

- (c) Where do we *locate* the question of access to justice for women? Is it purely in the state justice systems, or must we include as well non-state justice systems that resolve disputes? Whose function is delivery of justice? Is it the state's exclusively? Or is the function shared by non-state justice systems? What are the implications of this for state obligations and accountability?
- (d) Are there 'indigenous' or tradition-based conceptions of 'rights' and 'justice' in the community? Or conversely, 'injustice' and 'wrongs'? Are there community principles that embody these conceptions, or traditions that communicate values or standards of justice? What are the linguistic expressions of these conceptions in the local language? Are there other cultural expressions of these conceptions?
- (e) Who should define justice? What standards must be used? How are women involved in developing standards for justice in the community? Is seeking justice the burden of the individual or victim? Is it a community concern? Why? Does conflict happen between the rights of the community and the rights of individuals, particularly of women? How are these conflicts resolved?
- (f) What is the relation of access to justice to the concept of justice? How does 'access to justice' relate to 'social justice'? Is access to justice simply access to a mechanism of justice without regard to the substance of rules that are implemented or to the end result of the process? Is access to justice about procedure, or substantive results, or both? Is the result of using the legal process a defining factor in women's conception of access to justice?
- (g) Is there a set of goals that should be served by access to justice? Do we measure access to justice in how it actually reduces (if at all) social disadvantages or in how it amplifies or accentuates social inequalities? Is access to justice or lack of it a measure of social inequalities? Can a system of justice function effectively and deliver justice despite existing social or structural inequalities?

*B. Are the state legal framework and justice chain gender-responsive?*

1. State justice systems sometimes fail to adequately respond to violations of women's human rights and women's particular needs for various reasons. The legal framework of the state may not be gender-responsive, such as when the laws themselves are discriminatory or do not recognize the rights of women or do not provide adequate and effective remedies. Social and institutional barriers also prevent women from accessing the state legal system. Those barriers include discriminatory practices and attitudes within justice and law enforcement agencies, lack of support services, the use of language that is not understood by users of the process, the high cost of litigation, and geographical distance of agencies.
2. Legal pluralism provides another dimension to the problem of women's access to justice. State legal pluralism in Southeast Asia usually involves different sets of state laws and justice mechanisms for different groups of people, depending