

PREFACE

Dr. Vasudha Dhagamwar, eminent among the handful of India's legal sociologists, addresses with characteristic lucidity and a rare courage of conviction the juristic and political discourse concerning the Uniform Civil Code. No one concerned with social justice or committed to Indian Constitutionalism can afford to ignore her symphonic voice resonating the text of the present volume.

The present work, with indefatigable honesty, continues to remind us of a few salient hometruths. It is a mistake to regard the majority and minority communities as "monolith" (p.27.) As Indians, especially of the impoverished strata, endeavouring daily to cheat their way into survival, most people are not, until their "religious passions are aroused" obsessed with "remote questions" which animate erudite and political discourses concerning the Code. (p. 34). Both these discourses, in effect, not merely fail to address the real questions in any depth but also fail to communicate with the masses." (p.47) "Minority" politicians practising the art of "brinkmanship" (p.46) are "pampered" (p.64), not always, if at all, for the benefit of the minority masses (pp. 64-66).

Above all, the current discourse, according to Dr. Dhagamwar, testifies to social regression (p.62). If the 1963 and 1976 amendments, for example, to the marriage laws affecting Hindus demonstrate one face of this regressive forces, so do the brutal murder of Roop Kanwar at Deorala and the Sankaracharya of Puri's infamous utterances justifying sati and untouchability (p.63).

Curiously, though not wholly inadvertently, we have managed to produce a situation where not merely the minorities suffer from an aggravated persecution syndrome but also where majorities begin to feel insecure and hurt (p.60). Dr. Dhagamwar, in essence, argues for an agenda of political action and social research which will transform the nature of democratic discourse on the Uniform Civil Code. Manifestly ambitious, this agenda is undoubtedly worth pursuing for the future of the Indian democratic destiny. What better, or more, can we ask of juristic scholarship in India at her present developmental juncture? This is a question which this monograph summons us to answer. I hope that it will contribute resurgent thought and action.

Kusum, Associate Research Professor, has supervised the production of this monograph. Her help has contributed to its expeditious processing.

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