



**University of Rajasthan
Jaipur**

SYLLABUS

Faculty of Law

**Pre - Ph.D. Course Work
in Law**

MPAT - 2017

Programme and Syllabus of Pre-Ph.D. Course Work in Law (MAPT-2017)

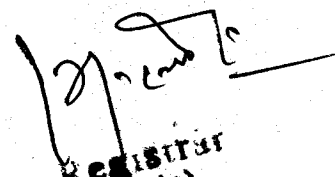
Course Work: **Credit Requirements, number, duration, syllabus, minimum standards for completion, etc.**

1. The credit assigned to the Pre-Ph.D. course work shall be of 16 credits.
2. The course of study for the Pre-Ph.D. degree shall be for a period of one semester.
3. Each paper shall consist of 100 marks, out of which 80 marks shall be for external assessment and 20 marks for internal assessment. There shall be a continuous internal assessment (weightage of 20% in **maximum marks**) as well as an external assessment (weightage of **80% in maximum marks**). The examination of external assessment shall be written.
4. Grades will be assigned by taking external and internal assessment together. For a pass, a candidate shall be required to secure (a) at least grade D (33% marks) in each paper separately in internal assessment and EOSE assessment and (b) a minimum of 3.5 CGPA (55% in aggregate) in the cumulative of all the papers of coursework.
5. A Candidate who fails at the EOSE examination in one paper or more (either in the internal or external) shall be required to re-appear at the examination in the subsequent year in those papers, and the grades obtained by him/her in cleared papers and marks of internal and external assessment will be carry forward for working out his/her result.
6. During the course work, every candidate shall be required to attend minimum of 75% of lectures, tutorials seminars and practical's (taken together) held in each paper and the course work.

Syllabus

The course work shall comprise of following four papers :

- (i) Paper-I - **Legal Research Methodology**
- (ii) Paper-II - **Review of Research Work**
- (iii) Paper-III - **Legal Theory and Human Rights philosophy**
- (iv) Paper-IV - **Law and Social Transformation in India**


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Pre-Ph.D. Course Work
PAPER-I
Legal Research Methodology

Unit-1 General

- Nature & scope of Legal Research
- Legal Research Ethics
- Identification of Research Problem
- Formulation of Research Problem
- Research Design.

Unit-2 Methodology

- Socio Legal Research
- Doctrinal and non Doctrinal Research
- Relevance of Empirical Research
- Inductive and deductive method

Unit-3 Techniques

- Observation Methods
- Interview Methods
- Question Method
- Survey and case study Method
- Scaling and sampling procedure

Unit- 4 Data Analysis and Report Writing

- Processing of Data
- Classification of Data
- Interpretation of Data - Methods
- Legal thesis writing
- Writing Steps in Thesis
- Writing Layouts of Thesis
- Chapter arrangement

Unit- 5 Computer Application

- Writing Tool - M.S.Word
- MS Excel - Introduction, function, using formula, data storing, generating chart, graph and others.
- M.S. Power Point
- Web Search Tool - Introduction and use of internet and www, use of search engine - Google, Yahoo, Advance search techniques

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Pre-Ph.D. Course Work

PAPER-II


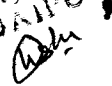
Review of Research Work

Paper II will be based on review of published research work in the relevant field. Division of 80 marks are as follows :-

1. To prepare project/ compendium file in which :
 - Review of Books, Review of Articles, Review of Commission Reports and Review of Thesis related to the research proposal/title allotted to the candidate.

(40 Marks)

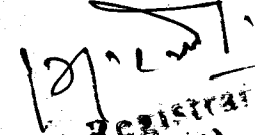

2. Viva-Voce on the Project/compendium prepared (40 Marks)


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Pre-Ph.D. Course Work
PAPER-III

Legal Theory and Human Rights philosophy

- Unit-1 Positivism - Relation between Law and Morality, Analytical Positivism, imperative theory of law, Pure theory of law, the concept of law.
- Unit-2 Historical and sociological approach to law - theory of Volkgeist, Anthropological approach to law, purpose theory, living law theory, social engineering.
- Unit-3 Post sociological approach realism, justice Cardozo - Judicial process, Justice Holmes, critical legal studies, feminist philosophy.
- Unit-4 Justificatory theories in shaping the concept of Human Rights, Theology, Natural law and natural rights, Utilitarianism - Right based theory and collective rights.
- Unit-5 Modern theories of Human Rights, Rawls Theory of justice - Nozick - Ronald Dworkin, Right to Solidarity, Global Justice - meaning and application.


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Pre-Ph.D. Course Work
PAPER-IV

Law and Social Transformation in India

Unit-1 Law and Social Change

- The evolution of Social Transformation in India
- Law as an Instrument of social change - A Jurisprudential and Theoretical Perspective
- Law, Society and Morality in Social Change

Unit-2 Religion and Law

- Religion : meaning and its relationship with law in Constitutional Democracy.
- Religion and National Integrity.
- Secularism - a puzzle or solution for Protection to religion.
- Non discrimination on the ground of Religion.

Unit-3 Language and the Law

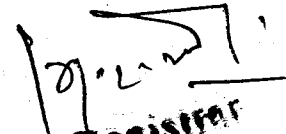
- Formation of Linguistic states.
- Constitutional protection to the linguistic minorities.
- Language policy and the Constitution.

Unit-4 Women and the Law

- Gender Justice
- Offences against women
- Sexual Harassment of women at work palce
- Atrocities against women

Unit-5 Nationalism, Regionalism and the Law

- Concept of Nationalism, Regionalism and Nationality
- Regionalism : A problem, a divisive factor
- Concept of citizenship.


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