

2022 IRIS Fieldwork Award Summary Report

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Diversity in judicial institutions is an important issue: it matters for the faith and trust that citizens put in the judiciary that shapes their access and experiences with the institution, which can make the institution more inclusive of identities and outlooks.

Around the world, women face unique problems that limit their inclusion in the legal profession which leads to a gender imbalance at all levels. To address this problem, several states in India have instituted an affirmative-action ('quota') policy for female judges, mandating a certain percentage of judge postings in the lower judiciary to be reserved for women. As a part of the fieldwork over Summer 2021, I wanted to understand how these quotas could have shaped the judicial institution. Particularly, I wanted to enquire whether quotas could (1) increase the number of judges and advocates practicing in courts by creating a *pipeline* and (2) increase the number of female litigants accessing courts through *informal mentorship channels* observed as a result of the expansion in female legal experts in an area.

To understand these dynamics, I first wanted to access and visit different courts in India to acquire exposure to the workings and actors involved in the system. For this, I spent time in Delhi, India where I had some personal contacts with judges who could help me navigate and attend court proceedings. While anyone can legally attend court proceedings, it was helpful to take prior permission from the judges in order to make sure that it would be ok for me to attend the daily proceedings. I chose one district court in Delhi, and attended court activities in different court rooms across several days. The subject matters of the cases ranged from civil to criminal proceedings. I also attended Lok Adalats - which are mechanisms for alternate dispute resolution - wherein hundreds of cases can be decided over a few hours. Finally, I was also able to conduct interviews with the judges, who helped me understand some nuances of case law, and administrative procedures. They also provided some time when I was able to ask questions about issues that I came across. Through this experience, I was able to refine

several research questions I had about the judiciary, in addition to evaluating the appropriateness of identification strategies and approaches to understanding causality. At the same time, I conducted interviews with lawyers, judges and legal professionals. These were typically junior and mid-level practitioners, who shared their insight on several questions about the functioning of the judiciary. These interviews were not only crucial to help me refine the research questions I had, but at the same time, they also helped me to identify the appropriate people who I would need to interview in the future, given the direction of my research questions. For instance, I now know that given my research questions, it is crucial to interview administrative judges as well as bureaucrats who are a part of the Department of Justice. These are the key people in charge of important administrative decisions like appointments, hiring, and promotions. Moreover, since the inception of quotas was an administrative decision within courts, getting insight into the rationale and implementation from such judges would be a key part of understanding the effects of affirmative action in the judiciary.

In summary, the summer fieldwork was able to help me learn more about the judicial system in India, through repeated visits to the courts and interviews with practitioners. It was helpful in clarifying several notions that I had about judicial procedures in India. Importantly, the experience helped me push my dissertation work in a direction that would be both meaningful and substantively important. I am very grateful to IRIS for providing me with the necessary funding to make this work possible.