

**LAW**  
M.Phil/ Ph.D Syllabus

Sl. No	Title of Course	Credits	Marks
LAW –RS – C101	Research Methodology	4	100
LAW –RS – C102	Constitutional Law- Constitutionalism, Pluralism and Federalism	4	100
LAW –RS – C103	Review of Literature and Research Proposal	4	100

**I Semester**

**LAW – RS – C101: RESEARCH METHODOLOGY**

**Unit – I – Research Methods**

Socio-Legal Research – Theory and Method; Analyzing Law and Society, Practical Socio-Legal Research Methods; Political Science Approach to Legal Research: Legal Mobilization; Judicial Review and Human Rights; The Role of Courts in a Democracy; Interface of Economics and Law: Aspects and Approaches; Doctrinal and Non-Doctrinal Research, Critical Methods; Feminist Approach, Post-Modernist Approach.

**Unit – II – Identification of Problem of Research**

Formulation of Research Problem; Literature Survey and Bibliographical Research; Legislative Material including Subordinate Legislation; Discovering the “Ratio of the Case” Tracing the History of Important Cases; Discovering Judicial Conflict, Juristic Writings.

**Unit III – Research Design, Data Collection and Data Analysis**

Tools and Techniques for Collection of Data: Methodology; Collection of Statutory and Case Materials and Juristic Literature; Introduction of Quantitative Methods in Socio-Legal Research - Sampling Procedure – Design of Sample, Types of Sampling to be Adopted; Computerized Research ; Classification and Tabulation of Data, Analysis of Data, Combining Qualitative and Quantitative Data.

**Unit IV – Research Report**

Different Steps in Writing a Research Report – Layout, Main Text, Conclusion and Observation.

Mechanics of Writing a Research Report – Practical Aspect, Physical Design, Treatment of Quotation, Documentation Style, Abbreviation, Bibliography.

**Reading List**

1. Singh, Ratan, (2016) Legal Research Methodology. Lexis Nexis, New Delhi.
2. Jacobstein, J., Mersky, R., and Dunn, D., (1998) *Fundamentals of Legal Research*. Foundation Press: New York.
3. Goode, William J., and Hatt, Paul K., *Methods in Social Research*. McGraw-Hill Book Company: New York.
4. Sinha, Manoj Kumar and Deepa Kharb, (2017) *Legal Research Methodology*. Lexis Nexis.

5. Hyman, H.M, (1965)*Interviewing in Social Research*.University of Chicago Press: Chicago.
6. Berg, Bruce L., (2001)*Qualitative Research Methods for the Social Sciences*. Allyn and Bacon: London.
7. Cohen, Morris L. and Kent C. Olson, (2003)*Legal Research in Nutshell*, Thomson and West.
8. Verma,S.K. and M Afzal Wani, (eds) (2001)*Legal Research and Methodology*. Indian Law Institute: New Delhi.
9. Goode and Hall, (1985)*Methods in Social Research*. MacGraw Hill Book Company: Singapore.
10. Young, Pauline V., (1984)*Scientific Social Surveys and Research*. Prentice Hall of India: New Delhi.

## **LAW – RS – C102:Constitutional Law-Constitutionalism, Pluralism and Federalism**

### **Unit I-Constitutionalism-**

Concept, Scope and Importance, Humanism and Constitution, Modern constitutionalism Authoritarianism – Dictatorship, Democracy – Communism, Limited Government -Concept - Limitations on Government Power. Conventions of constitutionalism, Law and Conventions.

### **Unit II - Pluralism-**

Pluralistic Society, Ethnic, Linguistic, Cuultural, Political Pluralism, Individualism. Constitutional Pluralism- Concept, Scope & Importance, Federalist Approach, Constitutional Pluralism and Conceptual Hybridism.

### **Unit III- Legal Pluralism-**

Pluralism and International Concerns -Universal Declaration of Human Rights and other International Instruments, Good Governance.

### **Unit IV-Federalism-**

Federal Government, Confederation, Conditions Requisite for Federalism, Patterns of Federal Government - U.S.A., Australia, Canada, India, New Trends in Federalism: Co-operative Federalism- Control, State Autonomy, Political Factors influencing Federalism, Dynamics of Federalism.

## **Reading List-**

1. Charles, Fried, (2008)*Saying What the Law is: The Constitution in the Supreme Court*. Universal Publishing Company: India.
2. Bhat, Ishwara, P., (2013) *Constitutionalism and Constitutional Pluralism*. Lexis Nexis, New Delhi.
3. David, R. &Bierley, J.E.C., (1985)*Major Legal Systems in the World Today*. Stevens & Sons: London.
4. [William E. Connolly](#).*Pluralism*. Duke University Press.
5. Gutteridge, H.C., (1949)*Comparative Law*. Cambridge University Press: Cambridge.
6. Basu, D.D., (2008)*Comparative Constitutional Law*. Wadhwa: Nagpur.
7. Harding and Oeruecue, E., (eds), (2002)*Comparative Law in the 21st Century*. Kulwer Academic Publishers: London.
8. Singh, M.P., (ed) (1989)*Comparative Constitutional Law: Festschrift in Honour of Professor P.K. Tripathi*. Eastern Book Co: Lucknow.

9. [Stephen M. Griffin](#)(1998), *American Constitutionalism: From Theory to Politic*, Princeton University Press.
10. [Thomas O. Hueglin](#), [Alan Fenna](#), (2006)*Comparative Federalism: A Systematic Inquiry*. Broadview Press: Peterborough, Ontario.

### **LAW –RS – C103-Review of Literature and Research Proposal**

This paper shall be a non-lecture based paper in which the candidates shall have to review the literature and write a research proposal in the area of their research interest and give a seminar at the end of the semester. This paper shall also be of 4 credits.