



BANKURA UNIVERSITY

(West Bengal Act XIX of 2013- Bankura University Act, 2013)

DEPARTMENT OF LAW

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ICSSR Sponsored National Seminar On Law, Court and Politics: Re-negotiating Global and National Perspectives on 16th & 17th September, 2017

Venue: Bankura University Seminar Hall

**Prof. Deb Narayan
Bandyopadhyay**

Hon'ble Vice -Chancellor, Bankura
University & Chief Patron of the
Seminar

Professor Jayanta Kumar Saha

Professor, Department of Law,
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CONCEPT NOTE

Law and politics are closely associated with each other as law structures the composition and function of the government and at the same time regulates and controls the action of the Government. Government is supposed to follow the 'Rule of Law' and the necessary corollary of the same postulates of good governance. The prime stipulation of a civilized and welfare state is to have an independent and impartial judicial system which will keep vigil on different organs of the government and will ensure justice to the people. Law shapes the politics and often politics determines the legal structure of a state. Political discourse creates such concepts as constitutionalism, democratic state, anarchism, nihilism, oligarchy, republic, monarchy etc. which affect the adjudicatory process and the legal system of a state and in the same way decisions made in the

judicial process affect the political process. Court is an organ of the government but it becomes distinct from the legislative and executive organs of the government due to its radical approach, activism and significant role in the modern state. Courts inflect on every issue of politics like the Constitution, executive and legislature, political parties, election, pressure groups, policies, media etc. In the modern welfare states, there are scarcely any political questions which have not been converted into legal issues and resolved by the courts. Courts are now deciding the political questions in areas ranging from hunger, health care, distributive justice, law and order to corruption, criminalization of politics, black money etc. In other words, the roles of socio-political culture may be considered under the general rubric of the Foucauldian dynamics of power as a major determinant of contemporary global scenario. In fact in a trans-cultural global society it becomes increasingly incumbent on us how the mechanism of law and the court are constantly redefining its relationship with political power. It is therefore imperative that the power exercised by the legal system as well as the court interfaces the overarching, political power. These two clashing concepts of power generate new perceptions in the domain of socio-political ideology.

In the light of the above discussion it is pertinent to unfold the intrinsic relationship within a broad range of law and politics perceived in terms of the legislative and judicial process to resolve the issues as mentioned above

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