

Course title: Law and justice in a globalizing world				
Course code: MPL 153		No. of credits: 3	L-T-P: 42-0-0	Learning hours: 42
Pre-requisite course code and title (if any): None				
Faculty:		Department: Department of Policy Studies (Centre for Post Graduate Legal Studies)		
Course coordinator: Dr Manish Kumar Shrivastava		Course instructor: Dr Manish Kumar Shrivastava		
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Course type: Core		Course offered in: Semester 1		
Course description: This course builds on the understanding of international law gained by students at the undergraduate level and is intended as an advanced course. It looks at the process of globalization and its impact on law in the light of history. This course will discuss the debates surrounding globalization, justice, its changing meaning and the impact that it has on many fields of law. It will provide an understanding of how law and legal institutions has to change in order to align with the global rules. The shrinking policy space at the national level will also be discussed. The discussions end with the demand for change in international law and global institutions heard from different quarters.				
Course objectives: 1. To understand the process of globalization and its impact on law and justice in a historical perspective. 2. To critically analyse the concept of global justice and the mechanisms designed to achieve it. 3. To better appreciate the demands for change raised by different groups to the international legal order and institutions in the light of globalization.				
Course contents				
S.No	Topic	L	T	P
1	History, Making and Content of International Law History of International Law: The colonial origins Sources Continuity and change Alternative perspectives: Third World, Feminist, Marxist, Critical International legal theory	8	0	0
2	Globalization: Meaning, Reach and Form Different dimensions of Globalization: Social, Political, and Economic Emergence of Transnational Law in a Globalizing World; Globalization and Sovereignty of states	8	0	0
3	Impact of globalization International economic law: Brettenwood institutions, WTO, Investment laws, RTAs, IPRs. International human rights law	8	0	0
4	Globalization and Free Market Impact on welfare state; Natural Resources and Environment; Displacement for Development	6	0	0
5	Concept of Justice in a Globalizing World Concept of Global Justice Humanitarianism as an element of the idea of global justice; International Human Rights Law; Institutions: UNHCR, OHCHR Global Poverty: MDGs to SDGs Globalization and Social Justice/ Global Distributive Justice Role of international mechanisms to control armed conflicts, crimes against humanity, environment and health, oppressive policies and the threat of terrorism; ICC	6	0	0
6	Reformation of International Law and global institutions Demand for change: from Third World, Women, Indigenous people etc. Role and impact of economic, labour and trade institutions: MNCs, UN, WTO,ILO, ICC, etc.	6	0	0
	Total	42	0	0

Evaluation criteria:				
<ol style="list-style-type: none"> 1. Minor Test: 25% 2. Class Discussion: 10% 3. Presentation: 25% 4. Major Test: 40% 				
Learning outcomes:				
<p>On completion of this course, the students would:</p> <ol style="list-style-type: none"> 1. Have acquired an understanding of the concept and theoretical background of globalization, and global justice. 2. Have developed critical thinking on the process of globalization and its impact on international and municipal law and on institutions. 				
Pedagogical approach:				
<p>The course will be delivered through a mix of classroom lectures and discussions on select readings. Students will be encouraged to read scholarly works from other disciplines.</p>				
Materials:				
Suggested readings				
Books				
<p>Anghie, A. (2007). <i>Imperialism, sovereignty and the making of international law</i>. Cambridge: Cambridge University Press. Ch. 1, 5 & 6.</p> <p>Pogge, T. (2002). <i>World poverty and human rights: Cosmopolitan responsibilities and reforms</i>. Cambridge: Polity. Ch. 4 & 7.</p> <p>Rajagopal B. (2003). <i>International law from below: Development, social movements and third world resistance</i>. Cambridge: Cambridge University Press. Ch. 5 & 7.</p> <p>Sen, A. (2009). <i>The idea of justice</i>. Cambridge: Harvard University Press. Ch. 18.</p> <p>Fraser, N. (2010). <i>Scales of justice: Reimagining political space in a globalizing world</i>. New York: Cambridge University Press. Ch. 2 & 6.</p> <p>Buchanan, A. (2004). <i>Justice, legitimacy, and self-determination: Moral foundations for international law</i>. Oxford: Oxford University Press. Ch. 10 & 11.</p> <p>Baxi, U. (2002). <i>The future of human rights</i>. New Delhi: Oxford University Press. Ch.1 & 7.</p>				
Articles				
<p>Singh, A. P. (2008). Globalization and its Impact on National Policies with Reference to India: An Overview of Different Dimensions. <i>Journal of Constitutional and Parliamentary Studies</i>, 42 (1-2), 62-78.</p> <p>Sinha, A. K. (2010). Human Rights in the Era of Globalization. <i>Madras Law Journal</i>, 245 (6), 124-136.</p> <p>Chimni, B. S. (2007). A Just World under Law: A View from South. <i>American University International Law Review.</i>, 22 (2), 199-220.</p> <p>Chimni, B.S. (2004). International Institutions Today: An Imperial Global State in the Making. <i>European Journal of International Law</i>,15(1), 1-37.</p> <p>Kenendy, D. M. (2003). Two globalizations of law and legal thought: 1850-1968. <i>Suffolk University Law Review</i>, 36(3), 631-679.</p> <p>Kenendy, D. M. (2006). Three globalizations of law and legal thought: 1850-2000. In Trubek, D. M. <i>The new law and economic development</i>. Cambridge: Cambridge University Press. 19-73.</p>				

Santos, B. S. (2006). Globalizations. *Theory, Culture & Society*, 23, 393-399.

Adam, S. (2011). Distributing Justice. *New York University Law Review*, 86 (2), 500-572.

Developments (2016). The double life of international law: Indigenous peoples and extractive industries. *Harvard Law Review*, 119, 1755-1778.

Additional information (if any):

Student responsibilities: Students are expected to come prepared with the readings for the class. Students will be asked to initiate discussions in the class on a particular topic.

Course reviewers:

Prof. T.V.G.N.S. Sudhakar, Professor, The West Bengal National University of Juridical Sciences, Kolkata.

Dr. Shannu Narayan, Assistant Professor, National Law University, Assam.