



COURSE MANUAL

Name of the Elective Course: Transnational Queer Justice and Family Law

Course Code: L-EL-0408

Name of the responsible Faculty Instructor:

Dr. Sourav Mandal

**FALL 2026
(AY2026-27)**

This document is prepared by the course instructor and contains basic information relevant to the execution of the course. It is the official record for all intents and purposes as far the elective course, **Transnational Queer Justice and Family Law**, is concerned.

This course manual can be used as a general guide to the subject. However, the instructor can modify, extend or supplement the course (without tampering its basic framework and objectives) for the effective and efficient delivery of the course. The instructor will provide students with reasons for such changes.

Part I

Course Title: **Transnational Queer Justice and Family Law**

Course Code: L-EL-0408

Course Duration: **One Semester (14 Weeks)**

No. of Credit Units: **04 Credits**

Level: **UG or PG**

Medium of Instruction: **English**

Pre-requisites (if applicable): All eligible students enrolled in any of the UG and PG programmes at JGLS may apply.

Equivalent Courses: N/A

1. Acknowledgement of Course Ideators:

2. Course Description

The theory and practice of Family Law in both domestic and international legal frameworks is gradually transitioning towards an increasingly egalitarian and inclusive space from a domain that has essentially been (and continues to remain) ‘heteronormative’¹ at its core. Such foundational frames of reference have been shifting/challenged in the last three decades in most parts of the Global North; in the recent years, waves of change are visible in many regions of the Global South too. However, the trajectories of such changes are multi-axial and non-linear, representing a set of complex political and cultural narratives that are often built upon some of the classic conundrums of our times—universal human rights *versus* pluralism of cultural values; sovereignty of nation states *versus* a workable transnational legal order; formal *versus* informal law; law as a tool of governance *versus* law as an agent of positive social change; legal changes through judicialization *versus* legislation.

3. Course Aims

The course aims to:

- Enable the students to critically examine the constructs of sex, gender, and sexuality and how they operate through the socio-legal instruments of marriage, family, kinship, parenting, caregiving, intimacy, friendship, and love.
- Inform the students about the diversity of polymorphous families and kinship practices from history, popular culture, and contemporary lived experiences and how they are affected by transnational human rights law and constitutionalism in post-colonial societies of the global south.
- Enable the students to understand and uncover how identities are built around intersectional markers of recognition, such as that of caste, religion, disability, race, marital status, and class. And, together how they affect the experiences of queer people in their daily lives.
- Introduce students to the multi-layered challenges experienced by the queer people *vis-à-vis* regimes of socio-legal governance on issues including inheritance, parenting, intimate partner violence, breakdown of relationships, etc.
- Engage the students over transnational legal trends in surrogacy, adoption, gender recognition, marriage-equality, domestic partnerships, and family life.
- Additionally, introduce students to some of the transformative legal models governing non-heteronormative family and kinship forms from a comparative and transnational law perspective. For example, the *Pacta Civil de Solidarité* in France; the Family Law Amendment (De Facto Financial Matters and other Measures) Act 2008 in Australia; and the Civil Union Act 2006 in South Africa.

¹ Lauren Berlant and Michael Warner, ‘Sex in Public’ *Critical Inquiry* 24 (2) (1998) 547; Michael Warner (ed.), *Fear of a Queer Planet: Queer Politics and Social Theory* (University of Minnesota Press 1993) xiii.

- Finally, provide the students with a theoretical framework to think, speak, and write about these issues in a critically engaging manner.

The course will be of interest to those law students who are seeking careers in the United Nations, other international organizations, or large global NGOs engaged in human rights advocacy especially over gender and development, and family policy. The course should also be of interest to those seeking a career in the practice of transnational family law, and private international law.

4. Teaching Methodology

Drawing upon the lenses of feminist and queer legal theory, this course is aimed at training the students to investigate and identify the relationship between sex, gender, sexuality, desire, and law. This course enables them to question some of the foundational assumptions that continue to inform the socio-cultural and legal landscape of family law by exploring the (im)possibilities of deploying transnational law as an advocacy toolkit.

This course will use films, lectures, class discussions, readings, and collaborative activities to develop an understanding of these concepts/issues.

5. Intended Learning Outcomes

At the end of this course, having completed the reading, class activities, homework and assessment, students should be able to:

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/ Activities
Demonstrate a critical understanding of: (1) how sex, gender and sexual orientation are constructed by the society and law, (2) how does law operate through these constructs, and (3) how can one critically engage with these constructs.	40%	Presentation of essential readings. Critical engagement with recommended films. Active class participation.	Presentation, class participation, submission of draft essay, submission of final essay.
Demonstrate a critical understanding of family law and its relationship with ‘heteronormativity’, and to be able to make arguments for an inclusive idea of kinship and family.	30%	Presentation of essential readings. Critical engagement with recommended films. Active class participation.	Presentation, class participation, submission of draft essay, submission of final essay.
Apply the tools of comparative and transnational law to develop arguments, advocacy, and policy	30%	Presentation of essential readings. Critical engagement with	Presentation, class participation, submission of draft

Course Outcomes	Intended Learning	Weightage in %	Teaching and Learning Activities	Assessment Tasks/ Activities
papers for an inclusive family law framework.			recommended films. Active class participation.	essay, submission of final essay.

6. Grading of Student Achievement

To pass this course, students shall obtain a minimum of 40% in the cumulative aspects of coursework, i.e., internal assessments (including moot court, mid-term exam, presentations, research paper) and the end term examination. Internal assessments shall carry a total of 70 marks. **End of semester exam shall carry 30 marks out of which students have to obtain a minimum of 30% marks to fulfil the requirement of passing the course.**

The details of the grades as well as the criteria for awarding such grades are provided below:

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
80 and above	O	8	Outstanding – Exceptional knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and extraordinary critical and analytical ability
75 – 79	A+	7.5	Excellent - Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and critical and analytical ability
70 – 74	A	7	Very Good - Sound knowledge of the subject matter, excellent organizational capacity, ability to synthesize ideas, rules and principles, critically analyze existing materials and originality in thinking and presentation
65 – 69	A-	6	Good - Good understanding of the subject matter, ability to identify issues and provide balanced solutions to problems and good critical and analytical skills
60 – 64	B+	5	Fair – Average understanding of the subject matter, limited ability to identify issues and provide solutions to problems and reasonable critical and analytical skills

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
55 – 59	B	4	Acceptable - Adequate knowledge of the subject matter to go to the next level of study and reasonable critical and analytical skills.
50 – 54	B-	3	Marginal - Limited knowledge of the subject matter and irrelevant use of materials and, poor critical and analytical skills
45 – 49	P1	2	Pass 1 – Pass with basic understanding of the subject matter
40 – 44	P2	1	Pass 2 – Pass with rudimentary understanding of the subject matter
Below 40	F	0	Fail - Poor comprehension of the subject matter; poor critical and analytical skills and marginal use of the relevant materials. Will require repeating the course
Incomplete	I	0	Incomplete - “Extenuating circumstances” preventing the student from taking the end-semester, or re-sit, examination as the case may be; the Vice Dean (Examinations) at their discretion assign the “I” grade. If an "I" grade is assigned, the student would appear for the end-semester, or re-sit examination, as the case may be, as and when the subsequent opportunity is provided by the University.

7. Criteria for Student Assessments

Assessment of the participants will be based on the following criteria.

Assessment	Weightage	Remarks
Class participation	10 marks	Students are expected to effectively participate in the class discussions while demonstrating familiarity with the course readings (by responding to and raising questions), in the absence of which they will not be able to score in this component of the course.
In-class presentation	20 marks	Students are expected to present course readings each week in class, in the absence of which they will not be able to score in this component of the course. Students must sign up for weekly presentation slots by the first week of the semester.
Take-Home Exam	40 marks	This is a take-home exam to be scheduled in the tenth week of the course.

Assessment	Weightage	Remarks
		<p>Course Coverage and Question Paper Pattern: The course coverage includes all class readings and case law discussed up to the ninth week of the semester. The question paper pattern will include conceptual and analytical questions.</p> <p>What are you expected to do? You should be able to effectively identify the correct legal concepts and principles in their answers, besides being able to effectively explain and apply them on contemporary transnational issues relevant to family law. Additionally, students should be able to contextualise and critically evaluate the legal arguments in appropriate political and historical contexts.</p>
End Semester Examination (Compulsory)	30 Marks	There will be a compulsory end-semester examination/component for all participants of the course who have successfully met the requisite attendance as per the governing JGU policies.

Part III

Course/Class Policies

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas. Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online, must be credited with the original source. If the source or inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All form of plagiarism will be taken seriously by the University and prescribed sanctions will be imposed on those who commit plagiarism.

The policy with regard to all aspects of the course, including teaching, attendance, class participation, internal and end-term assessment, grading, etc. are governed by Jindal Global Law School Students' Rules and Regulations ("**JGLS Yellow Book**").

Cell Phones, Laptops and Similar Gadgets

Students **must keep their cellphones, laptops, and other similar gadgets on switched off/ flight mode**. Any student found using a cellphone while class is ongoing will be liable to face disciplinary action. **Students are not permitted to use their laptops in classes**. Under no circumstances should such gadgets be used in class to record, access email, social or other networking websites or use instant messaging software. **A violation of this policy will result**

disciplinary action which may include the forfeiture of this permission for the remainder of the semester. The instructors may withdraw this permission at any time.

Academic Integrity and Plagiarism

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas. Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online, must be credited with the original source. If the source or inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All form of plagiarism will be taken seriously by the University, and prescribed sanctions will be imposed on those who commit plagiarism.

Disability Support and Accommodation Requirements

JGU endeavours to make all its courses inclusive and accessible to students with different abilities. In accordance with the Rights of Persons with Disabilities Act (2016), the JGU Disability Support Committee (DSC) has identified conditions that could hinder a student's overall well-being. These include physical and mobility related difficulties, visual and hearing impairment, mental health conditions and intellectual/learning difficulties e.g., dyslexia, dyscalculia. Students with any known disability needing academic and other support are required to register with the Disability Support Committee (DSC) by following the procedure specified at <https://jgu.edu.in/disability-support-committee/>

Students who need support may register before the deadline for registration ends, as communicated by the DSC via email each semester. Those students who wish to continue receiving support from the previous semester, must re-register every semester prior to the deadline for re-registration as communicated by the DSC via email. Last minute registrations and support are discouraged and might not be possible as sufficient time is required to make the arrangements for support.

The DSC maintains strict confidentiality about the identity of the student and the nature of their disability and the same is requested from faculty members and staff as well. The DSC takes a strong stance against in-class and out-of-class references made about a student's disability without their consent and disrespectful comments referring to a student's disability. With due respect for confidentiality, faculty and students are encouraged to have honest conversations about the needs of students with disabilities and to discuss how a course may be better tailored to cater to a student with disability.

All general queries are to be addressed to disabilitysupportcommittee@jgu.edu.in

Safe Space Pledge

This course may discuss a range of issues and events that might result in distress for some students. Discussions in the course might also provoke strong emotional responses. To make sure that all students collectively benefit from the course, and do not feel disturbed due to either the content of the course or the conduct of the discussions. Therefore, it is incumbent upon all within the classroom to pledge to maintain respect towards our peers. This does not mean that you need to feel restrained about what you feel and what you want to say. Conversely, this is about creating a safe space where everyone can speak and learn without inhibitions and fear. This responsibility lies not only with students, but also with the instructor.

Students are not permitted to use their laptops in classes. Under no circumstances should such gadgets be used in class to record, access email, social or other networking websites or use instant messaging software.

P.S. The course instructor, as part of introducing the course manual, will discuss the scope of the Safe Space Pledge with the class.

Attendance Policy:

Students are expected to register their attendance in the classroom biometric device while returning from their mid-class break. Additionally, the instructor may take manual or a second biometric attendance at any point during the class.

Part IV

Keywords Syllabus: Queer Kinship; Critical Family Law; Gender, Human Rights, and Law; Constitutionalisation of Family Law; Transnational Queer Justice.

Course Design and Overview (Weekly Plan)

Week(s)	Topics
1	Introduction to the Course
2 and 3	How do Feminist and Queer Theorists view the relationship between Sex, Gender, and the Law?
4	The Social and Legal Life of Family: What is meant by ‘Queering’ Family Law?
5	Locating the Family in the Transnational Legal Landscape
6 and 7	Transnationalisation of Family law through International Human Rights
8 and 9	Transnationalisation of Family law through Constitutionalisation
10	Family Law’s role in Empire-building: Colonial and Post-colonial Tropes of Cis-hetero-patriarchy
11	Labour, Care, and Violence in Family: Politics of the Public/Private in Family Law
12	Family, State and the Market in Neo-liberal Times: Is Transnational Legal Ordering Reforming Family Law?
13	Ethics of Care: Surrogacy, Adoption, and Parenting

[NOTE: There shall be teaching classes scheduled during the fourteenth week subject to the JGU Academic Calendar circulated by the Office of the Registrar, JGU and any official declaration of non-working days by the JGU Registrar.]

Module Descriptions:

Part V Relevant Readings / Essential Readings

Week 1: Introduction to the Course

The purpose of the first week is to introduce the students to the course. Besides introducing the students to the architecture of this course, it purports to challenge the foundational normative precepts that inform and define the following: what constitutes a family; is there a universal/uniform definition of ‘family’ in (transnational) family law?

Mandatory Readings

- Olivier Struelens and Jean De Munck, “Introduction: Law and Family at the Crossroads of Democratisation and Transnationalisation” (2024) 14(1) *Oñati Socio-legal Series* 166.
- Film: Francis Lee, *God’s Own Country* (2017).

Supplementary Readings

- Judith Butler, “Is Kinship Always Already Heterosexual?” in Wendy Brown, Janet Halley (eds.) *Left Legalism/Left Critique* (Duke University Press 2002) 229.
- Jannet Halley and Kerry Rittich, “Critical directions in Comparative Family Law: Genealogies and Contemporary Studies of Family Law Exceptionalism” (2010) 58(4) *American Journal of Comparative Law* 753.

Weeks 2 and 3: How do Feminist and Queer Theorists view the relationship between Sex, Gender, and the Law?

This module is meant to enable the students to critically examine: how sex, gender and sexual orientation are constructed by the society and law? How does family law operate through these constructs? How can one critically engage with these constructs?

Mandatory Readings

- Ratna Kapoor, ‘Transnational Law and Feminist Legal Theory’ in Peer Zumbansen (ed), *The Oxford Handbook of Transnational Family Law* (Oxford University Press 2021) 1007.
- Kath Browne and Catherine J Nash, ‘Queer Methods and Methodologies: An Introduction’ in Kath Browne and Catherine J Nash (eds.), *Queer Methods and Methodologies: Intersecting Queer Theories and Social Science Research* (Ashgate 2010) 1.

- Dipika Jain, ‘Queering the Transnational: Notes on an Emerging Politics of Law and Sexuality’ in Peer Zumbansen (ed), *The Oxford Handbook of Transnational Family Law* (Oxford University Press 2021) 727.
- Film: James Ivory, *Maurice* (1987).

Supplementary Readings

- Sourav Mandal, “The Medical Practice of Corrective Surgeries on Persons born with Intersex-variations in India: A Critical Evaluation” (2018) 43 (2) *Journal of Dharma* 151-168.
- Stevi Jackson, “Interchanges: Gender, sexuality and Heterosexuality: The Complexity (and limits) of Heteronormativity” 7(1) *Feminist Theory* (2006) 105-121.
- Janet Halley, “Queer Theory by Men” in Martha A. Fineman, Jack E. Jackson *et.al.* (eds.), *Feminist and Queer Legal Theory: Intimate Encounters, Uncomfortable Conversations* (Ashgate 2009) 9-28.
- Francisco Valdes, “Foreword: Notes on the Conflation” 83 *Cal. L. Rev.* (1995) 12.
- Gayle Rubin, (1993) “Thinking Sex: Note for a Radical Theory of the Politics of Sexuality”
- Film: Kimberley Peirce, *Boys Don’t Cry* (1999).

Week 4: The Social and Legal Life of Family: What is meant by ‘Queering’ Family Law?

The readings in this module focus primarily on the central question: What is meant by ‘queering’ Family Law? The discussions are meant to provoke the students to view family law with a critical gaze—how do feminist and queer theorists view the law from the vantage point of their methodological location? Is the normative definition of ‘family’ a one-size-fits-all mould that masks the reality of excluding some families? Who is outside in the magic circle of family law?

Mandatory Readings

- Martha Minow, “All in the Family and in All Families: Membership, Loving and Owing” 95 *West Virginia Law Review* (1992-93) 275.
- Sourav Mandal, “The Politics of Regulating Adult Sexuality through the Institution of Marriage: Reflections on Queer Experiences from India” in Tanja Herklotz and Siddarth De Souza (eds.), *Mutinies for Equality: Contemporary Developments in Law and Gender in India* (Cambridge University Press, 2021) 225-241.
- Film: Mike Nichols, *Birdcage* (1996).

Supplementary Readings

- Martha Albertson Fineman, “The Sexual Family” in Martha A. Fineman, Jack E. Jackson *et.al.* (eds.), *Feminist and Queer Legal Theory: Intimate encounters, Uncomfortable Conversations* (Ashgate 2009) 45-64.

Week 5: Locating the Family in the Transnational Legal Landscape

The readings of this week will focus primarily on the central question: what is meant by transnational family law?

Mandatory Readings

- Ivana Isailović, 'Family Law: A Blind Spot' in Peer Zumbansen (ed), *The Many Lives of Transnational Law: Critical Engagements with Jessup's Bold Proposal* (Cambridge University Press 2020) 294.
- Film: Ashima Chibbar, *Mrs. Chatterjee vs Norway* (2023).

Supplementary Readings

- Stefan Kadelbach, 'The Territoriality and Migration of Fundamental Rights' in Günther Handl, Joachim Zekoll and Peer Zumbansen (eds), *Beyond Territoriality: Transnational Legal Authority in the Age of Globalisation* (Martinus Nijhoff 2012) 295.
- Hans Peter Schmitz, 'The Globalization of Human Rights Norms: Understanding the Opportunities and Limits of International Law and Transnational Activism' in Donald W Jackson, Michael C Tolley, Mary L Volcansek (eds), *Globalizing Justice: Critical Perspectives on Transnational Law and the Cross-Border Migration of Legal Norms* (State University of New York Press 2010) 121.

Weeks 6 and 7: Transnationalisation of Family Law through International Human Rights

The expanding influence of human rights norms on national legislative and judicial processes have led to some degree of harmonisation (if not uniformity) of domestic norms guiding family law in the last seven decades. And with the emergence of globalisation in the last three decades, there is a noticeable shrinking in the role of national legal regimes on matters relating to the regulation of the family. Additionally, with an increased influx in the international mobility of persons and families, there is a considerable growth in the number of transnational families globally. This has not only brought a renewed focus on the practice of private international law but has also started mounting pressures on the national legal regimes to match up to some of the more acceptable standards in vogue at a transnational level.

Mandatory Readings

- Claire Fenton-Glynn, 'Transnational Family Law' in Peer Zumbansen (ed), *The Oxford Handbook of Transnational Family Law* (Oxford University Press 2021) 575.
- Geoffrey Willems, "Same-sex marriage as a human right: How the Strasbourg Court could draw inspiration from the US Supreme Court and the Inter-American Court of Human Rights to affirm marriage equality" (2024) 14(1) *Oñati Socio-legal Series* 176.
- Film: Gurinder Chadha, *Bend It Like Beckham* (2002).

Supplementary Readings

- Bettina Heiderhoff, 'Human Rights in the German Family Law Context' in Shazia Chaudhary and Jonnathan Herring (eds.), *The Cambridge Companion to Comparative Family Law* (Cambridge University Press 2019) 77.

- Hadas Tagari, *Personal Family Law Systems — A Comparative and Human Rights Analysis*, 8 Int'l J. L. Context 231 (2012)
- Bassam Tibi, "Islamic Law/Shari'a, Human Rights, Universal Morality and International Relations," *Human Rights Quarterly* 16, no. 2 (1994): 277.
- Dagmar Coester-Waltjen, "The Impact of the ECHR and the ECtHR on European Family Law" in Jens M Scherpe (ed), *European Family Law* (Edward Elgar, 2016, vol 1) 65.

Week 8 and 9: Transnationalisation of Family law through Constitutionalisation

The intersections of constitutional law and family is an understudied discipline. However, there is a growing corpus of critical legal scholarship coming mainly from the feminist, critical-race, and queer perspectives in the last three decades. At the same time, both in the global north and in the global south, there is an upsurge in constitutional adjudication on questions of equality, liberty, privacy, and autonomy in family life. The readings of this week focus on the constitutional law tools (e.g., doctrine of proportionality, substantive equality, anti-discrimination, separate but equal, right to life and dignity, right to freedom of religion, etc.) that are deployed across jurisdictions by petitioners from minority/powerless groups in their bid to subvert (and to assimilate into) the family law through often protracted courtroom battles. These readings also help us understand the afterlife of such litigation strategies—to what extent and how have adjudicatory pathways to seek constitutional justice affected democratisation of the family.

Mandatory Readings

- Sourav Mandal, 'Marriage Equality in India: A Roadmap for Inclusive Lawyering, Activism, and Policy-making' (2023) 58(35) *Economic and Political Weekly* 23.
- Transforming Courts: Court Decision on Transgender Rights in India (Centre for Law and Policy Research, December 2024). https://clpr.org.in/wp-content/uploads/2024/12/Accessible_Transgender-Rights-Resource-Book-3.pdf. Accessed 3 February 2025.
- *NALSA v Union of India* 2014 INSC 275.
- *Navtej Jauhar v Union of India* (2018) 7 SCR 379.
- *Supriyo v Union of India* 2023 INSC 920.
- *Shakti Vahini v Union of India* AIR 2018 SC 1601.
- *Devu Nair v State of Kerala* 2024 INSC 228.
- Jean De Munck, "Law's Role in Democratising the Family" (2024) 14(1) *Oñati Socio-legal Series* 213.

Supplementary Readings

- David D. Meyer, *The Constitutionalization of Family Law*, 42 Fam. L.Q. 529 (2008).
- Nicolás Espejo, Fabiola Lathrop, 'Towards the Constitutionalisation of Family Law in Latin America' in Shazia Chaudhary and Jonnathan Herring (eds.), the Cambridge Companion to Comparative Family Law (Cambridge University Press 2019) 128.

Week 10: Family Law's role in Empire-building: Colonial and Post-colonial Tropes of Cis-hetero-patriarchy

Family law in postcolonial societies carry the baggage of their colonial past—this is true for most jurisdictions in the global south but is also not far away from the realities of many societies in the global north. From the past (e.g., China's one-child policy, to catholic Ireland and communist Romania's infamous anti-abortion laws), to the present (e.g., the restoration of Christian family values with the rise of the MAGA movement in the US, to India's anti-conversion laws and their relationship to growing honour crimes against inter-caste and inter-faith couples)—the readings in this module help the readers uncover the tropes of empire building through consolidation of the family as a carrier of nation building—the over-arching control of the majoritarian social values (such as patriarchy, Brahminism, cis-normativity, and heterosexism) as the founding blocks in building a 'pure' society.

Mandatory Readings

- Tracy E Higgins and Rachel P Fink, "Gender and Nation-Building: Family Law as a Legal Architecture" (2008) 60 (2) *Maine Law Review* 376.
- Film: Edet Belzberg, *Children Underground* (2001).
- Film: James Ivory, *The Householder* (1963).

Supplementary Readings

- Philomila Tsoukala, Colonial and Postcolonial constructions of Family Law, (*Family Law JOTWELL*, 24 May 2013). <https://family.jotwell.com/colonial-and-postcolonial-constructions-of-family-law/>. Accessed 10 August 2024.
- Philomila Tsoukala, "Marrying Family Law to the Nation" (2010) 58(4) *American Journal of Comparative Law* 873.
- Film: Satyajit Ray, *Pather Panchali* (1955).
- Documentary: Children of Romania (2017).

Week 11: Labour, Care, and Violence in Family: Politics of the Public/Private in Family Law

Mandatory Readings

- Sally E Merry, "Constructing a Global Law: Violence against Women and the Human Rights System" (2003) 28(4) *Law and Social Inquiry* 941.

Supplementary Readings

- Melissa Murray, "*Strange Bedfellows: Criminal Law, Family Law and the Construction of Intimate Life*" (2009) 94 *Iowa Law Review* 1253.
- Frances Olsen, "*Constitutional Law: The Feminist Critiques of Public/Private Distinction*" (1993) 10 *Constitutional Commentary* 319.

Week 12: Family, State and the Market in Neo-liberal Times: Is Transnational Legal Ordering Reforming Family Law?

Mandatory Readings

- Maxine Eichner, “The Family and the Market: Redux” (2012) 13 *Theoretical Inquiries in Law* 97.
- Film: Gurinder Chadha, *Blinded by the Light* (2019).

Supplementary Readings

- Anna Heenan, “Neo-liberalism, Family Law, and the Devaluation of Care” (2021) 48(3) *Journal of Law and Society* 386.
- Frederik Swennen, ‘Private Ordering in Family Law: A Global Perspective’ in Frederik Swennen (ed), *Contractualisation of Family Law: Global Perspectives* (Springer 2015) 1.

Week 13: Ethics of Care: Surrogacy, Adoption, and Parenting

Mandatory Readings

- Daphna Hacker, *Legalised Families in the Era of Bordered Globalisation* (Cambridge University Press 2017) 117.
- Film: Jason Reitman, *Juno* (2017).

Supplementary Readings

- Aleardo Zanghellini, “A v. B & C: Heteronormativity, Poly-parenting and the Homonuclear Family” 24 *Family and Child Law Quarterly* (2012) 475.
- Michaela Stockey-Bridge, *The Lure of Hope: On the Transnational Surrogacy Trail from Australia to India* (Fairleigh Dickinson University Press 2017).
- Jens M Scherpe, Claire Fenton-Glynn, and Terry Kaan eds., *Eastern and Western Perspectives on Surrogacy* (Intersentia, 2019).
- Ruth Lamont and Claire Fenton-Glynn, “Cross-border public care and adoption proceedings in the European Union,” (2016) 38(1) *Journal of Social Welfare and Family Law* 94.

Week 14: Revision and Discussion of End-Term Exam

There shall be teaching classes scheduled during the fourteenth week subject to the JGU Academic Calendar circulated by the Office of the Registrar, JGU and any official declaration of non-working days by the JGU Registrar.
