

Reimagining Justice: Critical Legal Studies and the Transformation of Indian Jurisprudence

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Abstract

Critical Legal Studies (CLS) alters the terms of Indian jurisprudence to indicate that the injustices of development are reflections of colonial relations of power and reaffirms that the just, emancipatory legal order should be pursued at all times. The interrogation of law and power, as critically applied by the CLS, is therefore extremely crucial to postcolonial India. Some of the major programs in the CLS program are redistributing property rights among the landless, retransitioning due-process guarantees in criminal law, and advancing theories of constitutional interpretation that relate text to context. CLS assumptions emphasise the importance of attending to class, caste, and rights without undermining the various orders of inequality and the processes of inclusion and exclusion that define social advantage. CLS critiques the doctrinal analytical limitations of social law by not rejecting the study of doctrine as worthy of analysis. Large-scale CLS enquires after sociolegal phenomena, which are doctrinal and conceptual provisions that organise capacity, access and voice. Various CLS discussions with reform movements point to parallel tracks. Litigation for public interest has brought about greater access to Justice, yielding great but disparate results. The example of grassroots legal mobilisations can be seen as representing CLS principles, though they are only partially described in the CLS formulations. The Indian experience echoes international CLS debates about access to justice, redistribution and reflection on legal mobilisation. The persistent nature, even deepening, of CLS concerns exemplifies their relevance to social justice, emancipation, and fair leverage in the law.

Keywords: *Critical Legal Studies, Indian jurisprudence, social justice, law and power, caste and class, constitutional interpretation, public interest litigation.*

1. Introduction

The rise of Critical Legal Studies (CLS) as an extreme of legal formalism provokes the consideration of the history of Indian jurisprudence and its modern reformulation. Although Indian jurists have made invaluable contributions to the CLS debates concerning law and power, these dialogues have not been theorised in terms of their relevance to CLS or to Indian jurisprudence. This work combines CLS questions on power, the state and modalities of justice with the Indian historical path of legal thought to rebrand Indian jurisprudence as an agrarian, postcolonial and yet evolving endeavour.

Placing the critique of power within the CLS within the overall Indian jurisprudential argument of justice sheds light on the dilemma of how to formulate transformative modalities in cases where legal systems reproduce the power of elites. The concept of framing power as an analytical rather than a normative end also builds on Indian jurisprudence by engaging with CLS texts and vectors that are often overlooked in South Asian questions. The CLS agenda reflects the postcolonial theory of legal continuity and rupture, especially where the phenomenon is typified by hybridisation and syncretism. Still, in the Indian case, heterogeneous power constellations and complex patterns of social mobilisation are stressed.

Relationships between property and class, criminal law and state/constitutional interpretation, and among adjudicatory levels in the hierarchy exemplify the challenge of predicting the results of CLS. With such changes, Indian legal discourse is troubled by the pattern of justice, personhood, and state power that resembles CLS issues. The following intricate interactions among CLS, Indian jurisprudence, and broader agendas further elaborate on the outlines and interests of CLS. The question of CLS being an emergent critical form or a ceded aspiration, there is a cost implicated in re-positioning CLS against the Indian legal order; one to CLS and another, to the seekers of emancipatory change in limited systems.

2. Critical Legal Studies Conceptual Foundations.

Critical Legal Studies (CLS) originated in the US in the 1970s. It became a major force in the 1980s, emerging as an active movement in legal studies. The movement gave impetus to progressive legal scholarship and contributed to wider debates of politics and power in the legal field. In fact, the neutrality and objectivity of the law, along with its rationality, which CLS criticised, echoed the emphatic questions posed by social movements outside the academic community. According to CLS scholar and activist Mark Tushnet, CLS has since

become a significant intellectual uproar in the modern American legal landscape, raising broader political and sociological issues about the connection between law and the American condition (W Munger & Seron, 1984). CLS put the issues of power, domination, exploitation and hegemony on the front burner of the analysis of law and legal institutions, shedding new light on such time-old questions of legal form (M. Russell, 1992).

Justice and law take on different meanings in CLS. First of all, CLS analyses do not view justice as just a principle of norms but as political gamma, the real distribution of power and resources in society. The CLS interventions in the Indian context address both the conceptualisation of justice offered by CLS and the peculiarities of the Indian practice. The CLS concept of law both builds on and leaves behind orthodox legal positivism. CLS followers are adherents of legal positivism. Still, in a broader context that encompasses law as an expanded form of multifaceted, strategic social relationships, this is closely related to the definition of power and injustice. Legal doctrines provide a very thin guide to social interventions in the CLS perspective; much depends on understanding the deeper structures, dynamics, and practices of society.

3. Indian Jurisprudence Historical Trajectory.

Indian jurisprudence has a long history of deep, manifold intersections with the Critical Legal Studies (CLS) canon. Since the beginning of colonialism up to the present day, the prevailing legal conception has shifted, becoming one of restricted governmental power and augmented citizens' rights, which has since been replaced by strict governance and a majoritarian, utilitarian political philosophy. With all these sweeping changes, the jurisprudential theory borrowed from English legal positivism and the formalistic legal culture that accompanied it became entrenched. At the same time, there remains a tradition of enlightenment and liberalism that exacerbates the effect of a CLS-sensitive idiom, most evident in the demand that historical inquiry into law be most concerned with the concepts of cosmopolitanism, freedom, and justice. CLS, then, was not only a solution to the excessive law formalism but also a way to express the burning societal issues that were still not adequately addressed by the jurisprudential theory itself. Although the periods of CLS articulation and Indian jurisprudential articulation intersect, CLS at the beginning of the 1980s and the ramifications of jurisprudence at the end of the 1970s, the identification of CLS as an emergent and subsequently hegemonic movement in Indian legal scholarship predicts its consummate ambition of locating law in

the context of wider processes and epistemologies in society.

Jurisprudential development in India has moved through different phases, characterised by an affinity for historicity and the specificity of law, as diagnosed by CLS. Relevant in the respect of CLS ontologically sensible public reviews of law, the opening of jurisprudence was manifested in the practice of governmental force over the formalised conventions, left to legality. To the CLS ontologically evasive notion of law, another CLS consistency cries out in its turn, the necessary and complex complementarity between law and power, which regulates the indeterminacy of legal regulations in the fields of doctrines. CLS alignment also runs to the fact that the CLS project of exploring justice aligns with the Indian project of jurisprudence, providing a substantive articulation of the historic narratives of constitutionalism-driven legal evolution.

The Constitution of India was developed as a result of the anti-colonial struggle. It was designed to advance the substantial idea of justice, characterised by redistribution and radical change in the current social order (Das Acevedo, 2016). However, it is here that the practices of the postcolonial government were informed by and facilitated by the anticolonial battles; therefore, CLS's involvement in this quandary of

continuity and discontinuity in the constitutionalism-associated legal development is crucial. CLS relevance, furthermore, deals with attempts to determine where the progressive change of the law can be made when CLS-fortified forms of formalism are in circulation so forcefully, namely, attempts made especially pressing in the great disjunction between the state Constitution and the reality of its working, so thoroughly documented, displaced by new alternative directions in CLS key, but enacted in those CLS-specific decades (Mate, 2010).

3.1. Colonialisms and Postcolonial Reconfigurations.

The stereotypical repetition of the discourse of the CLS project in the Indian context suggests that the circumstances of 1947 constituted a dramatic break, and the territoriality of colonial law was more harshly scrutinised (Nicolini, 2018). At the same time, the continuity in conceptual framing and larger legal lineages (Banerjee, 2018) was also maintained. These conflicting reactions are germane to thinking about CLS and are hallmarks of the Indian legal community's outlook on the CLS project.

3.2. Constitutional Encounters: Text, Context and Transformation.

The Constitution of India gives justice a central role, reflecting a general wish for a fairer, more democratic society. The

concept of substantive justice manifests itself in the constituent assembly arguments, reverberates in the Preamble, and also in the Fundamental Rights and the Directive Principles of State Policy. Remarkably, in the same document, the words of the Constitution of 1950 and its interpretations have undergone radical changes widely regarded as transformative. Three pieces of legal scholarship address these landmark constitutional encounters. The former fundamentally criticises the standard textualist or fundamentalist form of interpretation, the relationality of law and of the Constitution, and the tracing of ruptures, constitutive tensions, and post-colonial reaction. The second reveals the distributive power of legal texts and constitutional talk, which is a critical way of looking at political economy. The third examines the prospect of social change inherent in judicial interpretations, and promotes CLS frameworks to examine the excess meanings, hostilities and liberatory possibilities.

Cases of judicial interpretation of government laws portray a vast field in which the interpretive practices have transformative social values. Both textually and in fact, the Constitution serves as an essential conduit of power, shaping entitlements, powers, and duties. The media discourse testifies to the fact that society perceived that such interpretations can cause seismic change

in legal terms and raise the sentiments of rupture in relation to civil society. The rights of lessees to empowerment have achieved a fair degree of prominence, leading to adjudicative interventions: portals exposing emergent distributions, new legal fictions and attendant features during post-acquisition statutory reviews. Interrogation of class and caste in the Criminal Procedure Code, as well as the limits on the state, represents another vehicle for power distribution; society's circulation assigns the prevailing importation of such analyses. The reflections on the Constitution as a *pata-sastras* develop awareness of undercurrents and relational arrangements, which are considered very important in CLS theorists (Mate, 2010).

4. Critical Legal Studies in India.

The Critical Legal Studies (CLS) movement, which is proposed as a counter to formal legality and the hegemonic pursuit of rightness, deals with the problems of (1) equality, (2) distribution, and (3) the intricate nature of the linkage between law and power. When interventions are associated with social justice, they are designed to be two-fold: both to make the law an equitable process and to question the possibility of alternative frameworks. CLS reveals the negative impact of class and caste on the understanding of rights and the organisation of the law itself, using the so-called right to have rights (M. Russell,

1992) register. The privilege of being considered a rights-bearer is related to broader statements of identity and the basic desire to transform law and life. Identity is an imperative; the inclusion without critical examination on the part of the former grants the exclusion an upper hand. In the narrative positioning law as a secondary place, CLS wades into the influence of gender in entry to rights or identity; consequently, CLS emerges at the point indicated, and at the point frontier, of Legal instruments in the construction of the very thing it supports to describe (W Munger & Seron, 1984).

4.1. Law, Power, and Social Justice

The challenge to the neutrality of law, as well as evidence of various formal and informal regimes of power that society governs, disproves the assumption that law complies with the normative debate over justice. The prism of CLS shines light on the complexities of the justice discourse, not only indicating the available leeways and bottlenecks on the way to social justice, but also identifying further entrenchments in the outer trench of social justice that warrant questioning. The CLS assists in understanding that social justice is still realised and sought. In India, where law cannot lead to attraction as a tool of social change, or cannot foster social justice as projectable confidence in policy questions, and before CLS throws in the towel on law and social justice, there is a need to

reconsider the sense of social justice and the inner key of CLS as being uncovered, and hence to achieve the external inflection of CLS as establishment of the all-just law and recovery of CLS establishment of unremitting pursuit of equity systematisations in wider terms around the establishment of empowerment and of dignity rather than the narrow and even harmless milieu of redistribut At the time that all-just law is realised as doomed to complete and yet attainable law, the ability of CLS to recruit justice back into law actively comes back into play. CLS is revitalised as not resigned to seeking a third-party agency on social justice (W Munger et al., 2013).

4.2. Class, Caste and Rights Discourse.

Despite the equality and nondiscrimination declared as the norm in the Constitution of India, caste and class hierarchies are ingrained in the society and persist even in professional and popular justice-related discourse. In line with this, and despite the commonplace professions of gender equity, jurisprudential debates across a variety of fields continue to address women's rights in the context of caste, class, and religion. These allusions emphasise the persistence of caste, class, and religion as key markers of social belonging. Although the common form of critique of law and power employs several social categories, the most

noticeable discourses of caste and class, as well as criticism of the state and privatised power, are prevalent in commentaries on law, justice, and fundamental rights in India (Das Acevedo, 2016).

Rights discourse offers a framework for involvement based on these intervening dimensions. Even the discourse itself is plural, cutting across the various movements, forces, and fields. It is, however, very difficult to interrogate the hierarchies among these diverse modes. Some movements like feminism, emancipation of the Dalit, and lobbying of other marginalised religious groups like the Muslim personal law movement, among others, are considered as being backward, which is an assessment of the eligibility of another group to be treated as basic human rights. The issue is compounded when the task is to determine which strategies are effective, to communicate persuasively what the landscape should look like, to imagine which interventions can be implemented, and to evaluate scenarios to determine their viability and success across various avenues of practical interaction (Mosse, 2020).

4.3. Gender, Identity, and Laws.

The Indian legal system develops citizenship not only as an identity but also as a status, which is accompanied by rights and duties with respect to religion,

gender, class, and caste. Gender neutrality cannot be a part of the big tent approach of reform because this would ignore the political reality of legal provisions that strengthen the subordination of women. Legal privileges attached to religious minority usually force women to conform to culture, custom, and tradition. Combining a liberal constitutionalism with a revival of the Islamic tradition creates a new path of feminist jurisprudence that cuts across modern strategic interests. When feminists on the political left develop a futuristic, systemic view of society and polity, transformational political reforms are compromised. Being (desirable) may be more successful in seeking social and economic rights than being a feminist. The views of an outsider may help break free from patriarchal, conservative, and custodial standards supported by hegemonic religious interpretations (Baars, 2019).

Violence and abuse against rural women, such as honour-killing, are a common practice because of efforts to flee forced marriages; these practices take place even in the non-dowry realm. Although different sociolegal methods are still relevant, it is worth considering doctrinal attacks on enforcement and the inability of poor rural women to access justice. Primary health care access is more of a sociolegal issue, since the supreme courts

of law usually demand redress for harassment, mistreatment, and violations of dignity; as in criminal law, where harassment is prone to occur during the process of delivering justice itself. Legal pluralism reaches both the formal and informal frames of Islam and customary law and permits women-centred, divergent rights. There was a plurality of injunctions and norms that foregrounded integrative obstacles to redressing patriarchal and gender-based deprivation (De Mel & Samararatne, 2017).

5. Methodological Approaches Critique, Empirical Inquiry, and Theory.

Critical Legal Studies is a reworking of Indian jurisprudence or, to be more precise, a reworking of its grammar of justice as an imagined, contested, and sought justice, that is to say, as a way of thought and action in relation to justice. CLS, with its pressing need for social transformation, remains concerned. However, the CLS experience with Indian jurisprudence does not align with mainstream concerns about power and hindrance. CLS enhances, rather than the interaction of justice and power, mediating the re-imagined law as the precondition of justice. The nature of CLS's contribution can also be better understood by considering the constitutional jurisprudence cultivated within this system. The discussion of the Constitution's referential and

transformative nature is joined with CLS's interest in property to raise a field of jurisprudential questions that engage with poverty, access, redistribution, criminality, sexual violence, and numerous other themes labelled as social justice.

The CLS frame re-conceptualises the paradigms of Indian jurisprudence as the ultimate foundation of the postcolonial register, thereby intensifying the presumptions of second-generation constitutionalism. However, the CLS experience of postcoloniality goes beyond the traditional vexation with continuity into a more complex analysis of the complication of colonial and postcolonial grammars. The power assumption is tricky. The exploration of CLS of the epistemological critique of CLS is tied with the more inclusive depiction of the law/power nexus, and the jurisprudential inquiry exemplified by the correlation between property and poverty, an introductory note to another chain of themes, associated with a rights-oriented but at the same time marked with a strong CLS brand name. CLS does not replace dominant concerns of state power but rather complements them (W Munger & Seron, 1984).

5.1. Doctrinal Analysis vs. Sociolegal Approach.

Critical Legal Studies have brought innovative changes in the profession of

law and legal studies. These changes have been evident in the United States and some countries in Latin America, but CLS still plays a crucial role in ongoing discussions in other areas. CLS offers a powerful, topical approach to examining the character of the law, power, and justice in modern India. The jurisprudential metamorphoses that brought about colonisation and the ongoing effects of colonial rule also address CLS theory's political dimension.

The Indian history of the CLS movement begins with the analysis of legal doctrines and ends with discussions of methodology. A comprehensive survey of doctrinal analysis in the CLS literature cannot be conducted and is not the proposed input of the current study. However, the Indian legal literature can be a convenient starting point. According to CLS theorists, scholarship should question different doctrines to unearth their concealed political implications (W Munger & Seron, 1984).
Table: Doctrinal Analysis vs Sociolegal Methods

Aspect	Doctrinal Analysis	Sociolegal Methods
Primary focus	Legal texts, statutes, and judicial precedents	Law in action, social practices, and institutional behaviour
Method of inquiry	Close reading of cases, rules, and legal principles	Fieldwork, interviews, surveys, qualitative and quantitative empirical studies
Concept of justice	Formal justice through the correct application of rules	Substantive justice in terms of lived experience and outcomes
Power relations	Often treated as background or implicit.	Explicit focus on class, caste, gender, religion, and other power hierarchies

Aspect	Doctrinal Analysis	Sociolegal Methods
View of legal doctrine	Central object of analysis and the main guide to legal outcomes	One element among many, embedded in broader social and political structures
Policy and reform impact	Orients reform around textual amendments and precedent shifts	Orients reform around institutional change, access to justice, and social context
Relevance in Indian law	Useful for analysing Supreme Court and High Court jurisprudence	Crucial for understanding rural, marginalised, and gendered experiences of law

5.2. Interdisciplinary Perspectives

Critical Legal Studies (CLS) sheds light on the role of law in perpetuating or dispelling stratification and injustice. The theories of CLS examine the law-power relationship and unveil the pathways of systemic oppression and democratisation. In India, discussions of caste, class, and social justice elicit CLS-consonant questions about marginalisation and empowerment. Jurisprudence is a form of precept of justice that remains disproportionately unrepresented in CLS literature. Formalism is criticised in CLS, which led to an interest in power, justice, and change, the main CLS issues at the time

of India's independence (W Munger and Seron, 1984). The Indian setting also raises questions about the structural injustice of global capitalism, the role of law in processes of enhancement, and the applicability of CLS to society and the quest for access to justice (C. Bollinger, 1993).

The CLS agenda seeks to ground studies of law, power, and justice in the connection between law and power, and in its implications for social change and access to justice. The theme of law, power, and access to justice remains eternal and reverberates in the Indian situation as represented in CLS. The empowerment of the disadvantaged

groups, such as Dalits and women, as well as access to justice, is given serious consideration within CLS circles. The focus of power, oppression, class, and caste at CLS remains relevant between law and social change in terms of the least empowered in society. The theme of law, power, oppression, and social change is particularly timely in the context of further studies of CLS in India, given the role of caste, the persistence of the underprivileged position of Dalits, and the preoccupation of previous CLS theorists (Caruso & Nicola, 2018).

6. Transformations Case Studies.

Some of the most productive areas of the Indian Constitution, as conceived through critical legal studies (CLS), are investigating received conceptions of law, power, and justice in circumstances of postcolonial state formation, unequal development, and democratic aspiration. The underlying issue of CLS, with its indeterminacy of legal meaning and the uneven distribution of law's effects, is highly relevant to the broader debate over the reach and scope of law in Indian society. The application of CLS in India has taken place mainly in two registers: the exposition of the relationship between law and the system of power, and the examination of the discourse of the parameters of social justice and the accessibility of the disadvantaged to it. On the one hand, CLS perceives legal institutions and processes as necessary to

establish a democratic state. However, at the same time, CLS shows how law, at its own peril, points the democratic ambitions towards the non-democratic directions. Despite the type of regime, sex, caste, and economic class among other social groupings, access to the law and opportunities to engage in its structures, contents, and processes are still influenced by the same. These socially mediated aspects of access to law are essential to assessing the realities and opportunities of social justice, one of the registers to which CLS also offers basic information (S. Gupta, 2016).

6.1. Property, Access and Livelihoods.

The Constitution of India has clearly committed to justice, but in the post-1947 period, property and law, as well as social change, remained tightly connected, without any clear provision for access to property justice. The Constitutional bench jurisprudence that began at approximately the same period, led by Justice P.N. Bhagwati, led the judiciary towards an agenda of transformation, with a focus on access, livelihoods, and property as constitutional issues. The scales of involvement in the first stages remained at the stage of expressing the issue of access; only in the late 1970s did the direction take a deadly turn, and it was working on redistribution, tenure, and exclusion. Transfer and redistribution are issues of primary concern worldwide

and are extensively highlighted across different tiers by international organisations. The group of jurisprudence surrounding property, access, and livelihood, however, has very little contact with CLS issues, both in India and elsewhere. Since law is directly related to poverty and social justice, CLS also needs to intervene not only in phenomena of poverty but also in whose property educational system goals are pursued (S. Gupta, 2016).

6.2. State Power, Criminal Law and Due Process.

Theoretical and Ideological Obstructions to CLS in the long run, but closely argued, position that has become workable due to the respectable analytical apparatus of Critical Legal Studies. The 1940s Constitutional debates resurface as an emblem of a repetitive setting, highlighting the Constitution's default legacy and how efforts to open the Indian legal order to the wider realm of Justice are still held back.

It neglects another interest, which aligns more with the law of CLS than with Brahmanical law and justice. CLS preemptively believes that the issues of property and criminal procedure, as expressed in the outdated Constitution, are no longer relevant, having long moved beyond the naive modes of thought. However, even in twenty-first-century India—especially in the realms

of policy and justice—property, rate of return, and tenure remain central concerns, reflecting the ongoing influence of the Invisible Precedent Bank. The aspect of secured property control is therefore not outdated but arguably the most significant and contentious issue among the public.

Even as these laws and conditions assist in arresting and, preferably, criminalising, convicting, compelling and enforcing criminality, evictions, kidnappings, assaults, and murder are instead policy-distracting, underground criminality. The radical public law emotionality of CLS, therefore, does not confront the question of how it is possible to modify the Brahmanical matrix of (K. Washburn, 2006) -linear and durable--using the authoritarian manipulation of property rights.

6.3. Judicial Activism and Constitutional Interpretation.

In an Indian context, judicial activism is considered the alignment of basic and statutory rights with the needs of society and the provision of services beyond what a State can provide. A broad interpretation of the Constitution gives the Supreme Court the ability to step in when there is a constitutional failure, to offer checks on other branches of government, and to act when human rights and equity are threatened (P. Sathe, 2001). It is a multifaceted and

multidimensional construct that gives more to the interpreter than the judicial act. The modern Indian jurisprudence engages with decolonisation through the prism of the CLS movement, which focuses on the exposition of law as a means of constructing freedom (Das Acevedo, 2016). The Constitution is not only the highest law document of the country but also a plan for the long-term outlook of a Society. CLS extends to the equity of classes and caste, to the rights of genders, multiculturalism, and, firstly, to the right to livelihood. The queries of CLS bases concern the regulation of productive activities restricted by a property ban and the relations of a citizen to the country of separation (Singh, 2017). There are several ways of reading the document: by a more liberal social interpretation of the relevant liberty, in which the State itself is a party to its own legislation, given the document's limited textual references.

Judicial Writing has a socially constructive role beyond a recourse-notation, in which the relations of recourse restriction permit only limited ways of intervention: Strengthening competitive politics to equity and against other would-be rights aspirants incur heavy curvature toward prevailing interests across the entire polity. The use of dual lenses of space and scale on CLS enables classification/access to a prudent reading of property and complements

the study of criminal law, in which State measures are involved; subsequently, protection is a nonlinear, restorative process.

7. Conversations with Reform Movements.

A historical overview of Indian legal thought outlines four stages: British colonialism, the national movement, post-independence consolidation, and contemporary neo-liberalism. It traces how these forces affect the discourse on modern law, power, and justice (K. Krishnan & Galanter, 2004). Indian jurisprudence still maintains a duality in its core. Critical Legal Studies challenges the basic connections among law, liberty, and social justice, highlighting the underlying contradictions among them. The rupture that will be central in the Indian context is not colonialism, as CLS would have it, but the attainment of independence in 1947. Both sides of the coin investigations are therefore critical and pose the most obstacles, as argued by W. Munger and Seron (W Munger and Seron, 1984).

7.1. Public Interest Litigation and Access to Justice.

The concept of access to justice is addressed through the law in relation to the marginalised as a form of power change; hence, CLS objectives are sustained in public interest litigation (PIL). PIL uses a broad definition of

justice and is open to acknowledging that numerous statutory and constitutional hurdles prevent access, despite numerous acts designed to ensure access to the system. These obstacles can be explored through CLS critiques of the relations among constitutionalism and social order, technique and agency, formalism and materialism, and legality and power.

CLS also points out that to re-create class-based citizenship in the post-1991 environment, it is necessary to examine how eminent domain, land use and other laws are shaped and then implemented by particular actors (K Krishnan and Galanter, 2004). Several significant interventions address the nexus of law and caste, and CLS plays a crucial role in the process of engagement with the caste question. Pil means contradictory state-centric and non-state concepts of caste that have varying meanings on rights and responsibilities on a large scale (Das Acevedo, 2016). The CLS materialism offers the means of approach to the caste question and, along with the modern and historical sociology, sheds light on caste, status, and social order at a different level than the original CLS brevade presumes. Other indicators in which the CLS-driven themes of the modern situation are addressed include firms and corporations.

7.2. Grassroots Legal Mobilisations.

The legislative, parliamentary, and social mobilisation: to the critical structuralist model of justice (W Munger et al., 2013).

The second wave of lawyering is organised law activism. It entails legal empowerment by taking movement-building and joint actions. Legal non-governmental organisations uphold and protect rights and freedoms, enhance judicial independence, and thus, encourage broader social justice. The establishment of proper local coalitions, the expression of proper legal empowerment strategy, and the reformulation of lawyering practices and frames are discussed.

The fact that mobilisations have been based on specific classes and caste identities means that transformation cuts across modern law and legality without completely rejecting them. Alternative Law Forum has adopted multiple approaches, including legal intervention, research, community organisation, and policy advocacy, to contribute to modern movements. The Forum is driven by cynicism about social change through the judiciary and therefore seeks to make the courts participants in broader social conflicts.

The expression of class, caste and rights destabilises existing conceptualisations of law and can reveal gaps in the law. The common conceptualisations of law as a network or an enabling relation can

become unequally addressed to specific insights into the dignified life and to access to safe livelihoods. Class and caste are alternative frames that provide rights with an opportunity to be redoubtable and reconsidered. Several sets of questions lead to consideration of exclusionary mechanisms and an intermediate level of consideration of framing.

7.3. Comparative Reflections against Global Critical Legal Studies.

The discourse of Critical Legal Studies (CLS) in India needs to be situated within the international CLS project and the input it might bring. The 2023 demands of Serbian-trained scholar Bob R. Dujkovic to the two leading global centres of CLS, John R. G. IV and U., University of California, Berkeley, and Cambridge, indicate a necessity for particularity in the relative relationship between rival CLS versions. The founding members at CLS emphasised doctrines over doctrine about doctrines. Several second-generation CLS scholars have developed a deliberately partial, provisional, and interval-based critique of law. However, the ensuing conflicts suggest that CLS doctrines do not easily generate neighbouring, transferable doctrinal frameworks. Analytical work, however, continues in CLS. The adversely privileged politically researched group, active on five continents, suggests that CLS should be

viewed globally. Mapping the mission towards theorising global law-power interactions, polemical and habilitative, should be critically analysed. CLS can play on the twofold role of powerful scholarly, enduring institutions that protect limited theorisation prospects as well as define modes of change eschewed by scholars. The rapid response to its teachings indicates that further consideration of CLS by a broader audience can stimulate questioning, curiosity or mandatory study.

8. Issues and Outlines of Implementation.

To assess the possibility of CLS-inspired reform, one must consider the multifaceted politics of legal change, including power relations, the timing of the intervention, and the relationship between legal discourse and diverse forms of governance. Institutional difficulties and reform fatigue ingrained in governmental and non-governmental organisations tend to obstruct progressive change, making CLS strategies (even those of a secular, technocratic formulation) more difficult to execute. The applicability of propositions in non-conjunctural space remains uncertain as propositions evolve (S. Gupta, 2016).

8.1. Institutional Constraints and Reform Fatigue.

Standardised index systems compound these. In the Indian context, even in the simplest forms of rights, no decisions can be made by focusing only on legislative options regarding essential distribution, which is poorly adapted to social and material realities. The issues of political education perpetuated through education systems, e.g., early post-colonial plans, remain, making the normal operation of standard measures impossible. Critical legal studies are considered insignificant in the political sphere where structures and institutions are predisposed towards anti-social justice (Das Acevedo, 2016). The objectivity of intellectual standpoints, as well as the lack of subjective agency, corrupt deep-rooted interpretations, as the a priori structural grounds of the law as an institution survive.

The investigation into the legal systems of formal justice is made on a purely procedural basis - the definitive expression of which needs an apprehension of the inflexible separations of procedural and self-formation norms. Client conception remains within the broad range of procedural boundaries, which exclude substantial investigative ground. The forms of tie-against-status that national social action alone can help realise are fine-tuning, which involves the structures of tie-against-status within the process of exclusion, which brings to

reality only the invalidity and inability of the very processes of evolutionary restoration, which themselves, first of all, are formally called into question. It is with respect to lapsing-around that incremental consideration is engrossed. Activities are mainly aimed at immediate sustenance of crude functionality in the event of direct arrangement with CLS-firmed-attention and then inverted into re-regional resistance.

Re-initiation of the proper momentum of the long-overdue orientation-setting is selective re-engaging with CLS-concerns and conditions, already long before the first backwards-discourse is orchestrated in the sole procedural-variation, and already avoiding the critical re-doing which has been done long since elsewhere (K Krishnan & Galanter, 2004). Expansive entry strategies are independent of each other.

8.2. The Politics of Legal Change

There is a crisis of legitimacy in the Indian legal system due to a deep imbalance between the political and the judicial. The relationship between social movement and institutionalised law is fragile and can be reconsidered through CLS as an interpretive prism in this case. The CLS lens finds the law in a broader context in which power has its way in society. This framing also aligns with the power dynamics in the Indian context and the potential for political

intervention through framing a legal issue. The CLS lens assists in locating the public interest litigation within a wider ecology of social struggle and movement in India. It also indicates the counter-hegemonic approaches of movements in the interstitial spaces between law and politics and some of the constraints of CLS itself in the Indian situation. Thus, power remains an analytical and transformative issue. Just as important, if not more so, are the operative and critical registers. These are specifically in relation to the position of the class angle in CLS-inspired interactions with race, caste, gender, and identity politics (Das Acevedo, 2016).

9. Policy, Education, and Practice Implications.

As with any other education in a democratic society, legal education must offer access to education that allows students to think critically about the dire state of the society and legal education and must remake the analysis and reconstruction of the law into all parts of the legal vocation in order to educate and encourage students to further the cause of societal reconstruction based on eternal democratic morals, including a high value on social justice, equity, and respect of every man since he was born at the cost of power and maintenance of law (Bhabha, 2015).

The intellectual search to create a jurisprudential system to determine Indian aspirations remains as pertinent today as it was in 1947. The ideal of the quality of Justice plagues the constitutional arguments. It therefore has some appreciation in explicit expression, not merely at the theoretical plane, but also in the word economy. The discussion can raise the question of whether the elaboration of a Just jurisprudence is still taking its toll on contemporary discourse. The Justice theory of law governs the vast majority of social enquiry. The other chance comes in the evolution of a jurisprudential form of political philosophy, in which Justice is only one of them, and in which Justice, as pronounced in *Beyond the Law*, rather than in a *Just Law*, is of crucial importance. A *Just Law* construction offers a CPR system of democratic ethics; the construction outside of the lines offers a solution in *Democratic Operanda* (M. Russell, 1992).

9.1. Law and Critical Legal Studies.

Law schools ought to stimulate studies in new and emerging areas of law, taking into account globalisation, science, and technology. They are supposed to review the role of the judiciary in law and justice within Indian society and to form alliances with other institutions. The interdisciplinary collaboration of sociology, political science, and economics can help to develop joint

projects. Legal education should interact with social changes to encourage community participation and build confidence in the justice system. India has its roots in the foundations of the rule of law in the ancient traditions, the common law, and the constitution, and still struggles to enforce it (Raj Kumar, 2013).

9.2. Designing Policies to be an Inclusive Jurisprudence.

To create an inclusive socio-political jurisprudence, it is important to call on the experiences and perspectives of communities that have encountered Critical Legal Studies (CLS) either as a hermeneutic or as a frame of reference. The heterogeneous and even contradictory fantasies of CLS suggest a conscious development of social and discursive forms that long precede the subjectivity, the duties of statecraft, and a perspective of national identity. As soon as formal implementation comes into the picture, though, additional research is called to determine the challenges and opportunities that can make CLS-harmonised solutions politically viable to larger coalescent movements driven by a common desire to reverse deprivation and disenfranchisement (Friedman & Maiorano, 2017).

Depending on the reexamination of the chosen cases of change through such an extended CLS perspective, the emerging

interlines of overlapping goals, temporal perspectives, and semantic interpretations of the vision of humanity, jurisprudence, and political action reveal strategic opportunities of new significance. Justice, law, and power CLSA articulation offers a transparent and possibly fitting point of opening discourse with broader epistemic networks that act within the transformative and constitutional images being articulated and agitated in the discursive formations of the Constituent Assembly, disruptive assemblies, meaningful engagement, assertive appeal to Justice, activities to protect the commons, and ongoing grassroots movements (Gaurav, 2021). The quest to explore the energetic modernised formulations of Engagement and Agitation taking shape around the critical response to CLS's representation of law, politics, and power as arenas of consultation is ongoing in the Indian context (S. Gupta, 2016).

9.3. Legal Institutions and Access Mechanism Reform.

India has one of the lowest per capita rates of civil court use in the world, with only 5 filings per 1,000 people in Maharashtra, the most industrialised state (K Krishnan & Galanter, 2004). Therefore, Equity of access to justice entails actions that enable common citizens to invoke the law and its safeguards. A new tool is a 20-year-old

discussion board that has received strong support from the government and the judiciary and is being offered as a means to improve access to justice. The problem of poor accommodation of persons with disabilities is typical of the Indian legal system since the majority of laws are based on persons with no disabilities (Gaurav, 2021). According to critical legal theory, law tends to promote injustice by confirming power inequalities in society and by perpetuating bias through legal logic and procedural fairness. Law shapes social reality, constructing and limiting it; by attaching labels and categories that conform to or disrupt perceptions and actions, law either reinforces or questions injustice.

10. Conclusion

CLS is a reconsideration of Indian jurisprudence, one that throws light on a centuries-old debate on the notion of justice, the law and social change. The CLS approach aligns with an inclusive approach to legal justice and interrogates the association between law and power, focusing on local, inequitable, and advantaged formations. This structure is close to Indian rhetoric of the law and social orders, where the issues of justice and society are paramount, and uncovers gaps, discontinuities, and imbalances often missed in histories that highlight the rights practices beneath or the technical use of formal legal tools.

The historical story shows that the postcolonial era was characterised by massive breaks with the traditional meaning of sovereignty as the most important object of jurisprudential study, and by the impossibility of incorporating economic and social rights into existing constitutional and jurisprudential systems. CLS materials open up how hopes of justice and equality have been made to vary depending on factors that also undermine their achievement. CLS practices with justice subsystems, property, criminal law, and other rights and entitlements, and the courts operate within an unwanted yet binding constitutional order. CLS criticises and supports the constant restructuring of hegemonic, undemocratic, outmoded, and asymmetric relations of law-ubara. The comprehensive, frequently overlooked, unfinished search is covered, and the contributions of judicial, legislative, and extra-institutional, classical, contemporary, and potential are located and repositioned. (M. Russell, 1992)

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