

India: Statement by Women's Groups Expressing Solidarity with Lawyers Collective

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We, in the women's movement, state our strong and unequivocal protest against the FIR registered by the CBI against Lawyers' Collective, in which they have clearly targeted Senior Advocates Indira Jaising and Anand Grover for their work as lawyers representing human rights defenders.

Their track record of defending the human rights of the marginalised, discriminated and oppressed is long and indisputable.

Indira Jaising, since the 1980s, has unwaveringly stood by the Constitution's Fundamental Rights and taken up cases for women's groups as well as women who faced the brunt of gender inequality. Her commitment to women's rights is seen in her involvement with the 1983 changes in the rape laws, in securing inheritance rights for women as in the Mary Roy case, in securing guardianship for single women in the Githa Hariharan case, against sexual harassment in the Rupan Deol Bajaj case and campaigning for the formulation and enactment of the Domestic Violence Act. Besides women, Ms Jaising has defended evicted pavement dwellers and the Bhopal Gas Tragedy victims.

Whether on the issue of rape, or dowry deaths, or domestic violence, or guardianship rights, or sexual harassment at the workplace, or property rights for women, rights of women from minority communities, or more recently women's entry into places of religious worship, and more generally working through a feminist family law system, Indira Jaising has played a stellar role in shifting the terms of the discourse in Parliament and courts (notably the Supreme Court of India). We celebrate her unrelenting advocacy of constitutionalism and her courage at every stage.

Anand Grover took up cudgels for two decades on behalf of the LGBTIQ+ people in 2001 when a Public Interest Litigation was filed against Section 377 [IPC]. He and the Lawyer's Collective have been important actors in the advocacy and campaigns for the articulation of the rights of sexual and gender minorities as well as drafting anti discrimination legislation for public health. He has represented the Cancer Patients Aid Association and individuals against the patenting and pricing of drugs and played a key role in the formulation of The Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017.

The Lawyers Collective, Anand Grover and Indira Jaising as legal practitioners, have provided legal representation and voice to the most vulnerable and have sought accountability from the most powerful. The FIR targeting Lawyers Collective is not only a blatant attempt to silence them, but also meant to impede access to justice for the most marginalised.

We must assert that defending the democratic rights of citizens has acquired a new meaning as a direct result of the work of Indira Jaising and Anand Grover. Why should these two stalwarts of human rights, whose role in society has been crucial to guaranteeing and safeguarding of democracy and the rule of law, be targeted by the govt? Over the past few years, both these advocates have also fearlessly spoken out against the government's actions which have been corroding the spirit of the Constitution and the problems within the Judiciary. They have consistently raised the issue of governmental accountability. That seems to be the reason that they are being harassed.

To accuse such lawyers and their organisation of receiving funds for activities not listed as objectives in the Memorandum of Association reflects a very poor understanding of the Indian Constitution and a sinister design to roll back the gains of women's movements in India. It is our collective loss, not hers alone, just as the threat is to us all, through her. We stand with them in this fight for accountability since we believe that a democracy needs dissenting voices and the freedom of expression to begin wide spread public conversations.

As women's groups working for the empowerment and liberation of all women and marginalised communities, we condemn this brazen targeting of senior advocates and human rights defenders and call upon the Union Government and its instruments to cease the harassment of the Lawyers Collective and withdraw the case against them.

Forum Against Oppression of Women
