

## FOREWORD

The Indian Law Institute has commenced a modest programme on Comparative Law with the help of a special grant given from the Government of India. The present monograph constitutes the first phase of the comparative law programme at the Institute. The second phase would consist of intensive comparative studies in specific areas in various fields of law. Already two studies are on the way—one on the French Legal System in Pondicherry and the other on Reform of Muslim Law in Foreign Countries.

The Bar Council of India has prescribed Comparative Law as one of the compulsory subjects for LL.B. It is hoped that the present book will supply the need for materials in this regard. Though the courses for LL.B., or at least some of them, had always been taught by a kind of comparative analysis, comparative law as a discipline is fairly new in our country. The American, British and Continental Law Schools have made phenomenal strides in the promotion and development of the discipline, and it is a desideratum to embark on it in India. It is, of course, unnecessary to sing the glory of the discipline. Comparison is of seminal significance to legal analysis. One gets always a better understanding of one's legal norm, system or structure if held up to comparison with another norm, system, or structure. The problem, however, is how to do it and in what areas. Dr. Rahmatullah Khan discusses in this book a few methods as to how comparative law should be taught in Indian Law Schools. The methods have been evolved after prolonged consultations, culminating in a national seminar, with Professor C.J. Hamson of the Cambridge University. We have included in this monograph his report on the subject to the Institute.

I take this opportunity of expressing my appreciation to the authors of this monograph, namely, Dr. Rahmatullah Khan, L.L.M., Ph.D., Associate Research Professor of the Institute, and Shri Sushil Kumar, LL.M., Research Associate of the Institute, and my indebtedness to Professor Hamson for his invaluable assistance in organising the comparative law programme at the Institute and concretising some of the ideas on the subject. I also wish to thank Miss Satpal Kaur and Miss Vathsala who helped, in reading the proofs.

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