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FOREWORD

During the mid 1970s, Prof. (Dr.) Upendra Baxi had advocated the need for a more holistic legal education in a landmark paper titled *Notes Towards a Socially Relevant Legal Education*. He argued for a change in the orientation of the then prevailing state of legal education, from the profession-oriented teaching that was being imparted, which had put its primary emphasis on a court centric view of the lawyer's role, to one which makes students more aware of the social realities in which law is posited. Thus, he opined that law subjects should be taught in conjunction with other social science subjects and that they should be set in a comparative milieu. Such pedagogy was encouraged with the assumption that law students would then have a better grasp of the social and political implications, as well as the historical backgrounds of legislations and judgments. It is in this context that we hope that our efforts in promoting original legal scholarship set in societal realities pay off by helping produce more socially aware lawyers and academicians. As in the past, this issue of the journal also brings to the fore certain subjects of inter-disciplinary interest that have wide ranging social implications.

This year saw the initiation of a new endowment lecture series in the name of M. K. Nambyar, a stellar leader of the bar and father of Mr. K. K. Venugopal, Senior Advocate of the Supreme Court who instituted the lecture in his memory at the National University of Juridical Sciences. The first lecture was delivered by Michael Kirby, a former judge of the High Court of Australia, on the topic *Necessities and Limitations of Judicial Activism*. In this lecture, Kirby emphatically defends the activist role played by judges in common law jurisdictions. He says that judicial attention acts like a healing balm in cases where great injustices occur and in such

instances it is but natural that a judge will seek, so far as the law permits, to reach conclusions that strike the judge as just and fair in all the circumstances. The journal is proud to announce that it has the privilege of publishing this seminal piece.

Also published, among other stimulating pieces in the journal, is the paper *A Two-Level Justification for Religious Toleration* by Jeremy Webber, which deals with subtle arguments for toleration of all religions. At the first level, the author talks of the virtues of ensuring peace and harmony in a society which has been hampered on multiple occasions by acts of intolerance towards certain religions. The second level is a more complex one where he argues in an obvious flow of logic, how substantial benefits would arise out of a learning process initiated by various levels of inter-religious interaction, and emphasizes the need for such a dialogue. In another similarly thought-provoking paper, titled *A Capabilities Approach to Access to Justice*, Sreerupa Chowdhury and Promit Chatterjee have sought to expand the idea of Sen's 'capabilities approach' to include access to justice as one of the fundamental capabilities. They argue that access to justice is valuable, not only intrinsically as a capability, but also as instrumental in the attainment of other fundamental capabilities.

Another such capability perhaps, is reproductive choice, an issue that has been dealt with in the paper, *Unpacking Choice: What does Feminist Theory Have to Rethink after the Nemo/Nari Niketan Cases?*, by Sushmita Pati and Rajarshi Sen. They question the black and white logic of the abortion debates, beautifully highlighting the "indeterminate grey zones" where real life works. Using the *Nemo* case as their backdrop, they deftly weave into the debate the added complexity of the rights of mentally disabled pregnant women and all the conundrums it creates for feminism.

A pertinent issue of women's rights has also been taken forward by Paroma Ray, in her paper, *Leaving Home, Leaving Rights*, which brings to fore the hitherto widely ignored problem of housing for women facing domestic violence. Drawing from some of the positive measures in the US and UK, Ray urges the Indian government to recognize and act upon the explicit link between domestic violence and housing rights.

Inactivity, or rather insensitivity, of the Indian government is also the theme of K. Sanjana's note titled *Forest Dwellers As Deemed Homeless*, which highlights the plight of forest dwellers and tribals whose rights over their forests have remained unacknowledged. She asserts that although for years, laws and policies have been created to undo the 'deemed homeless' tag that has been conferred upon them, the lackadaisical implementation and egoistical behaviour of the forest bureaucracy has rendered the forest dwellers more estranged than ever.

The various issues examined in the abovementioned papers would perhaps not have been covered as comprehensively if not for the invaluable guidance received from the reviewers. We express our heartfelt gratitude to them and to all others who have constantly given us constructive feedback. We are pleased to inform our readers and contributors that we have formed a Graduate Advisory Board (GAB). The GAB has been formed with the realization that the Student Editorial Board often needs guidance regarding various aspects of the journal, and the mentorship of young researchers and academicians will help us integrate law and social sciences more meaningfully. Throughout the year we have had substantial help from the GAB, and are extremely grateful for their perpetual support and direction.

Lastly, we take this opportunity to thank our Editor-in-Chief, Prof. (Dr.) P. Ishwara Bhat for being extremely supportive of our efforts at all times. It saddens us to bid farewell to Ms. Jasmine Joseph, who has been our Faculty Advisor and a source of constant support since the beginning of the journal. We thank her, and also our existing Faculty Advisor, Mr. Saurabh Bhattacharjee, for their constant support. We are pleased to welcome Ms. Ruchira Goswami and Dr. Lovely Dasgupta, who have kindly accepted our request to join us as Faculty Advisors. As always, we are perennially indebted to our past editors, for helping us with innumerable issues time and again. We sincerely thank our readers for your interest in the publications of the journal and in our blog. We hope to continue to live up to your expectations.

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