

Blueprint for the activities of Sir Justice Asutosh Mookerjee Chair for Studies in Tradition, Law and Social Transformation in Bengal

In response to a proposal submitted by the West Bengal National University of Juridical Sciences, the Government of West Bengal has sanctioned an one time grant of Rupees One Crore in September 2014 (memo no 421-J [F]/JD/N/IB-74/2000 Pt-1 dated 10/9/2014) so that from the income earned from the fund, various activities of Sir Justice Asutosh Mookerjee Chair for Studies in Bengal Tradition, Law and Social Transformation will be organized. The WBNUJS is grateful to the Government for the grant, and wishes to perform the responsibility systematically, continuously and effectively.

Legal tradition is part of culture, and gets support and direction of development from the society. Study of law in its social dimension inevitably takes us to the composite phenomenon of flow of time that comprehends the past, the present and the future. Study of social transformation perspective of law has rich theoretical terrain and dynamic practical sides. Bengal renaissance has typical features of grand intellectual awakening and preparing for far reaching structural changes in the society and building the enduring values on sound pedestal to augment the social health. The interaction between law and society exhibited in this context has valuable lessons.

The purpose of setting up this chair is to promote the study of contemporary Indian law and society from the second half of the nineteenth century to the first two decades of the twenty first century in the context of Indian heritage, tradition and culture. It will deal with the study of social transformation in India since the independence of the country in 1947, i.e. in the period of decolonization. The contribution made by eminent Indian jurists to social transformation through the establishment of a strong framework of social justice as guaranteed under the Indian Constitution will be discussed through seminars and conferences held under the aegis of this chair. Contributions made by constitutional experts to the building up of an egalitarian society committed to social justice through principles of tradition and culture drawn from revivalist movements of the nineteenth and twentieth century's such as the Arya Samaj movement, the Brahmo Samaj movement and the Ramakrishna Mission of Swami Vivekananda

will be discussed in the workshop organized by the chair. The thoughts of Swami Vivekananda, Rabindranath Tagore, Raja Ram Mohan Roy, Sir Asutosh and of host of others have built strong intellectual tradition on social justice conception.

It will also seek to address the latest trends in Indian Constitutional Studies. Sir Asutosh Mookerjee was one of the most eminent scholars of law. His contribution to the development of the Indian legal system and the judiciary is immense. As one of the earliest Indian acting Chief Justices of the High Court of Calcutta [1920] he played a central role in the making of the modern Indian judiciary at a time when even the Federal Court of India on which was based the Supreme Court of India had not been formed. His appointment as the Acting Chief Justice came at a time when the diarchy system of governance was being proposed in the Montague Chelmsford Accord of 1919. This Chair will seek to deal with these issues of governance in the context of the national movement and its relationship with the colonial government in the pre-independence period.

Sir Asutosh was also one of the most eminent educationists of modern India. He was five times the vice chancellor of the University of Calcutta. His contribution to the growth and development of the university as a premier seat of learning in the subcontinent will be addressed through seminars and conferences to be held under the aegis of this chair.

The relevance of such a study is immense in contemporary India. It will not only demonstrate the relevance of Sir Ashutosh Mookerjee's work and philosophy to the making of the Indian judiciary in the twenty first century, it will also demonstrate the centrality of tradition and culture in the making of modern Indian laws and customs. This study will seek to contribute to the ongoing debates in Constitutional studies in India demonstrating the role played by Sir Asutosh in the making of the modern Indian Constitutional mind. Even though he passed away well before the independence of India, his contribution to the growth of the constitutional question in India in the first quarter of the twentieth century cannot be doubted. Through research, seminars, special lectures, workshops and the conferences the Asutosh Chair will seek to address the importance of the constitutional question and the close relationship between it and Indian tradition and culture in contemporary India. Issues relating empowering women and children, helping farmers and workers, eradication of poverty and illiteracy, strengthening the

social justice basis of educational system, equity in distribution of opportunities, reinforcing grass root democracy, widening the framework of good governance and safeguarding the wholesome environment call for theme based discussion spread over future years. The emphasis on excellent learning in the sphere of business and public law in national law school system will be supplemented by exposure to the human side of the operation of legal system. Study of tradition in the republican constitutional context would inevitably raise questions about fault lines of social life like khap panchayat and kangaroo panchayat to which West Bengal is not an exception in recent times in spite of its generally enlightened atmosphere. The focus of each year will be on distinct themes like social justice, women's empowerment, children's rights, poverty eradication, education, liberty, minority right, governance, local self government, democracy, social harmony and so on.

The activities of the Chair include:

- ❖ conducting of research, publication, lectures and seminars on various facets of Bengal Renaissance and its impact on law and justice.
- ❖ studying the social dimensions of Bengal Laws pertaining to gender issues, poverty elimination, rights of farmers and workers and bringing out scholarly papers in the form of publications.
- ❖ surveying the working of various institutions – governmental and social service institutions – in implementing social reform related laws.
- ❖ critically examining the working of Panchayati Raj Institution and Municipalities in the matter of formulation and implementation of social welfare policies.
- ❖ studying the problems of farmers, agricultural labourers, factory and urban workers and researching on efficacy of labour welfare laws in improving their conditions.

- ❖ researching on gender issues, trafficking of women and children.
- ❖ researching and publishing on environmental protection measures, the problem of climate change and conservation of water resources.
- ❖ working on the law relating to education, food, health and rural employment and scanning of the methods of implementing the centrally sponsored or state initiated/supported schemes and programs.

Method of function of the Chair:

- on the basis of one time grant of Rupees one crore, the income earned (around Rupees nine lakhs) will be utilized for above listed activities.
- One senior researcher and one junior researcher will be appointed to work on various themes. - Rupees 5.5 lakhs per year.
- holding of seminars, lectures & workshop – Rs.2.5 lakhs per year.
- a faculty member will be entrusted with the responsibility of coordinating the work

Vice Chancellor, The WBNUJS¹

¹ Assistance of Dr Bikramjit De and Ms Ruchira Goswami is acknowledged in preparing the note.