

Public Interest Litigation and Social Movements: Expanding Critical Legal Horizons

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Abstract

Public interest litigation (PIL) is litigation that seeks to safeguard or advance the public interest, sometimes broadly defined as anything touching the common good. In the United States, institutional PIL began in the late 1960s and was used to defend vulnerable populations and to address systemic problems such as poverty, inequality, and discrimination (L. Cummings & L. Rhode, 2009). Since that time, PIL has gained significant traction in several jurisdictions in the Global South that have tackled issues such as poverty, inequality, violations of human rights, environmental degradation, and climate change. The courts have become critical points of resource mobilisation and the promotion of demands outside the classical state apparatus, which is why it is necessary to have a holistic view of the phenomenon, its scope, dynamics, and consequences. A lot of discussion has taken place among critical legal scholars on the correlation between PIL and social movements; this questioning is especially pertinent given recent efforts to examine the interrelations and produce information that may contribute to a critical perspective on both phenomena. Different frameworks and case studies provide conceptual ground for viewing PIL as a social movement. An important point of difference is the character of the linkages being articulated: whether social movements are one of several dimensions involved, or the phenomena are analytically interwoven. A comparative analysis suggests that, in some situations, social movements can be important drivers of PIL, namely when they are institutionally entrenched in the legal field, well-supported in society, and pursue claims related to well-established socio-economic, constitutional, or human rights. Those results highlight the applicability of a social-movement perspective to critical legal theory that seeks to explain PIL mobilisation within the broader mobilisation of the progressive agenda.

Keywords: Social Movements, Critical Scholarship, Public Interest Litigation, Legal Horizons and Human Rights.

1. Introduction

The essence of democratic governance is that it rests on citizens' ability to exercise their political rights and on their demand that policy change is required (L. Cummings & L. Rhode, 2009). Nowhere in this century's history can it be done more readily. Norms, institutions, and basic values are widely questioned worldwide. Increased authoritarianism, xenophobia, and inequality pose a threat to civil rights and democratic rule. Structural factors are worsening the situation; public knowledge has dwindled, civil society is being sucked under the carpet continuously, and public interest groups are facing a scarcity of resources and a strategic dilemma.

In this regard, litigation is widely regarded as a tool for securing rights and demands when political processes appear unresponsive. The growth of courts' role in modern democracies is no longer limited to the separation of realms. New courts have been established at the global, regional, and national levels that apply public international law. The emergence of administrative processes serves as a foundation for legal modifications at the domestic level, as governments, parliaments, and other players expand their mandates beyond service to the people and disregard basic rights. New types of government and leadership strengthen authority, break

with the traditional democratic process, and eliminate checks and balances, leading to a crisis of accountability, representation, and legitimacy. Although certain citizens form alliances and seek to resort to political institutions and tools, macro- and micro-level barriers prevent them from participating effectively in political processes to further democracy. The litigation system arises.

2. Theoretical Underpinnings of Public Interest Litigation.

Public interest litigation is a broad category of legal actions intended to promote the public interest. Although it is widely used, the term lacks a single, universally accepted definition, making both academic and practice-based discussions difficult. Interest in public interest litigation expanded in the late twentieth century and spawned a body of theoretical literature within the broader social justice movement. These models usually provide the movement's grounding in broad-based theories of the common interest and mark convergent jurisprudential transitions. Developing these intellectual streams, new literature considers relations between public interest litigation and political, religious, gendered, environmental, and racial movements. The choice of historical analogues illustrates how litigation opportunities created by coexisting social movements are misused by the actual

actors in the law (L. Cummings & L. Rhode, 2009).

Public interest litigation encompasses a wide variety of legal work that aims at the public good, with a strategic motive and a broad jurisprudential span over the last fifty years. Eschewing generic definitions of cause and activity, the available specifications point to aspirational ends, procedural traits, and institutional arrangements. As a by-product of broader social justice efforts, public interest litigation attracted increased attention in various literatures after 1980. Expansions of periodic surveillance, efforts to historicize past discussions, and mapping of relations with political, religious, environmental, gendered, and racial movements continue to arouse academic interest.

2.1. Origins and Evolution

Colonialism left terrible legacies to the Asian and African countries, institutional injustices that favoured decolonisation and democratisation. The newfound freedoms saw many of the newborn states create elites and solidify the government apparatus in search of legitimacy, dissenting and buying off the justice sector. Cognizant of historical issues of sovereignty, Rights-based elitism was mainstreamed by UNESCO and national governments (L. Cummings & L. Rhode, 2009).

Rights as granted in most situations are/were pernicious. India is one that signed and ratified international conventions, which gave the Constitution supremacy over institutions and over High Courts, and suppressed local judicial accountability in the reach of post-colonialism – multi vs. one model – Wright, “A retrospective of Public Interest Litigation” 2009. The context for most good intentions in rights advocacy remains sparse, drawing on previous generations of post-colonial analysis.

With such an irresponsible pursuit of the liberal state in much of the world today, critiques a la Wallerstein are being made at the hands of many leading advocates of post-colonialism, anew, science, environmentalism, etc. Whereas global elements recycle among activists, there seems to be polemical pegging of criticisms on colonialism, imperialism, etc. Notably among legal theorists, such as Ashis Nandy, etc., the task is apparent. The policy of livelihood sustains democracy in the region. South Asia shares context-poverty (elites, rural, urban, nexus). First, the choices are transport- and storage-conscious patterns. Feeling desperate requests on behalf of appropriate ochlocracy/fail.

Spatial, further examination of analysis-coalition-building(DEBUG) 2008 analysis jurisprudence-options type demanded learning-curves-state direction regulations-letter. Dilating techniques -

intertemporal and inter-regulatory are the ways of comparing systemic space-significant variation activity that exists in the effort to reconstruct literature reuse of purpose publish. Attempt chosen nations-catalysts momentum laws-selection base movement articulation trace-construction as well as other approach-backwards-analysing segments disruption accrue pivotal stimulus further avenues capacity.

2.2. Theoretical Frameworks

The concept of public interest litigation (PIL) is a product of the historical battle against racial inequality in the United States. The broadening of rights in the US Constitution accelerated social movements and the legal profession's efforts to seek formal enforcement procedures guaranteed by the law. The use of legalisation as one avenue to change necessitated the establishment of guidelines outlining the rules. Such rules and restrictions vary widely across jurisdictions and shape the development of PIL, its application, and its broader socio-political purpose.

The establishment of the mode of legal change as a public interest litigation was influenced by:

(1) attributing public interest consideration to particular causes like civil, gender or environmental, which constitute the first generation of the public interest spokesperson;

(2) the articulation of an abstract concept of a public interest, with very regional variations reflected in the federalism theory (international, national, regional) and plural conceptions of a public interest (environment, women's, LGBT, anti-corruption) further afield and enjoying the enabling effects of regulatory agency.

System-level solutions can target vulnerabilities at the root of the community of systemic oppression, thereby mitigating the number of unfortunate cases arising from sub-optimal systems and enabling broader state coverage. The establishment of points of rights infringement in a complex scenario, where various players are involved, is the driving force behind parallel complaints going to the relevant administrative, civil, or criminal avenues. This makes demand, omission, obstruction, or action a foundation of litigation to attract maximum attention and reach, which can be ongoing or occasional. (L. Cummings & L. Rhode, 2009)

3. Public Interest Litigation in the International Scene.

In 1992, the International Human Rights Law Group survey identified four typologies of public interest litigation (PIL) worldwide. The North American pattern was developing in countries such as Canada and the United States, where

legal activity was primarily focused on civil rights, environmental concerns, and social justice. The European model included Western and Eastern Europe and focused on basic human rights, particularly those of ethnic, cultural, and religious minorities. The Latin American trend focused on civil, political, and personal rights in democratising states and was characterised by state violence. The Asian model was present in the countries primarily of the Middle East, South Asia, and Southeast Asia. A second

survey, conducted by PILnet in 2011, affirmed the importance of defining the PIL in relation to jurisdiction, political and economic circumstances, and societal needs. PILnet suggested the fifth model of PIL on the continent of Africa, wherein problems were prevalent in sustainability and equitable long-term development, the protection of economic, social, and cultural rights, and a high-corruption and ill-governance climate (L. Cummings & L. Rhode, 2009).

Typologies of Public Interest Litigation (PIL) Worldwide

PIL model/region	Main focus areas	Key characteristics
North American model	Civil rights, environmental concerns, and social justice	Developed in Canada and the United States, centred on rights-based advocacy through courts .
European model	Basic human rights of ethnic, cultural, and religious minorities	Present in Western and Eastern Europe, it emphasises the protection of minority groups .
Latin American model	Civil, political, and personal rights in democratising states	Marked by state violence and transition to democracy, courts used to contest abuses .

PIL model/region	Main focus areas	Key characteristics
Asian model	Public interest issues in the Middle East, South Asia, Southeast Asia	Reflects regional political and social contexts; often linked to developmental and rights claims .
African model	Economic, social, and cultural rights; sustainability; corruption, bad governance	Identified by PILnet; focuses on equitable long-term development and weak governance contexts

3.1. Comparative Perspectives

Public Interest Litigation is a legal technique aimed at advancing social good and a social movement that increases access to justice. The comparative maturity of public interest litigation across various jurisdictions offers an opportunity to compare the socio-legal relations of public interest litigation with those of social movements. A comparative analysis of the paths undertaken by the public interest litigation and the existence (or lack) of social movements would provide empirically-based assumptions regarding the changing nature of the relations between the state and society, the development of the particular models of the public interest litigation, and the possibility of social movements

worsening the established asymmetry of power in the litigation involving large public interest law firms or state agencies. There are three ideal types of national systems of public interest litigation: open, closed but flourishing, and restricted. These forms illuminate the relations between the state and society, and the fragile equilibrium between elite control and broader participation. In limited systems, social movements put pressure on state actors and law firms operating in the interests of the people to consider litigation as a way of settling the collective's interests. Systematic inquiry: In the other two types, it posits that social movements explicitly focused on public interest litigation have produced limited and contingent effects. Scherer's case study of litigation in Brazil, Mexico, and India as a means of advancing the public

interest reveals how the elite have remained strong despite well-organised grassroots movements (L. Cummings & L. Rhode, 2009).

3.2. The Pursuit of Justice in Institutions.

Based on the concept of public interest law and including strategic public interest litigation (PIL), public interest litigation came into the limelight in the late twentieth century. The name came into use in the middle of the 1960s, especially among American jurists, lawyers, and judges; by the mid-1970s, it had been adopted in other jurisdictions, including India. In 1976, the Supreme Court of India has suggested that public interest litigation involved a legal action that was initiated in the cause of collective interests and rights i.e. in the case of the public interest, the interest of the consumers, the interest of the environment, the interest of unorganised labour where the claimant was not necessarily an aggrieved party but was therefore initiating litigation in the interests of society as a whole (K Krishnan and Galanter, 2004).

The unique feature of the sphere of public interest litigation is the broadening of the standards of standing so that persons who are not members of the cause can initiate a lawsuit on behalf of the affected parties. This expansion of the standing grounds was due to the inefficacy of

formal institutions in protecting collective interests (L. Cummings & L. Rhode, 2009). However, these general prescriptions on standing have been paralleled with a multiplicity of litigation, which has been deliberately unresponsive to the needs and interests of the groups that are supposedly being represented. On this basis, sociology, social justice and strategy have been used to analyse public interest litigation, with a special focus on unequal access to the courts and on structural injustices in a broader sense within social movement theory.

4. Social Movements as Catalysts for Legal Change

Social movements have a multidimensional impact on public interest law and litigation, initiating and developing legal claims, persuading alliances, and activating jurisprudential intervention. The main tools of this impact are mobilisation and collective framing, strategic litigation and amicus action, and the formation of coalitions among different actors and sectors. According to interviews with practitioners, framing of social issues and their legal aspects is the most common type of influence; mobilisation, own litigation, and strategic amicus and litigation are the next factors in a hierarchical order (L. Cummings & L. Rhode, 2009).

The examination of the interrelations between social movements, litigation and democracy has revealed the vast contribution of movements in expanding interpretive frameworks by connecting social claims, including environmental, development, labour, and gender, to constitutional and human rights provisions, statutory texts, and other relevant concepts. Sequencing is a key determinant: claims that are going to litigation are usually framed and mobilised. Past cases show the benefits of encouraging broader social movements to promote progressive changes to the law by creating constituencies and introducing issues in ways that appeal to judges.

4.1. Mechanisms of Influence

The discussion of social movements and public interest litigation is usually focused on how litigation is affected by social movements, not vice versa; however, social movements can affect litigation purposes, timing, and methods. Another aspect of mobilisation can be the motivation behind taking action in court, and how the social movement frames the issues determines the legal claims made. Examples include environmental justice movements, which have played key prelitigation roles in most areas by establishing which types of environmental degradation are examined in public interest suits (L. Cummeling, L. Rhode, 2009). Another reason influencing

the application of constitutional, individual, or human rights is the use of social or political generalisations by the social movements (Guinier & Torres, 2014). Movements provide motivation and urgency to litigation, supporting the need to have in place structures of rights or entitlements. Connections to these structures add credibility to the movement's claims and are particularly crucial in conditions characterised by poor or disputed democratic institutions. Although constitutional or other legally guaranteed rights might still be unmet, thematising them remains a strategically profitable option.

It is possible to identify four interrelated mechanisms of influence. Mobilisation provides dynamism to demand some types of legal action; framing can influence the issues on which legal action will be taken and legal theories; strategic litigation tactics to leverage the experience of social movements can be used to channel and focus demand; and coalition building across movements can enable claimants to access different constituencies, resources, expertise, and outreach capacity.

4.2. Crossings with Rights Claims.

Social movements often organise around the communal and social aspects of their issues, although they present those assertions as one that concerns individual rights. Despite the cautions of opponents

of rights-based approaches that legal action can result in the loss of movement energy or confusion over symbolic and substantive wins, rights framing can be used as a means to other claims not explicitly latent in the primary statements. Protection of constitutional, human, or statutory rights can often create additional claims for redress, adherence, or safeguarding that extend beyond what is already guaranteed in statute, thereby offering new mobilisation possibilities and creating a new framework. Certain assertions related to significant rights labels can even influence the tactical development of a movement agenda, dividing the broader demands into a series of, at least partially, discrete and manageable components (L. Cummings & L. Rhode, 2009).

One of the most noticeable ones is the right to health. In some jurisdictions where economic and social rights are not formally embodied in the constitution, a program of enforcement might aim at establishing the constitutionality of socioeconomic rights, and then take further measures to enforce regulation, such as the service delivery requirements formulated by the pan-American and other regional covenants or the minimum core content set out by the UN Committee on Economic, Social and Cultural Rights. The right to housing is often treated doctrinally in the same way; a movement

can therefore start with the concerted effort to establish the right to water in the larger context of the right to housing, prior to trying to supply the population with the public amenities when the network coverage is low (L. Cavallaro & J. Schaffer, 2004).

5. Critical Questionings of Public Interest Litigation.

Social movements and litigants have condemned the limitations and inequities of public interest litigation. The continuous dangers of elitism, selectivity, commodification, and strategic overreach have cropped up in the interactions between movements and courts (L. Cummings & L. Rhode, 2009). The discussion of these issues brings out the complexities of power, representation and legitimacy and raises questions about how well adequate inclusion, voice and justice are perceived. These sorts of analyses help clarify the political situations of public interest litigation, reveal injustices concealed in ideas of the public interest and public goods, and draw attention to the material and discursive modes by which movements communicate to the court.

The connection between social movements and public interest litigation has also been the subject of critical interrogation of the power of movements to exert on litigation and the influence of litigation on social movements. The two-

sided nature of courts as both a site of opportunity and constraint has been brought to the fore by analyses based on the social movement perspective, showing a wider range of tactical, strategic, and instrumental action than is often recognised by analyses based solely on the public interest litigation perspective. These kinds of studies show that public interest litigation may facilitate the movement to present claims, frame the issue, draw attention to it, leverage support and resources, and achieve political or legislative interests through indirect means, not just to secure rights but also to flex political rhetoric.

5.1. Limitations and Critiques

The litigation process is not progressive. It can be used to buttress the status quo of inequalities by ensuring that the activists receive judicial privileges due to their advantaged access to political and economic resources. Elite interests can be accommodated in public interest cases, recreate the obstacles posed to marginalised groups, and reinscribe injustices within a broader economic and political system. Litigation may also favour certain sub-categories of the disadvantaged and overlook the most urgent social needs; historically, rights-based claims have been used to serve certain capital and national development agendas at the cost of others (L. Cummings & L. Rhode, 2009).

The interaction with the legal field raises concerns about co-optation, watering down of demands, commodification, and loss of independence and ensuring that the only legal solution narrows the social perspective and reduces the movement's solidarity. Some types of judicial intervention entangle existing power structures, forcing other political actors into the background and their strategies. Public interest litigation, in particular, has been criticised for being elitist, selective, overstrategic, dependent on commodified services to people with low incomes, and bypassing the political process.

5.2. Demands, Representation, and Power.

Even the form of public interest litigation itself implies that certain groups of people have the right to act on behalf of other groups, and that minoritised groups are passive beneficiaries of litigation and political processes. In contrast, the most socially remote groups are completely excluded by intersecting processes. This way, public interest litigation is imposed on a social order in which access on equal terms is not possible and easily metamorphoses claims into symbolic change rather than structural change (L. Cummings & L. Rhode, 2009). Institutional and graphical analyses of the public interest litigation enhance these issues. These expose an elite preference for dilemmas over the

everyday experience of citizens, making social processes subject to the essentially catechistic tropes that govern the professional field. This tendency is captured by locator maps, which show social movements and the issues they pursue. However, they do not capture citizens' voices, expectations, or conceptualisations of state legitimacy. The procedures and parameters defining public interest litigation adopt a very limited scope of acceptable presenters and borrowed phrases, and forbid issues, metaphors, and populations considered illegitimate.

Both social movements and public interest litigation, as a consequence, are influenced by power relations and asymmetries, undermining already established critical frameworks and annihilating the concerns about unwanted expansion and dependent behaviour. These disparities are so organised as to ensure that some processes of voice- and narrative-formation never actually come to be, as they marginalise issues of procedural correctness, justice to absent actors, and fairness between competing articulations.

6. Litigation and Movements: The Methodologies of Analysis.

Doctrinal Approaches and Empirical Approaches.: There are two primary forms of public interest litigation in modern society, which are defined in the

literature: social litigation, legal actions designed to actualise, protect, or advance social public interest... (L. Cummings and L. Rhode, 2009). Social groups, non-governmental organisations, or lawyers representing the common good pursue the first, so that they can raise awareness of various forms of injustice in society closely associated with social movements. The second is launched by parties interested in negative policies or laws, or parties who think that ill social events wrong them. The former can be comfortably classified within the concept of public interest litigation as both a point of departure and a building on this definition. Litigation is also more of a catalyst, helping define and elaborate on social movements and bringing them to a broader group of concerned citizens.

Case Study Methodologies: Depending on the jurisdiction's particularities, the method for analysing and selecting cases of public interest litigation can vary. These criteria and the structure of the analysis will then become components to be considered – selection criteria. Litigation cases based on public interest are typically similar; they usually arise during social movements, which represent a significant share of the mass of public-interest or social-justice content. The cases of public interest that are to be analysed, therefore, signify a time association with the informative and distinct social movements. The

movements are a necessary collaborative element in the continual recreation of the concept of the public interest and related interests, both in broad spatial domains and over long time-lag effects; comparative connections and regional cascading effects can permanently revamp not only the choice of cases but also progressive analyses and inquiries into interventions. In cases where an immediate legal ambition still exists, the mass reservation can then be promoted to advocate a move towards the non-consideration of public interests in mass social movements that are not publicly expressed. The four public interest court cases formally recognised by the Chicago court system share a specific set of contents that are legally, socio-economically, culturally, and ideologically akin, yet are products of ageing, institutionalised, and deadlocked social movements. In its turn, social and legal scrutiny is vulnerable to a wholesale initial inquiry or an accrued reinstatement of eight older cases. On a broader plane, the coordination of social groups is carried across thematic connectivities, whereby the initiation of independent actions retains not only the support of a morality but also individual motives, between types of cases distinctly entrenched in the base of groups of the relevant thematic characterisation.

6.1. Doctrinal and Empirical Approaches

Litigation and social movement analyses of public interest use both doctrinal and empirical approaches. The content, structure, and control of laws, rules, and court decisions are examined through doctrinal studies, and the broader social effects, as well as the interaction of related factors, are addressed through empirical analysis using qualitative and quantitative data.

The doctrinal studies on public interest litigation usually focus on substantive, procedural, and institutional characteristics such as open access, the availability of funding, and institutional competence (L. Cummings & L. Rhode, 2009). It collects information by analysing legislation, regulations, court decisions, and institutional documents using a textual approach and publicly available web resources. Primary sources describing what people know, the history of flood movements, strategic goals, and documentary circumstances are available in archival, documentary, audiovisual, and elite interviews, which would allow for subtle, systematic comparisons across jurisdictions. The combination of textual analysis with quantitative and qualitative empirical data that cut across time, space, social movements, and the practices of public interest litigation can be a way of triangulating doctrinal study, as well as modelling the intersections in sacred and secular litigation, and in public interest,

thematic, and social movements of litigation.

6.2. Case Study Methodologies

The analysis of social movements and public interest litigation draws on various frameworks currently applied in different forms. Both frameworks pose different questions, offer specific areas for exploratory investigation, and reveal distinct facets of public interest litigation as a form of interaction with social movements. A short list of questions accompanies many essential studies. None examines the relationship between interest groups and social movements, or questions the mechanics of how the law is changed. The former criterion of selection relies on the comprehensive literature devoted to public interest litigation, namely, social movements or interests as distinct considerations, giving only cursory attention to these crucial interrelationships. The second criterion selects materials that aim to map the relationship between public interest litigation and social movements. However, in these productions, how the two phenomena have interconnections is seen in a very vague manner.

Examination of the connection between social movements and public interest litigation is organised within an analytic framework comprising six critical dimensions. Connection points emerging from social movements guide the design

of interventions. The multiactor/collective approaches perpetuate movements in critical areas, which send a signal to the courts that they require quick or urgent legal redress. Alliances further enhance presence, sustainability, validity, and normalisation beyond the original introduction of a legal claim. These types of coordination allow the introduction of wider or more claims. Movements also influence the development of legal demands by exploring the existing systemic issues, fundamental or core, deep-rooted problems that society or the government is grappling with. In complex spheres with multiple interdependent aspects, movements identify the most important elements in which the court and legal systems may have a strong impact and drive change. (L. Cummings & L. Rhode, 2009)

7. Expanding Critical Horizons: Innovative Legal Strategies

Creative litigation practices can help build bridges between legal campaigns and social movements, making their actions more coordinated. The basis of such strategies is coalition-building, such as making common legal and social claims simultaneously, choosing actors with strategic talents, engaging in a complementary campaign, and timing requests to the same audience. These interventions can establish channels through which systemic change and

development can be realised on a long-term basis and across a wider range of political and social activities (L. Cummings & L. Rhode, 2009). Different laws and legal engagements can catalyse systemic, normative, and long-lasting change; some framing can broaden rights, access to justice, and political change, whereas others do not. Critical voices in the scholarship on public interest litigation warn that courts or legal action should not be viewed as panaceas, highlighting precarious, nominal, or co-optive results.

7.1. Intervention and Coalition-Building Strategic Interventions and Coalition-Building.

The assessment of organisational capacity, likelihood of success, and enforcement issues and political responses is combined with strategic interventions and coalition-building in public-interest litigation. The most effective litigation is that combined with other political campaigns, where objectives are set and legal requirements enforced. Organisational structures of legal groups determine the boundaries and resources available to them, which in turn determine the kinds of cases that can be filed. The strengths and weaknesses of the job environments dictate when the best approach to promoting the course of social justice is through litigation. Litigation strategy is also related to constituency-building in policy

advocacy. Public interest law firms are maintained through membership organisations, increased political and popular support and enhanced protection against unfavourable rulings. The initial desegregation activities have circumvented traditional civil rights cases in which the law was viewed as a vehicle to realise political ambitions within the status quo. Cases of corporate negligence that were exposed through labour cases did not become strategic until the later New Deal period, when remedial suggestions entered the policy discourse. Rights-based litigation often becomes narrow in scope, thus limiting the constitutionality of building the constituency. (L. Cummings & L. Rhode, 2009)

7.2. Social Change and Transformative Litigation.

The legal system in India cannot offer any transformative, practical, and long-lasting solutions to the constitutional and social issues of modern society without collaborating with social movements challenging the norms of gender oppression and the caste system. Other modern theories of change find the relation between law and social movements at the normative level. According to these activists, even in rare cases, public interest litigation can help social movements achieve structural reform, norm change, and disruptive activity in that direction. Modern

theorists and practical activists have been inclined to consider the connection between social movements and law and adjudication litigation on a limited basis, regarding the channels by which social movements can shape law and adjudication, and how much formal law and adjudication can be used in movement developments (L. Cummings & L. Rhode, 2009). The other ways through which movements can shape law - and higher courts and body of knowledge - are also radically uninvestigated. Likewise, little focus is placed on the roles that the litigation of the public interest may play in nonelite change movements and vice versa: how nonlegal actors may play a role in organizing the access of the public interest lawyer to certain issues, hearings, and engagement at higher courts, which may increase and not reduce or even reassert the elite control of movements (Hansford, 2017).

8. Regional and Thematic Case Studies.

In legal campaigns seeking redress for environmental and public health harms, a direct relationship between environmental injuries and adverse health outcomes is frequently invoked to bolster the legal argument. In 1980, M.C. Mehta filed a public-interest litigation petition in the Indian Supreme Court, alleging a correlation between the discharge of paper mills' pollutants and adverse health impacts on the local

population and the surrounding area. The Court also ordered an environmental impact assessment before granting project clearance and constituted an expert committee to monitor various industries. The effect of air pollution in Kanpur was later attributed to the health issues of the people by a high court petition (L. Cummings & L. Rhode, 2009).

At the crossroads of consent, tenure, and jurisdiction, Indigenous communities who demand land justice and self-determination tend to live between two legal spaces. India argues that Indigenous people cannot obtain self-determination in a framework other than the constitutional one of the state. This position benefits the state and the extraction industries. The Indigenous tenure systems in Canada range from full government ownership to clear-title provincial systems. The trends that demand recognition of the rights surrounding self-determination navigate the grey areas between state devolution and Indigenous sovereignty. Claims to land rights are often based on the unavailability of title to Indigenous territories in Brazil, making it challenging to secure the right to a broader scope of self-determination and to select land-use options (W Munger et al., 2013).

Gender rights, equity, and the empowerment of marginalised groups are often united in unique ways that overlap. Trying to employ the concept of

gender equality to establish the rights of women in India to access the features of their religious locations. However, in cases when women who have acquired high office or judicial jobs decline to defend the claims on behalf of the less fortunate groups, their gendered identities and subordination in society are neglected.

8.1. Community health and the environment.

Even though environmental harms are nowadays commonly regarded as a community nuisance, the idea of regulating exposure to toxic substances and making the reactions mandatory (G. Sassman, 2015) remains subordinate to mere economic compensation (Lee, 2002). The balance between the discussion of environmental affairs from different perspectives and the male-dominant system brings harmony through the factors of socioecological health equity, when the sociohistorical and structurally determined practices favour vulnerable populations.

8.2. Indigenous Peoples' Rights and Land Justice.

Indigenous peoples face challenges to their land ownership rights in most parts of the world, and international law provides vague guidance. Major multi-actor efforts have, however, provided a platform for building positive relations and for stating demands concerning this

issue (Elsana, 2019). The difficulty has been to bring the Indigenous land rights into the legal frameworks of different national settings and to advance the jurisprudence. Multiple jurisdictions have been targeted through constitutional, statutory, and administrative law avenues, raising a vigorous debate over whether prior and free consent must be obtained before access to land and development. The right to land, in turn, is part of Indigenous self-determination, which connects land tenure to autonomy frameworks. This strategy has helped strengthen constitutional and legislative acknowledgement of these problems without diminishing traditional land-use assertions. The ensuing judicial discourse traverses conflicting claims to land access and development in favour of territorial rights, which are imperative for fulfilling community, cultural, spiritual, and subsistence demands.

Indigenous peoples have also built a land-based relationship to collective property rights based on land-connectedness, which was confirmed through the legitimation of special relationships to land in the cases of Awas Tingni, Yanomami and Lubicon Lake Band. This connection has continued to promote respect for collective tenure based on historical and cultural use, paving a different path to tenure acknowledgement that suits domestic

law (Dannenmaier, 2008). Their existence underscores the possibility of strategic coalition-building and institutional path realignment to promote the greater good, regardless of the broader goals of the critical litigation.

8.3. Gender, Equality and Marginalised Communities.

Addressing the need to advance jurisprudential progress through litigation has demanded a high level of sophistication, particularly when dealing with the problem of intersectionality across gender and marginalised communities. Using intersectionality, extending the arguments made by Crenshaw (1989) against discrimination on the grounds of gender, sexuality, caste, among others, may also include the right to legal access, which in turn would generalise broader claims. The reduction of problems posed in such terms into aspects that can be asserted in less problematic terms, at the cost of worrying implications, makes it possible to deal with isolated terms of related rights claims. There is also the issue of literature, and there are always debates about caution regarding rights-related claims (Cossman, 1990). The ambivalence remains exhibited by the tenuous, auxiliary nature of rights one, two or three. However, the legislative provision that brings greater clarity remains diffuse; in the areas where it is found,

there is at best a severe lack of intersectional articulation of problems.

9. Implications on policy and legal reform.

As noted by scholars such as Cummings and Rhode (L. Cummeling & L. Rhode, 2009), public-interest litigation has become an increasingly important component of institutionalised social-reform strategies, addressing an ever-changing set of issues at the socio-legal interface. Collaboration with public-interest attorneys has not only clarified the multidimensional nature of social movements-lawyer relationships but also strengthened the argument that movements need to re-evaluate certain aspects of their relationships with law and lawyers. The possibility of law to either support or subvert social change remains an active topic of intellectual debate, which supports complex forms of concerted action that determine the proper outlines of the joint venture. Researchers admit the development of legal tactics and forms of cooperation that support, but do not usurp, non-economic issues in the wider social movement discourse. Such dilemmas are endemic among movements in the nature, structure, timing, and form of their involvement, and the study of cases that emerge from social movements towards public-interest litigation can illuminate these issues.

9.1. Administrative Agencies, Courts and Legislatures.

The major informational institutions of governance in the modern society are courts, legislatures and administrative agencies. Within a general typology of legal strategies, public interest litigation links a bundle of claims and propositions to the functions of these three distinct yet complementary institutions of governance. The judiciary has constitutionally defined power over disputes arising out of law; the legislature has the power to enact the law; and administrative agencies shape the regulatory framework within the law.

These interconnections between the public interest claims and the particular constitutional clauses give way to the identification and distinction of strategic actions within these institutions. In the absence of deliberative consideration, however, such border crossings can obstruct, but not promote, desired goals. The functions, though complementary, of courts, legislatures, and administrative agencies are not similar, and the development of public interest movements has pinned down far different meanings to the terms. This critical engagement thus necessitates analysis of the broader institutional and political contexts in which the given claims lie and clarification of the specific goals to be evaluated, thereby informing

the efforts of all concerned parties (L. Cummings & L. Rhode, 2009).

9.2. Compliance, Implementation and Monitoring.

Monitoring the implementation of judicial decisions and orders is essential because it significantly affects the success of judicial interventions. Monitoring can be done through specialised agencies. Several mechanisms that promote obedience to judicial orders and injunctions worldwide also promote obligation to magnitude and visibility. The constitutional or statutory structure can be structured to reflect how responsive the authorities and individuals are to the judicial interventions. Different states have different names for their special agencies, but they are all referred to as public interest litigators. In some South American jurisdictions, the structures applicable to litigation on the public interest are complemented by state-provided representations in court. The work of public interest litigators is regarded as one of the most esteemed in some African countries. In some instances, lists of litigators of the public interest are established.

The pragmatic school focuses on relevant statements and is pertinent to the issue of the interaction between the law and the amplification of social change. The goal of public interest litigation as a political

action is not limited to the purely legal realm. A good understanding of the operational mix of the political and legal systems allows them to be adequately scanned for strategic movement enhancement and intervention opportunities. It also extends to the maximisation of the interest litigation of the populace, as well as the transformation of social movements adhering to the legal-strategist-theoretical assemblage. It also creates an examination of existing powers and their possible interactions with other civil society empowerment stimuli within other transformational frameworks (L. Cummings & L. Rhode, 2009).

10. Conclusion

The concept of public interest litigation (PIL) has become an effective tool for social movements that advance distributive justice. Although social movements aim to achieve political and economic equality, they have resorted to legal means to advance group-specific demands. Based on the views of legal scholars, recent studies indicate that there are different interactions between movements and PIL.

A capacious definition of social movement engagement with PIL is imperative for its analysis. Forms of litigation are characterised by four dimensions: intermediaries, scope, choice, and timing. Public interest

litigation emphasises the presence of intermediaries, e.g., public interest organisations, law firms, or individual lawyers, who handle the technicalities of litigation on behalf of aggrieved groups in the population. Applicants to public interest litigation come from a broad spectrum of sectors, such as women, children, indigenous groups, labour, and environmental rights, among others. The selection of public interest litigation as a socio-political instrument usually depends not only on the nature of the grievance, e.g., social exclusion, gender, or environmental degradation, but also on the evaluation of the anticipated impact of the litigation in terms of the possible redress and mobilised resources. Social movements frequently invoke the interest litigation of the populace following a long process of critique, and the influence of interest litigation may at once implant and overflow into more comprehensive social movements.

It is from this perspective that the existing literature on social movements that utilise public interest litigation can be divided into two groups of engagement. Under the first cluster, a social movement uses litigation of social interest to protect constitutional and human rights that are at risk due to judicial review or even legal contention. The social movements in the second cluster would use public interest litigation as a strategic approach, along with additional extra-legal protest, to

achieve outcomes when standard channels of engagement have been unsuccessful. The fact that social movements use public interest litigation as an additional weapon in their repertoire of collective action also serves a redressive purpose.

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