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FOREWORD

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It is a great honour for me to write the foreword for Volume XIV Issue II of the Journal of Indian Law and Society (JILS), published by the National University of Juridical Sciences, Kolkata. I learned about this journal's excellent contribution when I visited the NUJS campus in March 2024. The journal's interdisciplinary approach provides a good platform to understand and explore the dynamic relationship between law and society. It brings together academics, practitioners, scholars and students from various backgrounds to present their critical insights into the legal system from the lens of sociology. JILS also stands out for its large audience, which has earned a Top 10 position in the SCC Online Law Review Rankings in recent years. This issue continues the journal's tradition of providing enriching and meaningful legal insights, and I am confident that it will inspire further discourse on the significant questions of law and its societal implications.

The Editorial Note by Khushi Joshi and Sushovan Patnaik critically examines the Supreme Court's landmark decision in *M.K. Ranjitsinh* through the lens of its missed opportunities and flawed reasoning. While the judgment, delivered in April 2024 by a bench led by former Chief Justice D.Y.

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Chandrachud, made significant strides in recognizing a constitutional right against climate change and laid the groundwork for future climate litigation in India, it simultaneously sanctioned the installation of overhead transmission lines through the habitat of the critically endangered Great Indian Bustard (GIB). This contradictory outcome, the authors argue, reveals a troubling dissonance between the Court's rhetoric on environmental rights and its material consequences. The note highlights how the judgment employs questionable research and logical distortions to prioritize human-centric concerns—such as renewable energy sustainability, gender parity, and farmers' rights—over the survival of the GIB while overlooking the broader benefits of intersectional environmental solutions. By framing these priorities as flawed contestations, the authors contend that the decision not only undermines the Rights of Nature discourse but also exposes the limits of India's liberal environmental legalism, which resists adopting a more radical ecocentric approach. This, they suggest, reflects deeper constitutional blind spots regarding environmental concerns, leaving critical avenues for progressive jurisprudence unexplored.

Rahela Khorakiwala's article "Limits Of The Law: Contempt And Vexatious Litigation In The Bombay High Court" offers a compelling exploration of the courtroom as a theatrical space imbued with ceremony, symbolism, and ritual in its daily proceedings. Drawing on her participant observations in the Bombay High Court, Khorakiwala delves into how courts regulate the representation of justice, preserve the image of the law, and sanction actions that threaten its dignity or majesty. By employing the metaphor of the visual, the article examines the intricate relationship between law, legitimacy, and violence, arguing that judges employ tools like The Contempt of Courts Act, 1971 and The Maharashtra Vexatious Litigation (Prevention) Act, 1971, to conserve the law's image. Engaging with Robert Cover's theory on law's monopoly over violence, Khorakiwala highlights how contempt and enforcement orders reinforce this authority, reflecting the courts' ongoing legitimacy crisis and their efforts to uphold an image of justice. The article raises profound questions about the meaning of "*complete justice*," suggesting that the law's theatrical nature and hierarchical tools are critical in shaping the perception that justice is being served. This nuanced perspective offers valuable insights into the performative and legitimizing dimensions of judicial processes.

Santvana Kumar has reviewed the book "*Lives of Circumcised and Veiled Women: A Global-Indian Interplay of Discourses and Narratives*" by Debangana Chatterjee, providing an incisive analysis of its exploration of Female Circumcision/Female Genital Cutting (FC/FGC) and veiling practices. Kumar underscores how Chatterjee employs interdisciplinary insights and standpoint theory to present a nuanced understanding of these cultural traditions, often

misrepresented in mainstream international narratives as uniformly oppressive. The review highlights key aspects of the book, such as its critique of international human rights frameworks in Chapter Two, which exposes their limitations in capturing the diverse lived experiences of affected women, and its examination of khafz among India's Bohra community, which challenges Western-centric assumptions by foregrounding local cultural nuances. Kumar acknowledges Chatterjee's advocacy for decolonized and participatory policymaking while suggesting that a deeper engagement with feminist epistemology could have strengthened the critique of power and representation.

Kanav Narayan Sahgal's review of "*No Choice: The Destruction of Roe v. Wade and the Fight to Protect a Fundamental American Right*" by Becca Andrews provides an account of the dangerous state of reproductive justice in the aftermath of the *Dobbs v. Jackson* decision. Sahgal highlights the urgency of framing reproductive rights as fundamental human rights. By delving into the narratives of women and activists, Andrews not only counters the historical claims made by Justice Alito but also reveals the systemic inequalities exacerbated by restrictive abortion laws, particularly for marginalized communities. Sahgal highlights Andrews' ability to foster nuanced conversations, even with opposing perspectives, and to bring an intersectional lens to the discourse on reproductive rights. This thoughtful engagement makes *No Choice* a crucial text for understanding the broader implications of the *Dobbs* decision and the continuing struggle for reproductive justice in a divided America.

"Contaminated Legacies: A Critical Review of Himachal Pradesh's Municipal Solid Waste Crisis and the Emerging Judicial Response" by Manshi Asher deals with the multifaceted challenges surrounding waste management in Himachal Pradesh, critiquing the judiciary's de-prioritization and de-politicization of resource contestations related to waste disposal. Despite the state ranking among the bottom five in per capita waste production (below 50 gms/day), it faces an acute solid waste crisis akin to large urban centres. Asher examines the active role of the Shimla High Court, alongside the National Green Tribunal (NGT), in rigorously monitoring waste management compliance and issuing detailed directives. However, the article underscores systemic flaws, such as fragmented urban governance and regulatory inefficiencies, that hinder meaningful progress. Furthermore, Asher critiques the judiciary's reliance on technocratic solutions, pointing out unaddressed procedural lapses and environmental injustices. The article efficiently questions the inadequacy of judicial interventions in addressing the environmental crisis in Himachal Pradesh.

Vasanthi Nimushakavi's article titled "*Precarious Labour in the Media and Culture Industry*" examines the insecure work conditions in India's media and

entertainment industry (M&EI), using the framework of precarious labour to highlight the challenges faced by workers in this sector. The paper references the International Labour Organisation's (ILO) report, which includes the '*media and culture industry*' as a critical sector meeting society's needs for information, entertainment, communication, expression, and creativity. Despite the industry's importance in promoting diversity, democracy, and cultural heritage, the paper reveals a paradoxical reality: workers in this sector often face unclear contractual arrangements and insecure working conditions. Drawing from a study conducted between 2021 and 2023 in Hyderabad, Telangana, the paper focuses on interviews with 259 women from various roles in the film and television industry. These interviews explore precarious work along four parameters: uncertainty and insecurity of employment, limited control over working conditions, minimal state protection, and low wages. The findings illustrate that the work in the film and television industry meets all four criteria of precarious labour. The paper concludes by proposing a better legal framework to secure improved working conditions for those in the M&EI, emphasizing the need for policy reform to address these vulnerabilities.

As we conclude this edition, I truly encourage you to read these diverse and thought-provoking articles. Each of them offers a unique perspective on contemporary legal issues that affect the society at large. The wide and dynamic range of topics discussed in this edition is a reflection of the fluid and interconnected nature of modern legal discourse. I consider the Journal of Indian Law and Society an enriching scholarship for understanding the challenges and opportunities lying at the juncture of law and society. The insights it offers can not only influence legal practice and policy but also drive societal change. I extend my best wishes and support to the whole team of the Journal of Indian Law and Society as it continues to inspire dialogue and intellectual growth in the Indian discourse.