

UNIVERSITY OF IOWA

LAW AND SOCIAL JUSTICE IN INDIA
(Course #: 165:197, Section 6)

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Winterim 2011-2012 (December 27 – January 15/16)

COURSE OUTLINE

COURSE DESCRIPTION

The Constitution of India mandates equality before law and a legal system which promotes social, economic and political justice on the basis of equal opportunity to all. In particular, the Constitution ensures that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

The students will receive instruction from guest lecturers from the National Law School of India University (the #1 ranked law school in India), Visthar (an organization devoted to the study of social justice), the Bishop Cotton Women's Christian Law College, and attorneys from the Alternative Law Forum. Students will then study the comparison between the legal systems in Indian and the United States.

Visthar, an Indian organization advocating for human rights involved in rehabilitation of children at risk, as well as the training of activists, organizations and students to work for a just society. Visthar, located on the outskirts of the high-tech city of Bangalore, has extensive experience designing and facilitating international education programs for U.S. students and, in particular, University of Iowa students. The students will live on the secure Visthar campus and will have the opportunity to observe and participate in regional NALSA programs. See the Visthar web site at: <http://www.visthar.org/study-abroad>



STUDENTS

The course would be of interest to undergraduate and graduate University of Iowa (UI) and non-UI students, as well as interested citizens. The course would be of particular interest to pre-law or law students, as well as people interested in global social justice issues.

WHY INDIA?

Studying abroad generally helps students better understand the world and their role in it. Working with people in a different cultural setting will help to train future global leaders to be more effective, respectful of other cultures and political and economic systems, and willing to take a stand for the world's welfare, not just what benefits a specific country. Studying the legal system in India offers benefits unique to the students in that social, economic and political justice are rights granted to each citizen by the Constitution. Through study of the variety of way by which the citizens are able to realize their constitutional rights will allow students to think more creatively about ways in which similar goals can be realized in the U.S.

A primary advantage of studying with law faculty and students in India is that all of the law school classes and texts are in English. Additionally, the legal education system in India has adopted many of the principles contained in the MacCrate Report, the American Bar Association's task force report on professional skills and values.

ABOUT THE INSTRUCTOR

Greg Bal is the supervising attorney for the Student Legal Services clinic at the University of Iowa. He is a graduate of Drake University Law, The Army Judge Advocate General's School, and the National Criminal Defense College. His law career has primarily focused on the legal defense of indigents and he has supervised public defender offices in both Iowa and Massachusetts. He is a native of India and speaks several Indian languages including Hindi, Punjabi and Urdu.

COURSE REQUIREMENTS

Prior to departure

- Attend orientation meetings.

During our stay in India

- Attend all planned activities and excursions.
- Attend regular group meetings with the instructor(s), other students, our hosts and sponsoring organizations.
- Keep a daily journal **starting the first day we arrive in India.**

Upon our return from India

A final project report addressing what the student has learned about Indian laws and procedures for securing social justice, the practical problems of the various systems, ideas on how to

improve those systems, and how what the student has learned can be applied to the legal system in the U.S.

COURSE GRADES

Grades for the course will be based on the following:

- Daily journal submitted to instructor the last day of the trip. (20%)
- Active engagement and discussion with fellow students and instructors, our hosts, and the sponsoring organizations. (40%)
- Final project report. (40%)

REQUIRED READING

- Karen Tokarz and V. Nagaraj, *Advancing Social Justice Through ADR and Clinical Legal Education in India, South Africa and the United States*, in THE GLOBAL CLINICAL MOVEMENT: EDUCATING LAWYERS FOR SOCIAL JUSTICE, 253 (Frank S. Bloch ed., 2011)
- Frank S. Bloch and M.R.K. Prasad, *Institutionalizing a Social Justice Mission for Clinical Legal Education: Cross-National Currents From India and the United States*, 13 *Clinical L. Rev.* 165 (2006)
- Scott J. Shackelford, *In the Name of Efficiency: The Role of Permanent Lok Adalats in the Indian Justice System and Power Infrastructure*
- Ajay Pandey and Sheena Shukkur, *Legal Literacy Projects: Clinical Experience of Empowering the Poor in India*, in THE GLOBAL CLINICAL MOVEMENT: EDUCATING LAWYERS FOR SOCIAL JUSTICE, 241 (Frank S. Bloch ed., 2011)
- Bruce A. Lasky and M.R.K. Prasad, *The Clinical Movement in Southeast Asia and India: A Comparative Perspective and Lessons to be Learned*, THE GLOBAL CLINICAL MOVEMENT: EDUCATING LAWYERS FOR SOCIAL JUSTICE, 36 (Frank S. Bloch ed., 2011)
- Review web page for “Karnataka State Legal Services Authority” at: <http://www.kslsa.kar.nic.in/faq1.htm>

The reading list may be modified prior to actual departure for India. All readings will be available online to registered students.