COURSE CODE: PPE-3061

Topic in South Asian Legal History

ACADEMIC YEAR 2018-2019
FALL

COURSE SYLLABUS

1. COURSE INFORMATION

<table>
<thead>
<tr>
<th>Classes held:</th>
<th>Sunday/Tuesday, 4:30 -5:50 pm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits:</td>
<td>4</td>
</tr>
<tr>
<td>Prerequisite:</td>
<td>This course is designed for 3-year UG students. A workable understanding of modern South Asian history is required for this module.</td>
</tr>
</tbody>
</table>

2. FACULTY INFORMATION

<table>
<thead>
<tr>
<th>Faculty Name:</th>
<th>Md Anisur Rahman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email:</td>
<td><a href="mailto:anisur.rahman@auw.edu.bd">anisur.rahman@auw.edu.bd</a></td>
</tr>
<tr>
<td>Office Location:</td>
<td>G-501</td>
</tr>
<tr>
<td>Office Hours:</td>
<td>Tuesday, 2-4 pm.</td>
</tr>
<tr>
<td>Qualifications:</td>
<td>Ph.D. (to be conferred), M.Phil. (Law and Governance), LL.M., LL.B. (honors).</td>
</tr>
<tr>
<td>Areas of Expertise:</td>
<td>Islamic legal History, Law and Society, Law and Governance, History of Islam in South and Southeast Asia, Law and Economics, Islamic Family Law</td>
</tr>
<tr>
<td>Profile:</td>
<td>TBD</td>
</tr>
</tbody>
</table>

3. TEXT AND OTHER COURSE MATERIALS

Required Text: In this module, students are required to read selected articles published in the internationally reputed academic journals and book chapters. Readings will be available in the Google Drive. **Reading list may be amended depending on their access.

4. COURSE OBJECTIVES AND DESCRIPTION

The module concerns the evolution of law and legal institutions in South Asia. Focusing on people, ideology, and institutions, this module explores the impact of colonialism on South Asian legal culture and social institutions.

After the partition of India, an influx of scholarly writings concerning Indian law and history appeared across the globe. The first wave of legal studies focused on the legal institutions. In the 1960’s, the law and society movement inspired scholars to abandon the doctrinal study of law and opted for empirical studies on how law and litigations were experienced. They used archives to write social, political, and economic history. However, the law was not central to their studies.

The second wave of South Asian legal studies began between 1970’s-1980’s. Scholars having dual degree started to write about law, religion, women movement and so on. Law was the central question of their studies. Consequently, a multidisciplinary approach to writing legal history appeared through the intervention of sociologists, anthropologists, economists in the domain of law.
Since the 1990’s, the third wave of writings relating to South Asian Legal history began. Scholars attempted to write on constitutionalism, legal profession, rule of law, criminal law, religion, and gender. Scholars also began to study history, law, and society beyond India and thereby a regional approach appeared.

Focusing these three waves of South Asian legal studies, this module hopes to use legal history as a method of critical understanding of the evolution of law and modernity in South Asia.

5. LEARNING OUTCOMES

<table>
<thead>
<tr>
<th>Student Learning Outcomes</th>
<th>Method of Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 An informed, broad understanding of evolution of law and legal institution in South Asia</td>
<td>Informally assessed during class discussions, but formally assessed in the form of in-class test and final research essay</td>
</tr>
<tr>
<td>2 An introduction to historical thinking (causality, change over time, context, contingency, complexity), the &quot;tools&quot; provided by historical analysis</td>
<td>Informally assessed during class discussions, but formally assessed in the form of in-class test and final research essay</td>
</tr>
<tr>
<td>3 An ability to engage and think about contemporary law and legal institutions in South Asia critically by learning how to historicize and situate events, processes, and individuals</td>
<td>Informally assessed during class discussions, but formally assessed in the form of in-class test and final research essay</td>
</tr>
<tr>
<td>5 Develop writing skills, presentation skills, and skills to critically review</td>
<td>Easy writing, class discussion, and presentation in the class</td>
</tr>
</tbody>
</table>

6. ATTENDANCE REQUIREMENT & GRADING POLICY

The final grade is made of the following weighted components:

- Attendance/Class Participation (C/A) 10%
- Reading Assignment 30%
- Mid-term Essay (1000-1500) words 20%
- Proposal/Abstract for Final Essay (200-250 words) 10%
- Final Paper (2500-3000) words 30%

**Reading assignment includes a class presentation and written submission in the following week.

***This course requires students to engage regularly and consistently with set readings. In order to fulfil requirements for the reading summary and discussion assessment, you must prepare a presentation for each reading you are assigned (either as an individual or as a group) that summarises and highlights the key points of the reading. You must also have three focus questions prepared for discussion for the class. Failure to do so will result in a deduction in the grade for this component.

****Please try and let me know in advance if you have good reason for an excused absence and will need to miss a class. If you miss more than three classes with no explanation either before or very soon after, you will receive no grade for class attendance.

*****If you need to request an extension for your assignment, please let me know as soon as possible before the due date with a valid reason.
7. CONTACT WITH YOUR PROFESSOR

Appointments can be made with me during office hours or on an individual basis. Feel free to email me to set up an appointment (see email above). I am happy to meet with you to discuss any anxieties you might have around any aspect of the course or your own work. If you are very anxious about your writing, I can read one draft of an essay before you submit but I do encourage you to seek out assistance and advice from the Writing Centre first, before coming to me. I can only read one draft per essay, and will only read drafts up to one week before the due date. In reading the draft, I will focus on the logic of the content, rather than on grammar and spelling.

8. COURSE SCHEDULE

Part 1: Law and Society in India

WEEK 1: History, Law, Society (August 27-30)

Required Readings:

Part 2: Framing Empire: Law, People and Institution

WEEK 2: Law and Colonial Modernity (September 2-6)

Required Readings:
Henry Maine, Ancient Law (Chapter V: “Primitive Society and Ancient Law”)

WEEK 3: Law, People and Colonialism (Sept. 9-13)


WEEK 4: Colonizing Law (Sept. 16 - 20)

Required Readings:


WEEK 5: Colonizing Law Cont. (Sept. 23 - 27)
Required Readings:


WEEK 6: Administering Law (Sept. 30-October 4)
Required Readings:


WEEK 7: Engagement: Law Reform (October 7-11)
Required Readings:


Part-3: Colonial Legacy

WEEK 8: Law and Legal System (October 14-18)


WEEK 9: Semester Break (October 21-25)

WEEK 10: Law, Legal System Cont.


WEEK 11: Law and Knowledge Production


WEEK 12: Colonial Legal Professionals


WEEK 13: Law and Colonial Encounter

Required Readings:


WEEK 14: What to Research and Where to Go?


WEEK 15: Reading Week

Final Submission
9. **ASSESSMENT METHODS**

*Class participation and group discussion: Students are required to read their assigned chapters, actively participate both in the class and group discussion (followed by every lecture).

**Take home mid-term essay: Topic for the mid-term essay (1000-1500 words) will be released on **October 2 (Week 6).**

****Final Essay. Students are required to propose their topic for final essay in consultation with the lecturer by **week 12.** An abstract (200-250 words) of the proposed essay should be written before consultation. Topic may be selected from any area of this module. The length of the essay should be between (3000-4000) words.

10. **KEY DATES & DEADLINES**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 2</td>
<td>Topic for mid-term paper will be released.</td>
</tr>
<tr>
<td>October 16</td>
<td>Mid-term paper due</td>
</tr>
<tr>
<td>November 25</td>
<td>Abstract for final research paper</td>
</tr>
<tr>
<td>December 11</td>
<td>Legal History Research paper due</td>
</tr>
</tbody>
</table>

11. **PLAGIARISM & ACADEMIC INTEGRITY**

All members of the AUW Community are bound by the Academic Honor Code published in the Academic Bulletin (http://www.auw.edu.bd/academics/course-bulletin/).

The integrity of students’ academic work is very important to AUW faculty. Universities are based upon the fundamental principle that the work presented truly belongs to the author, because the academic community revolves around ideas and creativity. Each person’s ideas are his or her contribution to the academic community. Therefore, taking another person’s ideas and representing them as one’s own is a serious form of dishonesty. Similarly, cheating (copying someone else’s work, asking for answers, sharing answers, etc.) and other forms of dishonesty (falsifying data, making up references, etc.) are also serious breaches of this honor code.

Plagiarism is intentionally or unintentionally taking credit for another’s words or ideas. You may not plagiarize in your academic work, and you must adhere to the following:

- When you use someone else’s words (whether they are from a distinguished author or a classmate’s paper), place the words you have copied in quotation marks and provide the appropriate citation of author and source. A good guideline to use to avoid plagiarism is to make sure quotes of three or more sequential words from someone else are put into quotation marks.
- If you paraphrase (reword) another person’s ideas, then you must also cite the source. Paraphrasing must involve changing the words and sentence structure of the original source.
- Cite materials you copy or paraphrase from the Internet, even if the author is not identified.

The various academic disciplines (humanities, social sciences, sciences) use slightly different formats for footnotes, endnotes, and bibliographies. Your professor for a particular class will tell you which format he or
she wants you to use in that class.

Copying, asking for answers, sharing answers, and any other form of cheating (misrepresenting your own work and knowledge) on exams or quizzes are all forms of academic dishonesty.

**Other Forms of Academic Dishonesty**
1. Making up references, quoting wrong sources, etc.
2. Falsifying data.
3. Misrepresenting your situation to be excused from academic work.
4. Submitting the same paper in more than one class.
5. Informing a student in a later class about questions on tests or quizzes.
6. Misrepresenting your academic work or qualifications in any way.

Full details about plagiarism, academic dishonesty and penalties are available in the Academic Honor Code in the Academic Bulletin.

| 12. STRATEGIES TO PREVENT PLAGIARISM & VIOLATIONS OF ACADEMIC INTEGRITY |
| [a standard text to be added] |

| 13. CLASS BEHAVIOUR |
| [state your expectations and guidelines] |

| 14. OTHER IMPORTANT INFORMATION |
| [insert] |