

## THE FAMILY LAW CURRICULUM AND THE POPULATION PROBLEM: ANOTHER LOOK AT AN OLD PROBLEM

A view which has gained currency in recent times is that the formulation of population policies must be done against the backdrop of all factors which directly or indirectly impinge on population dynamics. Demographers and social scientists are now beginning to appreciate that they ought to have a proper perspective of the relationship even of hitherto unrecognized areas such as 'Law and Population Dynamics'.<sup>1</sup> The last one decade has witnessed some progress in the conceptualization of 'population law'<sup>2</sup> (as the study of the co-relation between law and population has come to be known), and in the application of population law models in the identification of the best mix of programme strategies and modalities.<sup>3</sup>

As with any new discipline in the early period of gestation, there is a time-lag between the recognition of the importance of the discipline and attempts to sensitize those who ought to develop a greater insight into the potential contribution such discipline could offer to professionals, administrators and indeed to all others who stand to benefit by being exposed to this new discipline. The teaching of population law as a separate subject was initiated in the early '70s by Luke Lee of the Fletcher School of Law and Diplomacy at Tufts University but other law schools have been slow to follow the trails which Lee and his colleagues blazed at Fletcher. A few medical and law schools around the world have responded to the challenge which the discipline of population law has thrown open by integrating material on population law into the content of various subject areas which permit the incorporation of population law concepts.<sup>4</sup>

<sup>1</sup> Larry Barnett has remarked that "unfortunately legal scholars and demographers have lived in their separate worlds, with little discourse between them" (Barnett, Larry D. *Population Policy and the U.S. Constitution*, 1982, p. 177).

<sup>2</sup> 'Population Law' has been defined as

"The body of laws and regulations which has a bearing on population dynamics —

(a) by regulating the growth, composition and movement of the population; and

(b) by inducing behavioural and attitudinal changes in individuals with a view to enhancing the quality of life both at the micro-level of the family unit and at the macro-level of the community or nation" (Jayasuriya, D.C. *Legal Dimensions of Population Dynamics: Perspectives from Asian Countries*, 1979, p. 10).

<sup>3</sup> See, for instance, Farley, John U. and Tokarski, Steven S. "Law and Population Policy: Some Suggestions for Determining Priorities and Estimating Impact", *Law and Population Monograph*, No. 27, 1975, p. 3.

<sup>4</sup> In 1974 UNESCO organized in Paris a workshop on "The Teaching of Population Dynamics in Law Schools" and in 1977 published a monograph entitled *Readings on Population For Law Students*. However, its efforts to sensitize law teachers to the need to incorporate population elements into the law school curriculum have not met with much success.

On the assumption that the law school curricula is already overcrowded and permits little or no scope for the inclusion of additional subjects, an attempt is made in this article to suggest certain guidelines for the teaching of a course on family law with special reference to the population implications of those aspects which come within the scope and content of 'family law'.

#### FAMILY LAW CURRICULUM

The stereotype law school curriculum on family law normally deals with a wide spectrum of laws and regulations which could be subsumed under the following five broad headings:

- (i) Legal Capacity (including the rights of unborn children);
- (ii) Birth, Domicile, Death;
- (iii) Minority (including duty of support);
- (iv) Marriage (formation of marriage/legal consequences of marriage/termination); and
- (v) Succession, Inheritance and Taxation of Family Units.

In relation to each one of the above headings, it is possible to identify several aspects which permit elaboration to underline their population implications. The aspects which will be identified in this article are meant to be suggestive of possibilities of integrating population concepts into a subject-area the parameters and content of which are more or less well settled. This article is not meant to be exhaustive of possible elements or aspects of the Family Law curriculum which could be identified by a law teacher to underline the implications which such elements or aspects have for the population policies of the country or of the world, as the case may be. Having regard to the maturity of the students, their appreciation of the dimensions of the population problem and the level of sophistication at which other subject-areas are approached, a law teacher would be able, on his own, to identify even other aspects which have or appear to have population implications. In any event, from the student-teacher interaction ideas are likely to emerge not only about new elements or aspects which have population implications but also about different dimensions of the elements or aspects already identified. From the vast reservoir of material on population dynamics available in most countries, a law teacher could, without much difficulty, extract material to provide him with background information. However, demographic indices and concepts find a conspicuous place in most demographic literature. This need not necessarily deter a reader without any previous exposure to such literature as "most of the techniques of ordinary demographic analysis are within the grasp of individuals who have mastered no more than the computational skills expected of high school graduates".<sup>5</sup> To overcome the major problem of such techniques being "often buried in tomes of bewildering size that deal with advanced techniques as well and moreover not expounded with sufficient simplicity and clarity"<sup>6</sup> a publication is now available to

<sup>5</sup> Jayasuriya, J.E. *Techniques of Demographic Analysis for Population Educators*, 1981, p. 2.

<sup>6</sup> *Ibid.*

provide a non-technical orientation to demographic concepts and techniques.<sup>7</sup>

#### LEGAL CAPACITY

As far as legal capacity is concerned a question of significance is at what stage a 'person' could be deemed to have come into existence. From time immemorial philosophers and jurists have grappled with the question of unborn persons from various perspectives. From the point of view of the population implications of the concept of 'person', it would appear that this question is of significance in relation to three specific areas, namely abortion, inheritance and infanticide.

If the embryo or foetus is considered to be devoid of 'life' up to a particular period of time there is little justification for opposing the liberalisation of abortion up to that period of time on religious grounds. It is due to the uncertainty as to the exact stage at which the foetus is devoid of 'life' that legislation on abortion in certain countries permits termination during the very early stages of pregnancy but not at subsequent stages. A survey of the abortion laws of the Asian region opens up several interesting problem areas which transcend the legal sphere and offer several new insights into the dynamics of human behaviour. The abortion problem is multi-faceted in its genesis and in its ramifications. Religious, social cultural and economic factors are all inter-woven in the complex abortion fabric.

A recent survey<sup>8</sup> of the abortion laws in some fifteen countries in the Asian region revealed not only striking similarities but also differentials in the formulation and implementation of legal policies on abortion.

The rationale for abortion law reform has been articulated by different countries in different ways. Law reform was justified in Japan as an eugenic protection measure but the liberalization of the law coincided with the mass influx of demobilized Japanese soldiers and the resulting increase in the population growth rate. In the other countries in the region such as Singapore, Iran, Korea and India such a situation did not exist when law reform was contemplated but none of these countries sought to justify the liberalization of the law on demographic considerations. A number of research studies were available in Korea, for instance, on the relationship between induced abortion and fertility decline but the law which liberalized the provisions relating to abortion was described as a piece of legislation necessary for the protection of the health of mothers and children and not as a measure to achieve any demographic goals.

The abortion laws in the region range from total prohibition, as in the case of Indonesia and the Philippines, to availability at the request of the woman, as in China and Singapore. The laws of the other countries fall within these two terminal points. Japan blazed a new trail in 1948 by enacting the Eugenic Protection Law. For nearly a decade thereafter no other country followed the Japanese

<sup>7</sup> *Ibid.*

<sup>8</sup> Jayasuriya, D.C. *Legal Dimensions of Population Dynamics: Perspectives from Asian Countries*, 1979, pp. 30-66.

example until 1957 when China decided to gradually liberalize the policy on abortion. The period 1969 to 1976 witnessed the pendulum rapidly swinging more in favour of liberal policies. Singapore enacted an Abortion Act in 1969 and was followed by countries like India (1971), Hong Kong (1972), South Korea (1973) and Iran (1976). Agitation for law reform is increasing everywhere. In Indonesia the need for law reform was first pointed out as far back as 1964. Bangladesh (1973), Sri Lanka (1973), Nepal (1974), Thailand (1975), Malaysia (1975) and Pakistan (1976) are some of the countries where there is a growing body of opinion in favour of law reform. In the Philippines members of the legal and medical professions have so far refrained from articulating the need for law reform. But it is very unlikely that these professional groups could adopt such an insular approach for too long. Sooner or later there is bound to be a sudden outburst of opinion calling for remedial action. In all these countries the rich are circumventing the law with impunity while the poor suffer or die.

Neither in the countries where law reform has already been accomplished nor in the countries where law reform is being actively agitated have women's organizations played any significant role in mobilizing public opinion. This is true more or less of all the countries in the region. To this extent the movement to liberalize the abortion laws in the Asian region differs from the movement in Europe and in the United States where women's organizations have not only initiated action but also helped the movement to gather momentum. Among the pioneers in family planning activities in Asia are several women but to this date they have discreetly avoided taking an initiative to set in motion a movement for abortion law reform.

Japan, Singapore and India experienced a time-lag between the liberalization of the law and the acceptance of the law by the people. The number of reported abortions under the new law increased only gradually over the years. In the case of all these countries women had recourse to facilities for abortion available outside the formal health structure. In Japan and Singapore screening procedures became protracted during the initial years and women found it more convenient to visit professional abortionists. In India the shortage of manpower proved to be a severe limitation. China too experienced such a shortage but was able to overcome the problem by the utilization of barefoot doctors. It seems unlikely that India will be able to have a sufficient number of qualified doctors in rural areas at least for a few more years. Even those who are being trained show a reluctance to work in rural areas. If the law is to be effectively implemented the only policy option, on a short-term basis, available for any country with limited manpower and other resource is to follow the Chinese example of recruiting barefoot doctors.

According to estimates there are more than one million barefoot doctors in China. Junior High School graduates are recruited as barefoot doctors after they have had three to six months training in a hospital. Most of the barefoot doctors serve on a part time basis. They participate in agricultural activities like the other members of the community thus consolidating the confidence the people have in them. The referral system is geared to give the barefoot doctors the maximum opportunity of upgrading their skills as well as to enable

them to refer more complicated cases to specialists. Millions of abortions have been performed by these barefoot doctors and the complication rate is supposed to be very low because of the good aseptic procedures used. The time-lag which necessarily occurs between the liberalization of the law and its full scale implementation provides an opportunity for a country to expand family planning services. Such an expansion has the immediate advantage of preventing repeat abortions. Singapore and Japan have experienced a relatively low incidence of repeat abortions and this is attributable, at least in later years, to the easy availability of other methods of fertility control.

Several jurisdictions recognise unborn children as having been born and as being 'persons' whenever such a presumption would operate to their advantage. The presumption is usually relied on to enable a child to succeed on intestacy to the property of a deceased person though the child had not been born at the time of the latter's death. The institution of fideicommissum permits unborn generations to acquire testamentary rights of succession. Laws which permit an unborn child to acquire testamentary rights, it could be argued, are likely to have a pronatalistic effect and to that extent in a country where the recognised population policy is to discourage large families, there is much to be said in favour of the abolition of the institution of fidei-commissum. Some countries, such as Sri Lanka, have abolished this institution.

Infanticide has been made an offence in several countries in the world. The basis on which infanticide is prohibited is that no person should be permitted to kill a 'human being'. As far as the law relating to infanticide is concerned, certain doubts could exist as to whether the infant who has been killed was in fact a 'human being' or not. The answer to this question lies really in the domain of medical knowledge for the reason that sometimes it is only by medical evidence that one could determine whether the infant concerned was or was not a 'human-being' especially in those instances in which the killing had taken place within a few hours after delivery. There has also been a controversy as to whether the offence of infanticide should be treated as ordinary murder or something more venial.<sup>9</sup>

As far as birth is concerned, this aspect is of significance from a demographic point of view for more than one reason. Every birth is an event of demographic significance. If the registration of births is not made compulsory it would become difficult to collect census and other data which are vital for the formulation and implementation of not only population policies but also socio-economic strategies.<sup>10</sup> There are still several countries in the world without adequate legal provision for the compulsory registration of births. In some countries where the law compulsorily requires the registration of births the enforcement of such legal provisions has become difficult for the reason that the Governments concerned have not yet been able to

<sup>9</sup> See further Williams, Glanville *The Sanctity of Life and the Criminal Law*, 1958 and Noonan, John T. *The Morality of Abortion: Legal and Historical Perspectives*, 1972.

<sup>10</sup> See further Jayasuriya, D.C. *The Vital Registration System in Sri Lanka*, 1980.

devise the necessary administrative mechanisms to enable the registration of births. Various incentives have been offered to ensure the compulsory registration of births such as the entitlement to milk products for infants etc. The requirement of a birth certificate to gain admission to school operates as an inducement to register births. Where direct compliance with a law does not yield satisfactory results legislators and law reformers must look beyond traditional formulae and devise new sanctions, incentives and disincentives to achieve compliance. Law students need to be encouraged to work out the cost-benefit and cost-effective implications of non-formal methods of achieving compliance with the requirements of the law.

#### DEATH AS A DEMOGRAPHIC EVENT

Like birth, death is also an event of demographic significance. Its demographic significance lies not only in the fact that the population of a country is reduced. The incidence of death is significant, especially from a medical point of view, for the reason that if a person has died of a contagious disease and if the authorities concerned are not informed of this fact the disease is likely to spread resulting in a higher incidence of mortality. It is for this reason that most countries require, by law, the cause of every death to be notified to the authorities concerned within a matter of few hours or days. The compulsory registration of deaths also serves as a check on the high incidence of mortality of female children in certain societies. Though the dynamics of male child preference has not yet been completely explored, in many societies people resent the birth of female children and not surprisingly therefore female children in poor families tend to be neglected.

#### ADOPTION

As far as adoption is concerned its exact population implication is not quite clear. If the law is liberal enough to permit the adoption of children who are illegitimate it is very likely that there would be a drop in the incidence of illegal abortion. If childless couples and families with few children adopt children, especially children from those families with a large number of children, there would be a greater possibility of ensuring the future welfare and happiness of the adopted children. The State would have to incur less expenditure on public welfare schemes, if children are adopted by persons who have the means and the desire to do so. However, adoptions by foreigners could generate social and moral problems as has happened in Sri Lanka.<sup>11</sup>

#### LEGAL STATUS OF WOMEN

In a study done in Korea the proportion of respondents to the questionnaire who expressed their intention to bear continuously until a boy is born was 20% in Seoul and 73% in rural communities, and 53% on the average. It is not without significance that fifty per cent of the total respondents were those who were prepared to permit their husbands to keep even a mistress in order to have a son. The demographic significance of these results is that "family planning programmes, designed as a population control policy cannot be expected

<sup>11</sup> Jayasuriya, D.C., "The Victims of Social Legislation", (1982) *Journal of the Institute of Chartered Accountants*, pp. 17-21.

to attain successful results unless the traditional family system founded on the preference for male children is improved and the socio-cultural problems arising therefrom are solved".<sup>12</sup> It has been suggested that it is imperative in Korea "to amend the existing family law, which adheres to the traditional son-centered family system, and, abolish domestic and social customs discriminating between man and woman, thereby eliminating the psychological and social factors giving rise to the biased preference for sons, and infusing the idea of daughter OK into women".<sup>13</sup> The legal status of women has population implications.

It would appear that if the husband is in the position of a decision-making authority, this could undermine the ability of the wife to control her own child-bearing. Both husband and wife should have an equal right to decide on the number and spacing of children. For the exercise of such a right to reach fruition women must be accorded some status in society. It is significant that the recent Chinese marriage law underscores the need for married couples to practise family planning.<sup>14</sup> Family planning being articulated in a marriage law is a new and interesting trend.

#### COMPULSORY EDUCATION

If school education is compulsory and if parents or guardians can be punished for not sending children to school this would result in children being kept in school for a longer period than otherwise would be the case. From a demographic point of view, this would lead to two beneficial results. Firstly, the age at marriage would be raised. Secondly, the economic value of children while they are young to parents will diminish. The absence of compulsory education laws or the non-enforcement of such legislation has resulted in high dropout rates at all levels of education. Children are removed from school at a very early age and their services are utilised not only in various kinds of remunerative employment but also to look after other children in the family. Children are thus looked upon as an investment and security and to this extent the lack of compulsory school education may tend to be pronatalistic.

#### MARRIAGE

As far as the institution of family is concerned, the age at marriage is one area of significant demographic interest. If the compulsory age at marriage is somewhat low, the demographic implication is pronatalistic in the sense that married women would be exposed to a longer reproductive age-span. On the other hand, if the minimum age at marriage is very high this means that at least part of the woman's reproductive age-span would not likely be utilised for child bearing.

Sri Lanka's minimum age of marriage is the lowest in the region. Table 1 sets out the minimum age limits in some of the countries in the region:

<sup>12</sup> Kim Choo-soo, "A Study on amendment of the Family Law for rational implementation of family planning programme in Korea", (1973) 4 *Lawasia*, p. 86.

<sup>13</sup> *Ibid.*

<sup>14</sup> Article 2 of 1980 Marriage Law of the People's Republic of China.

TABLE 1

Country	Minimum Age	
	Males	Females
Hong Kong	16	16
India	21	18
Indonesia	19	16
Iran	20	18
Korea, Rep. of	18	16
Malaysia	18	18
Nepal	18	16
Pakistan	18	16
Singapore	18	18
Thailand	17	15

India is the latest country in the Asian region to increase the minimum age of marriage. By the Child Marriage Restraint (Amendment) Act of 1978 the age of marriage was increased from 15 to 18 years for females and from 18 to 21 years for males. Cassen has done some projections, which are set out in Table 2, about the demographic implications of raising the age at marriage from 18 years to 22 years between 1971 and 1976 and 1976 and 1981:

TABLE 2

Year	Projection		Same Projection with more rapid increase in age at marriage	
	Population	Birth Rate	Population	Birth Rate
1976	619.1	38.07	615.3	36.46
1981	681.5	35.23	669.2	32.66
1986	745	33	725.1	30.88
1991	807.9	30.67	781.1	29.18
1996	867.7	27.29	883.9	26.98
2001	921.9	25.09	881.7	24.24

As Cassen points out “the difference in birth rates is not enormous but the effect on total population is considerable, especially in the longer run”,<sup>15</sup>

Increases in the age at marriage could take place even without legislation or other specific policies. In Malaysia and Sri Lanka the average age at marriage has increased due to a variety of factors, prominent among these being the expansion in educational and employment opportunities and socio-economic changes.<sup>16</sup> Through a pro-

<sup>15</sup> Cassen, R.H., *India: Population, Economy, Society*, 1978, p. 53.

<sup>16</sup> See further Duza, M. Badrud and C. Stephen Baldwin, *Nuptiality and Population Policy: An Investigation in Tunisia, Sri Lanka and Malaysia*, 1977.



gramme of intensive propaganda China has been able to persuade the Chinese to postpone marriages. In Bangladesh the Jatio Tarun Sangha, an influential youth organization, has launched a campaign for delaying marriages. The members of the organization have been requested to refrain from marrying until they reach the age of 23 years in the case of females and 28 years in the case of males. The absence of an effective vital registration system in countries such as Nepal, Afghanistan, Bangladesh and Iran has made it difficult to enforce minimum age of marriage statutes. According to a study done in Iran a Registrar's perception of the ideal age of marriage has a significant bearing in encouraging or discouraging applicants for marriage in violation of the statutory requirements.<sup>17</sup>

The inter-play of socio-economic factors on the age of marriage is exemplified by the situation prevailing in Sri Lanka. Due to a variety of factors such as the rapid expansion of female education, unemployment, the institution of 'dowry' etc. the average age of marriage for females has been as high as 23 or 25 years notwithstanding that the minimum statutory age limit continues to be 12 years. Fears have, however, been expressed that the recent 'employment boom', consequent to the mass scale migration to countries in the Middle-East and Africa, might result in a higher incidence of early marriages.

Certain types of marriages are not permitted by law for various eugenic reasons. The types of prohibited degrees of marriage vary from legal system to legal system, but there are certain types of relationships which could lead to increased risks of illness, premature death and congenital abnormality in children. Laws dealing with prohibited degrees of relationship need to be periodically reviewed in the light of medical research.

Some of the pre-requisites of marriage such as requirements relating to consent are governed not only by laws but also by customs based on socio-cultural considerations. For instance, in Indonesia there is a custom which requires the prospective bridegroom to climb upon the roof of the house of the girl with a valuable present and to remain there until she gives her consent.<sup>18</sup> There are certain legal systems where the "consent" of the bride and bridegroom to marriage may be given on their behalf by their guardian. Studies on the psychological factors conducive to family planning clearly indicate that communication and inter-action between husband and wife are vital if the couple is to reach consensus on the need to regulate child-birth and child-spacing. In child marriages and in marriages where the consent of the parties is not necessary, the bride and bridegroom hardly get a chance of meeting each other prior to their wedding. Such marriages make it difficult for the parties concerned to immediately enter into an emotionally stable union which permits the free and frank discussion of aspects relating to childbirth and child-spacing. In marriages such as these, both husband and wife continue to rely on the knowledge they have acquired and values which they

<sup>17</sup> Touba, Jacqueline Rudolph "The Importance of Sanctioning Agents as Mediators between Law and Public Compliance or Deviance", cited in I.P.P.F. (1978) 7 Law File, p. 10.

<sup>18</sup> Himawan, C., "One Basic Foundation for the Control of Population Growth in Indonesia: The Marriage Law", (1973) 4 Lawasia, p. 65.

have inherited in the socialisation process in their own communities, and most traditional communities always show a bias towards large families.

Certain systems of law require compulsory registration of marriages after prior notice has been given to the authorities concerned of the intended marriage. The rationale for the requirement of prior notice is to enable those who have valid reasons to object to the marriage being solemnised to do so. In some countries however the validity of certain marriages does not depend on formal solemnisation. In Sri Lanka, for instance, the law recognises marriages by habit and repute. Evidence of cohabitation for a long period and evidence of recognition by the relatives or neighbours of the man and woman as husband and wife give rise to a presumption of valid marriage—which may be rebutted.<sup>19</sup>

#### DIVORCE

Termination of marriage is an event of demographic significance. Termination of marriage normally but not necessarily means the end of the procreation process. Depending on whether the grounds permitting termination of marriage are liberal or stringent there would be different pro-natalistic or anti-natalistic implications. On the one hand, it could be argued that if the grounds of termination are liberal, such laws would have an anti-natalistic effect inasmuch as neither party would desire to be burdened with a large number of children in the event the union comes to an end. On the other hand, it may be said perhaps with greater justification in those societies where the family unit has become more or less established as a social institution, that liberal divorce laws would have a pro-natalistic effect inasmuch as both parties may think of children as a stabilising factor. A detailed study of the grounds of terminating a marriage might reveal the relationship between such grounds and population dynamics.

#### REMARRIAGE

Remarriage is permitted practically in every country after the first marriage has been legally terminated. The requirements which regulate remarriage vary significantly from society to society. Some requirements do have certain population implications. For instance, a widow or divorcee who is subject to Indonesian Adat Law and those who profess the Islamic faith have to wait for three monthly cycles before another marriage can be contracted. If the cycles are not regular the waiting period is at least three calendar months. If, after she is separated from her first husband she is pregnant, she has to wait forty days after giving birth to the child before she can remarry. As far as Indonesian women who are subject to Islamic law are concerned there is a prohibition on remarriage till three hundred days have lapsed after the termination of her first marriage unless it is obvious that the woman concerned is not pregnant, in which case the waiting period is only 100 days.<sup>20</sup> This requirement is designed to eliminate problems relating to paternity.

<sup>19</sup> See further, Jayasuriya, D.C., "Some Aspects of Law and Population Dynamics in Sri Lanka", *The Population of Sri Lanka* (E.S.C.A.P. Bangkok), 1975, p. 323.

<sup>20</sup> *Op.cit.*, note 18 above, pp. 72-77.

## TAXATION

Taxation of families or 'family units' could have certain population implications. In this connection the basis of the computation of the taxable income, the allowances and other reliefs available in respect of spouse and/or children and/or dependents, the quantum of the disposable income available after taxation, compulsory savings and method of payment of taxes are matters which are likely to have certain implications on the size of families. Though the number of families liable to pay taxes is small in any country, yet changes in the tax law to reflect the population policy of the country, could have a symbolic effect.

## SUCCESSION

The law relating to succession is another area which is likely to have certain population implications. Under some legal systems only male children can inherit certain types of property. This type of situation would lead to the preference of male children with the consequent neglect of female children. Certain succession laws permit only a limited number of children to inherit property. If the number of children entitled to inherit property is restricted such laws are likely to have an anti-natalistic effect.

## CONCLUSION

The teaching of family law in many countries has hitherto been an exercise which has been limited to the consideration of the substantive and procedural legal principles involved with some emphasis on the sociological significance of the institution of family. The demographic dimensions of family law has been an aspect which has hardly received any attention in the past. As indicated in this article the content of a course on family law could be broadened so as to stimulate students to consider in depth and in detail the demographic implications of the various laws which are considered in a course on family law. If the population implications are considered in the proper perspective of the population policy to which the country is committed, and if students could be encouraged to initiate research-oriented work, it should become possible not only to identify the areas of family law which have to be changed to enable the national population policy to reach fruition within a short span of time but also to sensitize more persons to participate in tasks of a developmental nature. As we approach the mid-80s we can no longer ignore social realities in planning our law curriculum. Products of law schools must be sensitized to social problems and should develop skills to formulate suitable strategies to enable the national development process to gather momentum. The population problem warrants more consideration by lawyers than it has received in the past. The law school curriculum provides an important springboard to launch a programme to develop a greater insight into the relationship between law and population dynamics.

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