financial backing such as a job, ancestral money or government funds must previously exist before a minor is emancipated from the supervision of the parents.

ii. Level of education:

While the criteria for emancipation remain a subject of intense debate, a non-negotiable

prerequisite should be the completion of a foundational level of education by the minor. In the Indian context, where the socio-economic reality often forces children in low-income households into the workforce prematurely, the law must exercise extreme caution. Granting emancipation without educational benchmarks risks inadvertently legitimizing child labor under the guise of 'independence.' If the legal system allows minors to sever ties with guardians solely to seek full-time employment at the expense of schooling, it risks endorsing a cycle of systemic poverty. Therefore, any legislative framework for emancipation must be designed as a tool for empowerment, not as a loophole that prioritizes immediate economic output over the long-term intellectual and professional development of the youth

iii. Social independence:

Social independence refers to a state in which an individual contributes to their relationships and community at least as much as they receive in return and does not remain in interactions or bonds that are exploitative or undermining of their autonomy. It emphasizes a balanced, reciprocal exchange of "social value," rather than financial or material dependency. Social independence does not equate to isolation or avoidance of support but rather reflects the ability to engage in relationships on one's own terms and to withdraw from those that are detrimental to one's well-being¹⁷.

In simpler words it refers to an independent social identity which is not affected by the parents' presence, status or the parent's identity.

iv. Knowledge of society:

Knowledge of society represents a comprehensive awareness of how individuals coexist and organize within a complex social framework, moving beyond academic theory to encompass a deep recognition of the customs, institutions, and values that silently govern human behaviour. This 'social literacy' while subjective to justify serves as an essential survival skill, transforming the passive observation of social norms into an active, strategic ability to navigate both formal bureaucracies and informal unwritten protocols. By mastering these intricate systems, an individual gains the agency to identify key leverage points and approach the correct institutions to meet specific needs effectively. Ultimately, this shift

¹⁷ Young, S. (2018) *Social Independence*, Scott H Young. Available at: <https://www.scotthyoung.com/blog/2008/06/09/social-independence/> (Accessed: 24 August 2025).

from merely understanding the world to capably acting within it is a vital prerequisite for legal maturity, ensuring that an individual possesses the practical 'street smarts' required to get work done and thrive in a real-world environment.

v. Previous experience of independence.

A minor's transition to legal autonomy is rarely a binary switch; rather, it is a process heavily influenced by their existing reality and previous experience of independence. When evaluating a petition for emancipation, the court must conduct a holistic assessment of the minor's current lifestyle to determine if they are already functionally self-sufficient. If a minor has a proven track record of living independently managing their own household, navigating social systems, and maintaining a stable routine without direct parental supervision the legal granting of emancipation serves merely as a formal recognition of an established fact.

This consideration is vital to avoid the "shock of the new." Forcing a minor who is already accustomed to autonomy back into a restrictive or dependent environment can be just as detrimental as thrusting an unprepared child into the world. By aligning the legal status with the minor's lived experience, the law ensures that the transition period is not an insurmountable burden characterized by sudden, jarring shifts in responsibility. Instead, a documented history of independence acts as a "buffer," providing evidence that the minor possesses the psychological resilience and practical "street smarts" necessary to thrive. Therefore, judicial discretion must prioritize the continuity of a minor's lifestyle, recognizing that those already successfully navigating the complexities of independent living are the most viable candidates for legal empowerment.

vi. Necessity

The possibility and the want of something doesn't always mean that it is always the best course of action, if some issues can be resolved by mediation or by therapy or other less extreme measures they must first be considered before resorting to emancipation. Every relationship among humans has some conflicts, however, that does not mean that all of them need to result in completely destroying or ending the relationship.

Until if the parents are causing any immediate danger, or prospective future endangerment

to the child by any means being physical, emotional, social or any other negatively effecting action, emancipation must not be considered or permitted to avoid misuse and exploitation the provision.

vii. Mental maturity

Evaluating a minor's mental maturity is perhaps the most complex and ambiguous criterion in the emancipation process. This difficulty arises because assessing a person's psychological state is an intricate, subjective procedure, particularly when the analyst lacks a prior relationship with the minor. Without a longitudinal understanding of the individual's history, it is challenging for a third-party evaluator to comprehend their unique demands or thoughts with the same nuance and urgency that these laws require.

Nonetheless, a baseline of maturity can be established by analyzing objective indicators such as consistent conduct, lifestyle choices, and the capacity for long-term future planning. This involves looking for "executive functioning" skills—the ability to weigh the consequences of one's actions and resist impulsive decisions. While a snapshot of a minor's mentality may be imperfect, observing how they navigate interpersonal conflicts and manage daily responsibilities provides a vital window into their readiness. Therefore, the legal assessment must bridge the gap between clinical psychology and practical behavior, ensuring that the minor possesses the emotional stability and foresight necessary to function as an adult in the eyes of the law.

7. LIMITATIONS

Although the establishment of emancipation laws is a straightforward topic in theory, there are some practical restrictions that will limit the likelihood that the legislation will be formally implemented into the Indian legal system. Some evident limitations to the introduction of these laws are:

1. Social law:

Social law refers to the branch of law that governs relationships among individuals, groups, and institutions within society, with the primary aim of ensuring social justice, equality, and collective welfare. The law doesn't only function of black letter, there are social restrictions that are clearly articulated in the theory of social engineering.

The concept of social engineering, as proposed by Roscoe Pound, underscores the idea that law is not just a static set of rules but a dynamic force that balances competing interests to achieve justice and social welfare

The theory of social engineering is a concept that has been developed to address how society can be reformed and improved through the conscious and deliberate efforts of the government and other institutions. It is founded on the belief that society can be designed and modified to create a better society for its citizens.¹⁸

Therefore, social recognition is the primary limitation that would occur as considering the current Indian social and political context it seems unlikely that emancipation laws will be accepted much rather positively taken if imposed forcefully.

2. Property law:

Indian laws, especially succession laws are heavily influenced by family dynamics and personal law, Emancipation makes the relationship highly complex and new, therefore it is difficult to say what kind of effects may occur if Emancipation laws are introduced as each provision of the law might have different effects, therefore Drawing conclusions without adequate factual support would be unwarranted.

An example for consideration might be that in instance of disownment the disowned child still has rights over the ancestral property however has no right over the parents own property, could the same be applied for a minor who has claimed emancipation, since disownment is done on the choice of the parent but emancipation is done on the choice of the minor, This discussion is likely to remain at an impasse until the government provides a clear legal framework for the process.

3. Shelter system:

United states and many other western nations, have a government funded shelter system that protects and provides for children in need of special assistance for transitioning to new life, however India neither has the law or similar system that may assist or even provide

¹⁸ Rosh Martin, "LAW AS A TOOL OF SOCIAL ENGINEERING", *Indian Journal of Integrated Research in Law*, Volume V Issue II | ISSN: 2583-0538

basic guidance to Emancipated children to transition and settle to a new life post claiming Emancipation.

While temporary shelter is provided by Central Adoption Resource Agency (CARA)¹⁹ and some other smaller bodies like Specialised Adoption Agencies (SAAs) Child Care Institute (CAAs) that functions on the guidelines of CARA and of the organisation, there is no permanent solution currently in existence, and the aforesaid assistance is currently only for children who lost their parents and can't find them again or to children who have parents who have passed away.

4. Legal precedents and doctrines protecting parent rights:

while recent judgements may be used to argue changes in the legal framework, however the current existing precedents and laws make it unlikely to be interpreted to introduce Emancipation laws in India.

the legal maxim of “*in loco parentis*”²⁰ which translates to “In place of a parent” serves as an example to show how the existing legal framework desires and promotes the right of a parent over their children. This maxim enables any one with delegated authority such as, universities, institutions, guardians, etc where a minor is admitted through the parents name or registration have control to make reasonable rules and regulations relating to the minor's lifestyle which shall be upheld and validated in consideration of the minors security without considering the minors opinion on the same.

8. RECOMMENDATIONS

The primary objective of this paper has been to highlight and create awareness about the pressing issues concerning the autonomy of minors within the current legal and social framework. Given the sensitive nature of the subject, it is strongly recommended that the Government establish a specialized and independent body entrusted with the task of examining such matters in depth. This aforesaid institution should not only provide continuous oversight but also act as a consultative authority in framing laws and policies that address the evolving

¹⁹ *Cara- Central Adoption Resource Authority*. Available at: <https://cara.wcd.gov.in/> (Accessed: 24 August 2025).

²⁰ *In Loco Parentis Legal Information Institute*. Available at: https://www.law.cornell.edu/wex/in_loco_parentis (Accessed: 24 August 2025).

needs of minors, the purview and jurisdiction of Child protection services and the ministry of women and child may be expanded also as per need to make such minors falls under their duties. NGO and companies may be granted a special provision to sponsor and help the minor transition to a new life after claiming Emancipation, this provision may also serve as Corporate Social Responsibility (CSR) activity for the organisations.

Before any such provisions are formally incorporated into the legal framework, it is essential that comprehensive legislation be drafted to govern the scope and application of autonomy-related rights. To achieve this, a detailed and methodologically sound study must be undertaken through governmental resources, drawing on insights from child psychology, sociology, and comparative legal systems, so as to fully grasp the complexities inherent in the issue. On the basis of such research, clear and well-structured guidelines should be developed, accompanied by a defined set of parameters to prevent ambiguity and to ensure that the provisions are not misused. Establishing such a framework would not only provide clarity and consistency in legal processes but also safeguard the interests of minors, thereby striking a balance between protection and autonomy.

9. CONCLUSION

This study examines the theoretical underpinnings of emancipation laws and concludes that, in accordance with Indian law, they should be recognized not merely as statutory entitlements but as a fundamental and inalienable human right. By interpreting the provisions of the Indian constitution progressively, emancipation can be understood as a right flowing from constitutional principles of equality, dignity, and personal liberty.

However, the incorporation of emancipation laws into the Indian legal system is not without its challenges. While legislative action is a necessary first step, significant social, cultural, and practical constraints hinder the full realization of such laws. Deeply rooted traditions regarding family authority, parental control, and the societal view of childhood as a period of dependency often conflict with the concept of legal autonomy for minors. Moreover, the absence of clear institutional mechanisms to assess the maturity and capacity of minors poses another barrier to effective implementation.

Therefore, before such laws can be formally codified, a comprehensive framework must be developed that addresses both the legal and social dimensions of emancipation. To build such

a system, the government must first conduct thorough empirical studies to understand the actual needs, vulnerabilities, and aspirations of children who may seek emancipation. Such research will help identify the categories of minors who are most likely to benefit, the support structures required to safeguard their well-being, and the safeguards necessary to prevent exploitation or misuse.

Ultimately, the recognition of emancipation as a constitutional and human right in India has the potential to empower minors in vulnerable situations. Yet its success depends on a multi-pronged strategy that combines legal reform, social acceptance, institutional support, and robust monitoring mechanisms to ensure that emancipation becomes a tool of protection and empowerment rather than a pathway to further marginalization.