

**NATIONAL LAW UNIVERSITY, JODHPUR**

**CENTRE FOR LEGAL THEORY**

**PRESENTS**

**NATIONAL ESSAY COMPETITION**

**ON**

**LEGAL THEORY**



**THEME: WHAT ARE THE LIMITS OF CONSENT IN LEGITIMIZING  
TRANSACTIONS?**

**ORGANISED BY**

**National Law University, Jodhpur**

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## **NLU, JODHPUR: AN INTRODUCTION**

National Law University, Jodhpur (NLUJ) is one of India's leading law schools situated at the vibrant and colourful city of Jodhpur, Rajasthan. NLUJ has consistently been ranked as one of the top law schools in India. Since its establishment in 1999, NLUJ has endeavoured to produce exceptional lawyers and legal scholars that aim to push and challenge the existing boundaries of knowledge. Students passing out from NLUJ work in top law firms in India and abroad, some practice in courts and some have entered the field of legal academics. NLUJ students have also pursued further studies on prestigious scholarships at leading universities in the world, including Harvard, Yale, Oxford, LSE and King's.

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.), and B.A. LL.B. (Hons.) to generate especially skilled global legal professionals. The University also has a one year LL.M. program in various laws and also offers LL.D., and Ph.D. programs.

The current Vice Chancellor of the University, Mrs. Poonam Pradhan Saxena is a renowned jurist and has authored various authoritative texts on the subject of Property Law and Family Law.

NLUJ is committed to the advancement of knowledge and learning and is striving to become a centre for excellence in legal studies.



## **CENTRE FOR LEGAL THEORY**

The Centre for Legal Theory (CLT) was established under the auspices of National Law University, Jodhpur, in May 2015. This is the first such initiative in India that focuses on the subject of legal theory. In furtherance of its academic pursuits, the CLT has also started the Indian Journal of Legal Theory, in an effort to encourage debate and analysis among practicing professionals and academicians in this largely ignored area of law, especially in India. The CLT hopes that this will enhance the understanding of legal theory, as well as build curiosity towards the study and research in legal theory.

The Centre and the Editorial Board for the Journal have been formally set up under the able guidance of the Executive Director, Mr. Shyam Kaushik (Associate Professor), and has Mr. Ashutosh Acharya and Mr. Renjith Thomas as the Faculty Advisors. The CLT and IJLT comprise of a total of 22 student members from Years II to V at the University. The CLT is proud to have on its Advisory Board several prominent academicians from the field of Jurisprudence and Legal Theory, including Prof. Matthew Kramer, Prof. Nigel Simmonds, Prof. John Tasioulas, Prof. Stanley L Paulson, Prof. Scott Shapiro, Prof. Michael Moore, Prof. Scott Hershovitz, Prof. Timothy Endicott and Prof. Brian Leiter.

Within one year of its establishment, the Centre has conducted a National Level Essay Writing Competition and organised a Colloquium on the theme "Do We Have An Obligation To Obey Law?". The Centre also released the first issue of the Indian Journal of Legal Theory.



## CONCEPT NOTE

The idea of 'Consent', which is at the heart of libertarian claims to do certain things and also in some cases to claim certain rights, is debatable as a justificatory reason in many cases. On the one hand, the good of the society may have a greater weight, sufficient to outweigh the libertarian claim. However, the consent to form a civil society, and therefore, to surrender all the rights in favour of the State, to be subsequently redistributed fairly by the State, may also mitigate the consent based claim of the libertarians. However, the consent based claim of the libertarians is a force to reckon with, and needs more than a flimsy justification to be negated by the State.

Issues such as surrogacy, prostitution, abortion etc. have been debated in the backdrop of this libertarian claim. The consent may or may not be a free consent in such cases. Either way the State may have a reason to interfere on moral, ethical, health and religious grounds. The question, therefore, is: to what extent is consent a sufficient justification for such activities, and what shall be the limits of such consent?

Issues that may be covered include, but are not restricted to, minimum wages, child labour, homosexuality, free market v. fair market, along with the concepts of surrogacy, prostitution, and abortion as mentioned above.



## **RULES FOR THE COMPETITION**

- ❖ There is no registration fee for the competition.
- ❖ The competition is open for all Law students pursuing LL.B. and LL.M. in India and abroad.
- ❖ To participate in the competition, the interested students will have to submit a soft copy of their contact details and the essay (soft copy) as two separate documents on or before January 23, 2017, 23:59 hours to **nluj.cltessay@gmail.com**.
- ❖ No hard copy submissions are required.
- ❖ No part of the essay should contain any form of identification of the participant, and any such information if found would lead to disqualification.

### **SUBMISSION GUIDELINES**

- ❖ The essay can be in any version of MS Word.
  - ❖ The essay must contain an Abstract, within the limit of 250 words, whereby the keywords are mentioned and the tentative conclusions are set out.
  - ❖ The essay should not exceed 5000 words, excluding footnotes and abstract.
  - ❖ All submissions must be original and bona fide work of the participants.
  - ❖ The contestants by entering in the competition agree to indemnify the organisers from and against all claims, suits and damages based on any claim of copyright infringement or plagiarism or unauthorised use.
  - ❖ All entries shall be considered to be the property of NLUJ for, which 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 essay should not be submitted for any other competition and/ or for any other purposes, and should not have been co-authored.
  - ❖ Font type should be **Times New Roman** and Font Size should be **12** for the text and **10** for the footnotes.
  - ❖ Line spacing should be **1.5** for the body and **1.0** for the footnotes.
- Participants should use **Harvard Blue Book 19<sup>th</sup> Edition** as the footnoting style.



## **ESSAY JUDGEMENT RULES**

- ❖ The decision of the review board with regards to evaluation of the essay shall be final.
- ❖ The essay judgement shall follow the following marking rules/scheme:
  1. Originality of Idea in Content (Interpretation of the theme) : 20 marks
  2. Quality of Research: 25 marks
  3. Argumentation: 25 marks
  4. Use of Authorities and Conformity with Citation style: 20 marks
  5. Presentation: 10 marks
- ❖ In case of exceeded word limit, negative marking of **-2** on every 50 words will follow.

### **IMPORTANT DATES**

- ❖ Submission Deadline- January 23, 2017, 23:59 hours.
- ❖ Declaration of Result-March end (tentative)

### **PRIZES**

The top three essays shall be conferred with 'Merit Certificates', 'Cash Prizes', and 'an opportunity of publication in the next IJLT Issue'. All the participants will be awarded 'Certificate of Participation'. The details of prizes are mentioned herein below:

1.	FIRST PRIZE	Rs. 10000/- , opportunity of publication in the next IJLT Issue and Certificate of Merit.
2.	SECOND PRIZE	Rs. 7000/- , opportunity of publication in the next IJLT Issue and Certificate of Merit.
3.	THIRD PRIZE	Rs. 5000/- , opportunity of publication in the next IJLT Issue and Certificate of Merit.

For any queries, please mail at [nluj.ctessay@gmail.com](mailto:nluj.ctessay@gmail.com)

**Or**

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