

Gender, Caste, and Class: Intersectional Approaches to Critical Legal Horizons

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Abstract

Gender, caste, and class shape the lives of individuals and communities in unequal and oppressive ways across the Global South. Modern law and governance were introduced during the colonial era and reflect the interplay of gender, caste, and class with other oppressive and controlling forces. The Critical Legal Studies (CLS) analytical approach will help us recognise that law is both the cause and the agent of inequality and oppression. An intersectional lens is an analysis of the pathways of caste, gender, and class, along with colonialism and post-colonialism, that reveals how the law supports exclusion based on social stratification, the arrangement of space and space within cities, and shielded movement. Case studies of landmark decisions describe how an intersectional analysis broadens and deepens doctrinal understandings of basic rights. Caste data, either from sample surveys or administrative data, can be used to investigate the implications of caste and gender for access to formal credit.

Keywords: *Gender, caste, class, intersectionality, critical legal studies, colonial law, marginalisation, Global South.*

1. Introduction

In 1989, Kimberlé Crenshaw wrote an essential essay that coined the concept of intersectionality while she was contemplating her own experiences as they pertained to both race and gender. Cogitating about the connotations of her topic in the understanding and social

order, she came to realise the risks of an isolated perception of these constructs. The resulting reflection identified the lack of a structure capable of addressing the legal and social incompleteness of the order; the heart of the investigation led to the title, *Mapping the Margins: Intersectionality, Identity Politics and Violence Against Women of Colour*. The

contribution dwells on the relationships among gender, caste, and class; the subsequent analysis proceeds along three general profiles: historical frame, theoretical inspection, and methodological courses.

The analysis of legal orders pursued here is geared towards expressing the intersection of social presumptions and institutional manifestations, with the assumption that law is a central, hegemonic yet underexamined mechanism that shapes the social aspect. This discussion is especially applicable to the Global South, with a range of mutually constitutive orders of law living together in complicated constellations, where larger movements demand the substitution of colonial and patriarchal formations by other forms of epistemology, and where the emphasis on social structure and inequalities, and an investment in formal, codified rules, are transformative. The interrelations among space (geographic and architectural, the latter referring to access to premises and resources), voice (party representation, discourse, and modality), and status (position and standing) are examined; the exploration remains grounded in historical trajectory and methodological issues.

2. Conceptual Foundations

Women can be legally married or remarried under Hindu and Muslim laws

without their husbands' consent. They can inherit property under Hindu and Islamic personal laws if certain conditions are met, such as surviving their husbands or children; widows who remarry within a specific period forfeit such rights. Caste and class figure into whether or not the daughters of surviving fathers are indeed entitled to inherit. Men, widowers or divorcees, remarry, however, as ever they please. Socioeconomic status affects the timeliness of purchases for daughters considered eligible for marriage.

Labour laws offered rights to free-market employment and an avenue toward stakeholding in property in a planned-economy nation. Mobility under a tenant's sole occupation remains constrained by footholds, preventing traversal of foreseeable development areas. Property has not yet reached entrustments whatsoever among married couples, facilitating divorce under a mere signature left by a spouse on a newly set-up list of divestment opulent-collection dossier forming a gaydom of legally single persons yet disguised in unaccounted attributions.

Constitutionalism has muted Congress, which continues to exercise gendered self-imposed privileges, even forego privileged exposition under the presumption that the lowest rungs' duly denoted status being assured governmental acts, whilst the higher

rungs' linkage tenuous, suffices no clandestine entrenchment entertained outside disclosure.

Physical caste remains, with inherited employment clauses broadly entrenched, enabling manoeuvred exclusion, accounting for utmost legality, enshrouding zero-sum considerations. The female half indeed possesses, inspect any city street within raiment still clad, evident all surmountable provisions explicit enforced else beneficiary-stand-alone hierarchies higher options intermittently vanished femme-utilising standard strictly discretionary of title merely Rahamat fabled world destination bestowed Heaven even consideration bestowed reversible nominal-Rahamat sole higher Cab rail lines Cab travelling delve waist no public court hence safeguard devolution no protective transcription reinstatement deliberation first-relevance documentary under the highest proclaimed feminist canon non-desire inducement indeed, unless corrupted ancillary monetarily proffered otherwise Haveli merely camouflaged larger infractions projection tab-limited extension.

2.1. Gender, Caste, and Class: Core Constructs

Gender constitutes a major analytical dimension of social science research, yet it is often deployed in a one-dimensional

manner, particularly in legal and policy development. It is frequently conflated with biological sex, presumed to signify a binary categorisation based on anatomy and physiology. Such reductive views lack empirical support even when gender is framed solely in biological terms. They marginalise considerations of caste and class, posing a challenge to legal theorists who view class as a missed opportunity rather than an inappropriate category in legal discourse. In India, gender, caste, and class determine the modalities through which hierarchies-whether of power, privilege, or deprivation-are maintained. Individuals occupy multiple positions across caste and class dimensions, and inter-caste and dis/mobility enable individuals to move across these coordinates. Caste and class hierarchies and their legal underpinnings shaped the very modalities through which dominant discourses of gender were articulated, thereby enabling a better understanding of legal complexity and social exclusion in contemporary society.

Gender designates a multidimensional typology of analysis in which individuals and groups are ascribed roles, behaviours, responsibilities, entitlements, and opportunities. Gupta (Sharma, 2021) delineates it as a social process through which individuals construct identities, negotiate hierarchies, and exercise agency. In Indian society, caste is the

dominant, socially regulated basis of inclusion or exclusion, access to rights, and consideration by policy-makers. Caste differentiates groups based on several attributes, including social rituals, hygiene and purity, occupation and livelihood, industrialisation modality, labour forms, and technology. Class, closely linked to caste in modern India, refers primarily to economic position. Legal discourse associated with the caste question-constitutional provisions, statutory and sub-statutory law, case law and judicial pronouncements, and policies, measures, and schemes-constitutes the dominant legal development and the primary reference point for legal practitioners, theorists, and thinkers.

2.2. Intersectionality: Theoretical Foundations

Intersectionality is an analytical framework for understanding how aspects of a person's identity, such as race, caste, gender, and religion, intersect to produce unique experiences of discrimination (Sharma, 2021).¹ According to intersectionality, identities cannot be dissected into mutually exclusive categories. A person may experience discrimination based on different grounds on separate occasions, for example, caste at one time and disability at another. Alternatively, discrimination may occur simultaneously on multiple grounds, with the effects

compounding; for instance, a gay woman may face harassment both because she is a woman and because she is gay (Ashraf, 2015).²

While intersectionality has garnered widespread acceptance, its contours remain at once well-charted and contested. The term was coined in 1989 by legal scholar Kimberlé Crenshaw to critique the exclusion of Black women from dominant feminist and anti-racist discourses (Lenard Hutchinson, 2002).³ The framework recognises that power operates through interlocking structures of domination while rejecting hierarchical models that focus attention on the identity of the most oppressed or marginalised. The notion of a matrix of domination, simultaneously theorising systems of power and the identity categories they deploy, has emerged as a central concept. Tracing the roots of the analytical framework from these foundational contributions ensures a more rigorous engagement with legal materials.

Any analytic framework generates expectations about the nature of a subject, including the distinctive operation of power and the effects it produces. A specific intersectional lens facilitates the examination of how caste, class, and gender influence legal experience. Caste-stratified Indian society before and during colonial rule; capitalist modes of production introduced class into the mix,

reinforcing existing contours of marginalisation. Gendered legal codes invoked a fictive Hindu joint family that disguised women's actual position and excluded all but a small minority from formal family law. Now, precisely because the established categories of intersectionality must fit the dominant paradigms of the countries from which they originate, the theory excluding consideration of caste already lacks fit, as does the focus on formal equality of Caste, Class, and Gender, which operates through a rich social ontology that includes unofficial regulations and social steering in the informal sphere.

2.3. Critical Legal Studies: Methodologies and Horizons

Critical Legal Studies (CLS) developed in the United States during the 1970s and blossomed as a scholarly movement in the 1980s and early 1990s. CLS rests on a set of premises about rights, law, social order, and social reform. Legal rights, particularly individual rights, are accorded more respect and higher priority in many modern societies than other norms and values such as economic efficiency, social justice, or religious truths. To the extent that law is seen as formal, individual rights can be realised without recourse to the State. For CLS, too much attention to formal rights, and hence to law as formal obligation, can inhibit the pursuit of a just society; this can be particularly dangerous for radical

movements that aim to obtain and maintain both liberty and equality. CLS accords law a privileged, highly strategic role in the social process, despite ambivalence towards its formal aspects. Law is believed to shape social distribution; hence, CLS must describe the socio-historical evolution of legal rules. An understanding of the genesis and function of laws, rights, institutions, and legal practices illuminates both society's dependence on a legally sanctioned distribution and the degree to which money, markets, and property already constrain existing rights. Empirical explorations of law's social effects, for instance, the influence of legal rules on poverty or air pollution, remain open but cumbersome avenues for CLS work.

3. Historical Trajectories and Legal Regimes

Gender, caste and class intersections are important constructs of lived experience. Nevertheless, despite wide-ranging legal campaigns to advance the position of vulnerable groups, legal systems still fall short of addressing their unique and intersecting interests and deprive them of time-honoured access to legal opportunities. In various circumstances, judicial rulings have addressed this intersectional issue in ways that recall such multi-layered frames of discrimination. Modern legal theory that examines the explicit overlap between

regimes of subordination and systemic marginalisation in law is a comparatively small but increasingly popular field of study. The prism of gender, caste and class is too frequently separated, and one does not fully comprehend the systems of injustice that hinder the way to effective redress.

Colonial encounters constituted critical formative junctures for the constitutions of vast Territories across the Global Level. Each Territorial formation subsequently grappled with, mediated, or interacted with the enclaves that constituted post-colonial remnants. The legal regimes that emerged in these formations were thus enrolled in hierarchically stipulated, socially stratified, and discriminatory constructions camouflaged as formal equality. The State apparatuses that subsequently governed these Territories preserved these regimes within bifurcated configurations: Public or Protectorate Laws governing segmented spheres of Domesticity or more public social space. The effects of these colonial trajectories on both caste and human-Non-Human distinctions, and the proclivities of post-colonial Territorial formations in international Institutional Assemblages, remain for profound scholarly consideration (Lenard Hutchinson, 2002).

3.1. Colonial Legacies and Caste Stratification

Caste, like gender and class, reflects structural continuities in social stratification. The caste hierarchy was entrenched during the 19th century under British colonial rule, and colonial law had long-term effects on caste stratification (Mosse, 2020). Legal codes were imposed to regulate market-oriented production and consumption and protect indigenous subjects from the intervention of frontier capital in northern India (Chitnis & C. Wright, 2007). Colonial law governed caste by regulating status and by transposing caste-specific status stipulations into rules of protectorate safety. Caste-based stratification was legally inscribed, albeit within a stated protectorate.

The elaborate structure of layered rights created an inherent duality within the legal system. Existing rights were partly protected while additional substantive rules were added. A distinction emerged between formal and material protection: the former remained intact and inviolable while the latter could be interpreted, changed, or abrogated. Several rules and restrictions explicitly reinforced caste stratification, and assets held under colonial property law were designated as public property, thereby designating low-caste subjects as public property.

Speculative analyses of colonialism and legal transition indicate that low-caste subjects are progressively relieved from colonial law following independence.

The emergent regime of equality that creates non-commensurable, non-comparable, and distinguishable rights fosters the proliferation of caste. Whichever formal colonial law claimed to be inapplicable to them, they operated extensively as caste-specific, caste-marked subjects. Family-based organisation was treated as an aspect of the commodity sphere that required public or professional intervention, and matters that were entitled to non-perturbation gradually increased in familial governance.

3.2. Gendered Legal Codes and Rights Discourses

The Gujarat Code for the Arabic language and the Gujarat Municipalities Act, 1963, were amended in the late 1990s to eliminate caste from official documents. Nevertheless, caste references persisted, and the revision process was often sidestepped. The proclamation of marriage to a widow or widower has remained a significant negative social stigma impacting family honour for more than half a century, even while legally establishing a fusion of successor classes. The authorities also denied two instances of wives, and a female plaintiff's marriage acceptance was contingent upon conditions predestined by an erstwhile husband, showing entrenched patriarchal domination and polygamy enactments.

Such laws permit de facto caste barriers to continue to operate alongside formal attention to caste issues. The caste status of the parties even blocks access to certain documentation procedures, and building data on whether they have ever been in a particular caste or aspire to a universally permitted religion remains unattainable (Sharma, 2021). The New Code for the French language opposed the English language and also prohibited the entry of the Arabic language into the Gujrat and Punjab Codes; however, the motivation did not stem from a caste standing unfriendly to one another.

The Family Court Act of 1984 includes a Gender Budgeting initiative, specifies various terms, including 'female-oriented', and requires a report on adopting measures for female classes; nevertheless, the outcomes do not reflect such female-focused implementation. These procedures occur without formal acknowledgement of gender; either specification comes from caste informants, or elements do not constitute either Gender or Caste. Nonetheless, the thematic and post-scriptive stages explicitly denote stigma, such as caste. It displays the prominent caste-socially directed status, concurrent with or despite the aforementioned laws.

Caste, Writs and Rulings in Gujarat date from the earliest years of the pre-Constitutional era. The status of caste did attract a minor space in the 1950's for

routine exercises. Legal illustration indicates the Family Act of 1967, whose caste material in the Punjab Code applied for certain years; nevertheless, the legislature later omitted it due to the lack of exhibition of caste—drafting bodies that adopted such measures to cease caste from records or writing exercises. No descriptive document formally codes the caste undertaking, either due to language framing or Gender Stage contemplation, but, paralogically, the subsequent assembly-filling and post-filling tasks arise together under Caste, whereby the returning and tracking party is endorsed.

Gender lay towards the latter side of the pre-Constitution issues. A small coalescing step around Gender was undertaken as of the mid-1950s—family and Land laws of the early 1960's show a minor presence of periodic structuring. Non-Gender or casteless drafts sway on for publication with disjointed year marks. Documentation infractions exhibit a far-reaching scope under both laws. Caste pervades in-depth during the Circumstances and Registration exercise, non-Gender and Gender types.

Mass data analysis cannot avail even Caste reckoning, and only Gender status avails markedly. Most Cases and a partial Gender reach out for Norms validation through Multi-Stage; only gender remains open through documentation. Family Procedure Laws of 1964 encounter Immigration outline for Body

issues action without any Caste situating. A marriage-entry documentation even operates without either. Such a pre-Constitution circumstance continues to affect the document's affairs within the system, at least in matters of caste and gender.

3.3. Class Formation, Labour, and Legal Inclusion

Negotiations on Indian labour law began in the late nineteenth century. The initial focus was on establishing a standard working day of eight hours in England. The question regarding the right to a legally determined wage was additionally deemed important (Lerche & Alpa, 2018). Later, an organised labour movement emerged in the country, followed by the enactment of labour laws governing wages, such as the Minimum Wages Act, 1948. The property right, in a more generalised sense, commenced with colonial legislation aimed at regulating property transfers, rather than determining ownership per se, as was the case in England (Serron & W. Munger, 1996). The Indian Constitution subsequently elevated the right to property to a fundamental right: an individual's livelihood continued to depend on a functional legal framework that enabled the acquisition of property, access to the market, and thus participation in the wage economy.

4. Mechanisms of Marginalisation in Legal Systems

Formal legal equality does not necessarily lead to real equality. Three mechanisms through which legal systems can perpetuate marginalisation, despite or even because of apparently equitable treatment, remain at work. Indeed, law as enacted may remain indifferent to prevailing inequalities. Access to justice refers to the knowledge of, and ability to navigate, the legal system, as well as the financial and non-financial costs of securing legal remedies. Even when the law is accessible, inequitable conditions may impede access to voice: participating in legal processes and becoming visible as a legal subject can open the door to advocacy, but not all voices receive equal attention. Procedural fairness focuses on the formalised procedures of law, while substantive equality attends to the effects of legal provisions; procedural fairness does not necessarily guarantee meaningful outcomes, and protective measures may remain inert.

Mechanisms whereby official law still operates as a tool of marginalisation thus operate alongside multiple formal legal regimes that specifically seek to dismantle persistent social stratification. Acknowledging the disconnect between law on the books and prevailing material realities is a key feature of critical approaches (Ashraf, 2015). The marginalising mechanisms enter the legal

picture through material-class lenses rather than intersectional analyses. Diverse legal-historical perspectives reflect the interplay between caste, class, and gender within colonialism, neocolonialism, postcoloniality, globalisation, and the broader political economy (Sharma, 2021).

4.1. Access to Justice and Institutional Barriers

Access to justice remains an elusive goal, with three primary obstacles: cost, spatial distribution, and inefficiencies in the bureaucratic machine. Individuals situated at the intersection of more than one marginalised identity face not only extraordinary economic and geographic barriers to accessing services, but also added hurdles arising from their very identities. Those belonging to disadvantaged gender groups must additionally overcome barriers related to gender identity and expression. Marginalised rural individuals face not only greater barriers to spatial distribution but also lower literacy levels than urban dwellers. Barbadian and Caribbean laws mandate the use of English, while official promotion of any other language is virtually non-existent. Consequently, access to legal information, instruments, and services remains grossly unequal across groups, including along rural-urban, gender, and class intersections (Mosher, 2015). These and other omissions from the access-to-

justice concern provide the impetus for pursuing a more productive approach to addressing intersectionality within formal legal regimes.

Table 1 Intersectional Barriers to Accessing Justice by Gender, Caste, and Class

Barrier type	Description	Disproportionate impact on...
Cost	High legal fees, travel, and opportunity costs limit the ability to pursue cases.	Low-income classes, rural caste groups, and women with limited paid work.
Spatial distribution	Courts and legal aid are concentrated in urban centres.	Rural communities, especially lower-caste groups and poor households.
Bureaucratic inefficiency	Delays, complex procedures, and language requirements (e.g., English-only).	Women, marginalised caste groups, and low-literacy populations.
Identity-based stigma	Discrimination based on gender identity, caste, and class in legal settings.	Those at intersections of marginalised gender, caste, and class.

4.2. Representation, Voice, and Legal Consciousness

Legal consciousness and legal subjectivity are important conditions one must possess to exercise the legal rights granted by law. Citizens from scheduled castes, women, and individuals in the unorganised sector face significant

obstacles to accessing legal representation and the legal system (Rao, 2015). Such groups are usually rendered invisible and silenced in terms of voice, especially in controversial cases. The skill of articulating grievances in a language understandable to mainstream legal culture is an important element of legal agency, and representatives of these

groups are most likely to occupy peripheral roles within advocacy networks. The resultant epistemic privilege, a system of advocacy with narrow representation and insufficient understanding of the complex nature of the marginalisation phenomenon, results in the further exclusion of the formal records of inclusion in Article 14 and other rights laws (Sharma, 2021).

Legal subjectivity encompasses consciousness of the capacity to invoke rights, awareness of interests sufficiently grounded to articulate demands, and the ability for one's meaning to be heard. Dominant frameworks offer limited avenues for such consciousness and articulation.

4.3. Procedural Fairness, Substantive Equality, and Remediation

Some aspects of legal experience cannot be described without considering legal procedures and their fairness. In case the various status inequalities that people bear prevent them from getting equal benefits of the legal norms, even though the legal procedures that bind the implementation of the legal norms are the same, since the inequalities are the actualities of the lived experiences. Substantive equality entails taking into account the effects of all legally applicable rules and norms.

A sole attention to the availability of a fair procedure mistakenly assumes that a fair

procedure, alone, is adequate to bring out fair results. There is also a need for remedial measures, consideration of the process for implementing the legal instruments, and participatory modalities. Nevertheless, social stratification still determines the way one interacts with the court system. Subordination between a variety of structures, therefore, remains in effect, even within the simulacra of the simulacra remediation. The type of redemptive drive that, in itself, is codified in the legally recognised rules and conventions of access is, too, currently unable to work. Owing to those reasons, other forms of affirmative action, of reparative justice, and of other efforts of multi-dimensional intersectional redress, which indeed, they might well call, law-giving, are frequently fairly warranted besides continuing litigation with a perspective that is limited to fair process. (Gaurav, 2021)

5. Intersectional Studies in Modern Jurisprudence.

The world legal system reinforced discrimination on several dimensions; however, the analytical frameworks of intertwined variations are unsatisfactory. Intersectionality explains how social classification exacerbates oppression and illuminates legal practices. In India, South Africa, and Canada, the judgments cover caste, disability, gender, race, and sexuality, and this reflects the

multiplicative nature of disadvantage (Sharma, 2021). Apart from the similarity of results, intersectional analyses would help understand the tension between the universal nature of rights and the specificity of context and clarify how various legal orders, constitutional, statutory, customary, construct capabilities.

The most appropriate methodology to contemplate these dimensions is a combination of three congruent pathways. The former works with data on legal practice and analyses who litigates, who aids it, on what matters, how cases play out, and how the results are met. The second focuses on the normative concepts of equality in the quest to define justice, fairness, and equality in the context of respect, dignity, and distributive justice. The third takes pedagogical stories, exploring how individuals are subjected to various forms of marginalisation to reveal intersectional disabilities and the urgency of intersectional exploration.

5.1. Across Jurisdictions Case Studies.

Examples of reasoning that takes into account multiple dimensions of identity simultaneously are often evident in judicial rulings across a wide range of legal systems. This part includes examples of these jurisdictions, where illustrative adjudicative techniques are based on an intersectional lens, modified

traditional models, or intersectional analysis. However, the law does not recognise the latter.

Within the context of the Indian legal interpretation of the Scheduled Caste and the Scheduled Tribe (Prevention of Atrocities) Act of 1989, the Supreme Court highlights that not only women were discriminated against based on their castes but also all women of SC/ST groups are victims of the discrimination targeting them as women and SC/ST groups at the same time: all the women of Indian SC/ST are victims of at least two kinds of discrimination, one based on the gender and another of the next one based on membership (Sharma, 2021). The court, therefore, acknowledges the twin subordination of SC/ST women, and the subsequent intersectionality vulnerability is worth attention in the legal discussions.

In the Punjab culture of law, a woman of a lower socio-economic status and lower caste had to renounce her marriage by agreeing to divorce her husband, which the man's family required to accept a second wife of a higher socio-economic status (Ashraf, 2015). Women of lower caste are often denied, in principle, the legal application of the *lex loci solutionis* to the enforceability of conditional exchanges of mutually bargained/settled rights, without regard to the real-world realities of women in the lower social strata.

5.2. Comparative Views of Rights Guarantees.

There are several advantages to constitutional rights, such as the ability to bring claims. Gender, caste, class, and location may be established by law without necessarily facilitating access to rights, as they should be provided and the creation of preventive action mechanisms. The Law Commission extended caste-based rights to gender by adopting a gendered interpretation of personal laws, which recognised a parallel imperative of class, given class's all-encompassing effects. These reflections do not in any way reduce the need for class and caste- the latter overwhelming caste and class-based focus but signify a circumscribed intervention. The statutory codes of caste influence representation with no legal framework on gendered attention. Protections of gender rights may exist without caste, for example, when social categories interact at multiple levels beyond the caste level. A caste-based attention framework may take a statutory form, which allows further specification. This gendered aspect permeates the caste, class and the freedoms involved and makes it possible to project gender as either open or as open to the gender narrative. The gendered freedoms still have a broad, shared response with caste-class associations; a concomitant is that gendered analysis will therefore apply to

all four types of rights that are placed in matrices in legal codes and judicial records, chosen after the multi-criteria preference analysis.

The concomitant recognition of a “right to develop universally and of the primacy of local customs and traditions; and even in the Indian Constitution, which places the greatest weight on the practice of the tribes, such is stated both in its preamble and in other provisions of the body. The processes of caste elimination in the nation seem to be conditional on an underlying national framework, and a contrary national-objective framework is therefore defined, which qualifies caste as a social rather than a cultural category. However, local customs come into direct contact with caste and, therefore, allow the projection of caste-as-development and the attentions of caste onto developmental entitlements or broader complementary-span rights. Caste-class associations are kept with either caste or class standing separately, as was the case with caste-gender, caste-customs, and caste-nation associations that took shape.

5.3. Legal Reforms and Policy Implications

Legal reforms addressing multi-layered discrimination based on overlapping identities such as gender, caste, and class are feasible, impactful, and enforceable (Sharma, 2021). Short-term measures can mitigate such discrimination through

formal legal structures and institutions, such as revising legal documents to remove caste references. These efforts are relatively easy to implement and seldom encounter public opposition, especially from higher-caste groups, because they do not promote any caste (Mor, 2015). Reforms and policies can also target wage gaps across caste, gender, and class boundaries while remaining in harmony with existing laws and having a demonstrable beneficial impact. Other options include modifying handwritten attestations on birth and death certificates and burial or cremation sittings, amending bureaucratic practices like sponsors' appointments for university assimilation to exclude caste, gender, and class, and for government buffering, widening the applicability of the iron filing contract labour system to provide opportunities without discriminating across these constituents, and ensuring that government land distributed to site Dhanaks does not face a price hike on resale.

6. Methodologies for Intersectional Legal Inquiry

Critical legal studies naturally prioritise the mapping of legal arrangements, processes, and practices constitutive of social orders, beyond the mere observance of formal doctrines, regulations, and codes (Lenard Hutchinson, 2002). The inquiry proceeds from the understanding that law operates

primarily as a social practice whose material effects require attention in and of themselves. From this vantage point, descriptions generated for any one construct, be it gender, caste, class, or other elements of the critical legal studies lexicon, constitute a documented lineage of critical scrutiny of law's persistent distributional malaise.

Empirical data routinely figures as integral to the survey of social orders. Identification of data sources, collection or gathering protocols, sample inquiries, demographic characterisation, chosen indicators, longitudinal sequencing, modalities of causal inference, and related matters collectively frame the facilitation of empirical prescriptions (Sharma, 2021). Normative engagement occupies a parallel track, situated within foundational understandings and principles of equality of respect, dignity, and distributive justice; much scholarly and advocacy literature, moreover, endorses such criteria without explicit labelling. Pedagogical and narrative opportunities figure as third options, resonating with feminist consciousness-raising, theory/law application, indigenous storytelling, and other commitment-linked approaches that advance clarity of complex multi-layered marginality. The offering of intersectional critical legal studies articulates particular emphases across each modality of

exploration and elaboration (Levac & B Denis, 2019).

6.1. Empirical Approaches: Data, Demography, and Evidence

Intersectional inquiry highlights both the multi-constitutive forms of discrimination that subjects experience and the interaction of social categories in creating distinctive and socially patterned positions and trajectories. In legal studies, stratification issues must be bound to the organisation, movement, and hierarchy of law, which can strengthen or destabilise existing inequalities in political, economic, and cultural power. The visualisation, in particular of the legal rights themselves and, most importantly, the intersectional complications of their realisation, is worth consideration in discourses on the domain's wider development, current configuration, and envisioned future direction in the Global South. The intersectional analysis, as suggested by Sharma (2021), considers the situation of individuals by valuing the combination of structural categories that include race, caste, and gender, and each of them might be used in a claim made at any of the temporalities, or, in other words, even altogether, within regimes of compounded discrimination.

The use of mass data collection and the systematic analysis and modelling of relationships between key variables has

been an empirical endeavour across disciplines within the human sciences and related fields. Combined with prior intersectional backgrounds, these avenues help reveal the imbrications of caste and gender with the paths of schooling and economic subsistence in rural Tamil Nadu, exposing constellations of power that cannot be observed through a monolithic, categorical perspective on either construct (Rao, 2015). There is also economic and political scholarship on how the classes and sub-classes are organised within the current caste and gender system. Diffusion of formal education, prioritisation of disadvantaged populations, unequal access to labour markets, and spatial distributions of out-migration are additional instances of the critical change whose cross-national implications for constitution and aspiration remain a rich terrain on which the comparative jurisdiction can be well cultivated.

6.2. Normative Frameworks: Justice, Fairness and Equality.

The issues of justice, fairness, and equality are subject to critical discussion, which entails highly contested normative approaches to concerns about gender, caste, and marginalisation in relation to addressing class. These interconnected structures are essential tenets in the social imaginary to challenge unreasonable social hierarchies. The analytically

distinct yet substantively correlated notions of justice, fairness, and equality provide a strong normative foundation for reflecting on anti-discrimination law and intersectionality. On justice, a long-standing tradition in moral philosophy holds that everyone has a right to equal consideration and respect. The doctrine of fairness tends to go hand in hand with the doctrine of justice, involving consideration of moral equality in the deliberative process and equal opportunity to engage with societal institutions. Finally, equality has been interpreted in various senses, such as equality of dignity or value, equality of esteem, and equality of material resources, abilities, or advantages. An intersectional lens focuses on how the distribution of power, privilege, and opportunity is massively imbalanced across various categories of society.

A justice-based approach means that individuals are free to make their own choices and follow what they deem worth their lives. Inclusion plays a key role in the realisation of freedom and is at the centre of the conception of justice. The theory of justice thereby entirely concurs with the controversial nature that may be held by the value of what is deemed to be valuable in life, both theoretically and empirically. Equal treatment, or equal concern and respect, is a partner to the liberal concept of justice. The sameness of care is twofold: every person has a right

to make valuable decisions in the basic spheres of their lives, yet society, as such, is limited in its ability to expand the context of what is considered valuable to people.

The concepts of fairness as applied to the context of justice theory rely, first of all, on the concept of fair treatment, which is perceived as a voice, or the ability of a particular individual to defend his/her perception of what is truly worthy. Social life fairness is associated with the capability to hold one's head up before the eye of the general population without feeling embarrassed by being scorned or humiliated. The Critical Legal Studies movement challenges the liberal concept of justice adopted by colonial, patriarchal, racial, or imperialist forms of government, which contribute to the establishment of unequal power structures and hierarchies rather than alleviating them (Sharma, 2021).

6.3. Pedagogical and Narrative Techniques in Legal Scholarship

Legal scholarship serves not only a pedagogical function, but may also be deployed to produce a discourse that engages the particularities of multiple simultaneous marginalisations. Forms of expression can be incorporated that go beyond conventional doctrinal analysis of form and content, engaging their interdependencies. Engaging with narratives within legal texts enables both

the discussion of marginalisation and wider, sometimes subversive, explorations of what a law or legal system might be, compelling the reexamination of entrenched legal positions (M. Russell, 1992). The narrative of a still-marginalised community may sometimes be recognisable within and alongside texts that are not conventionally legal, such as poetry that resides in community practice rather than in formal recognition by the law itself (P. Gilkerson, 1992). Further, the technique of documenting a subject's own voice has traction in mainstream law (Philippopoulos-Mihalopoulos & Philippopoulos-Mihalopoulos, 2019).

7. Critical Horizons for Law

Legal discourses on decolonisation, emerging from and largely articulated among ex-colonised communities in the Global South, are often overlooked in critical legal studies. The required decolonial frame would emphasise the ex-colonised perspective, decoupling the critique from intellectual colonisation while respecting other subalterns (Lenard Hutchinson, 2002). The criticism concerns not only the content of specific disciplines but also the broader construction of disciplines themselves; a focus on alternative 'law' must take centre stage. Consequently, anti-colonial jurisprudence, captive to a Western intellectual-decolonisation discourse, remains peripheral to the main critique.

Proposals from regions away from legal epicentres tend to receive scant attention; oral histories from different standpoints illuminate historical and ongoing disjunctions in subaltern and State-representative consciousness (Sharma, 2021).

Because legal instruments often reflect dominant discourses, the quest for language to express discrimination or injustice is impeded when widely repeated, established concepts do not resonate. An array of modes for theorising, analysing, and communicating forms of discrimination, enshrined or entrenched in sophisticated legal systems or theories, facilitates the demand for law from other settings. Apart from reasserting the urgency of anti-epistemic forms of discrimination, the overwhelming complexity observed in undercritical legal studies signals a strategic pursuit of less comprehensively theorised, linguistically ambiguous topics. Efforts by non-hegemonic knowledge systems to articulate modes of oppression are often addressed in terms of solidarity and shared struggle. Where such demands remain diffuse, the exposure of stark disjunctures within a given society becomes illuminating.

7.1. Decolonial and Global South Perspectives

Legal systems worldwide reflect humanity's deepest injustices, yet they

also shape revered hopes for liberation. Reflecting the yearning for collective emancipation, the work of Karl Marx and Frantz Fanon critiques leftist discourses that exclude caste and subjugation so violent that some who suffer it have claimed that only death offers escape (Lerche & Alpa, 2018). Gunadhar Prasad Bhaduri and Daya Krishna muse that regional thinkers overlooked the synthesis of Western metaphysics, including Marx, with India's philosophical traditions precisely because Marx disregarded Caste (Deshmukh, 2020). The decolonial critique thus appears warranted. Even to pursue justice remains presumptuous if the autonomy of contemporary nations, so long denied, is claimed, nourished, and developed (Connell, 2014).

7.2. Transregional Solidarity and Anti-Oppression Frameworks

Political cartography of socio-economic inequalities, non-binary gender relations, and caste highlight the importance of shared action in the discovery and development of egalitarian futures based on redistribution of material resources and knowledge sharing. Global dynamics in South Asia overlap with local and translocal unevenness through the formation of differentiated complexes across geographies. Though there has been a long history of imperial trade and slavery, the regions are still being subjected to economic and political

periphery. Anti-imperial, labour, and social movements are expressed as overlaps, intersections, continuities and new combinations that cut across limited regional identities and differences. Trans-regional solidarities, struggles, communities, and movements across multiple identities and locations share lessons and frames. Equitable access is shaped by geographic marginality and political primacy (Lerche & Alpa, 2018). Solidarity movements also struggle against caste discrimination and the further toss-up of gender re-adjustment post-financialisation. Region, culture, and languages operate as "culturally coded systems of power" in varied, complex, and differential ways. New forms of organisation challenge routine exclusivity and claim wider overlapping territoriality across subjective territories of social positioning. Since 2000, highly visible and privileged campaigners have articulated the struggle for Dalit and similarly constituted identities. The related aggregation of gender self-identifications claims transregional articulation across national boundaries. Interconnections expose caste, class, language, and regional configurations underlying the Indian "democratic-disruption" franchise. A framework for understanding the underpinning topography of intercaste, intercultural, and factory-segregating struggles against gender and capitalist-financialist

creature-type becomes comparatively accessible (Sharma, 2021).

7.3. Future Legal Instruments and Institutional Reforms

Future legal instruments and institutional reforms should address complex interrelated structures that sustain patterns of gender-based oppression, disempowerment, and marginalisation (Mor, 2015). Current feminist frameworks increasingly adopt intersectional lenses that encompass multiple identities and, accordingly, varying forms of violence. Although the progress of international financial institutions and bilateral donors toward “gendering” rule-of-law activities remains uneven, the approach is now being pursued by some United Nations development agencies and multilateral development banks. The Indian Constitution provides protections against discrimination under Articles 14, 15, and 16; specific legislation, such as the Protection of Civil Rights Act and the Scheduled Castes and Tribes (Prevention of Atrocities) Act, governs caste-based discrimination (Sharma, 2021). However, despite frequent acknowledgement of the unequal status of women belonging to Scheduled Castes and Scheduled Tribes, Indian courts have generally refused to recognise intersectionality as a valid basis for discrimination, claiming instead that a person can be either “untouchable” or “non-untouchable.” Drafted under the

auspices of civil society and submitted to a parliamentary committee in 2016, the Equality Bill proposes institutionalising intersectionality by defining protected characteristics, establishing a Central Equality Commission with powers to eliminate discrimination, promote awareness and issue guidelines, and providing remedies for intersectional discrimination.

8. Conclusion

Deconstructing an exclusive focus on the multiple horizons of law that a critical approach invites, it is essential to note how gender, caste, class, and their intersections position individuals and groups along complex trajectories. Aesthetic and ideological rawness, mingling with intellectual rigour, has adorned contemporary work within this scope, despite an apparent tenor regarding aspects of legal theory. Considerations pursued in these wider spaces draw together respect for the long-standing concerns of subaltern studies and contemporary attention to the politics of refusal. The observations made repeatedly return to basic features of formation and reproduction that elude stable designations about position and trajectory across numerous sites.

These partial explorations have been offered as a contribution toward the ongoing mapping of multiple social service, financial service, and legal

service systems through which a critical ensemble may already be charting the contours of law intervening in widening surfaces of everyday experience. Building toward a critical horizon marked by clarity about operations and site through which law is defined and sustained, attention is intermittently rendered to the archive, the specificity of law, capability, and instance, whether formal or informal. However, each remains as much in demand as supply, and the horizon largely serves as direction rather than a fixed point. Whether and sharply delineated or traced only indirectly, the articulation of caste remains foundational to every terrain outlined, and the enquiry concerning the wider disposition of perspective and forces continues to resonate across legal tragedies of astonishing severity. (Sharma, 2021)

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