

ILI GOLDEN JUBILEE CELEBRATIONS - IN RETROSPECT

The Indian Law Institute (ILI) was established in 1956. Among its various objectives the Institute has the bounden duty of generating and harnessing legal knowledge in new emerging areas of law and development. In setting this aim the promoters of the Institute appeared to have appreciated the potential of law in effecting social changes. They also seemed to have realized the possibilities of law in augmenting the pace of development.

Democracy and rule of law have been accepted by the Indian Republic as its way of life. In such a society law has a special mission. Naturally all its programmes for development have to have the constitutional sanction. They have to be framed, implemented and the purposes achieved in accordance with the Constitution. Rule of law being the all-pervading spirit, governance has to be in accordance with law.

In such constitutional scheme of things the Institute of this ilk has to be watchful not only about its mandates but also the roles that are being played by other agencies. The constitutional scheme detailed above has every potential to generate social conflicts that could at times threaten the very existence of the polity. In such circumstances it becomes the duty of research Institutes like the Indian Law Institute to generate research studies, disseminate them among the public, generate debates and discussions with a view to diffuse conflicts and resolve disputes. This may pave the way for better understanding of public governance.

During the last five decades of its excellent existence, the Indian Law Institute proved its relevance and presence as a great resource to our nascent nation in building it upon the bedrock of constitutionalism and in maintaining it during the turbulent years always keeping its vigour. It is not to claim that it was the Institute alone which could achieve the above. But it remains undisputed that it contributed in no less measure in nurturing intellectual vigour in our society.

In carrying out one of its objectives of cultivation of the science of law the Institute has been trying its best to capture opportunities to foster the development of knowledge in law. In a dynamic society like that of ours socio-economic and cultural factors create tension in the social fabric and it is for the law to ease this tension and facilitate social change.

The identification of theme for analysis in the Golden Jubilee Celebrations is indicative of the care with which the Institute tries to carry out its mission. The inaugural session had the theme: "Equity and Equality in a Market Economy." In a world dictated by economic forces, the plight of the poor and the downtrodden fighting for recognition and survival and the continuous efforts made by law to strike the balance between the forces to have equality mandated by the Constitution are to be watched and evaluated by independent agencies like the Indian Law Institute. It did it in the recent exercise. And it continues to do so making its presence felt in every such study.

As part of the ongoing Golden Jubilee Celebrations, the ILI organized a two day Regional Conference on "Access to Justice: Role of Law and Legal Institutions in the Alleviation of Poverty and Deprivation" on 9th & 10th September, 2006 at Cuttack, Orissa, in collaboration with the Orissa State Unit of ILI. The deliberations focused on the issue of access to justice from the perspective of the poverty-stricken people of India who find the system at times insensitive to their miseries. The need to secure food, nutrition, health and medical assistance, were highlighted in the deliberations.

Today, the human race is threatened by crimes having international dimensions. Terrorism, Drug Trafficking, Money Laundering etc. are some such pernicious activities indulged in by some segments of the

human society. These crimes pose serious threats to democratic nations in particular because of their commitment to human rights and rule of law. They could not be ruthless in the enforcement of the law as in the case of other nations, which in the interests of protection of society could go to the extent of enforcing the law sometimes in disregard of human rights. This situation has called for joint efforts being made by the world community to contain the problems of crimes like terrorism. The ILI therefore thought it appropriate to have the important theme of "Criminal Justice under Stress: Transnational Perspectives" discussed in the International Conference on the 24th and 25th November 2006. It attracted scholars from all over the world. Their experiences were shared; their views exchanged and new strategies evolved. Thus, the ILI could act as a rendezvous in the fight against terrorism through legal instrumentalities and public cooperation – its historical mission.

We received help and support in abundance; the response from the scholars was tremendous; the interest of those who participated still remains unabated. We received many papers. Most of them of high quality. Still, constraints of space restrained our freedom of choice. We had to be ruthless in selection. I am thankful to our colleagues particularly Prof. Kamala Sankaran, Dr. Furquan Ahmad, Dr. SS Jaswal and Ms. Versha Vahini, for their efficient editing.

Here is a collection of essays of scholars from different parts of the world on the same themes. They are worth reading. Contain many points to ponder over.

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