Name of the Programme   : L.L.M.
Title of the Course   : Law and Legal Thought
Course Code   : LLM-501
Number of Credits   : 4
Effective from Academic Year: 2023-2024

Pre-requisites for the Course	Enrolment at the LL.M. (CBCS) programme	
Objectives	• To enable learners to understand the legal, moral, philosophical and societal influences impacting the legal system. • To inculcate requisite knowledge of the subject matter.	
Content	**Module 1: Concept of Law and Justice** 1. Meaning, kinds and role of Law and justice in society 2. Relation between Law and Justice 3. Concept of justice or dharma in Indian Legal Thought and in the Indian Constitutional Scheme 4. The concept and various theories of justice in modern Western thought: Rawls, Nozick and Dworkin	**15 Hours**
	Model 2: Contemporary Legal Thought 1. Radical critique of law and justice 2. Feminist jurisprudence 3. Critical legal studies 4. Postmodernist jurisprudence	**15 hours**
	Module 3: Judicial Process 1. Nature of judicial process and independence of the judiciary 2. Methods of Judicial interpretation 3. Judicial activism and creativity of the Supreme Court using tools and techniques. 4. Judicial process in pursuit of constitutional goals and values	**15 hours**
	Model 4: Judicial Law- Making 1. Precedent in English Law 2. Doctrine of Stare decisis in theory and practice 3. Ratio Decidendi and Obiter dicta and tests to determine ratio decidendi. 4. Precedent in Indian Law	**15 hours**
Pedagogy	Lectures, seminars, debates and group discussions.	
References/ Readings	1. M.D.A. Freeman, Lloyd's Introduction to Jurisprudence, Sweet & Maxwell, 2021 2. Cross and Harris, Precedent in English Law, Clarendon Press, Oxford, 2004 3. Benjamin N. Cardozo, The Nature of Judicial Process, MPP Law House, Indian Edition 2021. 4. John Rawls, A theory of Justice, Oxford University Press (1972) 5. Justice M Rama Jois, Legal and Constitutional History of India, Universal Publishing Co., 2007 6. A. Lakshminath, Precedent in Indian Law, Eastern Book Company, 2005 7. Raymond Wacks, Understanding Jurisprudence: An Introduction to Legal Theory, Oxford University Press, 2015	

	8. Amartya Sen, The idea of Justice, Harvard University Press & London: Allen Lane, (2009) 9. H.M. Seervai, Constitutional Law of India, N.M. Tripathi and Sweet and Maxwell 10. D.D.Basu, Shorter Constitution of India, Wadhwa and Company, Nagpur Vol. I & II, 2018 11. M.P.Jain, Indian Constitutional Law, Lexis Nexis, 2016 12. Justice P.S. Narayana, Law of Precedents, Asia Law House, 2005
Additional readings	1. Rudolf Stammler, The Theory of Justice, Law & Justice Publishing Co.,2022 2. Roscoe Pound, Introduction to Philosophy of Law, Transaction Publishers 1954) Chs.1,2 & 3 3. Roscoe Pound, Jurisprudence, The Law Books Exchange, New Jersey, (1959) Vol. 1 Part I & II 4. Bodenheimer, Jurisprudence, Harward University Press, (1974) Part I 5. Friedmann, Legal Theory, Stevens & Sons Ltd., (1967) 6. Lon. L. Fuller, Anatomy of Law, Stanford University Press, California, (1984) 7. Lon. L. Fuller, The Morality of Law, The University of California, (1995) Reprint 8. H.L.A. Hart, The Concept of Law, Oxford University Press, (2012) Reprint 9. V.D. Mahajan, Jurisprudence, Eastern Book Company 2012
Course outcomes	1. Learners will be able to understand the legal, moral, philosophical and societal influences impacting the legal system. 2. Learners will acquire knowledge of the subject matter, enabling them to critically understand the challenges and complexities affecting the law and legal system. 3. Increase students' critical awareness of the challenges and complexities affecting the law and the legal system. 4. Learners are able to analyze and evaluate the principles of Law, Justice and Morality in the existing legal system.