

COMPARATIVE CONSTITUTIONAL & ADMINISTRATIVE LAW SEMINAR SERIES



India's Right to Privacy: Comparative Perspectives on Textual Foundations and Gendered Implications

Dr. Juliette G. Duara
Duke University

Chairperson: Prof. Swati Jhaveri, NUS Law

DATE: 15 August 2018, Wednesday

TIME: 4.30pm – 6.00pm

VENUE: Lee Sheridan Conference Room, Eu Tong Sen Building, Level 1
Faculty of Law, NUS (Bukit Timah Campus)

On the 24th of August, 2017, a nine-judge bench of the Indian Supreme Court determined that “[p]rivacy is a constitutionally protected right which emerges primarily from the guarantee of life and personal liberty in Article 21 of the Constitution”. On the one hand, this case, Justice K. S. Puttaswamy (Retd.) and Anr. vs. Union of India and Ors., with its contingent conception of privacy, was intended to set some of the legal parameters of the on-going litigation over Aadhaar, India’s identification system based on biometric data unique to each individual. On the other hand, the breadth of this right as described by the Puttaswamy Court invites speculation as to its implications not only for what might be termed “informational privacy”, but also for autonomy interests relating to family, marriage, sexuality and procreation. In this presentation, the speaker focuses on legal and cultural responses to familial violence against women and their complex relations to conceptions of autonomy as privacy. Geographically, the speaker focuses on the U.S. and Canada, to compare and contrast experiences with legal conceptions of privacy in the context of familial violence against women in India, the U.S. and Canada. The purpose of this project is to use a comparative framework to develop a more nuanced understanding of the role of privacy law in the prevention, recognition, and prosecution of familial violence against women in each of these jurisdictions.

ABOUT THE SPEAKER



Juliette Duara earned her B.A. in History from Whitman College in 1982, her M.A. in East Asian Studies from Stanford University in 1985 and her J.D. from the University of Chicago Law School in 1995. Duara practiced wealth management law in Chicago for well over a decade, first as an associate, then as a partner, for the firm, Bell, Boyd and Lloyd LLC. Then in 2008 she moved with her family to Singapore where she earned first an LLM (2010) and then a Ph.D. in Law (2015). In 2016 Duara joined the faculty of Duke University as a Senior Fellow at the Kenan Institute for Ethics. Duara is also a Senior Lecturing Fellow at Duke Law. She is the author of the book *Gender Justice and Proportionality in India: Comparative Perspectives* (c. 2018), a work reflective of Duara’s interests in gender-related issues, comparative jurisprudence and human rights.

REGISTRATION

There is no registration fee for this seminar but seats are limited.
Light refreshment will be provided on a first-come, first-served basis.
Please register by **10 August 2018, Friday**.
For enquiries, please contact Alexandria at cals@nus.edu.sg

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