Editorial Note

As the Indian legal system witnesses periodic changes, through myriad statutory progressions and judicial innovations, the need for the simultaneous evolution of legal scholarship becomes pronounced. Noticeably, in recent times, contributions in legal literature have been playing a seminal role in aiding the development of legal positions in the Indian context. Through their critical analysis of contemporary issues, legal commentators bring to the fore new perspectives and often capably highlight pertinent questions which require immediate attention.

Through the content published in its issues, the NUJS Law Review has sought to serve the purpose of endorsing analytical legal scholarship. Our endeavour has been to constantly put forth original argumentation on issues of importance. Creative thought accompanied by intense interdisciplinary scrutiny have aided the efforts of our contributing authors to continuously put forth multifaceted works, highlighting the layered nature of legal issues requiring the attention of the discerning reader.

Maintenance of variety, in terms of ideas and ideologies, has been a priority for us. We consider it our solemn duty to bring forth the entire gamut of legitimate argumentation on any given issue, regardless of the ideological strain that it may appear to be emanating from. The originality of thought and the substantiation of propositions are the twin pillars on which we continue to rely while determining the fate of the numerous submissions that we receive. A delicate balance between innovative thinking and logical discussion is sought to be achieved through the literary scholarship that we publish.

While scrutinising legal issues and examining the practical implications of legislative and judicial developments plays an important part in augmenting the scope of jurisprudence, studying these works and presenting an evaluation of their achievements and relative setbacks is also of equal significance in the field of literary scholarship. In recognition of the role played by the latter exercise, we have decided to reintroduce our readers to 'Book Reviews', with one being contained within the expanse of this issue. Through the revival of this segment, we aspire to solicit viewpoints from leading experts in the domains of legal education and scholarship about emerging legal publications.

In '*Privacy and Citizenship in India: Exploring Constitutional Morality and Data Privacy*', Dr. Nupur Chowdhury outlines the dimensions of the privacy jurisprudence in India, studying it against the backdrop of data privacy concerns of a nation increasingly pacing towards digitisation. Dr. Chowdhury begins by discussing the nature of relationships that have developed between citizens, the State and intermediaries in this period of the internet being viewed as a viable tool of governance. Thereafter, she elaborates on the manner in which the Indian judiciary has interpreted the facets of privacy in the Indian context, leading up to the

celebrated recognition of Right to Privacy. In referring to the jurisprudence on privacy, she suggests constitutional morality as an effective frame of reference. Key drawbacks relating to India's existing legal framework relating to privacy are also highlighted in the course of the paper.

Authors Akshita Jha and Adrija Ghosh analyse the theories of personhood and their consequences in the context of grant of personhood to environmental entities in their article '*Is being a Person Essential for the Environment to Hold Rights? Assessing the Legitimacy of Environmental Personhood and Alternative Approaches*'. The authors use a cross-jurisdictional analysis of grant of personhood status to environmental entities in various countries to present a detailed critique of the 2017 Uttarakhand High Court judgement granting personhood to rivers Ganga and Yamuna. Based on such analysis, the authors argue that so far, across the globe, the process of granting personality rights to environmental entities has remained largely arbitrary and superficial. Emphasising on the counterproductive nature of the ascription of personhood to environmental entities, the authors propose an alternative duty-based approach which in their opinion better serves the objective of preservation and protection of environmental resources.

Pratik Prakash Dixit, noting the pervasive use of cryptography in the modern-day technological transactions, walks the tightrope in '*Conceptualisisng Interaction between Cryptography and Law*', seeking to find a balance between conflicting concerns of privacy and security involved in the regulation of cryptography. While acknowledging the need for law enforcement agencies to have access to encrypted data, the author weighs down heavily in the favour of the inviolability of the privacy of users from unlawful and unnecessary encroachment by the State. Terming the "*privacy versus security*" binary as fallacious, the author takes into account the recent legal and constitutional developments upholding the privacy rights of the citizens to provide suggestions for a new encryption policy that further can bolster the encryption technologies.

In '*3D Printing – An Analysis of Liabilities and Potential Benefits Within the Indian Legal Framework*', Adya Jha and Shardha Rajam delve into an examination of the regulatory challenges associated with the pioneering innovation of 3D printing. With a view to bringing attention to the major legal issues and policy considerations which arise out of the use of such technology in the medical domain, the authors argue that 3D printed medical materials are not to be accepted merely at face value and encourage questioning the implications that the use of such products shall have. The authors further discuss the ambiguity in terms of imposing product liability which arises from the use of 3D printing technology. The impact that 3D printing shall have in the context of India's patent regime is also considered. Additionally, the role of intermediaries in increasing accessibility to 3D printing technology is acknowledged by the authors, giving rise to an analysis on the liability of such entities in relation to the broader usage of additive manufacturing. Given the range of issues identified, the authors also enlist

some solutions to address key issues concerning 3D printing to allow for it to be used for rightful purposes.

Nishant Gokhale in his article '*Life Imprisonment in India: A Short History of a Long Sentence*' presents a perspective contrary to the popular view of life imprisonment as being a more humane alternative to the death sentence by focusing on the seldom discussed sufferings involved in the punishment of life imprisonment in India. Set in the backdrop of the SC judgement in *Union of India v. V. Sriharan* and the Criminal Law Amendment Acts of 2013 and 2018, this paper holistically analyses the sentence of life imprisonment by shedding light on the recent developments while also simultaneously taking into account the historical context of the punishment. The development of the theoretical and practical approaches towards the punishment is also considered by the author. He notes that the punishment of life imprisonment, as it has evolved to be, was not supported by an adequate legislative framework. He points out that, as a result, life imprisonments is currently governed by a patchwork of judicial pronouncement and executive order which have been cobbled up together without much thought, leaving scope for arbitrariness in an already burdensome punishment. Through his analysis, he emphasises on the need to look for more sustainable alternatives to retributive punishments like life imprisonment, as reliance on such punishment is arguably only going to exacerbate the existing problems of the criminal justice system in India.

Finally, Dr. Sandeepa Bhat pens down a book review for '*The BRICS-Lawyers' Guide to Global Cooperation*'. He adeptly contextualises the understanding of BRICS in the international context, recognising the need for studying these emerging economies from the lens of global cooperation. In his review, Dr. Bhat undertakes an analysis of the book chapter-wise, highlighting the key components of the analysis presented therein. This provides a comprehensive issue wise reference guide for readers, pointing out what is to be looked at in the context of each of the sections covered. In the context of his review, Dr. Bhat also alludes to the specific areas in which the book can be potentially utilised as a resource.

This issue seeks to bring together in-depth research and diverse perspectives on key legal issues. We hope that the versions of authorship contained in this issue motivate discussions on emerging trends in law and society, and inspire deliberations on other unsettled questions of law within the legal fraternity. We extend our heartiest greetings and express our gratitude to all the contributing authors. We would also like to highlight the efforts made by all the members of our Law Review team, who have worked tirelessly towards ensuring smooth execution of the editorial process.

Truly,
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