



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY,
SHIMLA

LL.M.

COURSE CODE: _____

LAW AND JUSTICE IN A GLOBALIZING WORLD

CREDIT-03

Module- 1

**General Dialogue/Discourse on 'Law'
(10 Lectures)**

- 1.1. Dominant Perspective(s) from the West: Hart/Dworkin/ Legal Pluralism.
- 1.2. Exploring the possibility of a Non-Western Perspective
- 1.3. Perspective from the South (Indian Perspective only)
- 1.4. Legal Materials' approaches of Hohfeld and others, and Alternative perspective(s)
- 1.5. Universalizing impact of studies in legal philosophy: Analysis of select Supreme Court judgements; contemporary interpretative practices

Module-2

**Law, Liberty and Equality
(12 Lectures)**

- 2.1. Liberty as a Philosophical Category
- 2.2. Ways to theorize/Conceive and practice Liberty
- 2.3. Viability of a rational and Constitutional conception of Equality
- 2.4. Non-Western conception of Equality/ Non-Libertarian Equality
- 2.5. Reasons responsible for increasing inequality; Inequality, Poverty and Economic Development in a Globalized World.

Module-3

**Law, State and Religion; Property and State
(12 Lectures)**


- 3.1. Different Conceptions of Secularism
- 3.2. Conception of Self, and religious Tolerance
- 3.3. Secularism and Collective Governance & Constitutional Aspects
- 3.4. Classical and Modern theories of Property; historical/Comparative analysis of the theories
- 3.5. Possible ways to structure the relations of an institution of property, law and state;

Module-4
Political Economy of Law (or Some Selected Issues) in a
Globalizing World; & Theories of Justice
(15 Lectures)

- 4.1. Some classical views on Law, Capitalism and State;
- 4.2. Basic ideas/theories on political Economy of Law and their relevance in a globalized world
- 4.3. Growth of globalization process in India; Law, law making, and its Interpretation in the contemporary milieu
- 4.4. Theories of Justice: John Rawls, Amartya Sen, Robert Nozick
- 4.5. Critics of Western Theories of Justice: M.K. Gandhi, Martha Nussbaum

Prescribed Books:

1. M. D. A. Freeman, *Lloyd's Introduction to Jurisprudence* (8th edn. Sweet & Maxwell, 2007).
2. Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (2nd edn. OUP 2012).
3. iii) Upendra Baxi and Frans Viljoen (eds.), *Transformative Constitutionalism: Comparing the Apex Courts of Brazil, India and South Africa* Pretoria University Law Press and National Law University Delhi (2014).
4. iv) C. Sunstein, *Free Markets and Social Justice* New York, Oxford University Press (1997).
5. v) B de Sousa Santos, *Towards a new legal common sense: Law Globalisation and emancipation* Butterwoths (2nd edn. 2002).
6. vi) D. Schneiderman, *Constitutionalizing economic globalization: Investment rules and democracy's promise* Cambridge University Press (2008).


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