

PAPER 1: LAW AND SOCIAL TRANSFORMATION IN INDIA [Compulsory]

Objectives:

This course is designed to offer the teacher and the taught with (a) awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change; and (b) a spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law. The endeavor is to make the students aware of the role the law has played and has to play in the contemporary Indian society.

Course Outcomes:

After successful completion of the course, the student will be able to –

1. Comprehend the provisions in the Constitution regarding Law which impacts social transformation.
2. Assess the continuing tussle between law and morality.
3. Infer and assess that the principles of Law and Social Transformation.
4. Analyse the Indian approaches to social and economic problems in the context of law as a means of social control and change

Course content:

Unit I

Theory, History, Alternatives and the Constitution

Law and social transformation: a theoretical discussion

Historical and social discourse on law's role in social transformation Alternatives to legal strategy: Gandhism, sarvodaya, marxism and naxalism, Constitution's orientation and response to social transformation

Unit-II

Multiculturalism and Social Transformation: Religion, Language, Region and Ethnicity,

Religion and law

Language and law: towards equality in language rights?

Language rights in education, people's language as the language of courts; perspectives, problems and the needed strategies

Regionalism, law and social transformation

Ethnic pluralism, tribal development and social transformation: a focus on security, self government and social justice

Unit-III

Social Transformation by Empowerment: Empowering the Backward Classes, Women and Children

Caste, law and empowerment of the backward classes Constitutional policy and development

towards gender justice Crimes against women and law's response thereto
Law, child welfare and social transformation

Unit IV

Modernisation and Social Transformation: Concept, Family Law, Economic Reforms

Modernisation and law

Family law, modernisation and social transformation

Economic development, law and social transformation: focus on agriculture, industry and environment

Unit V

Justice Delivery System and Participative Democracy

Reforms in the justice delivery system, modernization and law

Role of democracy, Panchayat Raj and NGOs in social transformation through law

Prescribed Books:

Bhat Ishwar P., Law and Social Transformation (Lucknow: Eastern Books Company, 2009)

Reference Books:

Friedman Wolfgang, Law in a Changing Society (Berkeley: University of California Press, 1959)

Mark Galanter Ed., Law and Society in Modern India (London: Oxford University Press, 1989)