



Masters of Laws (Constitutional & Legal Order Group)
LL.M. (Constitutional & Legal Order Group) Semester-I

Course Code	PL01ELCL53	Title of the Course	Constitutionalism: Pluralism and Federalism-I
Total Credits of the Course	5	Hours per Week	

Course Objectives:	<ol style="list-style-type: none"> 1. To understand the concept of federalism such as creation of new states, allocation and share of resources, federal comity, etc. 2. To understand the need for widening the definition in the wake of liberalization. 3. To understand privatization and its impact on affirmative action 4. To critically analyze the law regarding empowerment of women. 5. To understand the various challenges arising out of right to freedom.
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Course Content		
Unit	Description	Weightage* (%)
1.	Constitutionalism <ul style="list-style-type: none"> • Authoritarianism -Dictatorship • Democracy -Communism. • Limited Government-concept-Limitation on government power. • What is a Constitution? • Development of a democratic government in England- Historical evolution of constitutional government. • Conventions of constitutionalism-law and conventions • Written Constitutions: U.S.A., Canada, Australia, Sweden South Africa and India. • Separation of powers: Montesquieu • Rule of Law: Concept and new horizons • Marxist concept of constitutionalism • Dictatorship of the proletariat. • Communist State from Stalin to Gorbachov. • Fundamental Rights: Human rights • Judicial Review: European Court of Human Rights • Human Rights: International conventions • Limits & doctrine of domestic jurisdiction in international law. • Other forms of government may be included such as Monarchy, Oligarchy, Beurocracy, totalitarian government with examples and its relevance today 	20%
2.	Federalism <ul style="list-style-type: none"> • What is a federal government? 	20%





	<ul style="list-style-type: none"> • Difference, between confederation and federation • Conditions requisite for federalism. • Patterns of federal government-U.S.A., Australia, Canada, India. • Historical development of federal structure in different countries such as- U.S.A, Australia, Canada 	
3.	Federalism <ul style="list-style-type: none"> • Judicial review - for federal umpiring • New trends in federalism: Co-operative federalism • India - Central Control v. State Autonomy • Political factors influencing federalism • Plural aspects of Indian Federalism: Jammu & Kashmir, Punjab, Assam. • Dynamic of federalism • NITI Aayog and its contribution towards strengthening the federal structure 	20%
4.	Pluralism <ul style="list-style-type: none"> • What is a pluralistic society? • Ethnic, linguistic, cultural, political pluralism 	20%
5.	Individual rights - right to dissent <ul style="list-style-type: none"> • Freedom of speech and expression • Freedom of the press • Freedom of association 	20%

PSDA (Professional Skill Development Activities)

❖ Statutes and Judgment Analysis
❖ Preparation of One Research Paper/Research Article
❖ Access to Legal Resources: E-Library, E-Books and E-Database
❖ Developing Comparative Analysis Skills
❖ Understanding the connotation between law and society

Teaching-Learning Methodology	<ul style="list-style-type: none"> • Lecture Method • Power Point Presentation (including audio/video) • Group Discussion • Role Play • Team Exercise • Case study
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Evaluation Pattern

Sr.	Details of the Evaluation	Weightage
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No.		(%)
1.	Internal Written / Practical Examination (As per CBCS R.6.8.3)	20%
2.	Internal Continuous Assessment in the form of Practical, Viva-voce, Quizzes, Seminars, Assignments, Attendance (As per CBCS R.6.8.3)	10%
3.	University Examination	70%

Course Outcomes: Having completed this course, the learner will be able to

1.	The students once they complete their academic course, shall get an adequate knowledge on various forms of governments, their advantages and disadvantages, etc.
2.	As a citizen, the forms of governments would help the students to understand the problems of the societies and the governments more deeply.
3.	The course would pave way for the students to take up governmental departments as a career option.

Suggested References:

Sr. No.	References
1.	Upendra Baxi, "Law, Democracy and Human Rights"-5 Lokayan Bulletin 4 (1987)
2.	V.M. Dandekar, "Unitary Elements in a Federal Constitution" 22 E.P.W. 1865 (1988)
3.	Rajeev Dhawan, "The Press and the Constitutional Guarantee of Free Speech and Expression" 28 J.I.L.I. 299 (1986)
4.	M.P. Jain, "Indian Constitutional Law (1994) Wadhwa
5.	JagratNarain, "Judicial Law Making and the Place of the Directive Principles in the Indian Constitution," J.I.L.I. 198 (1985)
6.	H.M. Seervai, "Constitutional Law of India" (1993), Tripathi, Bombay
7.	S.P. Sathe, "Fundamental Rights and Amendment of the Indian Constitution" (1968)
8.	M.A. Fazal, "Drafting A British Bill of Rights" 27 J.I.L.I. 423 (1985)





9.	Students should consult relevant volumes of the Annual Survey of Indian Law published by the Indian Law Institute.
10.	Human Rights Law Review ISSN 1461-7781

On-line resources to be used if available as reference material

On-line Resources

a. SWAYAM

b. EdX

c. Cousera

d. Manupatra

e. SCC Online

f. Hein Online

