



Foreword

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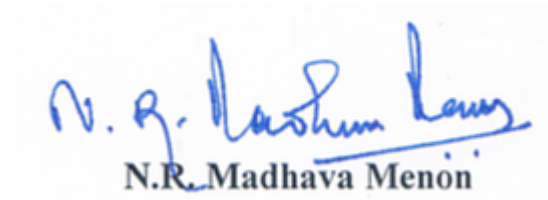
Access to justice is a universally recognised basic human right. It is organised differently in different countries and this condition by a variety of factors, historical cultural, economic and social political. As such, it is difficult to measure in quantitative and qualitative terms the strengths and weaknesses of systems for access obtaining on the ground and to rank the systems accordingly. Nevertheless, academic attempts are being made at different levels to identify irrelevant factors, assign weightages and rank legal/political systems in different jurisdictions. Such exercises may help to bring attention of authorities toward strengthening their Systems by adopting best practices and eliminating barriers in the system of governance.

One such exercises on an experimental basis at a modest level is attempted by an enterprising legal scholar based in Bangalore (India), Mr. Basavanagouda Patil in Association with his academic partners in Brazil South Africa China and Russia. He calls it Global Initiative for Access to Justice. The motivation for undertaking this adventure was the desire to improve the quality of Legal education and promote social justice to weaker sections of society.

The premise of the study is simple. All countries studied promise access to justice to all. But how effective are the Institutions and procedures in place? What are the perceptions and experiences of people? The authors felt that they could get possible answers to the queries by looking at, inter alia, four institutions responsible for ensuring access to justice, namely, the government (executive), the judiciary, the legal profession, and the legal education. They then adopted certain criteria for measurement of the performance of these institutions in facilitating access to justice which included declared policies, infrastructure support including Technology, accessibility and accountability systems etc. Giving different weightages to these criteria, a policy based assessment of the five jurisdictions was undertaken and ranked accordingly: termed as Beta-version/Sample Rankings by the creators. As a defensive mechanism against possible criticism, the authors have acknowledged in advance that it is only an Inaugural Edition of a sample report scheduled for 2017-'18. What is important for the readers therefore is not the findings which are admittedly tentative, but the methodology and its indices.

I have agreed to write this Foreword to this pioneering study primarily to encourage the young researcher and his team from the participating countries who took sustained efforts despite many hurdles to pursue their dream of evolving an access to justice index for the benefit of the common man struggling against inequalities in the justice systems. I am not an expert to judge research methodologies and their employment across widely different systems situated across continents. However, I am impressed by the bold initiative of the team and the larger goals of their mission. It is for those qualified to assess the merits and demerits of the study to give their comments and suggestions to help improve the methodologies to reflect the reality in more credible ways. I am sure the effort of Patil and his team will inspire law students everywhere to look at the larger canvass in seeking solutions for access to justice problems.

I wish the Team Patil all the best in their endeavour to evolve a robust, credible and sustainable Access to Justice Index that can provide the foundation for the plan to put in place an Index globally applicable for measuring the status of access to justice.



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