

**NALSAR University of Law, Hyderabad**  
**Presentation Address**  
**LL.D. (Honoris Causa)**  
**to**  
**Ms. Nandita Haksar**

A self-declared product of the women's liberation movement and the human rights movement of the 1970s and '80s, Ms. Nandita's career has been awe-inspiring in its breadth and its single-minded focus on building a tolerant and inclusive nation.

Ms. Nandita has shown us that advocacy is not about taking on cases, but causes. It is about speaking with those whose voices have been muffled, gagged or silenced. That advocacy is not limited to courts and litigation but extends to grass-root mobilization, opinion-making, and education. That advocacy for the oppressed includes all disadvantaged people be they oppressed by region or religion, caste or class, gender or ethnicity. In an age of fragmented identity politics, Ms. Nandita's breath-taking career brings home to us the inextricable connection between all manners of oppression and marginalisation, through the myriad causes she has taken up, the books she has written, the campaigns she has organized and the education she has imparted in corner-meetings and classrooms.

Ranging from her single-handed establishment of Indian case-law on refugee rights, to her involvement, both at the movement level and in litigation, in issues relating to labour rights, police excesses, the rights of marginalised communities and fair process, Ms. Nandita has left an indelible impression upon the nation's human rights jurisprudence. Her first case *Sebastian M Hongray v. Union of India*, led to the landmark judgement on the award of compensation in cases of custodial death, where the bodies of the victims have not been located. Ms. Nandita worked with the People's Union for Democratic Rights for several years before leaving for Imphal to fight cases for Naga villagers who were facing the brunt of the Armed Forces (Special Powers) Act, 1958 in the army's counter-insurgency operation, *Operation Bluebird*. She wrote about her experience in these cases and the prolonged struggle to get justice in *The Judgement that Never Came: Army Rule in North East India*, in 2011. She has crafted pioneering courses in human rights law in India and written path-breaking books seeking, always, to make accessible to readers the knowledge of the law within its socio-political contexts.

For Ms. Nandita, human rights is about the deconstruction of stereotypes; it's a denial of perpetual victimhood to any identity, and conversely a refusal to view any identity as a perpetual perpetrator. Her human rights work is about increasing access to avenues for justice for everybody. *Demystification of Law for Women*, a pioneering graphic book, for instance sought to make accessible legal rights of women, while critiquing legal positions and judgements that treated women unequally. Her self-reflexivity has led her to, subsequently, critique the same book on the grounds that it lumps all women into a uniform category and fails to account for varied identities.

The accident of birth is often offered as an explanation for success. Being born to Mrs. Urmila and Mr. P N Haksar, Ms. Nandita, as she has herself often acknowledged, has been favoured by nature. However, she stands apart in having used this favour ceaselessly in advancement of the Rawlsian ethic of improving the situation of those who were not born as lucky. Recognising the fact that she has rare access to people and

audiences, she has always made a proactive effort to engage with, understand and open up for others the complex realities of peoples' lives; always seeking to undo the simplistic stereotypes that often characterise our understanding of communities whose voices we do not often hear. Ms. Nandita has shown by example how the onerous responsibilities of privilege and the duties of winning the lottery of birth ought to be fulfilled.

Ms. Nandita Haksar stands apart as a rare lawyer who embraces her position as a public person, to speak with the most marginalised people. She weaves together, seamlessly, roles as a lawyer, a campaigner, a teacher and a writer to argue powerfully for the creation of a human rights consonant political environment.

Ms. Nandita's work has enriched human rights knowledge in the country, immeasurably. It is with great pleasure, therefore, Hon'ble Chancellor, May I now present Ms. Nandita Haksar for conferment of the Degree of LL.D. (Honoris Causa).

Hyderabad,  
August 16, 2015

Prof. Faizan Mustafa  
Vice-Chancellor

**Acceptance Speech**  
**by**  
**Ms. Nandita Haksar**

It is indeed a great honour for me to receive this award.

I am well aware of the fact that there are many human rights activists and lawyers who have faced far greater threats and difficulties than I have; some have been imprisoned for taking up cases on behalf of the oppressed. In every corner of our country there are lawyers who continue to resist injustice and oppression; they do so at the cost of their safety and the welfare of their families. I met many of these lawyers and activists here in Hyderabad in the 1980s.

And despite all the sacrifices and suffering of those who are fighting for justice very little seems to be achieved. I am painfully aware of the inadequacies of the justice system. I know that the courts more often fail to deliver even formal legal justice let alone substantive relief.

Just recently I met a young Naga woman and when I asked her for her name she looked shyly and said: "I was the baby born to the woman in the open field in front of the army jawans." Her mother along with another woman was forced to give birth to their babies in the open during a counter-insurgency operation. That incident happened in 1987. I filed the case on behalf of the victims in 1988 and the final hearing was over in 1991. The judgment has still not been delivered.

It has been my privilege to represent many people and organizations fighting against extreme injustice: communities denied their right to existence, their pride crushed under the military boot, men locked up in death row without a fair trial and the poor who are jailed for speaking out against injustice; and foreigners who are arrested when they came to India to seek refuge from dictatorship in their countries.

I have been overwhelmed by the trust people repose in the Indian legal system. Even when they are denied justice they feel at least their voices have been heard; their wrongs have been documented.

The courage and resilience of those who I have represented has been a source of constant inspiration. Their dignity and above all their humanity has humbled me and made me a far braver person than I am.

I can honestly say that despite all the difficulties of the battles in the court of law, despite the disappointments and the outrage one feels at the injustices perpetuated in the name of the law I still feel that the task of upholding the international human rights standards is a very important one in these times of injustice.

The role of the human rights lawyer has become even more significant and vital for the protection of Indian democracy. It is for this reason I believe the honour you have bestowed on me has significance well beyond the honouring of one person. It makes visible the work of all lawyers and judges and law teachers who are fighting for justice within this system.

I believe the most important thing for anyone involved in challenging the state's policies or social prejudices is to have a good theoretical understanding of the root causes of social, economic and political injustice. It is only in an academic atmosphere free can we deepen our analysis and sharpen our understanding. My interaction with the students and faculty of NALSAR helped me do just that.

At a more personal level I feel really proud to have become an honorary member of NALSAR and I would like to thank you very sincerely for welcoming me to your faculty. I feel I have found a place of refuge where we can discuss and debate the things that matter to us as a legal community and to our country's future.

Thank you very much.