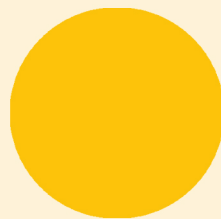
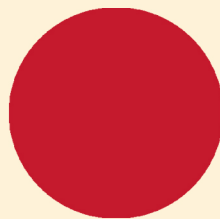


IMPACT STUDY 2009-20

ASSESSMENT



THE CENTRE FOR JUSTICE LAW & SOCIETY

The Centre for Justice, Law, and Society (CJLS) is a research centre at Jindal Global Law School (JGLS) at O.P. Jindal Global University (JGU) (Institute of Eminence Deemed to be University) in Sonapat, India. JGU is a non-profit global university established by the Government of Haryana and recognised by the University Grants Commission. JGU has a faculty-student ratio of 1:9, globally qualified and internationally recognised faculty members, more than 8,000 students from India and across the world and 51 academic programmes. In 2009, JGU began its first academic session with the establishment of JGLS. JGLS is committed to providing global legal education and therefore the curriculum and pedagogy is designed to expose students to domestic, international and comparative law courses.

JGLS has a vibrant research eco-system with eighteen interdisciplinary research centers that work on diverse issues. Centre for Justice, Law and Society (CJLS) is one of the most prominent research centers at JGLS. CJLS adopts a multidisciplinary approach and focuses particularly on abortion laws, rights of sexual and gender minorities, access to justice, caste and indigeneity, politics of pedagogies, realisation of a right to health, and the implication of advancement in technology on access to healthcare. CJLS aims to build solidarity networks among marginalised individuals and allies and contribute to the advancement of social justice in South Asia and globally. CJLS is in a unique position to focus on both theoretical and empirical study by building an academic as well as a civil society network and bridging the gap between the Global South and North. CJLS aims to use its position to engage in research, pedagogical intervention, policy and legislative interventions, dialogue, negotiation and, when necessary, the judicial system to achieve systemic reforms that advance social justice and equity in the many dimensions of health, sexuality and gender.

At CJLS, the aim is to be facilitators of sustainable and systemic institutional change by building solidarity networks among activists, scholars, and grassroots movements working to advance transformative and radical social change through legal and policy interventions. To this end, CJLS dedicates energies towards adopting a bottoms-up approach in our interactions with key stakeholders to bring about long-term institutional shift by consultative and immersive advocacy that creates spaces for each person or group with lived experiences of marginalisation to voice their concerns when crafting policy interventions.

JGLS, with its vibrant clinical legal studies program, has been at the forefront of tackling contemporary legal issues and providing students, activists and scholars with a platform to come together on key areas of contestation. The Law & Marginalisation Clinic at CJLS is one of the eight law clinics at JGLS that has been a driving force in encouraging critical engagement with the law to advocate for social change. The Clinic seeks to critically engage with issues at the intersection of law, justice and marginalisation to respond to the changing relationship between law and society. Through the Clinic, CJLS has offered courses such as Transgender and Gender Non-Conforming People and the Law in 2013, Criminal Justice System and the Transgender and Gender Variant People in 2014 and Gender, Law and Difference in 2017 and 2018. Our clinical interventions in legal education are multidimensional: not only do we engage students directly, but we also seek to shift the focus away from pure doctrinal questions and shed light on the lived experiences of marginalised persons in India. In its attempt to build synergies among the academic community, CJLS works with over 100 students every year and have had fantastic engagement with them in doctrinal and clinical courses.

ACKNOWLEDGEMENT

The Center for Justice Law and Society was set up with a vision of bringing together students, activists, scholars, grassroots and civil society organisations, lawyers, academics, judges and other public functionaries that continue to occupy key positions in the social justice ecosystem to ensure that each stride towards advancing systemic and institutional change was made in collaboration with every stakeholder. In over ten years of cross movement solidarity building and legal and policy interventions, the centre has formed and fostered relationships with several individuals, groups and organisations, regional, nodal, national and transnational, and would like to acknowledge the contribution of all the partners and collaborators.

CJLS has had the privilege of collaborating with and learning from thought leaders in the feminist movements and other movements including prominent grassroots and nodal organisations, as well as individuals and groups working to address intersectional discrimination in the domain of sexual and reproductive health and rights including CREA, SAMA, CommonHealth, BehenBox, The YP Foundation, Pratigya Campaign, IPAS India, ARROW, and the Centre for Reproductive Rights, New York to name a few.

The partnerships developed over the last decade have been instrumental in shaping the centre's legal and policy interventions in the domain of gender and sexuality rights, disability rights and other intersectional issues of law and marginalisation. CJLS is grateful for all the learnings through its engagement with prominent activists and organisations including ARC international, Sruti Foundation for Disability Rights, Rising Flame the Criminal Justice & Police Accountability Project, anti-caste and indigenous scholars and activists like Prof. Xaxa, Cynthia Stephens, Dr. Sylvia Karpagam, Disha Wadekar, Rajni Soren, Anurag Bhaskar, and Nikita Sonavane, global functionaries like the UN Independent Expert on Sexual Orientation & Gender Identity and judges and parliamentarians in India.

Over the past few years, CJLS has had the opportunity to learn and unlearn immensely from the transgender and gender variant persons movement in India and friends, activists and critical scholars including Abhina Aher, A. Revati, Akhil Kang Alka Barua, Amrita, Angela Davis, Aniruddha Dutta, Anubha Rastogi, Arvind Narrain, Ashley Tellis, Dean Spade, Debanjan Dasgupta, Duncan Kennedy, Dr. Aqsa Shaikh, Gauri Sawant, Gee Imaan Semmalar, Gopal Guru, Grace Banu, Janet Halley, Karthik Bittu Kondaiah, Kimberle Crenshaw, Kiruba Munusamy, Laxmi Narayan Tripathi, Patricia Williams, Prabha Kotiswaran, Pratiksha Baxi, Ratna Kapur, Raveena, Rupsa Malik, Saba Mehmood, Sarah Ahmed, Satya, Shampa Sengupta, Sharmila Rege, Simran Sheikh, Sumit Baudh, Svati Shah, Swagata Raha, Swati Bidhan Baruah, Tejaswini, Tithi Bhattacharya, Upendra Baxi, Usha Ramanathan, Vikramaditya Sahai, Vrinda Grover, Vyjayanti Vasanta Mogli, and Zainab, among many others.

CJLS has had the privilege of learning from colleagues at the Jindal Global University and would like to acknowledge their contributions including the guidance and support offered by Prof. Shilpi Bhattacharya, Prof. Oishik Sircar, Prof. Mohsin Bhat, Prof. Shiv Swaminathan, Prof. James Nedumpara, Prof. Pritam Baruah, Prof. Jhuma Sen, Prof. Shurti Pandey, Prof. Sameena Dalwai, Prof. Upasana Mahanta, Prof. YSR Murthy, Prof. Ajay Pandey, and Prof. Indranil Mukhopdhyay, to name a few. The Centre would also like to extend its deepest gratitude to global educational institutions like Cornell Law School, the School of Law, University of Seattle, and the University of Chicago Law School for extending their support through partnerships in helping CJLS build a robust model of clinical legal education.

CJLS's successes and advances in crafting legal and policy interventions are owed to the hard work and commitment of all its partners and colleagues. The centre is grateful for the exemplary vision and leadership of Professor Dipika Jain, Director of the Centre. It is also deeply indebted to the dedication and efforts of all its colleagues, including former colleagues like Kavya Kartik, Brian Tronic, Kimberley Rhoten, Surabhi Shukla, Upasana Garnaik, Thibault Weigelt, Mishika Choudhary and Swati Malik, who have been instrumental in driving the centre to its current position. Gratitude to our past and current students, colleagues, Fellows, Research Assistants and Interns for their extraordinary contributions over the years. The Centre would also like to commend the continuing efforts of its current team members including Assistant Director Disha Chaudhari, Joshika Saraf, Anmol Diwan, Natasha Aggarwal, Ramani Mohanakrishnan, Shehnaz Latheef, Kanmani R, Abhaya Tatavarti, Srianusha Thotakura, Karanraj Singh Bhatia, Malika Ghalib Shah, Dolashree Mysoor, and Oieshi Saha.

This report would not have been possible without the contribution of a few associates at CJLS. CJLS would also like to acknowledge the immense efforts of Ramani Mohanakrishnan for taking on the mammoth task of designing this report and Disha Chaudhari and Natasha Aggarwal for their excellent editorial assistance. We would like to acknowledge the immense contribution of Joshika Saraf, Anmol Diwan, Shehnaz Latheef, Kanmani R. and Karanraj Bhatia towards the completion of this study. Finally, we would like to acknowledge Prof. Dipika Jain's contribution in designing the study and their guidance.

On a concluding note, CJLS would also like to express its gratitude and appreciation for the guidance and unwavering support offered by Dr. C Rajkumar, Vice Chancellor of O.P. Jindal Global University.

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INTRODUCTION

The traditional curriculum of legal education in India lays an overarching emphasis on the doctrinal teaching of law. To mark a shift from this model and take teaching beyond classrooms to equip young law students to engage critically with the law and the role it plays in shaping the lives of individuals, we set up the Centre for Justice Law & Society (CJLS) and the Law & Marginalisation Clinic incorporated under the same.

Established in 2009 as one of the first research centers at the Jindal Global Law School, CJLS was set up keeping in mind the goal to facilitate path-breaking community-led interventions in addressing issues of law and marginalisation. Having completed over a decade of collaborative engagement with students, activist, lawyers, grassroots movements, judges, parliamentarians and community members, CJLS recently conducted an impact assessment study that documents the on-ground impact that their advocacy efforts and pedagogical interventions have had.

This section briefly summarises the findings from the impact study.



METHODOLOGY

For the purpose of this study, CJLS contacted key partners and collaborators and former students of clinics and core courses to seek responses to a questionnaire with targeted questions on their experience with CJLS and JGLS. The Centre did a targeted outreach, soliciting responses from 26 of our key collaborators. We also contacted several former students from clinical and core courses to request their feedback and the key learnings and takeaways to document their views on the impact of CJLS's pedagogical and collaborative endeavours undertaken in the last decade. CJLS received 66 responses, 22 from partners and collaborators, 44 from clinical students, and students in core courses on queer, feminist theory.

The responses received from the students were analysed to assess the impact clinical legal education has had on developing the skills of critical analysis and building feminist leadership capacities.

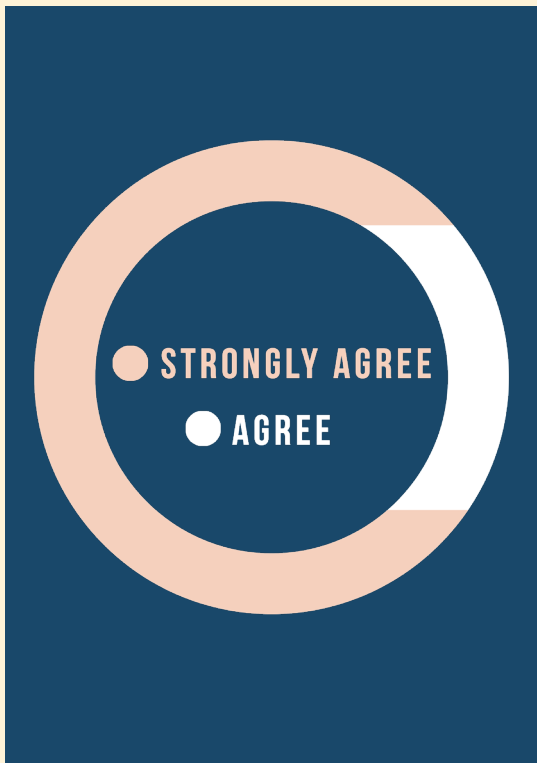
The responses received from the partners and collaborators were analysed to document the extent to which community-centric approaches to social justice and intersectional frameworks adopted by the Centre have been successful in addressing issues of law and marginalisation.




KEY FINDINGS



Impact of Clinical Legal Education on Building Feminist Leadership Skills



CJLS sought responses from the students on whether the clinical and pedagogical experiences framed their understanding of feminist theory and to what extent were these instrumental in developing their leadership skills. All students either agree or strongly agree that the clinical course helped them understand and apply feminist theory and queer feminist politics. The courses have also influenced the current work of former students – for example, one former student is currently researching and writing on reproductive autonomy and justice and adolescent sexuality. Another former student is the project manager at Cambridge Pro Bono project on sexual and reproductive health in Spain and is also doing their PhD on bridging gaps between discrimination and marginalisation in law, and as experienced in society. One former student used learnings from the clinical course to launch Nyay’ri, a pro bono legal and mental health helpline for women, as a part of Pink Legal and another former student is involved in pro-bono litigation for transgender persons.



The Course taught by Prof. Dipika Jain was instrumental in expanding and refining my world view to include feminist and queer thought within the goals and expectations I had for right based advocacy. Prof. Jain remains a vital influence in shaping my proclivities to eventually leverage a career in litigation towards a meaningful practice that focuses on rights-based advocacy. More than the classroom lessons, it was the ethics and outlook as lawyers that has shaped much of my professional endeavours, and she continues to remain an inspiration for the kind of work I aspire to do one day.



- Basit Karam Zaidi

Legal Practitioner, Supreme Court of India
Former Student, Family Law

The courses and mentorship under Prof. Dipika Jain helped me find my inner feminist and channelise my quest for gender equality. I was able to unlearn patriarchal conditioning and develop critical thinking. This critical thinking gives me an analytical lens to look at every situation in day-to-day life through a feminist perspective and evaluate it on a deeper level. Delving deeper into feminist studies through courses under Prof. Jain made me find a strong calling for women empowerment, which ultimately led me to founding my organisation Pink Legal.

- Manasi Chaudhari

Founder, Pink Legal
Former Student, Legal Methods and Clinic



Saying that CJLS and Prof. Jain's course significantly impacted who I am today and the way I think about the world would be an understatement. The work that CJLS has done over the years in terms of judicial and legislative interventions on reproductive rights in India, specifically the right to abortion and decriminalization of abortion, has been instrumental in helping me think through my current research on reproductive autonomy and justice.

- Kavya Kartik

LLM Candidate, Cambridge
Former Student, Law, Desire, Popular Culture

I credit CJLS for the kind of projects, including conversation and lecture series, research and advocacy clinics, especially issues relating to SOGIE, as fundamental to my academic and political thinking in gender, sexuality and law. CJLS is a brilliant alternative political platform in JGLS for radical and productive interventions in legal, pedagogical, research and activism practices and has greatly influenced my decision to study intersectional approaches to law, anthropology and sexuality. CJLS projects and faculty driven courses at law school are necessary, important and provide many avenues for students who are looking forward to making careers and receiving opportunities in social justice activism and feminist legal politics. More importantly, I think the courses and the projects led by CJLS provide an opportunity to completely transform the boundaries of pedagogy and law school curriculums. It helps students understand the value of learning outside the classroom, embrace possibilities of significant intellectual and political thought in 'learning from below,' and challenge and think critically forms and discourses that dominate the corridors of ivory towers and otherwise inaccessible spaces in mainstream legal academia and research. As a centre, the projects led by CJLS are consultative, inclusive, diverse and remind us of the value of collective action and dialogue. Right from the courses, clinical and advocacy work, and even something as little as attending conferences, escorting panelists from diverse backgrounds and helping with logistical and student support, I have learnt a lot about people and their struggles, and lending myself to quote Sara Ahmed a 'feminist ear' to take seriously both the quotidian and extraordinary struggles that marginalised peoples face. More importantly, it has helped me understand my location and position as a researcher and teacher, and humbled me in more ways than one. I firmly believe in an education that is rooted not in theory but in practice, conversations, and ethical relations. Attending a course like Law, Desire and Pop Culture and Legal Advocacy Clinics for trans persons and gender diverse individuals has deeply enriched and impacted me as a student. CJLS has given me the opportunity to see things outside of frameworks within which conventional academia operates, where we often reduce people to statistics and numbers and render abstract real life issues and suffering into potholes in legal arguments and analysis. However, the institutional culture in CJLS provides many opportunities to form ethical and strong relations with all kinds of stakeholders and communities for a more sustained, affective and relational dialogue. It is with that perspective that I also teach, research and engage in CJLS as a member and former student.

- Karanraj Singh Bhatia

Lecturer, Jindal Global Law School

Member, CJLS

Former Student, Law, Desire and Popular Culture






Impact of Clinical Legal Education on Developing Critical & Intersectional Frameworks

CJLS also sought responses from students seeking their feedback on to what extent had the clinical courses helped them develop an intersectional approach towards addressing issues of law and marginalisation. CJLS received feedback on their clinical & core courses from 44 students. Students were asked whether the courses and clinical experience helped them understand and apply intersectional theories and practices. 43 of these former students either agree or strongly agree that the clinical course helped develop their critical thinking and helped them understand and apply intersectional theories and practices. One student noted that they continue to borrow from their learnings in the course in terms of critical legal methodologies and intersectionality in developing their research on racialised politics and discrimination law. Other students have also noted the continued application of an intersectional lens in their work.






CJLS helped me immensely in developing an affinity for meticulous academic research and writing. I got the opportunity to work on several research projects as well as papers authored by Prof. Jain that made me familiar with the rigour that goes behind academic work. The subject matters, around critical legal theory, queer feminist studies, socio-economic issues approached with ethnographic and ground level interventionist work has deeply inspired my work as well.

- Katyayani Sinha


Assistant Lecturer, Jindal Global Law School
Former Student, Law, Desire and Popular Culture
Research Assistant, CJLS



Reading Foucault on the omni-directional flow of power in society has helped me better appreciate the perspectives / impact of various stakeholders / contentions in contentious issues. This has imparted by legal practice with key insights into social / political relations between stakeholders, which help me to better advise my clients, better protect my clients' interests, and better understand the ethical obligations and implications of my legal practice.

- Ayush Tainwala

Independent Corporate Lawyer
Former Student, Legal Methods



It was a privilege and honour to attend Professor Dipika's and Brian's courses. In fact even after the course ended I always felt there was so much more to learn from them. The courses used different mediums to help students understand complex concepts. They helped build critical thinking skills along with research and writing skills. Through the courses, I even got an opportunity to meet Simran Shaikh and intern at HIV/AIDS Alliance India which was easily the best internship experience I had in law school.

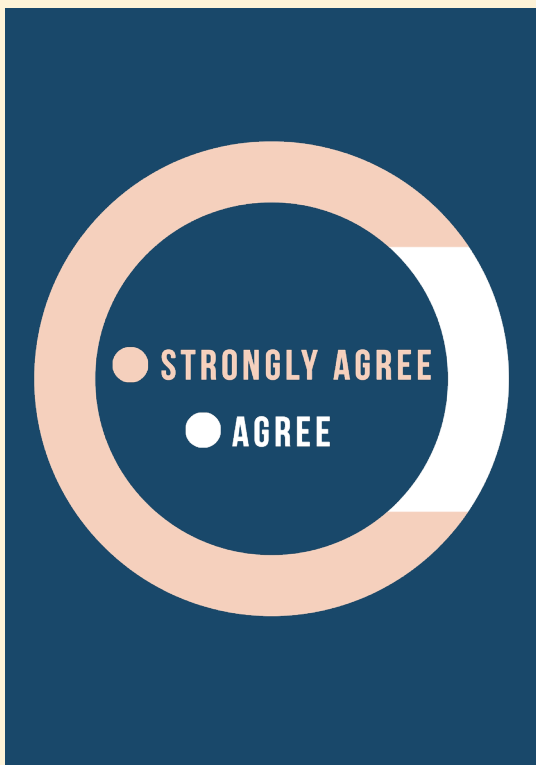
- Anshika


Geo-Political Risk Analyst Based in Singapore
Former Student, Clinics



Impact of Collaborative Cross-Movement Advocacy in Facilitating Institutional Change

CJLS sought responses from collaborators and partners on whether their collaborative approach to addressing issues of law and marginalisation have been successful in facilitating institutional change. The partners and collaborators were asked whether the projects undertaken are impactful in promoting institutional change. All 22 of the responses that were received either agree or strongly agree that their advocacy efforts have been impactful in promoting institutional change, including by way of multiple-stakeholders engagement with activists and political representatives, legal education initiatives for students and legal empowerment of communities. One of the respondents noted that the programs, guided by Dipika Jain's vision do a great job of tailoring legal support to the needs of respective communities, as opposed to a one-size-fits-all situation. These needs include not just a focus on the kinds of questions that participants in various programs want guidance on, but the modes of delivery of these questions. Another recorded a response stating that the centre and Professor Jain's interventions on a host of issues and consultations have been instrumental in shifting the needle.







Dipika brings academic rigour combined with a unique intersectional and participatory approach to her work. Her strong connections to and commitment to foreground movement actors and creating space for them to articulate their priorities is commendable. She is also a wonderful mentor to younger colleagues and students. In all our collaborations she has always displayed willingness to go the extra mile and take responsibility to guide processes to bring them to conclusion and at the same time ensuring the processes remain inclusive and everyone's opinion is taken on board.

- Rupsa Malik
CREA

CJLS has been collaborating with many organisations and believes in institutional partnerships on issues concerning the marginalized. In a short time, the organization has made a name for itself in the areas of research and advocacy. With its institutional support and credibility, I see CJLS gradually transform into a 'social justice clinic', providing legal representation to marginalised communities alongside its research and advocacy work. I also see CJLS become a leader in foregrounding marginalised perspectives in the law. It can lead the way in bringing agency and participation of the marginalised on their issues.




- Disha Wadekar
Independent Feminist Lawyer



CJLS does meaningful advocacy particularly with the political representatives - this is very helpful for impacting institutional changes. Since they work along with different marginalised groups, I think they can play an important role in bringing the marginalised voice in the legal work. I hope to see them as a leader in bringing different marginalised groups together - as they are located within academic space, they have the advantage of getting both academic and field level inputs - this can make their work very strong.

- Shampa Sengupta
Director, Sruti Disability Rights Centre




The evidence CJLS generates, partnerships with relevant stakeholders and engagement with media and policy makers by CJLS helps amplify right messages on SRHR. I think they bring the voice and perspectives of the marginalised and I see them assuming a leadership role, setting the agenda and leading the discourse on legal and policy issues on health, particularly SRHR, rights and ethics in general.


V S Chandrashekhar

Foundation for Reproductive Health Services, India

The Centre and Professor Jain's interventions on a host of issues and consultations have been instrumental in shifting the needle. The centre brings out critical perspectives on most marginalised regarding law, people with disabilities, transgender persons, that are useful for organisations like ours to make sense of the intersection of law and marginality. I see it as an important voice and academic resource on a variety of issues, especially the marginalised and law, adding to a greater understanding and advocacy.



- Bhanupriya Rao
Founder, BehenBox



Dipika is highly committed to advocacy that is rooted in the demands of the communities and individuals who she is aiming to serve. She sees the intersection of movements, including where there may be fault lines between movements, and is proactive in identifying legal and advocacy framings that bridge rather than marginalize. On abortion decriminalization, Dipika intentionally advocated for and led an approach that focused on the most marginalized groups, reflecting her core belief that our legal strategies must be radically inclusive. Dipika is principled and ethical in both her academic work as well as her activism. CJLS and Dipika play a strong role in ensuring laws and legal reform campaigns promote the rights of marginalized groups, including through evidence generation, legal analysis, and advocacy. CJLS's institutional voice is critical in bringing high level stakeholders to the table to understand the perspectives of marginalized communities and their role in ensuring their rights. For example, CJLS was effective in convening a judicial colloquium on sexual and reproductive rights that directly led to stronger judgments on abortion access.

- Payal Shah

Physicians for Human Rights
Former South Asian Regional Director, CRR



Impact of Community-Centric Approaches in Addressing Issues of Law & Marginalisation

CJLS sought responses from its collaborators and partners on the impact a community-centric approach has in resulting in legislative and institutional change. Respondents to the survey were asked whether CJLS works within the framework of intersectionality and critical feminist politics that centers communities. All 22 of the responses that were received either agree or strongly agree that the centering of communities has been instrumental and transformative in making effective legal and policy interventions. One of the respondents stated that CJLS has been transformational in terms of working with community members as partners and this approach promotes institutional change and shifts power to the community leaders. They see CJLS grow to become one of the focal points for law and policy research in India that brings effective and meaningful change by collaborating with community members. Another respondent noted that the team has been pro-active in centring issues of marginalisation, and engaging communities in meaningful ways around research on the scope and limits of the law in promoting social justice.



Several respondents to the questionnaire also noted that CJLS's approach towards facilitating institutional change was one that centered the voices of marginalised persons and communities and recognised the need for community centric approaches to justice to create significant systemic power shifts. The rigorous research and activism model adopted by CJLS was identified as among the key reasons why it would go on to become a leading organisation, creating spaces for large scale impact in addressing issues of law and marginalisation. This was noted as one of the compelling reasons for all the partners to continue their collaborations with CJLS.

CJLS's work of bringing together community members and international policy workers is impactful as it creates a sense of power and belonging within marginalized communities. I see CJLS play a leading role in scholarship & advocacy.

- Debanuj Das Gupta
Professor of Feminist Studies
University of California, Santa Barbara

Dipika's scholarship and the center's work always addresses the most marginalized. The reports and research are groundbreaking.

- Sital Kalantry
Professor of Law
Seattle University School of Law

I had the opportunity to attend trans rights program conducted by Jindal Global University in May, 2019. Having attended many seminars, the certificate course stood out as one of the most informative and transformative opportunities for me. I've learned about the current updated laws and the problems faced by the LGBTIQ+ peoples in different states. How to protect ourselves with the existing law and to fight for our rights. It is the reason I have gone on to become a leader and advocate for the rights of LGBTQ+ persons today. Prof. Dipika Jain's mentorship enthusiastic nature, passion for her profession and dedication towards the upliftment of LGBTIQ+ people inspires me to be a thought leader and feminist.

- Satyashri Sharmila Rehematali
India's first Transgender Advocate from Tamil Nadu

The range of community connections and presence in the Centre speak to ties with community.

- Arvind Narrain
ARC International

Dipika has been a strong pillar of support in the community, her work has been inspirational and is inclusive by getting under represented members of community to join in.

- Zainab Patel
Director, Inclusion & Diversity, KPMG, India
Former, UNDP



CONCLUSION

The responses received from the impact study reveal that CJLS has been successful in facilitating institutional change through its multi-pronged approach of grassroots advocacy, legislative and judicial interventions, pedagogical initiatives and cross-movement solidarity building efforts. CJLS has fostered relationships and partnerships with key stakeholders in the feminist movement, those working on addressing issues pertaining to gender and sexuality, the disability rights movement, as well as other intersectional movements and have also made significant strides in legislative and policy interventions.