FROM GRASSROOT FEMINIST MOBILIZATION TO STATE SUPPORTED COMMUNITY JUSTICE: A COMPARATIVE ANALYSIS OF *NARI ADALATS* IN GUJARAT AND ASSAM

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ABSTRACT

In contemporary India, community-based justice mechanism has become important for negotiating with existing gender inequalities and mobilizing women's access to justice. Nari Adalats are such alternative justice initiatives that operate outside traditional legal organizations and enable women to negotiate their claims and grievances. Nari Adalats owe its origin and subsequent expansion to two different conditions. In its initial stage, it emerged as grassroot feminist collective rooted in community participation, mobilization and legal literacy as a part of Mahila Samakhya Program in Gujarat. Later, Government of India institutionalized this model under the Mission shakti initiative.

This study compares the Gujarat and Assam model drawing from Legal Pluralism, Feminist Legal Theory, Social Capital Theory and empowerment. The study underlines, the differences in implementation and functioning of the Gujarat and Assam model mostly on the basis of how they differ in their operations because of absence and presence of bureaucratization respectively. This study also brings forth the argument that establishes Nari Adalats beyond a simple dispute resolution body, towards being an agency that enables community participation and gendered citizenship. The study also suggests sustainable pathway for community based gender justice in India.

Keywords: Nari Adalat; Feminist Justice; Gendered Citizenship; Legal Pluralism; Women's Empowerment; Community Justice; Mission Shakti; Gujarat; Assam.

Introduction:

The debates on law, governance and citizenship in contemporary Indian context raises important questions around gender justice. The Indian constitution guarantees all citizens equality; it further expands legal protection for women. However, access to justice remains uneven and deeply shaped by structural inequalities like patriarchy, caste, class, ethnicity and geographical marginalization. Many Indian women, particularly those residing in rural areas, formal legal institutions often remain inaccessible due to various reasons like procedural complexities, financial costs, social stigma, and limited legal awareness. These conditions paved way for alternative and community-based mechanisms of dispute resolution. Alternative justice have emerged as an important site through which women negotiate their rights, seek remedies and challenge gendered power relations.

People view formal court system as too far off from their experiences of everyday lives due to the procedural complications and the expenses associated with the same. The complexities associated with the formal legal system for instance distances to reach courts, legal fees for representation and managing time away from work has led to hurdles in gaining access to justice. The formal legal system that is focused on strict legal procedures, often due to paucity of time overlooks social dimensions, local customs and especially expectations. Restorative outcomes that do not fall within the ambit of state led process have not been studied in detail or are frowned upon for practicing in a style of kangaroo courts and declaring them as illegal (e.g.: Khaap panchayat in Haryana or Katta panchayat in Tamil Nadu) based on predominant paradigm of themes based on caste, patriarchy among others. In the Shakti Vahini vs Union of India, 2018 case the Supreme Court of India intervened upon the illegal practices of Khaap Panchayats especially in matters of violences around honor issues. This illustrates the underlying tension and currents between customary authority, constitutional law and alternative/community-based dispute resolution mechanisms.

However, in another perspective a quasi-legal body of informal courts led by women, focusing on alternative dispute resolution mechanism in form of Nari Adalat, led to not just active women centric intervention but also received state backing.

Nari Adalats represents a distinctive experiment in justice that is gender fair. Nari Adalats , unlike conventional legal institutions, operate through personal mediation, dialogue, collective

deliberation and community participation. Their expanse extends beyond dispute settlement. They seek to generate accessible forums where women can articulate their grievances, assert their claims, and collectively challenge structures of gender inequality. In doing so, Nari Adalats blur the conventional distinction between legal intervention and social empowerment. Positioning themselves as institutions that simultaneously address conflict and fosters collective agency.

Nari Adalat reimagines and decenters traditional ways of legal centralism by pushing across the idea of looking at different ways of subjection of women (Baxi,2008). The non state lens of looking at caste, gender, class, community is raising issues whether these need to be regulated or even restricted by the state law. Shirin Rai has argued that post-colonial state has played an important role in public and private aspect of women's lives in formulating, legislating and enforcing laws pertaining to equality. However, the feminist discourses suggest that substantive questions of gender equity may be lost in the outcomes of such measures. The state can be masculinist "without intentionally or overtly pursuing interests of the men" as "masculinity has been socially constructed and increasingly shaped by the powers of the state" (Brown, 1992). Nari Adalat also an attempt to decolonize procedural known ways of dispute resolution. Nari Adalat has led to decolonizing the legal space by putting women at the center by changing the power dynamic. By acting as mediators, engaging in quasi-judicial procedures and case hearings and being accessible to women at nominal rates within a time bound period has led to its popularity at the grassroot levels.

Besides this, the delay in the formal process of gaining justice and given the persistent backlog of unresolved cases has reinforced the need for quicker, accessible, inexpensive and approachable mechanism that would be time bound, resolution oriented based on open dialogue and safe environment especially for women. The relational aspect where focus is on gaining an understanding between conflicting parties and trying to resolve disputes in a practical manner which is based on ground realities than ideals that are rather difficult to comprehend for women facing issues. Restorative outcomes until now have been overlooked which may not fulfill procedural legal requirements but do lead to identifying tensions and tutoring the parties towards active conflict resolution (Basu, 2012).

The origins of Nari Adalats can be traced to the Mahila Samakhya program launched in the year 1988 as in national initiative which aimed at women's education and empowerment.

Within this framework, women's collectives, known as *Sanghas*, emerged as spaces for consciousness raising, leadership development and collective action. In Gujarat, these collectives gradually developed informal forums to address domestic violence, abandonment, maintenance, dispute, inheritance, conflict and other forms of gender-based injustice. Over period of time, these forums evolved into Nari Adalats, which came to be recognized as an influential example of grassroot feminist justice (Krishnan, 2012; Iyengar, 2008). Their authority was not derived from statutory recognition but from community legitimacy collective participation and feminist political consciousness.

More recently, the Government of India has sought to institutionalize the Nari Adalat movement through Mission Shakti, which is a flagship program for women's safety, protection and empowerment. Nari Adalat under this initiate have been introduced in several Indian states, including Assam, with the objective of strengthening women's access to justice through community-based mediation mechanisms. The Gujarat model emerged from grassroot mobilization, contrasting it, Assam's model represents a state support in state supported intervention embedded within administrative structures and guided by standardized procedures. This shift raises important socio-legal and feminist questions regarding the relationship between grassroots activism, state intervention and gender justice.

It is here that Lederach's (2003) Conflict transformation theory which emphasizes on positive orientation towards conflict and engagement in conflict to bring about constructive change that becomes relevant. Conflict has been envisioned as a catalyst for bringing about change. Lederach also states that transformation must be able to respond to life on the ground realities and attaining access to institutions that ensure justice that also identify underlying patterns and causes along with ensuring giving a voice to those who are impacted. Enhancing communicative capacities is one of the ways to initiate sustained dialogue which is seen as a vital means of bringing about change at an interpersonal and between people and groups of people (Lederach, 2003).

The application of Conflict transformation theory allows for understanding the quasi-judicial mechanism of Nari Adalat that has been trying to resolve interpersonal and social issues in an inclusive manner. During the process of field work, both in the state of Assam and Gujarat, we established contact with the propagators of Nari Adalats. In both these states it was realized that the women who worked as dispute resolvers did not only limit themselves to that role. In

Assam, the Nyay Sakhis and the Mukhya Nyay Sakhi would also provide counselling to the aggrieved women. In Gujarat, the grassroot workers also provided counselling. In Gujarat, the state government also employed women on contract for providing counselling services to women in distress. Women in need for help or in distress can call the for help at the Abhayam 181 helpline.

The institutionalization of Nari Adalats echoes the changing nature of feminist governance in India. It forces us to investigate various areas. Like, can justice mechanism be rooted in collective mobilization? Can it retain its transformative potential while being incorporated into state policy? Does institutionalization enhance access, legitimacy and sustainability, or does it risk bureaucratization and depoliticizing? What happens to collective agencies and feminist consciousness when grassroot institutions are reconfigured as instruments of governance?
These questions are particularly significant in a context where governments increasingly seek to scale successful community initiatives through policy frameworks and administrative programs.

This article intends to address the questions above through a comparative analysis of the Nari Adalat models of Gujarat and Assam. The paper draws heavily from feminist legal theories, legal pluralism, empowerment theory and theory of social capital. It also examines how different institutional arrangements outlines women's access to justice, collective participation and empowerment outcomes. The article argues that transitions from Gujarat's movement-based Nari Adalats to Assam's institutionalized model, actually highlights a broader transformation in India's gender justice landscape. While institutionalization expands accessibility, resources, and geographical reach, it simultaneously reshapes the relationship between justice agency and consciousness.

Conceptually, this article treats Nari Adalats as sites of gendered citizenship. Rather than understanding justice solely in legal terms, this study examines how women participate in public decision making. Negotiating their rights and constructing political agencies through community-based institutions. In this sense, the comparison between Gujarat and Assam is not merely a comparison of two dispute resolution mechanisms. Rather, it is an inquiry into competing pathways through which gender justice is imagined institutionalized and practiced in contemporary India.

The emergence of community-based justice institutions has increased academic interest within debates on social legal pluralism, access to justice, and democratic participation. Scholars of legal pluralism challenge the assumption that state law constitutes the sole source of legitimate authority within the society. They instead believe that there exist multiple normative systems including customary institutions, religious authorities, community councils, and informal dispute resolution mechanism alongside formal legal structures (Griffiths, 1986). These overlaps within the systems often shape the everyday experiences of justice more directly than state regulated institutions, particularly amongst the marginalized populations.

Nari Adalats not only resolve disputes, they also provide for agencies that enable women to negotiate their rights and challenge social inequalities. These extended dimensions of Nari Adalats make it an alternative legal space that operates at the intersection of formal and informal justice system. Merry (1998) states that when formal institutions fail to effectively address the needs of certain communities, informal justice mechanisms emerge. These alternative legal spaces possess the potential to democratize access to justice by reducing the barriers which are procedural in nature and instead enhance local participation. She was however equally apprehensive about the idea that informal institutions may also reproduce existing power relations unless they actively confront underlying structures of inequality.

Women and their experiences of law are very often shaped by various social norms, family relations and community expectations. These factors limit the accessibility and effectiveness of the formal legal remedies. Alternative legal spaces on the other hand, become important because it is through them that women seek recognition, support and redressal. The question remains whether such institutions merely provide accessible dispute resolution or whether they contribute to the broader process of social transformation.

The literature on legal pluralism thus provides a starting point for understanding Nari Adalat. While it explains the coexistence of multiple systems of justice, it does not fully address the gender dimensions of power that shape women's access to these systems and scholarships therefore provide unnecessary compliment to legal pluralist perspectives. In this paper we witness two different kind of gender dimensions of power from the states of Gujarat and Assam. The structure and working model in both the states are very different from each other.

Feminist Justice, Empowerment, and Collective Agency:

Feminist scholars have argued that formal legal equality does not automatically render into substantive justice for women. Legal institutions are a part of broader patriarchal structures that shape access to rights, resources, and decision-making power (MacKinnon, 1989). Consequently, the greater aim of achieving gender justice requires not only legal reform but also the transformation of social relations that reproduce inequality in social structure.

Justice is often connected more with power than a simple procedure within feminist jurisprudence. MacKinnon (1989) argues that legal systems primarily institutionalize dominant social norms and therefore fail to adequately address the structural gender inequalities. Smart (1989) in similar lines contends that, law often reproduces masculine forms of authority only. On the other hand, women and their experiences are constantly ignored and marginalized. These critics, broadly suggest that only focusing on improving women's access to existing institutions may be insufficient unless an alternative space is created. Through such spaces women can collectively articulate their interests and at the same time challenge unequal power relations.

Central to understanding the process of feminist jurisprudence is the concept of empowerment. Kabeer (1999) defines empowerment as the expansion of individuals ability to make strategic life choices in context where such choices were previously denied. Her framework emphasizes the inter-relationship between resources, agencies and achievements. Importantly, empowerment is not viewed merely as an individual outcome but as a process through which marginalized group acquire the capacity to influence decisions affecting their lives.

Baltiwala (1994) further argues, that empowerment involves challenging existing structures of domination and creating opportunities for collective actions. Understanding from this perspective, institutions such as Nari Adalat should not be evaluated solely in terms of dispute-resolution outcomes but also in terms of the ability to generate agency, leadership and political consciousness among women.

Feminist scholarship in India has emphasized on the relationship between citizenship, participation and gender justice. Menon (2012) argues that feminist politics must transcend beyond legal equality to address their everyday practices through which gendered power is

reproduced. Women's participation in local institutions therefore becomes extremely significant not only because it facilitates access to resources but also because it creates various opportunities for negotiation of identity, authority and citizenship.

These perspectives suggest that Nari Adalat should be understood not simply as legal forum but as potential sites of empowerment and collective agency. Their significance lies in their capacity to transform women's relationship with law, community and public participation.

Nari Adalats and the Politics of Community-Based Justice:

The most significant body of literature on Nari Adalat focuses on the development within the Mahila Samakhya Programme. The Mahila Samakhya emphasized on education, collective organization and consciousness-raising to function as tools for challenging gendered inequality because it was established as a part of the broader strategy for women's empowerment. Within this context, women's collectives known as Sanghas has developed mechanisms for addressing disputes involving domestic violence, abandonment, maintenance, inheritance and other forms of gender-based injustice.

Krishnan (2012) in her study describes Nari Adalats as grassroots' response to continued violence and discrimination against women. The study discusses how practices of Nari Adalats enabled women to challenge patriarchal norms of the society and negotiate more equitable outcomes. Rather than functioning simply as parallel courts for propagation of justice, Nari Adalats created an alternative space in which women could access support and exercise agencies. Similarly, Iyengar's (2008) analysis of Gujarat's Nari Adalat focuses on the importance of collective legitimacy. According to her findings, the authority of Nari Adalat is derived less from formal legal power but more from networks of trust, solidarity and community participation. The effectiveness of Nari Adalats therefore depends upon the social capital and collective mobilization rather than on institutional coercion.

The existing literature on Nari Adalat largely identifies Gujarat model as a prime example of grassroot feminist justice. However, comparatively lesser attention has been paid to the contemporary expansion of Nari Adalat which were set up under Mission Shakti, ore specifically in Assam. Emerging literature on this policy also presents these institutions as mechanisms for improving access to justice through a structured community mediation. Much

of this literature remains descriptive and policy oriented, offering very limited analysis of the broader implications of institutionalizing a initiative that was previously movement based.

The introduction of Nari Adalat in Assam under Mission Shakti paved path for valuable opportunity to examine these developments. Unlike the Gujarat model, that evolved through grassroot mobilization, the Assam model has emerged from a state-led institutional design. This shift raises important concerns around autonomy, participation, empowerment, and legitimacy that remains insufficiently explored within the existing scholarship.

Statement of the Problem:

There exists a developing body of literature which has examined legal pluralism, women's empowerment, and community-based justice mechanism. However, significant gaps remain in study of Nari Adalat.

Firstly, existing scholarship is overwhelmingly focused on Gujarat and the historical development of Nari Adalat within the Mahila Samakhya framework. Comparatively very little research has examined new estate supported models that emerged under Mission Shakti.

Secondly, studies on Gujarat and studies on Mission Shakti often exist in very separate scholarly conversations. Gujarat model is typically understood and analyzed as a grassroot feminist initiative, while Mission Shakti is Nari Adalat discussed within policy and government and governance literature. Few studies have systematically compared these models within a common theoretical framework.

Thirdly, insufficient attention has been paid to the consequences of institutionalization. Scholars recognize that state support may enhance accessibility, scalability and sustainability but there remains very limited understanding of how institutionalization actually affects the collective agency, feminist consciousness and community ownership. The transformation of Nari Adalat from movement-based institutions to governance mechanisms therefore represents an important yet an underexplored area of inquiry.

Additionally, most studies on Nari Adalat focus on dispute resolution or empowerment outcomes without actually considering how participation in such institutions shapes women's

engagement with law, authority and public decision making. Existing research has rarely examined Nari Adalat as sites of gender citizenship.

The gaps discussed above have been addressed in this article be comparing the Gujarat and Assam model through the theoretical lenses of legal pluralism, feminist legal theory, empowerment theory, and the social capital theory. The paper argues that the transition from grassroots feminist mobilization to state supported community justice represents a significant transformation in the governance of gender justice in India. This article contributes to debates concerning feminist governance, participatory justice, and institutionalization of the grassroot social movements.

Theoretical Framework: Feminist Justice, Gendered Citizenship and the Institutionalization of Community-Based Justice

The comparison between Nari Adalat of Gujarat and Assam requires a theoretical framework that is capable of explaining how these institutions resolve disputes as well as, how they shape women's participation, agency and access to justice. Conventional legal approaches only evaluate dispute resolution mechanisms in terms of its procedural effectiveness or legal outcomes. It is found that, in most cases these approaches are insufficient for understanding Nari Adalats, whose significance expands into the areas of empowerment, collective action and social transformation and not just adjudication.

Nari Adalat is located at the intersections of law, community, gender and governance. They function as mechanisms of dispute resolution, spaces of political participation and as site of citizenship formation all at the same time. To take into account these multiple dimensions, this article draws upon four interconnected theoretical perspectives: legal pluralism, feminist legal theory, empowerment theory and social capital theory. These perspectives brought together, provide for a framework to understand and examine how different institutional arrangements outlines a woman's experiences of justice and participation. This article doesn't consider women merely as recipients of justice, it examines how Nari Adalat enables women to negotiate their rights, quality and public visibility within both community and state structures.

Legal Pluralism and Alternative Justice:

Legal pluralism challenges the conjecture that law exists within formal state institutions exclusively. It basically puts forth that, in every society legal pluralism exists and this plurality can be utilized further and be controlled instead of being denied or eliminated (Brian, 2007). Under legal pluralism, the boundaries of the legal field are not fixed, this creates semi-autonomous social fields (Moore, 1973) and this makes it possible to observe how legal change is effective on the social field. Griffith (1986) argues that within a society, there are multiple normative orders that coexists alongside formal legal system; like customary institutions, community forums, religious authorities and informal dispute resolution mechanisms. Individuals often find their way through these overlapping systems simultaneously, drawing upon different sources of authority depending upon context.

Nari Adalats, from the perspective of legal pluralism, act as alternative legal space which operate alongside formal courts of law. Nari Adalats hold legitimacy that is derived not from statutory authority but from community participation, social recognition and collective acceptance. It provides women with agency accessibility through which disputes are resolved without the procedural barriers of formal legal institutions.

However, legal pluralism does not guarantee justice in isolation. Informal institutions may either challenge or reproduce existing inequalities of a society (Merry, 1988). Community-based forums can be potential sites of empowerment, but they may also reinforce dominant power relations. This is particularly important for understanding the differences between Gujarat and Assam models. While both models operate within legally plural environments, but they differ in their relationship to state authority. Gujarat's Nari Adalat are relatively autonomous community institutions. Assam's Nari Adalat function within a framework of governmental support and administrative oversight. The comparison provides a chance to explore how different forms of legal pluralism affect and enable gender justice.

Westermark (1986) has expanded on Moore's (Moore, 1973) concept of semiautonomous social field and has described the relationship between state law and indigenous law as an interactional approach. Levi Strauss has referred to the concept of 'bricolage' which indicates a selective approach of building and recombining few aspects of state system for their own purposes in their own way.

The questions remain is that; is it possible to have legal pluralism that runs a parallel apparatus addressing grievances within the state system? Griffith (1986) argues that 'weak legal pluralism' is often beneficial to the state. Under this concept, the state determines the extent of role played by semiautonomous bodies and delegates a subordinate role to them. The case of Nari Adalats that have been introduced in Assam in 2023 and the Gujarat government backed official Nari Adalat's fit this categorization. There is a mandate and statement of purpose of procedure, the manner in which cases need to be handled and government recognition to the work being done by Nyaya Sakhis.

On the other hand, deep legal pluralism involves coexistence of orders with different sources of authority and localized community rules that operate with internal validity and are independent of state recognition (Morse and Gordon, 1988). The NGOs and community leaders led Nari Adalat in Gujarat can be categorized as a form of 'deep legal pluralism' where they operate outside the formal framework of the state and are semiformal in orientation. They lack judicial authority and their decisions are not legally binding and the compliance is based on community consensus and voluntary acceptance. These Nari Adalats operate parallelly to the formal state system and at times become a preferred mechanism for dispute resolution within a timebound manner. Most of the cased that the NGOs (who act as grassroot mobilizers and propagators of Nari Adalat in Gujarat) in Gujarat deal with are related to domestic violence, extra-marital affairs, property dispute etc.

Feminist Legal Theory and the Question of Justice:

Legal pluralism engages with existence of multiple system of justice, on the other hand, feminist legal theory indicates why alternative institutions may become an essentiality for women. Feminist scholars of law have argued that law is not necessarily a neutral institution; legal systems rather, frequently reflect and reproduce structures of patriarchal power (MacKinnon, 1989). Social norms, economic dependency and equal access to resources often restrict women to exercise their legal rights which they may formally possess. MacKinnon (1989) argues that when gender justice becomes a genuine concern, it requires demands than just legal inclusions. To be able to create a gender-just society transformation of the social relations that produce inequality needs to be initiated.

Legal institutions privilege masculine forms of authority while marginalizing women's lived

experiences (Smart, 1989). Appropriating ideas into functioning of Nari Adalat we can realize that the cases of dispute that gets reported in Nari Adalat are all deeply embedded within patriarchal social structures. Such disputes cannot be understood as simple individual conflicts; rather, they reflect broader inequalities in power, resources and social status.

Nari Adalats thus becomes important not because they provide accessible justice but also because they create spaces in which women collectively challenge gendered power relations. Their effectiveness is realized by the extent to which they promote such transformations.

Empowerment and Collective Agency:

Bringing to light the concept of empowerment, provides us a brighter picture that highlights the bridge between justice and social transformation. Kabeer (1999) defines empowerment as a mechanism to expand people's ability to make life choices that are strategic in the context where choices were previously denied. This leads to identification of three dimensions of empowerment: resources, agency and achievements. First, resources imply the material, social and informational assets. Secondly, agency refers to the capacity to define goals and act upon them; and achievements are the outcomes resulting from the exercise of agency (ibid.).

This idea of empowering women, when applied to Nari Adalats, suggests that justice should not be measured solely through case resolution rates; it should rather be assessed in terms of whether women acquire greater knowledge, confidence, participation and decision-making power. Baltiwalla (1994) further argues that empowerment involves transforming existing power structures rather than just increasing access to resources. Empowerment therefore possesses a collective dimension; women become empowered not only as individuals but also through participation in networks, organizations and movements. This distinction is particularly useful for comparing Gujarat and Assam. The comparison therefore raises important questions concerning the relationship between individual access and collective agency.

Social Capital and Community Legitimacy:

Community based justice institutions and their effectiveness heavily depends upon relationships of trust, cooperation and collective participation. Bourdieu (1986) in his social capital theory defines social capital as the resources that are available through social networks and collective relationships. These resources include information, support, influence and legitimacy. Unlike economic capital, social capital is embedded within social interactions and collective identities. In similar lines, Putnam (1993) argues that network of trust and civic engagement contribute towards institutional effectiveness and democratic participation. The Gujarat model highlights the relevance of social capital in community justice. Women's collectives created networks through which participants could mobilise support, challenge discrimination and negotiate with local authorities. The legitimacy of Nari Adalats emerged from these relationships rather than from legal coercion.

The Assam model also seeks to generate social capital but through community participation and local mediation structures. However, since it is embedded within state supported frameworks, its legitimacy gets derived from both social relationships and institutional authority. Social capital theory therefore provides a useful lens for understanding how legitimacy is constructed differently across the two models.

Gendered Citizenship and Feminist Governance:

The central theoretical contribution of this study lies in bringing together the perspectives discussed above through the concept of gendered citizenship. Citizenship, is generally understood as a legal status which involves rights and obligations. Feminist scholars however, have emphasized that citizenship is also a socio-political practice which gets shaped by unequal power relations (Pateman, 1988; Young, 1990). Women's citizenship cannot be reduced only to formal rights; it also involves the capacity to participate in public life, influence decision-making and claim recognition as political actors.

Nari Adalat's may therefore be identified as sites of gender citizenship. Through participation in dispute resolution, women enter public spaces from which they have been excluded historically. They engage themselves in deliberations, negotiate authority, articulate claims and exercise various forms of leaderships. The significance of Nari Adalats does extend beyond simple justice delivery. They contribute towards construction of women as active citizens

rather than just passive beneficiaries of welfare programmes. The comparison between Gujarat and Assam model becomes particularly important in this regard. In Gujarat, the citizenship is rooted in feminist activism and collective mobilization; on the other hand, in Assam citizenship is mediated through participation which is supported by the state and institutional governance. The contrasting transition between these two models represent more than just an organizational change; it reflects a broader transformation in the governance of gender justice in India.

This study, thus indicates that the pathways of feminist justice of both the states are interconnected though they represent two distinct blocs. This study propagates that, while institutionalization enhances accessibility and scalability, the transformative potential of Nari Adalats depends upon the preservation of collective agency, social capital and feminist consciousness. The future of community-based gender justice therefore lies in developing institutional arrangements which are capable of combining grassroot empowerment with state-supported sustainability.

Methodology:

This study of Nari Adalat adopts a qualitative comparative case study approach to examine and evaluate the evolution and functioning of Nari Adalats both in the state of Gujarat and Assam. Comparative case studies are useful particularly for understanding how similar institutions operate within different socio-political context and how variations in institutional design shape outcomes (Ragin, 2014). The state of Gujarat and Assam both engage with Nari Adalat is as a mechanism for enhancing women's access to justice; a comparative framework here enables a systematic analysis of the similarities, differences and broader implications for gender justice in India. This study is interpretative in nature. The focus of this study is therefore on institutional processes, sources of legitimacy and the relationship between community-based justice and state intervention. Since, the study is qualitative in nature it tries to understand how Nari Adalats are conceptualized, organized and experienced as sites of justice, empowerment and participation instead of simply measuring institutional effectiveness through quantitative indicators such as number of cases resolved.

The state of Gujarat and Assam have been selected because the two states represent contrasting pathways in the development of Nari Adalats as already stated above. The comparison between these two states therefore allows for an examination of how the institutionalization of feminist

justice influences participation, empowerment and access to justice. By selecting two cases that differ in terms of origins, structures and governance the study is able to explore broader questions concerning the relationship between grassroot mobilization and state led interventions.

This study relies both on primary and secondary data. Primary data consist of the visits made to various Nari Adalat centers both in Gujarat and Assam as a part of the study. Secondary data is derived from academic literature, policy documents, reports and institutional publications. A lot of the process of functioning was understood, realized and felt during the fieldwork process.

Analytical Framework:

A few interconnected themes where is realized and data from the selected sources were examined in those lines:

i. Historical origins and institutional evolution
ii. Sources of legitimacy and authority
iii. Modes of dispute resolution
iv. Women's participation and empowerment
v. Relationship between community institutions and the state

Limitations of the Study:

One major limitation of the study relates to the fact that Gujarat Nari Adalats have been the subject of sustained scholarly attention for more than two decades. However, literature on the implementation of Nari Adalat under the Mission Shakti scheme remains limited. As a result, the analysis of Assam relies heavily on the exposure to the model during data collection and emerging scholarship on the Mission Shakti scheme.

The comparative approach provides valuable insights into the changing landscape of gender justice in India, despite certain limitations. By examining the transition from movement based feminist institution to community justice model that is supported by the state, the study contributes to broader discussions on achieving gender justice.

Assam's Socio-Political Context:

To understand the implementation of Nari Adalat in Assam we need to draw our attention to the state's distinctive social and political context. Assam has a complex social landscape which is marked by its ethnic diversity, geographical segmentation and a layered system of local governance. Assam is home to multiple ethnic, linguistic and tribal communities; each of them possessing distinct cultural practices and community institutions. Historically, informal dispute resolution mechanisms have played an important role in many parts of Assam, particularly in rural and remote areas where access to formal legal institutions may be limited. It also needs to be realized that in Assam women continue to face challenges associated with economic vulnerability, displacement caused by recurrent floods and erosion in monsoon, gender-based violence and unequal access to resources. Such conditions create significant barriers towards accessing justice, particularly for those women who reside in geographically remote areas. While conducting fieldwork in the ten districts of the state it was also understood how Nari Adalats in some areas is under exposed and under-utilized. This situation is in the visit contrast with the state of Gujarat.

Assam State Rural Livelihoods Mission (ASRLM) initiated expansion of women's Self-Help Groups (SHGs), which worked as an engine for driving community participation. These groups have enhanced women's visibility in local governance, economic activities and collective decision making. The introduction of Nari Adalats under Mission Shakti thus was built upon an existing infrastructure of women's collective engagement while simultaneously extending the state's role in local justice processes. The Assam model therefore needs to be understood as a concept that caters to a distinct social-political environment.

Nyaya Sakhis and the Professionalization of Mediation:

One distinctive and defining feature of the Assam model is the role of Nyaya Sakhis, i.e. trained women mediators who facilitate dispute resolution within Nari Adalats. The advent of Nyaya Sakhis reflects professionalization of community justice. Unlike Gujarat's model, where authority was derived largely from collective experience and community leadership, the Assam model places greater emphasis on training, procedure and knowledge and institutional accountability. These appointed Nyaya Sakhis perform multiple functions. They mediate between disputes, provide legal awareness, facilitate communication between disputing parties

and connect women with government and services and support mechanisms. They also serve as intermediaries between local communities and state institutions.

The role of Nyaya Sakhis and professionalized mediation can be analyzed from two perspectives. From one perspective, this professional mediation strengthens the effectiveness of Nari Adalat as an institution by ensuring that mediator possess relevant knowledge and skills. On contrary, another perspective insinuates that, it shifts away authority from collective participation towards specialized actors who operate within the administrative frameworks. This distinction brings into light transformation in the nature of community justice.

Access to Justice and Women's Participation:

The most innovative aspect of the Assam model is its emphasis on accessibility. As discussed above, financial costs, geographical distance, procedural complexity and social stigma act as hindrances for access to formal legal institutions for rural women. Nari Adalats provides an alternative forum through which disputes can be addressed at community level. The initiative towards accessibility aligns very closely with the objectives of feminist governance.

Assam model by reducing hindrances to participation, expands opportunities for women to articulate grievances, seek remedies and engage with public institutions. Kabeer (1999) stated that such type of access represents an important resource that can contribute to empowerment. It enables women with extended opportunities to exercise their agency and pursue outcomes that might otherwise remain inaccessible.

The relationship between access and empowerment is not directly proportional or automatic. On one hand, institutional access may increase participation, but it requires the development of critical consciousness and collective agency for transformative empowerment. Therefore, it is very pertinent that we question the state-supported model and whether it can generate the same forms of collective mobilization that characterized Gujarat's grassroots model. The answer to this is complex and requires multiple levels of analysis. The Assam model indisputably enhances accessibility but its long-term transformative prospect depends upon the extent to which women become active participants instead of being passive recipients of institutional services.

From the discussions on Assam model the central question that arises concerns the nature of justice itself.

The Gujarat model established propagation of justice through the process of collective empowerment and social transformation. Women's grievances were understood as manifestations of broader structures of gender inequality and dispute resolution was closely linked to consciousness raising and community mobilization. The Assam model in direct contrast is more strongly oriented towards dispute resolution, delivery of service and institutional responsiveness. While gender justice still remains an important objective, more emphasis is placed on creating accessible mechanism through which grievances can be addressed locally and efficiently.

The distinction between the two state models maybe understood as the difference between transformative justice and administrative justice. Transformative justice seeks to alter the social conditions that reduce inequality in the society. On the other hand, administrative justice seeks to improve the responsiveness and accessibility of institutions. The same model incorporates elements of both these approaches. However, the institutional design of Assam model places greater offices and governance and service delivery done on movement-based mobilization.

The contrasting nature of Gujarat model and Assam model reveals the organizational differences, but it further highlights the contrasting understandings of how gender justice should be pursued.

Institutionalization and its Contradictions:

The institutionalisation of Nari Adalat in Assam has its own set of tensions and opportunities. The support of the state on one hand enhances the stability of the organisation and at the same time makes it more visible, well-funded and more equipped with trained personnel. These factors in all likelihood increase the chances of women across diverse geographical regions to gain access to justice mechanism. On the downside, institutionalisation may weaken the collective and political dimensions that originally intended to distinguish Nadia ballots from other dispute resolution forums. Cornwall (2004) argued that participatory institutions often lose the transformative potential when incorporated into bureaucratic systems. Participation may become procedural rather than political. The functioning of Assam model brings this

downside into light. When analyzed from the lens of gendered citizenship, Nari Adalats in Assam reflect a deviation from what is expected out of community-based justice system. Women continue to gain opportunities with justice institutions, but the forms of agency and collective action through which such engagements occur have changed.

There is growing sense of critique against alternative dispute resolution in form of mediation. Laura Nader termed Alternative Dispute Resolution (ADR) as 'coercive harmony' where it is seen has coercive repressive and undemocratic (Nader, 1993). Many scholars have called for revamping legal system or reform ADR that can attend to issues of resources, enforce accountability and manage power-based community equations. It is here that the state backed Assam Nari Adalat proves to be interesting as it enjoys the backing of the state.

Comparative Analysis of Sources of Legitimacy and Institutionalization:

There is a significant difference between propagation of legitimacy of Gujarat and Assam model. Gujarat model derives its legitimacy from community trust, collective participation, legal awareness, and the active involvement of women as mediators and decision-makers. In contrast, Assam model developed through state-supported institutionalization under Mission Shakti, deriving legitimacy from a combination of community participation and governmental recognition.

State support has increased the visibility, accessibility, organizational stability and administrative reach of Nari Adalats in Assam but it may also change the nature of participation and reduce the level of community ownership that is associated with the grassroots model. The comparison magnifies a broader tension between community-based legitimacy and state-mediated institutionalization. It raises the question that whether the expansion and formalization of feminist justice can take place without undermining its participatory and transformative character.

The distinction represents two different ways of being legitimate. The Gujarat model is rooted in what Bourdieu (1986) refers to as social capital – the networks, trust and shared relationships that allow people to act collectively. The Assam model leverages state support to build social capital on the foundation of institutional capital. The latter, while creating greater scalability and sustainability, may also reduce the degree of community ownership that was a hallmark of

the original model.

Comparative Analysis and Discussion Institutionalizing Feminist Justice:

The Gujarat and the Assam Nari Adalat models represent two distinct pathways of institutionalization of community-based gender justice in India. Both are designed to facilitate women's access to justice through alternative dispute-resolution mechanisms, but their different institutional histories give rise to different sets of legitimacy, empowerment, participation, and citizenship.

Gujarat illustrates a largely movement-based model based on grassroots feminist mobilization, whereas Assam represents a governance-oriented model based on state recognition and institutional integration. The basis for the legitimacy of Nari Adalats in Gujarat is primarily community participation, social trust and collective networks created through Sanghas. Their work is not only dispute resolution, but also legal consciousness, leadership, solidarity and collective engagement with gendered inequalities. Empowerment thus becomes a process and an outcome of institutional processes. This is consistent with Kabeer's (1999) understanding of empowerment as the expansion of agency and capacity to act.

The Gujarat model locates justice therefore in a larger project of transformation of gendered power relations. Conversely, the Assam model draws its legitimacy from the convergence of community participation and state recognition. Mission Shakti has institutionalized the support, visibility, training and access to community-based justice at an organizational level. But this shift also reconfigures the modalities of participation. Gujarat focuses on collective mobilization and consciousness raising, while Assam focuses on institutional inclusion, access and service delivery. The difference, therefore, is not between empowered and unempowered women, but between different institutional routes through which empowerment is produced.

This distinction can be further explained through the lens of legal pluralism. Both these models complement the existing formal legal institutions and offer alternative spaces for mediation, dialogue and community participation. However, Gujarat model is close to a relatively autonomous form of legal pluralism, with authority mainly coming from grassroots structures. On the other hand, Assam is a more hybrid arrangement where community justice is subsumed within state-backed governance.

Institutional integration could enhance accountability and sustainability, but at the same time it raises questions of autonomy and community ownership. The implications are for feminist consciousness and gendered citizenship. In Gujarat, the institutional practices are more firmly based in collective feminist politics, which makes it possible to locate individual experiences of violence and discrimination within wider structures of gender inequality. Assam's role is to mediate participation more substantively through administrative and governance arrangements with a gender-sensitive orientation. So, Gujarat builds citizenship through collective political practice whereas Assam expands citizenship through institutional participation and access to state-supported mechanisms.

The comparative evidence therefore suggests a fundamental paradox of institutionalized feminist justice: the state may both extend the scope, accessibility and sustainability of community-based initiatives and change their political and transformative character. The question is not whether feminist justice should be institutionalized but how such institutional support might be combined with the autonomy, collective agency, and transformative politics that constitute its grassroots foundations.

Findings, Discussions and the Hybrid Model of Feminist Justice:

The comparative analysis of Gujarat and Assam model indicates that neither of the models completely addresses the challenges of advancing gender justice through community-based institution. Gujarat's model and its excessive dependence on community networks and organizational resources may often act as barriers in its outreach and long-term sustainability. During interactions with various organizations, it was realized that certain resources dry up in the longer run and without the state support especially financial support it becomes extremely difficult to hold on the process. Without any state help and monitoring these organizations are often unable to run their process regularly, thus the meetings aren't held at regular intervals.

Assam on the other hand, illustrates the vantages of institutional support, administrative infrastructure, policy integration and wider accessibility. It ensures that the meetings are held regularly and the Nyay Sakhis are paid for their services. It is however, the incorporation of Nari Adalats into state structures that may create tensions around bureaucratization, autonomy and community ownership.

The differences and visible gaps in these two models indicate a possibility of hybrid approach. The hybrid approach could retain the transformatory and participatory aspects of the Gujarat model while drawing institutional resources and infrastructure from the model that Assam propagates.

The said hybrid model would make sure that Nari Adalats function not as simple dispute resolution mechanism accessible for women but also as spaces where women could develop agency, be part of decision making and collectively engage with the structural conditions underlying gender inequality; and make Nari Adalat a complete advocate towards attainment of gender justice.

The comparative analysis does not suggest blunt transition from activism towards bureaucracy. It rather highlights an ongoing negotiation between community agency and state intervention. One key findings of the study have been realization of the fact that Nari Adalats do not merely act as dispute resolution mechanism widely available to women in the states of Assam and Gujarat. It rather makes a broader contribution in creating spaces where women with grievances could articulate their issues, negotiate their rights, exercise authority and participate in public decision-making process.

The findings also throw light on the ambivalence of institutionalization. State apparatus provides Nari Adalats with resources, stable administration, training and wider justice access, but it also reshapes the political character of community-based initiatives. In the institutional model, participation becomes procedural and elements of collective consciousness becomes less visible. Therefore, the challenge remains to expand institutional capacity without simply reducing feminist justice to service delivery.

The objective of the hybrid model would actually aim at sustained community participation, collective feminist consciousness and collective agency to be combined with state supported resources, infrastructure and institutional reach. Such balance would enable Nari Adalats to retain their transformative foundations while responding to demands of accessibility, sustainability and wider institutionalization.

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