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# SYLLABUS

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**LL.M. (ONE YEAR PROGRAM)**



**SEMESTER-I**

**COMPULSORY PAPERS**

**OCTOBER 2020 – JANUARY 2021**



**HIDAYATULLAH NATIONAL LAW  
UNIVERSITY**



**COMPULSORY PAPER**  
**Law and Justice in a Globalizing World**  
**COURSE OUTLINE**

<b>Faculty</b>	Dr. Ayan Hazra Dr. Ankit Awasthi	<b>Year/Semester</b>	LL.M.
<b>Course Name</b>	Law and Justice in Globalizing World	<b>Period</b>	1 <sup>st</sup> Semester
<b>No of Classes</b>	04 hours 30 minutes	<b>Each Session Duration</b>	90 Minutes

**Course Overview**

It is contended that over the most recent couple of a long time there have been detectable changes across fringes affecting individuals in pretty much every circle. These improvements are frequently alluded to as globalization. Ostensibly these advancements have been impacting global law in a few ways. Most significant impact on worldwide law can be in two different ways: one is the effect on the creation of global law and the other is on the considerable substance of worldwide law. Generally, States are creators of worldwide law. This circumstance has not gone through any central changes. In any case, it is contended that, not at all like the previous, a few entertainers are affecting the choices of States in various manners. These entertainers, extensively classified as non-state entertainers, incorporate outfitted gatherings, social developments and business elements. Notwithstanding it, the meaningful substance of global law, it is contended as going through changes, in this way prompting change in the thought of equity at the worldwide level. While each activity towards law making impacts changes in the considerable law, it is basic to assess how those progressions are influencing the ideas of equity at the worldwide level.

**Objectives:**

- To make students understand about the wider aspects of law.
- To make students understand about the inter-section of law, justice and globalization.
- To discuss about the principles of law and justice in contemporary scenario.
- To discuss about the impact of globalization.

**Learning outcomes:**

- Students will understand law and justice along with its growth and development.



- Students will develop analytical thinking about the contemporary aspects of globalization from law and justice point of view.

### **Scheme of Evaluation:**

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|-----------------------------|-----------|
| • Research Project          | 20 Marks  |
| • End-Semester Examination: | 80 Marks  |
| • Total                     | 100 Marks |

## **Syllabus of Law and Justice in a Globalizing World**

### **Module I- Introduction**

- Concept of Law & Justice
- Law making power of different organs of the State
- Components of Judicial Process (Judges, Lawyers, Law Schools) commissions & committees
- Types of Justice i.e. compensatory justice, distributive justice, socio-economic justice, social justice etc.
- Perspective on Social Justice:
  - Mahatma Gandhi: Ideas on Social Justice, Caste, Untouchability, Village communities, Self- governance, Trusteeship theory, Sarvodaya, Antyodaya
  - Dr. B. R. Ambedkar: Caste System, Untouchability, Social Transformation, Destruction of Hinduism, Political Safeguards
  - Dr. Ram Manohar Lohia: Socialism, Marxism, Capitalism, Small Unit Machine

### **Module II- The Process of Globalization**

- Globalization: The Historical and Social Context, Distinctive Characteristics and Dimensions: Economic, Technological, Social and Cultural.
- Modernization and Globalization, Neo-Liberalism and Global Capitalism and Globalization and Nation State
- Globalization and Culture: The Ethos of Globalization (Individualism, Freedom, Consumerism) Cultural Homogenization, Hegemony and Dominance Impact of Globalization on Poor and Women

### **Module III – The Doctrine of Precedent and Growth of Law: An Indian Perspective**

- The Rule of Law in a Globalizing World
- Role of Precedent in the development of Law and Society
- Judicial Creativity, Judicial Activism and Judicial over – Activism
- Issues affecting Justice delivery system (Transfer, Court Packing, Judicial Accountability- Reasoned Decision, Legislative Reaction, Executive Reaction, Reaction of Public and Media, Judicial Ethics and Conduct)
- Role of dissent in the development of law and society



#### **Module IV- Rights of Indigenous People**

- Indigenous People: Traditional Knowledge, Traditional knowledge of India, Right of Self- Determination, Right to Use Natural Resource, Right to use Land as a Cultural Right, Biodiversity, Exploitation of Rights of Indigenous People,
- Problems of Tribal, Overview of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) and Forest Right Act, 2006.

#### **Module V: International Organizations vis-à-vis Globalization**

- Role of United Nations in the Globalization Process
- Role of Bretton Woods Institutions in the Globalization Process: with special reference to the WTO
- MNCs & CSR

#### **Module VI: Litmus Testing of Globalization**

- Impact of Globalization on Judicial Process and administration of Justice
- Impact of globalization on Human Rights with special reference to Gender Right:
  - Feminism, Types, Sexual Violence, UNO and Women Rights, India and Women Rights, Women and law in India
- Impact of globalization on free market and related notions
- Globalization vis-à-vis Environment and development

#### **References:**

##### **Books:**

1. Acharya N.K., Text Book on Intellectual Property Rights, Asia Law House, Hyderabad (2001).
2. Agarwala V.K., Law and Practice of Intellectual Property in India, Bharat Law House, New Delhi (1999)
3. Anaya James, Indigenous Peoples in International Law, Oxford University Press, New York (1996).
4. Bhatnagar J. P, Women and Their Rights, Ashoka Law House, 2<sup>nd</sup> Edn, 1998, New Delhi.
5. Bimal N. Patel, “*Responsibility of International Organizations*” Eastern book Company.
6. Bryan Horrigan, Adventures in Law and Justice, Universal Law Publishing Co. Pvt. Ltd, 1<sup>st</sup> edition Reprint, 2005, New Delhi.
7. Chakrabarty, N.K., (Dr.) Gender Justice, V edition 2006, R. Cambray & Co. Private Ltd, Kolkata.



8. Christine Chorine, *Women and the Law*, Vol-2, Socio-Legal Information Centre, 1999, Bombay.
9. Das J.K., *Human Rights and Indigenous Peoples*, APH Publishing Corporation, New Delhi (2001).
10. Das J.K., *Indigenous Peoples, Sustainable Development and Human Rights*, Ganga Kaveri Publishing House, Varanasi (1997).
11. Dev. Raj (2003). *Globalisation and Decentralized Economic Development*, New Delhi: Raj at Publications.
12. Devinder Sharma (1994). *GATT and India. The Politics of Agriculture*, New Delhi: Konark Publishers Pvt. Ltd.
13. Dipankar Sengupta, Debashis Chakraborty and Pritain Benergee (ed) (2006). *Beyond the Transition Phase of WTO: An Indian Perspective on Emerging Issues*, New Delhi: Academic Foundation.
14. Falendra. K. Sudan (2005). *Globalisation and Liberalization. Nature and Consequences*, New Delhi: Serials Publications.
15. Kenneth W. Abbott, "*The Law and Politics of International Organizations*" Edward Elgar Publishing.
16. Rosalyn Higgins, *Development of International Law through the Political Organs of*
17. *Sixty Years of the Multilateral Trading System: Achievements and Challenges*, published by WTO Publications.
18. *The Future of Trade: The Challenges of Convergence* (Report of the Panel on Defining the Future of Trade convened by WTO Director-General Pascal Lamy), published by WTO Publications
19. the United Nations (1963)
20. Tom Campbell and Alejandra Mancilla, "*Theories of Justice*" ASHGATE.
21. Upendra Baxi, *The Future of Human Rights*, Oxford University Press, 2002.
22. William Twining, *General Jurisprudence: Understanding Law from a Global Perspective* (Cambridge University Press, 2009).
23. *World Commission on Social Dimension of Globalization, A Fair Globalization: Creating Opportunities for All* (2004).

#### Articles:

1. Ajit Pal Singh, "*Globalization and its Impact on National Policies with Reference to India: An Overview of Different Dimensions*" *Journal of Constitutional and Parliamentary Studies* 62-78 (2008).
2. Amit Kumar Sinha, "*Human Rights in the Era of Globalization*" *Madras Law Journal* 124-136 (2010).
3. Bag R.K, *Domestic Violence and Crime against Women*, *Criminal Law Journal* 1999.
4. Bag R.K., *Domestic Violence & Crime against Women, Criminal Justice Response in India*, *Journal of Indian Law Institute*, Vol. 39, 1997 Issue 2-4.
5. Bhatt D.K., *Human Rights and Gender Issues: A Socio-Legal Perspective*, *Indian Bar Review*, Vol.27 (1) 2000.
6. Bhatt D.K., *Human Rights and Status of Women: A Socio-Legal Analysis*, *Journal Neo, Socio-Legal, Perceptions & Challenges of Bio Genetic-technology*, AIR 2000.



7. James Kraska, “*Global and Going Nowhere: Sustainable Development, Global Governance and Liberal Democracy*” *Denver Journal of International Law* 1127-1200 (Summer 2006).
8. Chakraborty, Dolly (2002) *IPRS and Indian Agriculture: Plant Variety Protection under a Sui Generis System in India*. Indian Development Review, New Delhi: Serials Publication.
9. Chand, Ramesh (2003). *Impact of Trade liberalization and related Reforms on India’s Agricultural Sector, Rural Food Security Income and Poverty*.
10. Chaturvedi, Sachin and Gunjan Nagpal (2003). *WTO and Product Related Environmental Standards: Emerging Issues and Policy Options*. *Economic and Political Weekly*, 38(1): 66-74.
11. Connell, Peter Shirshare Hogi and Nilufar John (2004) *Indian Agriculture Trends, Trade and Policy Reforms*. *Australia Commodities*, 11(4): 611-630.
12. Damodaran, A. (2001). *WTO Agriculture Agreement Common Property Resources and Income Diversification Strategy*. *Economic and Political Weekly*, 36(38):3633-3640.
13. Martina Piewitt, “*Participatory Governance in the WTO: How Inclusive is Global Civil Society*” *Journal of World Trade* 467-488 (April 2010).
14. Pierrick Le Goff, “*Global Law: A Legal Phenomenon Emerging from the Process of Globalization*”, *Ind. J. Global Legal Studies* 119 (2007).
15. Hisashi Owada, “*The Rule of Law in a Globalizing World—An Asian Perspective*,” 8 *Wash. U. Global Stud. L. Rev.* 187 (2009).
16. Carlos Vargas, “*Lifelong learning from a social justice perspective*”, *Education Research and Foresight Working Papers*, UNESCO (2017).
17. Dorina Tanasescu, Felicia Dumitru and Georgiana Dinca, “*The Role of the International Organisms in the Globalization Process*”, published by IntechOpen (2012).

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**COMPULSORY PAPER**  
**Research Methods and Legal Writing**  
**COURSE OUTLINE**

<b>Faculty</b>	Dr. Kaumudhi Challa Dr. Avinash Samal Dr. Uttam K. Panda	<b>Year/Semester</b>	LL.M.
<b>Course Name</b>	Research Methods and Legal Writing	<b>Period</b>	1 <sup>st</sup> Semester
<b>No of Classes</b>	04 hours 30 minutes	<b>Each Session Duration</b>	90 Minutes

**Course Outline:**

Research is a quest for acquiring new knowledge. Research is a careful, thorough and systematic investigation for proving or disproving a hypothetical assumption, theory or principle in the field of inquiry. Legal Research means research in law which deals with the principles of law and legal institutions. The objective is to discover new facts or to verify the existing facts, to propound a new legal concept or to analyze existing law and give suggestions for a new law. To carry out a research to complete successfully a researcher must be aware of the research methods i.e. the method and techniques of doing research. A research method is a systematized investigation to gain new knowledge about the phenomena or problems. It is the technique of conducting research and study of the technique of doing research is research methodology. In a broader sense the research methodology includes the research methods as well as the philosophy and practice of the whole research process. A good research method is crucial for conducting proper research and getting useful results. This course is designed to give an insight into the meaning and significance of research methods for legal research to the law students in contemporary times. It aims to provide an understanding of various types of research methods and the different techniques of legal research and legal writing with a view to equip the students for further research in law.

The course will be carried out through lectures, discussions and project writing on issues of national and international importance.

**Objectives**

- To enable the students to understand and appreciate the significance of research in legal studies.
- To enable the students to understand the importance of interdisciplinary research involving other disciplines such as sociology, political science, other sciences and law.
- To make the students aware of the different types of research methods and their importance, not only in legal studies but also for the society, economy and polity as whole.
- To help the students to know the significance of doctrinal method in law.



- To enable the students to know the importance of non-doctrinal research and its relevance in contemporary times
- To develop an understanding of the technique of legal research writing and research proposal.

### **Learning Outcomes:**

On successful completion of this course, students will be able to:

- Comprehend the importance of research in creation and dissemination of knowledge in law and other allied subjects;
- Understand and learn various methods and techniques of doing research in law and other social sciences following appropriate methods and approaches;
- Identify major problems affecting our society, economy and polity and apply the methods, tools and techniques learnt to come out with relevant research studies and solutions to resolve those problems;

### **Scheme of Evaluation:**

- |                             |           |
|-----------------------------|-----------|
| • Research Project          | 20 Marks  |
| • End-Semester Examination: | 80 Marks  |
| • Total                     | 100 Marks |

## **Syllabus of Research Methods and Legal Writing**

### **Module I: Introduction to Research**

- Definition and Meaning of Research, Objectives, Motivation and Significance of Research
- Scientific Methods of Research: Characteristics of Scientific Method
- Types of Research – Theoretical vs. Empirical, Descriptive vs. Analytical, Fundamental vs. Applied, Quantitative vs. Qualitative and other types like Historical and Action Research

### **Module II: Understanding Legal Research**

- Definition and Meaning of Legal Research - Objectives of Legal Research, Motivation for Legal Research, Significance of Legal Research
- Logic and Research
- Induction and Deduction Method in Scientific Research

### **Module III: Methods of Legal Research**

- Doctrinal or Traditional Research Methods - Meaning of Doctrinal Research, Characteristics of Doctrinal Research, Merits and Demerits of Doctrinal Research in Law
- Non-Doctrinal or Empirical Legal Research - Meaning of Non-Doctrinal Research, Features and Characteristics of Non-Doctrinal Research, Merits and Demerits of Non-Doctrinal Research in Law
- Survey Method: Census and Sample Survey





- Case Study Method
- Historical and Ethnographic Methods

#### **Module IV: Major Steps in Legal Research**

- Research Problem: Identifying and defining the Research Problem, Steps in Problem Formulation, Significance of Research Problem, Rationale of Study
- Review of Literature and Identification of Research Gaps, Significance of Review of Literature, Steps involved in Review of Literature
- Formulation of Objectives
- Hypothesis: Meaning and Importance of Hypothesis, Formulation of Hypothesis, Types of Hypothesis in Legal Research, Sources of Hypothesis, Characteristics of a Good Hypothesis
- Research Design: Meaning and Significance of Research Design, Working out a Research Design, Types of Research Design
- Data Collection in Doctrinal Research: Meaning of Data, Types of Data, Primary and Secondary Sources of Data; Data Analysis, Data Interpretation and Drawing of inferences
- Data Collection in Non-Doctrinal Research: Primary and Secondary Sources of Data, Meaning of Universe, Population and Sample, Importance of Sampling, Types of Sampling, Difference between sampling method and census method
- Methods of Data Collection in Non-Doctrinal Research: Questionnaires and Schedules, Observation, Interview, Group Discussion, Focused Group Discussion
- Analysis and Interpretation of Data in Non-Doctrinal Research

#### **Module V: Developing a Good Research Proposal**

- The Layout of a Research Proposal
- The Feasibility of the Project Proposal

#### **Module VI: Legal Research Report Writing**

- Steps in Legal Research Report Writing
- Contents of Good Legal Research Report
- Criteria for a Good Legal Research Report
- The Problem of Plagiarism
- Citation Methods: Footnotes, End Notes, References and Bibliography
- Citation Styles: MLA Handbook Format, Blue Book Citations

#### **Suggested Readings:**

- Agrawal, S. K. (1973). *Legal Education in India*, Tripathi Publishers, Bombay.
- Brayne, H., N. Duncan and R. Grimes (1998). *Clinical Legal Education Active Learning in Your Law School*, Oxford.



- Durstan, Anderson J and B. H. Pooli (1977). *Thesis and Assignment Writing*, Eastern Books Limited, New Delhi.
- Goode, W. J. and Hatt P. K. (1962). *Methods of Social Research*, McGraw Hill, New York.
- Jain, S. N. (1983). *Legal Research & Methodology*, Indian Law Institute Publication, (Ed.) Tripathi Pvt. Ltd., Bombay.
- Kothari C.R. (2004). *Research Methodology: Methods and Techniques*, 2nd Edition, New Age International Publishers, New Delhi.
- Myneni S. R. (2006). *Legal Research Methodology*, Pioneer Books, Allahabad Law Agency, Haryana (3rd Edition).
- Saha, Tushar Kanti (2010). *Textbook on Legal Methods, Legal Systems and Research*, Universal Law Publishing Co., New Delhi.
- Tiwari, H. N. (2003). *Legal Research Methodology*, Allahabad Law Agency, Haryana.
- Verma, S. K. and Afzal M Wani (Ed). (2001). *Legal Research and Methodology*, 2nd Edition Indian Law Institute, New Delhi.
- Wilkinson, T. S. And P. L. Bhandarkar (2010). *Methodology and Techniques of Social Research*, Himalaya Publishing House, New Delhi.
- Phanse Sameer (2016). *Research Methodology: Logic Methods, and Cases*, Oxford University Press, New Delhi.
- Loseke, D. R. (2013). *Methodological Thinking*. Sage Publications, New Delhi.



**COMPULSORY PAPER**  
**Comparative Public Law**  
**COURSE OUTLINE**

<b>Faculty</b>	Dr. Deepak K Srivatava Mrs. Aditi Singh	<b>Year/Semester</b>	LL.M.
<b>Course Name</b>	Comparative Public Law	<b>Period</b>	1 <sup>st</sup> Semester
<b>No of Contact Hours (Week)</b>	04 hours 30 minutes	<b>Each Session Duration</b>	90 Minutes

**Objectives:**

This paper focuses on analytical and theoretical scrutiny of Public Law especially Constitutional Law and its component in comparative manner to enable the students and develop amongst them the proper understanding of the subject.

**Scheme of Evaluation:**

- |                             |           |
|-----------------------------|-----------|
| • Research Project          | 20 Marks  |
| • End-Semester Examination: | 80 Marks  |
| • Total                     | 100 Marks |

**Syllabus of Comparative Public Law**

**Module I: Public Law**

- Meaning and definition of Public Law
- Concept of Public Law
- Public Law – International Law, Constitutional Law and Administrative Law
- Distinction between Public Law and Private Law

**Module II: Concept of Constitution**

- Meaning and Idea of Constitution, Nature and objectives
- Living Constitution
- Organic Constitution
- Constitution as Fundamental Law



### **Module III: Constitutionalism**

- Concept, Distinction between Constitution and Constitutionalism
- Essential features of Constitutionalism -Written Constitution, Separation of Powers, Fundamental Rights, Independence of Judiciary and Judicial Review

### **Module IV: Constitutional foundations of powers**

- Supremacy of Legislature in Law Making
- Rule of law
  - Dicey's Concept of Rule of Law
  - Modern Concept of Rule of Law
  - Social and economic rights as part of rule of law
- Separation of powers
  - Concept of Separation of Powers
  - Checks and Balances
  - Separation of Powers or Separation of Functions

### **Module V: Classification of Constitution**

- Federal and Unitary Forms
  - Features, Advantages and Disadvantages
  - Models of Federalism and Concept of Quasi-federalism
  - Role of Courts in Preserving Federalism
- Parliamentary and Presidential Forms of Government

### **Module VI: Courts**

- Writ Jurisdiction
- Protecting public interests through litigation.
- Locus standi and the nature of the judicial power.

### **Module VII: Judicial Review**

- Independence of Judiciary
- Concept and Origin of Judicial Review
- Limitations on Judicial Review
- Judicial Accountability

### **Module VIII: Constitutional Amendments**

- Various Methods of Amendment
- Limitations on Amending Power: Comparative Perspective



- Theory of Basic Structure

## Suggested Readings

### Books

1. Christopher Forsyth, Mark Elliott, Swati Jhaveri, *Effective Judicial Review: A Cornerstone of Good Governance* (Oxford University Press, 2010).
2. D.D. Basu, *Comparative Constitutional Law* ( 2nd ed., Wadhwa Nagpur).
3. David Strauss, *The Living Constitution* (Oxford University Press, 2010)
4. Dr. Subhash C Kashyap, *Framing of Indian Constitution* (Universal Law, 2004)
5. Elizabeth Giussani, *Constitutional and Administrative Law* (Sweet and Maxwell, 2008).
6. Erwin Chemerinsky, *Constitutional Law, Principles and Policies* (3<sup>rd</sup> ed., Aspen, 2006)
7. M.V. Pylee, *Constitution of the World* (Universal, 2006)
8. Mahendra P. Singh, *Comparative Constitutional Law* (Eastern Book Company, 1989).
9. Neal Devins and Louis Fisher, *The Democratic Constitution* (Oxford University Press, 2010)
10. S.N Ray, *Judicial Review and Fundamental Rights* (Eastern Law House, 1974).
11. *Sudhir Krishna Swamy*, Democracy and constitutionalism in India - A Study of the Basic Structure Doctrine (*Oxford University Press, 2009*)
12. Sunil Khilnani, Vikram Raghavan, Arun Thiruvengadam, *Comparative Constitutionalism in South Asia* (Oxford University Press, 2013).
13. Vikram David Amar, Mark Tushnet, *Global Perspectives on Constitutional Law* (Oxford University Press, 2009).
14. Zachery Elkins, Tom Ginsburg, James Melton, *The Endurance of National Constitutions* (Cambridge University Press, 2009).

### Articles

1. Aman Ullah and Uzair Samee, "Basic Structure of Constitution: Impact of *Kesavananda Bharati* on Constitutional Status of Fundamental Rights", Vol. 26 (2) *South Asian Studies* 299-309 (July- December 2011).



2. Anne Smith, "Internationalization and Constitutional Borrowing in Drafting Bills of Rights", 60(4) *International and Comparative Law Quarterly* 867-894 (2011 October).
3. Bruce Ackerman, "The New Separation of Powers" 113 (3) *Harv. L. Rev.* 634-729 (2000)
4. Bryan Clark and Amanda Leiter, "Regulatory hide and seek: What agencies can (and can't) do to limit judicial review" 52(5) *Boston College Law Review* 1687-1732 (2011 November)
5. Chhavi Agarwal, "Rule of Law: Reflection upon we the People and Beyond" 252 (1) *Madras Law Journal* 8-16 (2010)
6. Daniel B. Rodriguez, "Change that matters: Essay on State Constitutional Development", 115(4) *Penn State Law Review* 1073-1098 (Spring 2011).
7. Daryl Levinson and Richard H. Pildes "Separation of Parties, Not Powers" 119(8) *Harvard Law Review* 2311-2386 (2006).
8. David King, "Formalizing Local Constitutional Standards of Review and the Implications for Federalism" 97 (7) *Virginia Law Review* 1685-1726 (November 2011).
9. David Staruss, "Do we Have a Living Constitution" 59 (4) *Drake Law Review* 973-984 (2011 Summer)
10. Devi Prasad Singh, "Sovereignty, Judicial Review and Separation of Power", 7(5) *Supreme Court Cases* 1-13 (2012 September)
11. Glen Staszewski, "Political Reasons, Deliberative Democracy and Administrative Law", 97(3) *Iowa Law Review* 849-912 (2012 March):
12. Ishwara Bhat, "Why and how Federalism matters in Elimination of Disparities and Promotion of Equal Opportunities for Positive Rights", 54(3) *Journal of the Indian Law Institute* 324-363 (July-Sept 2012).
13. Jessica Bulman, "Federalism as a safeguard of the Separation of Powers", 112(3) *Columbia Law Review* 459-506 (2012 April)
14. Jonathan Siegel, "Institutional case for Judicial Review" 97(4) *Iowa Law Review* 1147-1200 (2012 May).
15. K.K. Venugopal, "Separation of Power and the Supreme Court of India", Vol. 2 No. 2 *Journal of Law and Social Policy* 64-82 (July 2008).
16. Linda Bosniak, "Persons and Citizens in Constitutional Thought" 8 (1) *International Journal of Constitutional Law* 9-29 (January 2010).



17. Mark Tushnet, "The Possibilities of Comparative Constitutional Law", 108 *Yale.L.J.* 1225 (1999).
18. Nathan Chapman, "Due Process as Separation of Powers", 121(7) *Yale Law Journal* 1672-1807 (2012 May).
19. Quinn Rosenkranz, "Subjects of the Constitution" 62 (5) *Stanford Law Review* 1209-1292 (May 2010)
20. Rajvir Sharma, "Judiciary as Change Agent: Some insights into the Changing role of Judiciary in India", 58(2) *Indian Journal of Public Administration* 264-286 (2012 April-June).
21. Rebecca Brown, "Assisted Living for the Constitution" 59 (4) *Drake Law Review* 985-1000 (2011 Summer).
22. Schapiro., "Judicial Federalism and the Challenges of State Constitutional Contestation", 115(4) *Penn State Law Review* 983