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FOREWORD

The national law schools in India were set up with a view to train lawyers to understand the wider social context of law. The idea was to move towards a more socially relevant legal education. To achieve this, aspiring lawyers would be taught social science subjects in conjunction with ‘core’ legal subjects. Introduction of social science subjects led to three year law courses being increased to five year courses. Such pedagogy was encouraged with the assumption that law students would then have a better grasp of the social and political implications of enacted legislations as well as their historical backgrounds. Twenty five years after the establishment of the first national law school in Bangalore, it is doubtful whether inter-disciplinary law teaching has really taken off. While this issue is too vast and contentious for us to take up here, and would be better suited as a theme for a conference or an article, we hope that with initiatives such as the Journal of Indian Law and Society, this void is remedied to a certain extent. This issue brings to the fore certain subjects of inter-disciplinary interest that have been widely debated in the recent past.

The issue of food security is an important subject of academic discourse in any country and more importantly in a country like India. Two papers in the current issue deal with different aspects of enactments relating to food security. Balu G. Nair’s paper entitled *The National Food Security Bill, 2011: An Opportunity Lost?* gives us a succinct overview of the Food Security Bill 2011, discussing some of its major inadequacies. The author has pointed out that from the point of view of the rights discourse as well as structural injustice;

the Bill has completely failed to make a move forward towards achieving food security. Given the situation in our country, what is needed is a bold move towards food security, and not a watered down solution. This point has been further highlighted by Nandan Nawn's paper *Reforms in PDS Administration Through Computerisation: A Weak Case for Aadhaarisation* which is on the computerization of the Public Distribution System, a move, he claims is a mere eyewash by the government. He has discussed in his paper that the linking of Aadhar to the PDS without any substantial reforms in the food distribution system and the move towards cash transfers brings to light the increased evasion by the government of its responsibilities.

Jane Schukoske and Roopali Adlakha's article titled *Enhancing Good Governance in India: Law Schools and Community-University Engagement* highlights the role that Indian law schools can play in enhancing good governance at the grassroots level by improving the delivery of entitlements to meet the basic needs of the disadvantaged communities. Their article examines the different legislations empowering law schools to involve students in legal aid clinics and studies the role of these student organizations in fulfilling the educational and societal development objectives of law schools. Shraddha Kulhari and Sujoy Chatterjee's paper titled *The Emergence of A "High Court of India": Separating the Myth From the Substance* highlights the issue of discrepancy in law caused due to differing judgments by the High Courts. It analyses the reasoning of the Madras High court judgment in *Kusum Ignots Case* and discards its argument. To ensure certainty and uniformity in law, the paper suggests a sounder alternative, which is also in consonance with the constitution.

This issue of the journal also deals with the issue of sexual offences in the country. The law on sexual offences in India is archaic, suffering from major drawbacks and inadequacies, and is in need of a complete overhaul. Pallavi Arora examines this problem in her paper

titled *Proposals to Reform the Law Pertaining to Sexual Offence in India*. She suggests the gradation of sexual offences based on UK law. She argues against the differentiation between penile penetrative and non-penile penetrative offences. Besides this she explores what the age of consent should be in India and argues for the criminalization of marital rape. Prashant Pranjal et al further highlight the undesirable consequences of raising the age of consent for sexual relations in the recently enacted Protection of Children from Sexual Offences Act, 2012. Their paper gives us a pensive insight into a legislation that has been hailed as a first of its kind in India. They highlight the nuances of sexual abuse of children in India adeptly detecting major blotches in the legislation and its conflict with other legislations.

Finally, Manavi Belgaumkar and Sudhir Krishnaswamy have reviewed *Prafull Goradia v. Union of India*. They point out that the judges ought to have not only justified the basis for the substantiality test developed in this case but also should have set determinate standards for such a test. Given these omissions, the judgment gives rise to more issues than it resolves.

While the abovementioned themes are covered in the papers in this issue, we are delighted to let our readers know that we have also launched a blog [www.jilsblognujs.wordpress.com]. In the course of the past few years, we have realized that there is a need to go beyond a bi-annual publication. While a journal is an appropriate space for a detailed analysis of events, several rounds of rigorous editing and peer review, often delays publication. Thus, a blog serves to fill the gap that a journal cannot by giving space for analysis of events before they lose their relevance. Our hope is that with the greater involvement of experts in the fields of both law and the social sciences with our journal, the blog will witness intense debates on important issues. We encourage our readers to join us in this exercise by contributing their opinions.

We take this opportunity to thank our new Editor-in-Chief, Prof. (Dr.) P. Ishwara Bhat who has been extremely supportive of our efforts. Mention must be also made of several alumni of NUJS who take time out regularly to advise us in our functioning. As always, we are perennially indebted to our Faculty Advisors and to our past editors for helping us with innumerable issues time and again. We sincerely thank our readers for the interest they have been showing in the publications of the journal and we hope to continue to live up to their expectations.