



TEERTHANKER MAHAVEER UNIVERSITY

(Established under Govt. of U. P. Act No. 30, 2008)

Delhi Road, Moradabad (U.P.)

PhD PROGRAMME

SYLLABUS FOR DISCIPLINE-SPECIFIC COURSE

LAW AND LEGAL STUDIES

Course Code: PDS240105	Recent Trends in Law and Social Transformation in India	L	T	P	C
		0	0	0	4
Objective:	In the dynamic world, law is considered a social phenomenon as it is a part of a progressive society. It works as a tool to remove the hindrances obstructing human growth and administration in society. The administration in society is inherently tied to the social realities bound by legal obligations. Therefore, advancement in society is subjected to advancement in the legal culture of a country as well. A Kelsenian/ normative approach necessitates that the Constitution changes the society whereas the sociological approach is of the view that it is the society that transforms the legal structure. India has adopted the latter approach. The purpose of the course is to familiarize the students with the changing dynamics of the Indian Legal system from post-independence to the current era of globalization.				
Course Outcomes:	After the completion of the course, students will be able:				
CO 1:	To assess the concept of social transformation and its impact on legal culture.				
CO 2:	To evaluate the social problems affecting the Indian nation-state and its legal solutions.				
CO 3:	To critically evaluate the existing legal structure and its efficacy in solving the current social evils of the nation-state				
CO 4:	To assess the legal culture of India in a post-globalized era				
Course Content:					
Unit 1:	Recent Trends in Law and Social Change: Meaning of Social Change and Social Transformation, Relation between Law and Society: The Consensus and Conflict model, Social, Economic and Educational Corollary, Law and Morality				
Unit 2:	Recent Trends in Constitution and Social Change: The normative method and sociological mode of change, Constitutional Amendments and Social change, Basic Structure theory as a balancing factor, Women Empowerment and Social Dichotomy, Liberty and Social Acceptance				
Unit 3:	Recent Trends in Globalization and the Constitution of India: Impact of Globalization on the vision of Article 38 and Article 39 (b), (c) of the Constitution, Impact of Globalization on the legal aspects of Industries and Agriculture in India, Impact of Human Rights on Indian Legal Culture, Status of Welfare state in a Globalized Economy				

Unit 4:	Recent Trends in Social Transformation & Modern India: Regionalism and Law: Right to Movement, Residence and Business, Language Policy and Indian Constitution: Official, State and Court Language, Freedom of Religion and Religious Minorities, Reservation Policy in India: Schedule Caste, Schedule Tribe and Backward Class
Unit 5:	Contemporary Issues in Indian Legal Culture: Citizenship Law of India and Identification Documents in India, Right to Privacy and Supreme Court of India, Alternate Dispute Resolution Mechanism and Social Upliftment, Good governance and RTI
Textbooks:	<ol style="list-style-type: none"> 1. Marc Galanter (ed.) Law and Society in Modern India, Oxford. 2. Robert Lingat, The Classical Law of India, 3. U. Baxi, The Crisis of the Indian Legal System, 4. Duncan Derret, The State, Religion and Law in India, 5. Tarngini Sriraman, In Pursuit of Proof: A History of Identification Documents in India, Oxford publications 6. Anupama Roy, Mapping Citizenship in India, Oxford Publication. 7. Gautam Bhatia, The Transformative Constitution: A Radical Biography in Nine Acts, Harper Collins India
Reference Books:	<ol style="list-style-type: none"> 1. H.M. Seervai, Constitutional Law of India. 2. Chris Thornhill, A Sociology of Constitutions: Constitution and State Legitimacy in Historical – Sociological Perspective, Cambridge Publications.