Course Title: Law and Justice in a Globalizing World

Program in which it is offered: LL.M. All Programmes

Course Category: [Core]  Schedule of Offering: [Trimester 1]
Course Code [EG753]  Course Credits: [3]

- Lecture: [4 Hours per week]
- Tutorial: [1 Hours per week]

Contact Hours per week: [5 Hours per week]
Course Co-ordinator: Prof. Vanisree Ramanathan

1. **Introduction**
   In an ever changing world of diversity, the system of law and its theory should not only accommodate but also allow for the peaceful development. It cannot be based on imposing one system’s preferences over the other but based on those methods of research and practices that are commonly available to all, irrespective of their cultural diversity. A description of the idea of law is not the same thing as description of how this idea evolves in social reality.

   This course is a probe into the reasons of the essential evolution of law and notions of justice according to the changing social reality of the vibrant globalised world. The volatility in social world reality creates deviations within the idea of law and justice. Political, economic and social changes that globalisation creates, sometimes disturbs the traditional norms of law. This course focuses on how this reflects on the notions of law and justice in a globalised world and shall use the thoughts of legal thinkers to trigger our own thinking process to address the present day dilemmas. Above all, the course integrates the post-graduate legal education in Chinmaya Vishwavidyapeeth Deemed to be University in the current global context in a meaningful way.

2. **Course Objectives**
   1. To understand the process of globalization and its impact on law and justice
   2. To critically analyse the concept of global justice and the pathways to achieve the same
3. To better appreciate the demands for change raised by different groups to the international legal order

4. To investigate the possibilities of global legal order and India's interest in such a project

5. **Pre-requisites**
   There are no pre-requisites for this course as it is both introductory and compulsory in nature

6. **Readings**
   There shall be no prescribed text-book for this course. However, a set of readings have been identified under each module of the course. Students will be required to finish these readings prior to the classes make their own inquisitive remarks along the discussion in class.

7. **Module-wise topics**

**Module 1: Introduction to Global Politics and the Ideas of Global Justice**

*Read and Discuss:*


7. James P. Sterba(2005), Global Justice for Humans or for All Living Beings and What Difference It Makes, Current Debates in Global Justice 283–300


Module 2: Technological Advancement and Law

Read and Discuss


Law and Innovation


Implications for Developing Countries

3. Tu Thanh Nguyen (2010), Competition Law, Technology Transfer and the TRIPS Agreement: Implications for Developing Countries, pp.286-303

Refusal to Transfer Technology

4. Tu Thanh Nguyen (2010), Competition Law, Technology Transfer and the TRIPS Agreement: Implications for Developing Countries, pp.105-128

National Security, Law and Technology


8. Kriangsak Kittichaisaree (2017), The Public International Law of Cyberspace 335-357
Technology, Trade and Finance


Module 3: Economic Globalization, Development and Law

Read and Discuss:


Foundations to Economic Globalisation and Governance


Responses and Resistance to Economic Globalization


Economic Globalization, Development and Law – a way forward


Module 4: CPRS, Common Concerns and Heritage of Mankind

Read and Discuss


Environmental Justice and Globalization


Knowledge as a Public Good


Concerns over Common Pool Resource in Globalised World


Cultural Heritage vis-à-vis Globalization


Artic & Antarctic- socio-economic justice in a Globalised World


Law and Justice in Outer space Governance


20. Detlev Wolter (2005), “Structural change of international law, the common heritage of mankind principle and common security in outer space”, *Common Security in Outer Space and International Law* pp.85-128


**Law and Governance in Oceans – Case Study: Indian Ocean**


**Module 5: Integration Experiments and Law**

**Read and Discuss**


**Regional Integration and Global Dynamics**


South Asian Integration and India


10. Dhananjay Tripathi (2016), “Indian Aspirations and South Asian Realities; Perceived Hegemon or Emerging Leader?”, ibid. 147-169

Global South Integration


10. Pedagogy

This course employs a guided discussion andragogy model, whereby exposing students to a variety of diverse perspective aiding them to identify and investigate their assumptions and prejudices. This course intends to have an active process of learn, unlearn and relearn.

11. Evaluation Pattern

- Class Participation
  - Reading Presentation (2 readings) : 20 percentage
  - Engagement in discussion : 10 percentage
• Submission:
  o India’s Interest in Global Governance projects & International Law: 20 percentage
• Final Exams: 50 percentage