

PAPER – 119

LAW AND SOCIAL TRANSFORMATION IN INDIA

1. Law and Social Change :
 - 1.1 Law as an instrument of social change
 - 1.2 Law as the product of traditions and culture. Criticism and evaluation in the light of colonisation and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.
2. Law and its Inter-relationships with Religion, Language, Community and Regionalism
 - 2.1 Religion, language, community and regionalism as divisive factors
 - 2.2 Responses of law to
 - a. Religion - through secularism
 - b. Language - through constitutional guarantees
 - c. Community - through non-discrimination
 - d. Regionalism - through unity
 - e. Non-discrimination and protective discrimination (reservation)
3. Women and the Law
 - 3.1 Crimes against woman
 - 3.2 Gender injustice and its various forms
 - 3.3 Woman's Commission
 - 3.4 Empowerment of woman : Constitutional and other legal provisions
4. Children and the Law :
 - 4.1 Child labour
 - 4.2 Sexual exploitation
 - 4.3 Adoption and related problems
 - 4.4 Children and education
5. Modernization and the Law :
 - 5.1 Modernization as a value : Constitutional perspectives reflected in the fundamental duties
 - 5.2 Modernization of social institutions through law
 - 5.2.1 Reform of family law
 - 5.2.2 Agrarian reform - Industrialization of agriculture
 - 5.2.3 Industrial reform : Free enterprise v. State regulation - Industrialization v. environment protection
 - 5.3 Reform of court processes :
 - 5.3.1 Criminal law : Plea bargaining; compounding and payment of compensation to victims
 - 5.3.2 Civil law : (ADR) Confrontation v. consensus; mediation and conciliation; Lok adalats
 - 5.3.3 Prison reforms
- 5.4 Democratic decentralization and local self-government
6. Alternative Approaches to Law :
 - 6.1 The jurisprudence of Sarvodaya - Gandhiji, Vinoda Bhave; Jayaprakash Narayan - Surrender of dacoits; concept of grama nyayalays
 - 6.2 Socialist thought on law and justice : An enquiry through constitutional debates on the right to property

6.3 Indian Marxist critique of law and justice

6.4 Naxalite movement : causes and cure

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