

LAW & SOCIAL TRANSFORMATION IN INDIA (2009). By K.P. Malik and K.C Raval. Allahabad Law Agency, Mathura Road, Plot no. 33, Faridabad, Haryana.Pp. xl + 560. Price Rs. 325/-.

IN RECENT times, LL.M. syllabi has undergone a tremendous change to make law more relevant to the times. But there is dearth of dependable and standard textbooks for the students. It is in this backdrop that the book under review is indeed a welcome initiative on the part of both the authors and the publishers.

Pan Mohammad Fiaz in one of his papers titled “Law as means to social change” has observed:

[L]aw is rooted in social institutions, in socio-economic network. These social factors influence the course of law or the direction of legal change. This is the outcome of personal and social interactions which are variable and often unpredictable. At the same time, law may itself change social norms in various ways. For example, in India, legal abolition of untouchability is an attempt to change a long-standing social norm. Yet it has not succeeded much due to inadequate social support. Thus there is a reciprocal relationship between law and society.

Law plays an agent of modernization and social change. It is also an indicator of the nature of societal complexity and its attendant problems of integration. Further, the reinforcement of our belief in the age old *panchayat* system, the abolition of the abhorable practices of untouchability, child marriage, dowry and *sati, etc.* are typical illustrations of social change being brought about in the country through law.

Social change involves an alteration of society; its values and beliefs, and its economic, political and social dimensions also undergo modification. The term ‘social change’ is also used to indicate the changes that take place in human interactions and inter-relations. Society is a ‘web-relationship’ and social change obviously means a change in the system of social relationship where a social relationship is understood in terms of social processes and social interactions and social organizations.

Thus, the term, ‘social change’ is used to indicate desirable variations in social institution, social processes and social organization. It includes alterations in the structure and the functions of the society.



The book under review is in five parts and divided into twenty-seven chapters. The first part of the book 'Law and Social Change' contains five chapters (1 to 5) explaining what is law; how it is transformed in society; how the existing laws have changed; how law becomes an instrument of social change; what is the inter-relationship of law with the social institutions and how law responds to these institutions.

The second part of the book related to 'Women and the Law' is divided into four chapters (6 to 9) covering all the offences against women; gender injustice existing in Indian society; women's commission and the empowerment of the women at international level, constitutional and various other laws in India.

The third part of the book related to 'Children and the Law' is divided into five chapters (10 to 14) relating to child labour; child exploitation; the law relating to adoption and describes the law relating to commission for the protection of child rights.

The fourth part of the book related to 'Modernisation and the Law' is divided into six chapters (15 to 20). It provides the modernization of Constitution through fundamental duties; reform of family law, agrarian reform and industrial reform; reforms of criminal court process by introducing plea bargaining; reformation of civil procedure through arbitrator, conciliator, *lok adalats*, *etc.* as an alternative dispute resolution system; prison reforms and explains the introduction of local self-government in the Constitution by 73rd and 74th amendments.

The fifth part of the book related to 'Alternative approach of the Law' is divided into seven chapters (21 to 27). It deals with the jurisprudence of *Sarvodaya*; the oldest alternative approach of law in the form of *gram nyayalayas*; the marxism and naxalite movements and approaches to law and justice during nationalist struggle.

Law is an effective medium or agency, instrumental in bringing about social change in the country or in any region in particular. As of today, the decisions of the court are not just being tested on the touch stone of social justice, but indeed they are being cited of as precursors to 'social rights'. The court has pro-actively and vigorously taken up the cause of social justice and gone to the extent of articulating newer social rights such as the right to food, right to health and right to education. It certainly has acted as a catalyst in the process of social transformation of people and provided impetus to the dilution of caste inequalities, protective measures for the weak and vulnerable sections, providing for the dignified existence of those living under unwholesome conditions, *etc.*



The presentation of the book is simple and each topic is deeply analysed and supported by the legislative developments and judicial pronouncements. The table of contents, table of cases and bibliography provided in the book make it handy for immediate reference.

On the whole, the book would prove very helpful to the students of law (especially LL.M. students), teachers, researchers and the academic community.

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