

NATIONAL LAW UNIVERSITY, JODHPUR

CENTRE FOR LEGAL THEORY

PRESENTS

2nd NLU-J Centre for Legal Theory

Colloquium



THEME: LEGAL THEORY AND FAMILY LAWS

ORGANISED BY

National Law University, Jodhpur

NH-65, Nagaur Road, Mandore

Jodhpur

342304



NATIONAL LAW UNIVERSITY, JODHPUR

National Law University-Jodhpur (NLU-J) is one of India's leading law schools situated in the vibrant and colourful city of Jodhpur, Rajasthan. NLU-J has consistently been ranked as one of the top law schools in India. Since its establishment in 1999, NLU-J has endeavoured to produce exceptional lawyers and legal scholars that aim to push and challenge the existing boundaries of knowledge. Our motto "Knowledge is Empowerment" connotes the institution's search for excellence and goal achievement. Learning at the University commences with the vision of imparting "the rich heritage of legal thought and tradition, simultaneously providing a breadth, and depth of instruction". The socially conscious founding fathers decided to develop a strong knowledge base to further the cause of humanity, multicultural understanding, tolerance, and justice so that all future leaders and thinkers thus produced can enable nations can grow in the environment of mutual cooperation and peaceful co-existence.

The University has developed a holistic approach towards understanding law and justice from a multi-disciplinary perspective. The University offers unique five year integrated undergraduate programs i.e. B.B.A., LL.B.(Hons.); B.A., LL.B.(Hons.); B.Sc., LL.B.(Hons.) to generate specially skilled global legal professionals. These integrated programs also offer senior-level honours courses in various facets of law such as Constitutional Law, Business Law, Trade Law, International Law, Criminal Law and Intellectual Property Rights Law, thereby allowing for a healthy diversity.

In addition to this, NLU-J regularly organises conferences and symposiums covering a wide range of socially and legally relevant topics in further interests of development of the nation, as well as encouraging ability, awareness and knowledge amongst the youth and law fraternity of India.



CENTRE FOR LEGAL THEORY

The Centre for Legal Theory was established under the auspices of National Law University, Jodhpur, in May 2015. In furtherance of its academic pursuits, the Centre for Legal Theory annually publishes the Indian Journal of Legal Theory, in an effort to encourage debate and analysis among practicing professionals and academics in this largely ignored area of law, especially in India. This would be one of the first such initiatives in India that focuses on the subject matter of legal theory. We earnestly hope that this, in turn, will enhance the understanding as well as build curiosity towards the study of and research in legal theory.

Till date, we have formally set up the Centre and the Editorial Board for the Journal. The CLT is headed by our Executive Director, Mr. Shyam Kaushik (Associate Professor). The Journal Editorial Board and members of the Centre comprised of student members ranging from Years II through V at the law school. We also have several globally prominent academicians from the field of Jurisprudence and Legal Theory on our Advisory Board, including names such as Prof. Mathew Kramer, Prof. Nigel Simmonds, Prof. John Tasioulas, Prof. Stanley L Paulson, Prof. Scott Shapiro, Prof. Michael Moore, Prof. Scott Hershovitz, Prof. Brian Leiter and Prof. Timothy Endicott.



CONCEPT NOTE

The Centre for Legal Theory at National Law University, Jodhpur is pleased to invite participants for the 2ndNLU-J CLT Colloquium on *Legal Theory and Family Laws*, which shall be held on March 11th, 2017.

After the success of the 1st Colloquium on the topic “*Should State Enforce Morality*” held in April 2016 with Prof. M.P Singh as the Chief Guest, we are eager to continue our efforts in encouraging scholarly study of the subject of legal theory, and its relevance in various other legal areas. Thus, the broad theme for the upcoming colloquium is *Legal Theory and Family Laws*, in light of recent issues and trends, general complexities and its relevance in the heterogeneous and resplendent Indian society.

This Colloquium shall be held under the patronage of our Honourable Vice Chancellor, Professor Mrs. Poonam Pradhan Saxena, who is an internationally renowned scholar of Personal Laws. Professor Saxena is an awardee of the prestigious Senior Fulbright Fellowship as well as the Shastri-Indo Canadian Fellowship. She has also widely and intensively published in the field of personal laws and gender rights, inter alia, and spoken at conferences and taught at universities, both within India and abroad.

Legal Theory is permeable through all layers, into the study of any legal order and subject. This study involves historical analysis as well as application to present situations, and thus normatively, it assists in finding solutions to contemporary problems, at a deep, theoretical level. Legal theory itself is dynamic, and it is this continuing evolution in the context of growing worldly bemusements that makes the analysis of the interrelations profoundly thought-provoking and interesting. Most importantly, it also helps us question the futility of certain laws, customs and beliefs so that a much-needed shift in paradigm can occur.

Family laws in India, as is well known, are quite contestable, owing to the ironies of multiculturalism, secularism and intolerances that still exist in Indian society- be it with respect to religion, sex, caste. The dilemmas of social cause and justice, vis-à-vis religious secularism and tolerance have deep policy and practical implications, which would be an interesting subject of study from a legal theory point of view. Along with this, gender inequality has posed great

problems- the one-sided power dynamics inherent in the laws and their implementation tilt the sympathy in favour of the “fairer sex”. At an even more basic level arises an even more complicated issue- the concept of family itself. The continuation of the fact that in the past, the law had a great say in personal matters, is being challenged increasingly today, due to evolution of human needs and beliefs. Should law interfere in something so personal, and if yes, how can it, while ensuring a human’s happiness and satisfaction? Or do the conservatives win with their justifications based on social and moral cause? Thus, times are changing, and the analysis of these from a theoretical angle may provide us much needed answers.

Under this highly contentious and widely debatable theme, participants are invited to write on any of the following sub-topics, but strictly based on analysis with respect to legal theory:

1. Uniform Civil Code
2. Gender Parity (e.g., abortion laws, discriminatory laws against women)
3. Concept of Irretrievable Breakdown of Marriage in light of the new Bill
4. Concept of family and marriage
5. Validity and necessity of Restitution of Conjugal Rights
6. Concept of Domestic Relationship

We look forward to scholarly articles aimed at harmonizing the need to reconstruct legal abstractions in family laws and evolving modernity.



PAPER AND SUBMISSION GUIDELINES

- Participation is open to all.
- Abstract of length 300-500 words containing keywords and the tentative conclusions must be sent to clt.nlujodhpur@gmail.com by 2359 hrs. on 28th December, 2016.
- Acceptance of selected abstracts will be notified by 31st December, 2016.
- Full paper must be submitted by 2359 hrs. on 1st March, 2017.
- Co-authorship is allowed.
- All papers shall adhere to the following format:

The Paper must be submitted in MS Word format only. The Paper must not have more than 6000 words (excluding footnotes). The Paper must be sent along with a cover page containing the following information about the authors:

 - Full Name of 1st Author
 - Current year of study (for student)/ Designation of Faculty
 - Full Name of 2nd Author
 - Current year of study (for student)/ Designation of Faculty
 - Name and Full Address of Law School/University with phone number of University
 - Phone Number of Authors (both Representatives)
 - E-mail id of Authors (both Representatives)
- Font type should be Times New Roman and Font Size should be 12 pt. for the text and 10pt. for the footnotes.
- Line spacing should be 1.5 for the main text and 1.0 for the footnotes.
- Footnotes must follow The Bluebook: A Uniform System of Citation (Harvard, 20th Edition) throughout.
- All submissions must be original and bona fide work of the participants.
- The Participants by applying for this Colloquium agree to indemnify the organisers from and against all claims, suits and damages based on any claim of copyright infringement or plagiarism or unauthorized use.
- All entries shall be considered to be the property of NLU-J for, which NLU-J also reserves the right of publication of the same in any book, journal, or in any other manner as it may deem appropriate, without providing any royalty or compensation.

- The Paper should not be submitted for any other competition and/or for any other purposes. Any further publication after submission shall only be pursued after express permission has been sought from the organisers.

PUBLICATION

The final outcome shall be a position paper released in the name of NLU-J CLT, crediting all participants, which after approval from all participants; shall be sent to the Chief Justice of India, the Law Commission, and independent MPs etc.

ACCOMMODATION AND MEALS

Participants shall be given accommodation for 11th& 12th March, 2017 in the University and all meals for the concerned days 2016 shall be made available. Any additional days of stay must be arranged for by the participants at their own expense.

IMPORTANT DATES

- Abstract Submission: 2359 hours, 28th December, 2016.
- Intimation of acceptance of selected abstracts: 31st December, 2016.
- Full Paper Submission: 2359 hours, 1st March, 2017.
- Colloquium: 11th March, 2017.

For any queries, please mail at clt.nlujodhpur@gmail.com

Or call us at:

National Law University, Jodhpur NH-65, Nagaur Road, Mandore

Jodhpur-342304

Shagun Jaggi: +91 9799558452

Sunayana Sasmal: +91-9783384675