Summer July 15, 2014

SYLLABUS-2014-CCLSAARCN-MONSOON
SEMESTER-LLM-DNA-FLS-SAU-
COMPARATIVE CONSTITUTIONAL LAW
OF SAARC NATIONS

Dr Nafees Ahmad
PART-I:-MODULE INTRODUCTION

Course Title: Comparative Constitutional Law of the SAARC Nations Course
Code: LW-2
Course instructor: Dr. Nafees Ahmad nafeestarana@gmail.com, drnafeesahmad@sau.ac.in
Course Duration: One Semester
Credit Units: 4 (MSE-40, ESE-40, TPW-15, TPP-05)
Medium of Instruction: English
Prerequisites: Nil
Precursors: Nil
Equivalent Courses: N/A

PART:-II:-MODULE STRUCTURE

The Constitutional Law is the part of the core curriculum that every student should study. The course aims to equip students for comparative analysis of major constitutional principles and institutions. In order to do so the course will introduce students into the methods of comparative constitutional law and comparative politics of constitution. It is hard to imagine functioning as a judge or jurist or lawyer etc. anywhere in the world without a basic knowledge of a nation’s charter of government and repository of individual rights. But South Asian University is a unique and rare concept that is unprecedented and has been initiated and established by eight national governments of the South Asian region as an international and diplomatic institution recognized by the UNO as Diplomatic Mission with all Diplomatic Privileges and Immunities available to its faculties. The Constitutional Laws of SAARC Nations are impregnated with distinctions, dichotomies, dimensions and delineations of immense importance, comparative interpretation and ubiquitous understanding.

The first question is when to take the basic course, which is offered as a 4 credit module in the first year. Opting for the 4 credit first year module frees you to take advanced or related courses during the entire second year. At a minimum, you should expect the basic course to cover structural issues, such as judicial review, separation of powers, constitutionalism and federalism, as well as rights issues, such as equal protection, due process, or freedom of speech etc. Further, structural or rights-based issues in comparative constitutional law focuses on the relationship between the federal judiciary and the legislative and executive branches whereas the legislative process including the interpretation of statutes, structure of
democratic institutions and elections including voting rights, campaign finance, districting, and related issues shall also be comparatively analyzed in the Comparative Constitutional Law of SAARC Nations paper. Comparative constitutional law is an excellent way to deepen your understanding. In addition to the standard offerings, I will often offer unique insights into comparative constitutional theory and practice.

The entire syllabus is divided into twelve plus two weeks with specifics of coterminous and pervading perspectives on the ‘Comparative Constitutional Law of the SAARC Nations’ and their cascading impact upon respective municipal legal systems. Questions shall be set and proffered in all weeks. The candidates shall be required to attempt and answer four questions out of eight questions. All questions shall have equal marks. Although, examination may vary from conventional manner to innovational and hybrid manner subject to the approbation of the course instructor. The “ASSIGNMENTS” for the Term Paper/Essay Writing shall be assigned to the students in the Second Week of the Semester. Topics shall be decided by the Instructor in consultation with the students while taking into consideration the classical and contemporary developments, discourse and debate in CCLSAARCN and beyond.

PART:-III-MODULE OBJECTIVE

The Program on ‘Comparative Constitutional Law of the SAARC Nations’ has been commenced at SAU from July 26, 2011. Since its inception the curriculum of the program has to examine the legal traditions of both civil law and South Asian law systems. The core curriculum centers on fundamental issues in comparative government and constitutional rights protection in leading and emerging democracies in South Asia and around the world. A rich selection of elective courses allows insight into the main problems of Constitutionalism, Federalism, Governance, Human Rights and Minority Protection, and into issues that are relevant to the understanding of the South Asian and International Legal System.

Constitutional problems at the time of transition to democracy and constitutional institution building have to be among the staple issues of expertise of the program. The shift in the curriculum towards issues concerning the development and strengthening of good governance practices in a globalized world reflects our academic community's commitment to the broader international context to which it aspires to remain relevant and responsible. A clinical specialization and professional cooperation with NGOs, will be providing a unique opportunity for our students to experience the research based teaching advantages of their studies in a professional environment.

The department's highly qualified and diverse faculty is accompanied by a unique cohort of most distinguished international faculty in accomplishing our academic, educational and professional goals. The department committed to areas of research in civil and political rights in established and emerging democracies; biomedical law and reproductive rights; enforcement of socio-economic rights, governance in transition to democracy; comparative constitutional adjudication; freedom of religion and free speech in a global world; broadcasting law; South Asian law with emphasis on institutional law and litigation; comparative constitutional adjudication; corruption; constitutional transplants; administrative law etc.

Hence, the Course on the “Comparative Constitutional Law of the SAARC Nations” being one of the five foundation courses for LL.M. is a compulsory course and has been designed, developed and gestated with a view to meet the high objectives hereunder:

- To understand the extra-ordinary complexities of the classical and contemporary constitutional law on comparative anvil in order to appreciate the co-ordinates of legal and social orders within the SAARC Nations and beyond.
- To begin the process of augmentation of Constitutionalism, Constitutionalization, concern, competence and sensitivity to deal with the future challenges within the SAARC Nation-states.
- To get actively engaged and involved in the process of independent intellectually-oriented critical thinking on Lego-institutional structures, governance institutions, state and non-state actors at work within the framework of constitutional orders.
- To evaluate the exact dividing line between federal and state legislative powers that has been subject to varied judicial interpretations as to the constitutionality of federal legislation and matters pertaining to human rights and to explain the same by the competing philosophies of judges on this point within the SAARC Nations and beyond.
- To develop an understanding of Constitutionalism at work from the perspectives of internationally-proclaimed human rights is never quite the same as the constitutionally-based understandings of human rights as put to work by Judges and Lawyers, social movements and the political processes in each national context.
- To create and groom a new generation of lawyers, judges, social scientists, thinkers, intellectuals and leaders for the entire South Asia who would be well-versed in the philosophy of co-existence, secularism, diplomacy, international
relations and foreign policy imperatives under the brolly of Comparative Constitutional Law that adorn and dictate our common future in South Asia.

- To expose the students make them additionally well-equipped, well-groomed and well-planned at the anvil of pedagogical pursuits, teaching & training trajectory and research orientations having exposed to and completed the ensuing assignment in the South Asian University at New Delhi in their scale and stature and upward mobility in terms of international exposure, experience, age and intellectual interaction.
- To make an original contribution to constitutional theory that shifts the terms of debate from reliance on state constitutions to constitutions of social fields while breaking new ground in the sociology of constitutional law by opening new avenues of research for the empirical study of transnational, private constitutional order.
- To develop new applicable doctrines on the horizontal effects of human rights and conflicts of law in transnational regime collisions by presenting a compelling argument for the application of constitutional norms in the private sphere as a solution to the current crisis of international rule of law and governance as the powerful private sectors of the world economy remain largely unconstrained by fundamental constitutional rules, leading to human rights abuses on a massive scale.

PART-IV: MODULE PEDAGOGY

This course compares issues of constitutional structure, judicial review, and separation of powers, federalism, interpretive method, and (especially) regimes of rights adjudication across different constitutional systems in South Asia. The United States, UK, Canada, Germany, France, Australia, Malaysia, South Africa, and India will be recurrent but non-exclusive models. We will consider how jurists across diverse systems have approached similar problems, with special attention given to the issues in comparative constitutional laws of South Asia such as anti-discrimination (including issues of sexual privacy and reproductive freedom), freedom of expression, national security, and recognition and adjudication of social and economic rights. We will also critically consider the enterprise of comparative constitutional law as a juridical resource and as a field of academic study. Regular engagement is expected of all students, to be facilitated by weekly Short Response Papers (SRP) on the assigned readings.

A. Thematic Focus

The module will develop the basic principles applicable for comparative constitutional law and will compare the constitutional systems of SAARC Nations while cross-referencing UK, USA, France, Germany, Japan, Malaysia and South Africa as most important examples of the key differences including common-law and continental law constitutional traditions. The constitutions of Switzerland and Serbia and the Treaty of Lisbon et al shall also be touched upon as key references. We will analyze the challenges of multiculturalism and globalization for post-modern constitutional democracies. We shall also deal with procedural and constitutional principles and designs - such as federalism - aimed at conflict management in the societies with ethnic tensions and those coming out of ethnic wars in South Asia. During these weeks students should get familiar with current constitutional problems that states face as regards South Asian integration, migration and the universality of human rights.

The twelve week course will cover thematic topics and issues relating to the method of comparative constitutional law, different approaches on constitution making and the principles of democratic constitutionalism, the Rule of Law, Human Rights and Constitutional Review, Different governmental systems and constitutional designs, including federalism as a conflict-management device in South Asia and Constitutional challenges for the States in transition. Further, it presents a global, comparative perspective on the central concepts, institutions, and processes of comparative constitutional law. This module also analyses the comparative jurisprudence on constitutional rights while offering a valuable inroad into understanding comparative human rights law.

B. Method

What is the relevance of a judgment of the United States Supreme Court for a judge deciding a constitutional issue in Australia, Canada, Egypt, Pakistan, Switzerland, South Africa or India? How and why do constitutional concepts such as travel abroad, migration of ideas and influence of foreign nations? Is there an emerging international constitutional law? This course introduces students to the methods of comparative constitutional law. Please note that this is a methods-focused course that seeks to acquaint students with the approaches to comparing laws and other general norms as well as judicial and other decisions. We will also examine the writings of judges who look abroad for guidance in their work, and those who are opposed to the exercise. After exploring the methods of comparative constitutional law, and their shortcomings, as well as the
mindset of different legal systems when asked to look abroad, we will look into practical constitutional issues (such as constitutional design, elections, privacy, free speech, and flag desecration, to name a few) through a comparative lens. We will also further review comparative remedies for wrongs – in particular civil rights violations committed against individuals, considering that "[t]he very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury" (Marbury v. Madison, 5 U.S. 137 (1803)).

The students will be encouraged to make own judgments on current constitutional issues. They will have to discuss on particularly controversial issues and argue their position with the help of comparative, methodological and theoretical background they get acquainted with during the course. For this reason the course will involve both taught and interactive elements of class work involving term papers, group work and short response presentations of the topics summarizing key insights they gained from the course.

PART: IV - THE GOALS OF COMPARATIVE CONSTITUTIONAL STUDIES

- Developing Better Understanding of SAARC & Other Systems
- Developing Better Understanding of One’s System
- Identifying the Best Constitutional Practices in SAARC
- Responding to Doctrinal or Textual Questions in CCLSAARCN
- Attending to Challenges of Constitutional Comparisons in SAARC
- Analysing the Interdependence of Constitutional Provisions
- Appreciating the Complexity of Historical Context in CCLSAARCN
- Conflating Normative and Positive Claims in CCLSAARCN
- Contextualizing the Expressionism and Constitutions of SAARC
- Examining Concepts & Legal Structures from Comparative Perspective
- Dismantling the miasma of Constitutional confusions in SAARC
- Generating, germinating and gestating a Constitutional commonality

PART: V: MODULE AIMS

The aims of this module are to:

- Allow students to undertake an introductory study of the issues facing South Asian diaspora and others in and around South Asia at international law.
- Evaluate the key concepts of CCLSAARCN and provide a brief historical overview of the phenomenon of migration of constitutional ideas and consider the magnitude of these ideas at the beginning of the twenty-first century.
- Analyze the international legal norms concerning CCLSAARCN including relevant norms of customary international law and, in particular, the standards found in the relevant UN General Assembly Resolutions.
- Introduce the concepts of CCLSAARCN and briefly introduce universal instruments of constitutional human rights and humanitarian protections that are relevant to the massy reality.
- Consider specifically US, European, Asian and other regional norms as they are relevant to the CCLSAARCN. This will include consideration of US, EU and other regulations and directives and key decisions of the judiciary of these jurisdictions relevant to the issues under consideration.

PART: VI: MODULE INTENDED LEARNING OUTCOMES (MILO)

MILO: COURSE-SPECIFIC SKILLS

- Understand and critically analyze the evolution of the international constitutional protection regime available to the people and explain the rationales underlying the legal responses of the international community to the varied problems and challenges in International Constitutional Law.
- Demonstrate in-depth knowledge of the basic constitutional principles and standards of constitutional protection found in international law generally;
- Critically evaluate the relevance of post-World War-II responses to the post-Millennium context in which globalization, constitutional identity based conflicts, changing perceptions of transitional security and mobility are central.
MILO: DISCIPLINE-SPECIFIC SKILLS

- Demonstrate the ability to identify key legal issues arising in this area as well as the practical problems generated by a particular constitutional instrument in South Asia;
- Undertake independent research using relevant international and regional law resources in South Asian perspective;
- Demonstrate an advanced capacity to handle the most important primary sources of constitutional law and secondary sources of constitutional literature;
- Demonstrate the ability to identify and address key contemporary constitutional issues international law and policy with reference to different perceptions in South Asia;

MILO: PERSONAL AND KEY SKILLS

- Demonstrate the ability to engage in independent and group research, including presentation in written and oral form for group discussion or individual presentation;
- Communicate complex ideas clearly in written and oral form;
- Demonstrate the ability to research, study, identify and organize material in order to produce clear, compelling and coherent arguments while complying with strict timelines.
- Demonstrate the ability to present Short Response Presentations (SRPs) and In-Class Writing Assignments (IcWA) on issues of contemporary constitutional importance or otherwise within no time.

PART-VII: MODULE CLASS PARTICIPATION:

The South Asian University is committed to creating a culture of professionalism in its Faculty of Legal Studies. Professionalism begins in the classroom: it’s reflected in how students prepare for class, their timely arrival to class, and how they engage with the class and in class discussions based on their preparedness for class, the student’s ability to answer questions based on the course readings, the student’s willingness to contribute to class discussions and the quality of those contributions, and overall professionalism. The Instructor will also consider the respect and attention that a student gives to class lectures, class discussions, and comments made by other classmates and whether a student’s comments and questions advance the learning experience in the classroom.

Tape or digital recording of class meetings – including by using cellular telephones with cameras – is permitted by leave of the Instructor only. Making such recordings without permission is strictly prohibited. If permitted, recording is conditioned upon your promise to share the recording with any classmate who makes a reasonable request. Common courtesy suggests that, once class begins, you should TURN OFF all personal communication, entertainment, and information storage devices, including, but not limited to, Blackberries, cellular telephones, iPods, iPads and iPhones. It is disruptive for students to leave the class during the session; accordingly, students are requested to avoid leaving the class during the session, except with respect to a medical emergency. An absence will be recorded in instances not involving medical emergencies. An Instructor is not an exception to this desideratum of professionalism because the Faculty of Legal Studies seeks to encourage professionalism; students who are prepared for class and engaged should be rewarded.

Although use of laptops, notebook computers et al. (hereinafter “laptops”) is welcome, we also know that distractions abound as soon as you power up. During our class meetings, you will be expected to confine use of laptops to course material only. We believe strongly that non-course use of the laptop is detrimental to the learning environment for you and for everyone seated around you. Visiting the internet, sending e-mail or instant messages, watching movies or YouTube videos, playing Solitaire and otherwise using such devices to engage in any non-course activities is forbidden. A warning shall be given to the student by the Instructor if it appears to the Instructor that the student is not honoring this rule, and if, in the judgment of the Instructor, the student continues to engage in non-course computer use, the student shall be prohibited from using the laptop in class for the remainder of the semester.

Student grades will not be adjusted upwards solely because a student often volunteers to speak in class: the volume of participation in itself is only one factor the Instructor will consider. Grades will also not be adjusted upwards based solely on a student’s good attendance and timely arrival to class, or because a student completes the required readings for a course, or because a student participates in class discussions. Students are expected to arrive on time and prepared to all classes, and
to participate in class discussions, and will not be rewarded for meeting those basic expectations. The Instructor may lower a student’s grades, however, for poor attendance, for repeatedly arriving late to class, or for repeatedly leaving class early. Grades may also be lowered for students who play video games, use personal email, twitter or Facebook or surf the internet during class or engage in other disruptive behaviour. Students who find themselves unprepared because of an unforeseen emergency, work, illness or a personal celebration should leave the Instructor a note before the start of class and will not be called upon -- provided that this occurs on no more than two occasions. Students who follow this procedure will not suffer any adverse consequence. The note need only state: "Please do not call on me today" and print the student's name. Students who encounter serious personal hardships during the semester should see the professor and the Dean of Students.

PART-VIII:- THE UPDATES ABOUT THE MODULE

Please check the course specific websites on a regular basis in order to focus your attention on designated, suggested and recommended pages in the reading materials. You are also expected to prepare responses to the questions for class discussion and to participate in class dialogues and debates. You are encouraged to read about current Comparative Constitutional Law of SAARC Nations issues in major newspapers, magazines, journals, periodicals, and editorial pages on a regular basis throughout the term. Do not hesitate to contact Course Instructor with your questions or concerns either in person, during office hours, or on the phone at your convenience.

PART-IX- THE CAREER ENHANCEMENTS

The LLM in Comparative Constitutional Law of SAARC Nations (CCLSAARCN) provides a rigorous theoretical and practical understanding of the field of International Constitutional Law with South Asian perspective. It is unique in being the only programme of its type offered anywhere in the world. The utility of comparative constitutional materials has emerged as a central component of contemporary constitutional practice because of their centralizing role in legitimizing and validating the exercise of public power, policy and even courts are under an obligation to engage in a process of justification for their decisions on issues ranging from human frails to human travails, from lex lata to lex ferenda and from cryonics to genomics. In the field of CCLSAARCN you will be equipped with the dialectics of constitutional hermeneutics in the realm of universalist, genealogical and dialogical modes.

Therefore, LLM Degree will enable you to acquire a solid legal, practical and theoretical understanding of Comparative Constitutional Law of SAARC Nations and its incidental impact on developing expertise through a trajectory of class modules. You will hone your self-reliance in dealing with-and critiquing-law, policy and practice in the field, and will also learn how to adduce, appreciate, gather, organize, approbate and deploy evidence to form balanced argumentative architecture wedded with legal logistics, juridical sciences, and judicial pronouncements and develop policy prescriptions and recommendations for state and its institutions, state-tolerated institutions and institutions beyond state.

PART-X:- MODULE CONTENTS

WEEK-1: INTRODUCTION


South Asian Constitutional Texts:

1. The Constitution of Afghanistan
2. The Constitution of Bangladesh
3. The Constitution of Bhutan
4. The Constitution of India
5. The Constitution of Maldives
6. The Constitution of Nepal
7. The Constitution of Pakistan
8. The Constitution of Sri Lanka
❖ C/F: The Constitutions of USA, UK, CANADA & AUSTRALIA

ESSENTIAL READINGS:

6. Vicki C. Jackson and Mark V. Tushnet, Comparative Constitutional Law, Foundation Press, pp 144-152.

RECOMMENDED READINGS:


CASE LAW:

3. Jacobson V. Massachusetts, 197 U.S. 11, 31-33 & n.1 (1905)
7. Muller V. Oregon, 208 U.S. 412, 419-20, n.1 (1908)
10. Roe V. Wade, 410 U.S. 113 (1973)
11. Roper V. Simmons 543 US 551 (2005) (pay particular attention to Part IV of the majority opinion; Part II.D. of Justice O’Connor’s dissent; and Part III of Justice Scalia’s dissent).
16. United States V. County of Allegheny, 322 U.S. 174, 198 (1944)
17. Washington V. Glucksberg, 521 U.S. 702, 710 n.8, 718 n.16, 734 (1997)
19. Wickard V. Filburn, 317 U.S. 111, 125-126 & n.17 (1942)
20. Youngstown Sheet & Tube Co. V. Sawyer, 343 U.S. 579, 650-652 (1952)

WEEK-2: THE CONSTITUTIONAL DESIGN AND DRAFTING AND MAIN FEATURES OF THE MAJOR SAARC CONSTITUTIONS


South Asian Constitutional Texts:

1. The Constitution of Afghanistan, Preamble with Articles-1,2,3,4,5,6,7,8,13,14,18,19 & Chapter-Two
2. The Constitution of Bangladesh, Preamble with Articles-1,2,2A,3,4,4A,6,7 & Part-II
3. The Constitution of Bhutan, Preamble with Articles-1,2,3,4,5,8 & 10
4. The Constitution of India, Preamble with Articles-1,2,3,4, Parts-II & III
5. The Constitution of Maldives, Preamble with Articles-1,2,3,4,5,6,7,8,9 & Chapter-II
6. The Constitution of Nepal, Preamble with Articles-1,2,3,4,5,6,7 & Part-II
7. The Constitution of Pakistan, Preamble with Articles-1,2,2A,3,4,5,6 & Part-II
8. The Constitution of Sri Lanka, Preamble with Articles-1,2,3,4,5,6,7,8,9 & Chapter-III
- C/F: The Constitutions of USA, UK, CANADA & AUSTRALIA, Preamble with Articles

ESSENTIAL READINGS:

5. Tom Ginsburg (Editor), Comparative Constitutional Design (Comparative Constitutional Law and Policy) [Hardcover], Cambridge University Press, New York 2012
RECOMMENDED READINGS:


CASE LAW:

1. Goodyear India V. State of Haryana, AIR 1990 SC 781
2. Indira Nehru Gandhi V. Raj Narayan, AIR 1975 SC 2299
4. Minerva Mills Ltd. V. Union of India, AIR 1980 SC 1789
5. Nakara V. Union of India, AIR 1983 SC 130
8. Pradeep Jain (Dr.) V. Union of India V. Union of India, AIR 1984 SC 1420
10. Synthetics & Chemicals Ltd. V. Statue of Uttar Pradesh, (1990) 1 SCC 109

WEEK-3: THE FUNDAMENTAL PRINCIPLES OF COMPARATIVE CONSTITUTIONALISM

- Constitutionalism, Pluralism and International Cosmopolitanism, the Twilight of Comparative Liberal-Democratic Constitutionalism, the Contemporary Constitutionalism as the Law of the Peoples. Transitional Justice and the Transformation of Constitutionalism, Constitutionalism and the Rule of Law in the 21st Century, Alternative Secularism, Constitutionalization, and People & Societies in the SAARC & Beyond.

South Asian Constitutional Texts:

1. The Constitution of Afghanistan, Preamble with Articles 2, 3, 15,
2. The Constitution of Bangladesh, Preamble with Articles 8-25 (FPSP)
3. The Constitution of Bhutan, Preamble with Articles
4. The Constitution of India, Preamble with Articles, 36-51A
5. The Constitution of Maldives, Preamble with Articles 4, 8, 9, 10, 63, 66, 69
6. The Constitution of Nepal, Preamble with Articles
7. The Constitution of Pakistan, Preamble with Articles 29-40
8. The Constitution of Sri Lanka, Preamble with Articles, 9 (Religion), 27, 28 29 (DPSP)
ESSENTIAL READINGS:


RECOMMENDED READINGS:


CASE LAW:

1. A. K. Gopalan V. State of Madras, AIR 1950 SC 27
3. Adkins V. Children’s Hospital of the District of Columbia, 261 U.S. 525 (1923)
4. Allgeyer V. Louisiana, 165 U.S. 578 (1897)
6. Babri Mosque-Ram Janam Bhumi Dispute
10. Bosnia V. Serbia,
16. Coppage V. Kansas, 236 U.S. 1 (1915)
18. Dred Scott V. Sandford, 60 U.S. 393 (1857)
22. Francis Coralie V. Union Territory of Delhi, AIR 1978 SC 597
23. Frontiero V. Richardson, 411 U.S. 677 (1973)
25. Government of Andhra Pradesh V. P. Laxmi Devi, 2008 (4) SCC 720
26. Griffin V. County School Board, Prince Edward County,
27. Griswold V. Connecticut, 381 U.S. 479
28. Hammer V. Dagenhart, 247 U.S. 251 (1918)
29. Holden V. Hardy, 169 U.S. 366 (1898)
31. I.R. Coelho (Dead) By Lrs V. State of Tamil Nadu & Others, (2007) 2 SCC 1
32. Keshavanand Bharati V. State of Kerala, AIR 1973 SC 1461
33. Kokkinakis V. Greece
34. Korematsu V. United States, 323 U.S. 214 (1944)
35. Lawrence V. Texas: The Right that Dare Not Speak Its Name, 117 Harv. L. Rev. 1893 (2004)
36. Leyla Sahin V. Turkey
37. Lochner V. New York, 198 U.S. 45 (1905)
38. Malloy V. Hogan, 378 U.S. 1(1964)
40. Marbury V. Madison, 5 U.S. 137 (1903)
41. Milk Board V. Clearview Dairy Farm Inc., 69 B.C.L.R. 220 (Sup. Ct. 1986)
43. Murrays Lessee V. Hoboken Land and Improvement Co.
44. Parents Involved in Community Schools V. Seattle School District # 1, 127 S.Ct. 2738 (2007)
45. Parkdale Hotel Ltd. V. Canada (Attorney General), 2 EC. 514 (Fed. Ct. Trial Div.1986)
46. Planned Parenthood Association V. Casey, U.S. 1992
47. Prosecutor V. Tadic
49. Raja Ram Pal V. Hon’ble Speaker, Lok Sabha & Others, (2007) 3 SCC 184
50. S.R. Bommai V. Union of India, (1994) 3SCC 1
51. Sankari Prasad Singh Deo V. Union of India, AIR SC 458 (1951)
52. Sejdic and Finci V. Bosnia and Herzegovina, Judgment, Application Nos. 2799/06 and 3483/06 (European Court of Human Rights, 22December, 2009): para49
55. Velsamma Paul V. Cochin University, AIR 1996 SC 1011
56. West Coast Hotel Co. V. Parrish, 300 U.S. 379 (1937)
57. Wilson V. British Columbia (Medical Service Commission), 30 B.C.L.R. (2D) 1 (Ct. App. 1988)
WEEK-4: GENERAL PRINCIPLES OF FEDERALISM AND DOCTRINE OF NEW SEPERATION OF POWERS IN THE CONSTITUTIONS OF THE SAARC NATIONS

- General Principles of the Separation of Powers in the Westminster System. The Doctrine of the New Separation of Powers; Democratic Legitimacy, Functional Specialization, Fundamental Rights and the New Separationism. (Any one part referred herein or otherwise shall be attended upon in detail)

South Asian Constitutional Texts:

1. The Constitution of Afghanistan, Articles- 1 (1)
2. The Constitution of Bangladesh, Articles- 1
3. The Constitution of Bhutan, Articles-
4. The Constitution of India, Articles 245, 248, 250, 253, 256
5. The Constitution of Maldives, Articles- 230-235
6. The Constitution of Nepal, Articles-
7. The Constitution of Pakistan, Articles-
8. The Constitution of Sri Lanka, Articles- 2,
   ▶ C/F: The Constitutions of USA, UK, CANADA & AUSTRALIA

ESSENTIAL READINGS:

2. Baogang He, Brian Galligan and Takashi Inoguchi, Federalism in Asia, 2009.
9. Rosalind Dixon (Edited), Comparative Constitutional Law in Asia, Cheltenham, UK ; Northampton, MA, USA : Edward Elgar, [2014]

RECOMMENDED READINGS:

15. Excerpts from 18th and 19th Amendments re Provincial Autonomy.

**CASE LAW:**

1. A.G. Canada V. A.G. Ontario, (1937) AC 326
2. A.G. for Commonwealth V. Colonial Sugar Refining Co.[1914] AC 237
6. Ashton V. Cameron County, (1936) 298 US 513
7. Asma Jilani V. Government of Punjab, PLD 1972SC 139
8. Atiabari Tea Co. V. State of Assam, (1961) 1 SCR 809
10. Bank of Toronto V. Lambe, (1887) 12 AC 575
11. Begum Nusrat Bhutto V. Chief of Army Staff, 29 PLD 657, 695 (1977)
12. Benazir Butto Case
15. Carmichael V. S. Coal Co., (1937) 301 US 495
16. Chandler V. Director of Public Prosecutions [1964] AC 763
23. Gonzales V. Raich, 545 US 1 (2005)
24. Haji Saifullah Case
27. Jamat-e-Islami V. Federation of Pakistan, PLD 2008 SC 30
32. Mahmood Khan Achakzai V. Pakistan, 49 PLD 426, 446-47 (1997) (Pak.)
33. Maritime Bank V. Receiver General, (1892) AC 437
34. McPherson v. Blacker, 146 U. S. 1, 27 (1892)
37. Nadeem Ahmad Advocate V. Federation of Pakistan, Constitution Petition No. 08 of July 2009
39. Nawaz Sharif Case
41. Pulp & Power Co. V. Manitoba Free Press, (1923) AC 326
43. R V. Comptroller-General of Patents, ex parte Tomlinson [1899] 1 QB 909 at 913-4
47. R v. Secretary of State for Home Department, [2005] UKHL 69, 1 All ER 219 at 19, 28
49. R.M.D.C. V. Union of India, AIR 1957 SC 628
51. Secretary of State for the Home Department V. Rahman, [2002] UKHL 47, [2002] 1 All ER 122 at 139
52. Shamsher V. State of Punjab, AIR 1974 SC 2192
53. Singh v. United Kingdom, [1996] 22 EHRR 1
55. State of Karnataka V. Union of India, AIR 1978 SC 68
56. State of West Bengal V. Union of India, AIR 1963 SC 1241
57. State V. Zia-ur-Rahman, PLD 1973 SC 49
58. Steward V. Davis, (1938) 301 US 548
59. Stuart v. Laird, 1 Cranch 299 (1803)
60. Syed Zafar Ali Khan V. General Pervez Musharraf, Chief Executive of Pakistan, PLD 2000 SC 869
61. T.D. and Others V. the Minister of Education, [2001] 4 IR 259
62. Tariq Rahim Case
63. The Federation of Pakistan V. Maulvi Tazimuddin Khan, PLD 1955 FC 240
64. The Pocket Veto Case, 279 US (1929) 655-690.
65. The State V. Dosso, PLD 1958 SC 533
66. Tika Iqbal Muhammad Khan V. General Pervez Musharraf, Chief of Army Staff, Rawalpindi and Others, PLD 2008 SC 615
67. Union Colliery V. Bryden, (1899) AC 580
68. United States v. Mid-West Oil Co., 236 U. S. 459–474 (1915)
70. Wajihuddin Ahmad V. Chief Election Commissioner, PLD 2008 SC 25
71. Youngstown Sheet & Tube Co. v. Sawyer, 343 US 579–611 (1952)

WEEK-5: THE TREATY MAKING, FREDOM OF TRADE, e-COMMERCE AND FOREIGN POLICY IMPERATIVES UNDER THE CONSTITUTIONS OF SOUTH ASIAN NATIONS

- The Treaty Making under the Constitutions of South Asian Nations. The Freedom of Trade & Commerce and e-Commerce Laws and Regulatory Systems in South Asia. The Regional Economic Alliance; SAFTA. The Foreign Policy Imperatives under the Constitutions of South Asian Nations. (Any one issue referred herein or otherwise shall be attended upon in detail)

South Asian Constitutional Texts:

1. The Constitution of Afghanistan, Articles- 7, 8 (Foreign Policy) 10, 11 (Trade),
2. The Constitution of Bangladesh, Articles-
3. The Constitution of Bhutan, Articles-
4. The Constitution of India, Articles- 253,301-304
5. The Constitution of Maldives, Articles-
6. The Constitution of Nepal, Articles-
7. The Constitution of Pakistan, Articles-
8. The Constitution of Sri Lanka, Articles-

ESSENTIAL READINGS:

7. Syed Anwar Husain, *Bangladesh National Scenario Foreign Policy and SAARC*, 2003

RECOMMENDED READINGS:


**CASE LAW:**

1. Andhra Steel Corporation V. Commissioner of Commercial-Tax, AIR 1990 SC 1912
2. Andhra Sugars Ltd V. State of Andhra Pradesh, AIR 1968 SC 599
5. Automobile Transport (Rajasthan) Ltd. V. State of Rajasthan, AIR 1962 SC 1406
7. Jindal Stainless Steel Ltd. V. State of Haryana, AIR 2006 SC 2550
8. Maharaja Tourist Services V. State of Gujrat, AIR 1991 SC 1650
11. State of Tamil Nadu V. Sanjeetha, AIR 1993 SC 237

**WEEK-6: THE COMPARATIVE CONSTITUTIONAL STRUCTURES AND THEIR EVOLUTION IN SAARC COUNTRIES**

- The Comparative Constitutional Structure & Evolution; the Concept of Autochthony, the Living Originalism in the SAARC, Parliamentarianism v. Presidentialism. The Cabinet Government and Legislative-Executive Relations. The Constitutional Breakdowns. The Rise of Specialized Constitutional Courts & the Supranational Sphere. The Role of Courts and the Civil-Military Governments in South Asia. *(Any one issue referred herein or otherwise shall be attended upon in detail)*

**South Asian Constitutional Texts:**

1. The Constitution of Afghanistan, Articles-
2. The Constitution of Bangladesh, Articles-
3. The Constitution of Bhutan, Articles-
4. The Constitution of India, Articles-
5. The Constitution of Maldives, Articles-
6. The Constitution of Nepal, Articles-
7. The Constitution of Pakistan, Articles-
8. The Constitution of Sri Lanka, Articles-
9. C/F: The Constitutions of USA, UK, CANADA & AUSTRALIA
ESSENTIAL READINGS:

1. Ayesha Jalal, *Democracy and Authoritarianism in South Asia: A Comparative and Historical Perspective* (Contemporary South Asia)

RECOMMENDED READINGS:


CASE LAW:

2. Beaufharnais v. Illinois, 343 U.S. 250 (1952)
6. State v. Makwanyane,

MID SEMESTER EXAMINATION
WEEK-7: THE PHILOSOPHY OF COMPARATIVE CONSTITUTIONAL LAW RIGHTS IN SOUTH ASIA


South Asian Constitutional Texts:

1. The Constitution of Afghanistan, Preamble with Articles 6, 7, 8, 22-59
2. The Constitution of Bangladesh, Preamble with Article 26-47A
3. The Constitution of Bhutan, Preamble with Articles
4. The Constitution of India, Preamble with Articles 12-32
5. The Constitution of Maldives, Preamble with Articles 16-69(FR), 189 (HRC)
6. The Constitution of Nepal, Preamble with Articles
7. The Constitution of Pakistan, Preamble with Articles 8-28
8. The Constitution of Sri Lanka, Preamble with Articles 10-17

ESSENTIAL READINGS:


RECOMMENDED READINGS:


**CASE LAW:**

1. A.P. Pollution Control Boards V. Prof. MV Nayudu, AIR 1999 SC 822
2. Anwar Ali Sarkar V. State of West Bengal, AIR 1952 SC 75
3. Aruna Ramanchandra Shanbaug V. Union of India and Others, JT 2011 (3) SC 300
4. Barrios Altos V. Peru, IACHR Ser. C No. 75 (14 March 2001), para 189
5. Bhagwan Dass V. State (NCT) of Delhi, 2011 (5) 498
6. Bombay Hawkers Union V. B.M.C., (1985) 3 SCC 528
7. Budayeva V. Russia, [2008] ECHR
8. Center for PIL V. Union of India, 1995 Sppl. (3) SCC 382
15. Fadeyeva v. Russia, [2005] ECHR 376
17. Haynes v. Alfred A. Knopf Inc., 8 F.3d 1222 (7th Cir. 1993)
19. Hussainara Khatoon V. Home Secretary, (1980) 1 SCC 81
21. Indian Express Newspaper (Bombay) V. Union of India, AIR 1986 SC 515
22. Indira Sawhney V. Union of India, AIR 2000 SC 498
23. Jersild V. Denmark, September 23, 1994
24. Kapila Hingorani V. Union of India, (2003) 6 SCC 1
25. Khatri V. State of Bihar, AIR 1966 SC 928
27. Lata Singh V. State of Uttar Pradesh & Another, 2006 (5) SCC 475
28. Lopez Ostra V. Spain, (1994) 20 EHRR 277
32. M.H. Hoskot V. State of Maharashtra, AIR 1978 SC 1548
34. Minister of Health V. Treatment Action Campaign(TAC), (2002) 5 SA 721 (SA)
37. Ocalan V. Turkey, (2003) 37 EHRR 10
38. Oliga Tellis V. Bombay Municipal Corporation, AIR 1986 SC 180
39. Oneryildiz V. Turkey, [2004] ECHR 657
40. ONGC V. Collector of Central Excise, 1995 Sppl. (3) SCC 176
42. People Union for Civil Liberties V. Union of India, 1997 3 SCC 433
43. Peoples Union for Civil Liberties V. Union of India, (2003) 4 SCC 399
44. Police Commissioner, Delhi V. Registrar, Delhi High Court, AIR 1999 SC 95
45. Prabha Dutt V. Union of India, AIR 1986 SC 6
46. Pradeep Kumar Jain V. State of Punjab, AIR 1984 SC 1420
47. R. Rajgopal V. State of Tamil Nadu, (1994) 6 SCC 632
48. R.A.V. V. City of Paul, 505 US 377 (1992)
49. Ramana V. International Airport Authority, (1979) 3 SCC 479
50. Romesh Thapar V. State of Madras, AIR 1950 SC 124
51. S.K. Mastan Bee V. GM South Central Railway, (2003) 1 SCC 184
52. S.P. Gupta V. Union of India, AIR 1982 SC 149
53. S.R. Bommai V. Union of India, (1994) 3 SCC 1
57. Simon, Julio Hector y otros, 328 Fallos 2056 (2005)
59. Soobramoney V. Minister of Health KwaZulu Natal, 1997 (12) BCLR 1696
60. State of Arunachal Pradesh V. Khudiram Chakma, AIR 1994 SC 1461
61. State of Gujrat V. Hon’ble High Court of Gujrat, (1998) 7 SCC 392
62. State of M.P. V. Shobharam, AIR 1966 SC 2193
63. State of Rajasthan V. Union of India, AIR 1977 SC 1361
64. Sunil Batra V. Delhi Admin., (1978) 4 SCC 498
65. Supreme Court Advocates on Record V. Union of India, (1993) 4 SCC 441
66. Taskin V. Turkey, [2004] ECHR Paras 113-9
68. Unni Krishnan V. State of Andhra Pradesh, (1993), 1 SCC 645
70. Vineet Narain V. Union of India, 1998 Cri. L.J. 1208
72. Vishakha V. State of Rajasthan, 1997, 6 SCC 241

WEEK-8: THE COMPARATIVE CONSTITUTIONAL LAW INTERPRETATION


South Asian Constitutional Texts:

1. The Constitution of Afghanistan, Articles-
2. The Constitution of Bangladesh, Articles- 94, 96(3) (SJC), 127-132 (C & G)
3. The Constitution of Bhutan, Articles-
4. The Constitution of India, Articles- 148-151 (C & G)
5. The Constitution of Maldives, Articles- 157 (JSC), 209 (AG)
6. The Constitution of Nepal, Articles-
7. The Constitution of Pakistan, Articles-
8. The Constitution of Sri Lanka, Articles-

ESSENTIAL READINGS:


RECOMMENDED READINGS:


CASE LAW:

2. Brewer V. Scalia (Debate on the Article 39 of the South African Constitution Article 142, Para 2 of the Constitution of Serbia
WEEK-9: THE LAW MAKING, PARLIAMENTARY PROCEDURES, PRIVILEGES AND IMMUNITIES IN SOUTH ASIA


South Asian Constitutional Texts:

1. The Constitution of Afghanistan, Articles 81, 107, 110,
2. The Constitution of Bangladesh, Articles 65, 68, 73A, 75, 80, 93
3. The Constitution of Bhutan, Articles-
4. The Constitution of India, Articles 105, 106, 107
5. The Constitution of Maldives, Articles 70, 83, 90,
6. The Constitution of Nepal, Articles-
7. The Constitution of Pakistan, Articles 50, 57, 66, 67, 70
8. The Constitution of Sri Lanka, Articles 62, 67, 75,

ESSENTIAL READINGS:


RECOMMENDED READINGS:


**CASE LAW:**

1. Union of India V. Gopal, AIR 1978 SC 684  
2. State of Karnataka V. Union of India, (1977) 4 SCC 608  
3. M.S.M. Sharma V. Sri Krishna Sinha, AIR 1959 SC 395  
4. Jatish Chandra Ghose V. Harisadhan Mukherjee, AIR 1961 SC 613  
5. Tej Kiran V. Sajiva, AIR 1970 SC 1573

**WEEK-10: THE GOVERNANCE INSTITUTIONS AND THE FUTURE OF DEMOCRACY IN SOUTH ASIA**


**South Asian Constitutional Texts:**

1. The Constitution of Afghanistan, Articles-  
2. The Constitution of Bangladesh, Articles- 118 (Elections), 133 (Services)  
3. The Constitution of Bhutan, Articles of  
4. The Constitution of India, Articles- 309, 315 (UPSC), 324 (Elections)  
5. The Constitution of Maldives, Articles- 179 (Civil Service), 236 (Services), 244 (Police), 167-170, 276 (Elections), 199 (Anti-CC)  
6. The Constitution of Nepal, Articles-  
7. The Constitution of Pakistan, Articles- 103, 104 (Elections)  
8. The Constitution of Sri, Articles-  

- **U.K. Public Services Code, 2010**

**ESSENTIAL READINGS:**

RECOMMENDED READINGS:

20. Swati Mehta, *Feudal Forces: Democratic Nations-Police Accountability in Commonwealth South Asia*, 2007 (The report was researched and authored by Swati Mehta and Daniel Woods edited the report with editorial inputs from Devika Prasad.)

CASE LAW:

2. Anderson v. Celebrezze, 460 US 780 No.9
4. Crawford v. Marion County Election Bd. (Nos.07-21 and 07-25) 472 F. 3d 949
7. Norman v. Reed, 502 US 279 pp. 5-7
8. S.S. Dhanoa V. Union of India, AIR 1991 SC 1745
10. Workers Party v. Federation of Pakistan (PLD 2012 SC 87)

WEEK-11: THE PREROGATIVES, EXECUTIVE POWERS & EMERGENCIES AND CONSTITUTIONAL AMENDMENTS

- Constitutions and Emergency Regimes & Powers. The Constitutional Amendment Rules in a Comparative Perspective; Functions of Amendment; Beware of Amendment; the Comparative Conundrum of Amendment and Secession.
South Asian Constitutional Texts:

1. The Constitution of Afghanistan, Articles- 143-148 (Emergency), 90, 149, 150 (Amendment)
2. The Constitution of Bangladesh, Articles- 141 (Emergency), 142 (Amendment)
3. The Constitution of Bhutan, Articles-
4. The Constitution of India, Articles- 352, 355, 356 (Emergency), 368 (Amendment)
5. The Constitution of Maldives, Articles- 261 (Amendment), 253-260 (Emergency),
6. The Constitution of Nepal, Articles-
7. The Constitution of Pakistan, Articles-
8. The Constitution of Sri Lanka, Articles- 82, 84,

ESSENTIAL READINGS:


RECOMMENDED READINGS:


CASE LAW:

1. A.K. Roy V. Union of India, AIR 1982 SC 710
2. Adkins V. Children’s Hospital, 261 US 525 (1923)
3. Aldridge V. Booth, (1988) 80 ALR 1
4. Arun V. Union of India, AIR 1992 SC All 1
5. Bhim Singhji V. Union of India, AIR 1981 SC 234
6. Chisolm V. Georgia, 2 US 419 (1793)
7. Dred Scott V. Sanford, 60 US (19 How.) 393 (1857)
9. Hammer V. Dagenhart, 247 US 251 (1918)
10. Hans V. Louisiana, 134 US 1 (1890)
12. Kihota Hollohoh V. Zachilhu, AIR 1993 SC 412
13. NLRB V. Jones Laughlin Steel Corp., 301 US 1 (1937)
15. Sampath Kumar V. Union of India, AIR 1987 SC 386
16. State of Rajasthan V. Union of India, AIR 1977 SC 1361
17. United States V. Darby Lumber Co., 312 US 100 (1941)
18. Waman Rao V. Union of India, AIR 1987 SC 386
19. West Coast Hotel Co. V. Parish, 300 US 379 (1937)
20. Wurridjal V. Commonwealth of Australia, [2009] HCA 2

WEEK-12: MISCELLANY OF FUNDAMENTAL CONSTITUTIONAL QUESTIONS & VALUES IN SOUTH ASIA

- The Supremacy of the Constitutions, Rule of Law & Due Process, Comparative Form of Judicial Constitutional Review and the Rise of Weak-Form of Judicial Review, Independence of Judiciary, Judicial Activism, Constitutional Provisions for the Protection of the Judiciary. Governance In Transition To Democracy and Free Speech In A Global World; Broadcasting Law; South Asian Law With Emphasis On Institutional Law and Litigation; Corruption; Constitutional Transplants; Administrative Law Etc. (Any one issue referred herein or otherwise shall be attended upon in detail)

South Asian Constitutional Texts:

1. The Constitution of Afghanistan, Articles- 5, 34
2. The Constitution of Bangladesh, Articles-
3. The Constitution of Bhutan, Articles-
4. The Constitution of India, Articles-
5. The Constitution of Maldives, Articles-
6. The Constitution of Nepal, Articles-
7. The Constitution of Pakistan, Articles-
8. The Constitution of Sri Lanka, Articles-
- C/F: The Constitutions of USA, UK, CANADA & AUSTRALIA

ESSENTIAL READINGS:


RECOMMENDED READINGS:


**CASE LAW:**

1. Marbury V. Madison, 5 US (1 Cranch) 137 (1803)
3. Cook V. Cook (1938) 162 C.L.R. 376

**WEEK-13: RETHINKING COMPARATIVE CONSTITUTIONAL LAW: REVISION AND INTERACTIONS**

**WEEK-14: TERM PAPERS PRESENTATIONS/SIMULATION EXERCISES ON PROBLEMS BY STUDENTS AND ONLINE FEEDBACK**

**PART-XI:-GRADING SYSTEM FOR THE STUDENTS’ ACHIEVEMENT**

Standard (A+, A, A-…F) Grading is based on students’ overall performance in the assessment tasks/activities/assignments/term papers etc. To pass this course, students must obtain an aggregate mark of 50% and a minimum of 50% in each of the coursework and the examination elements of the assessment. Coursework for this purpose means those ways in which students are assessed otherwise than by the end of session examination.
PART-XII-ADVANCED READINGS

3. A.C. Kapur, Select Constitutions
4. A.L. Goodhart, Precedent in English and Commercial Law, 50 I.Q Rev 40 (1934)
5. Annoussamy, Chap IV, V & VI
9. C.F. Strong, Modern Political Constitutions
13. D. C. M. Yardley, Introduction to British Constitutional Law
18. Dorsen, Rosenfeld, Sajo, and Baer, Comparative Constitutionalism.
23. Goldsworthy, Jeffrey, ed. Interpreting Constitutions: A Comparative Study
25. Harding & Oeruecue, pp. 121-136, 235-266
26. Hilaire Barnett, Constitutional and Administrative Law
27. Ivor Jennings, Law of the Constitution
32. John Alder, General Principles of Constitutional and Administrative Law
40. Mahmudul Islam, Constitutional Law of Bangladesh
41. Matiland, Constitutional History of England
45. Munro, Colin R, Studies in Constitutional Law
47. O’Hood Phillips, Constitutional and Administrative Law
57. S. Rose-Ackerman & P.L. Lindseth, Comparative Administrative Law (Edward Elgar, UK & USA, 2010)
58. Seervai, H.M., The Constitutional Law of India
59. Singh, M.P., Outlines of Indian Legal & Constitutional History
60. Thompson and Ludowikowski, Constitutionalism and Human Rights.
62. V.D. Mahajan, Select Modern Government
67. W. Hug, the History of Comparative Law, 45 Harvard Law Review. 1027 (1932)
68. W.W. Willoughby, Constitutional Law of the United States
69. Wade, ECS and Bradely, AW, Constitutional and Administrative Law
70. Wheare, K.C. The Modern Constitution

PART-XIII: RESEARCH READINGS

1. Alexander M. Bickel, the Least Dangerous Branch: The SC at the Bar of Politics, Yale University Press.


**PART-XIV::STATUTES & ACTS**

- The Constitutions of All the SAARC Nations
- Thematic Books & Commentaries
- Bare Acts
- Juristic Writings
- Research Papers
- Thematic Journals
- Online Journals
- e-Resources
- Thematic Reports of Law Commissions of SAARC Nations

**PART-XV::CONTEMPORARY COMPARATIVE CONSTITUTIONAL LAW CONTROVERSIES IN THE SAARC AND BEYOND**

The world of law is dynamic that delineate its dimensions, discourses and debates in the emerging areas of constitutional hermeneutics beneath and beyond the controversies, contentions and issues which warrants special intellectual treatment thereupon. Therefore, specific topics of regional and international importance may be debated in Special Seminars organized on particular days during the semester in addition to class teachings.

Some topics have been identified on the bases of contemporary ephemeral importance subject to change devoid of any prior communication which are as under:

- Comparative Constitutional Culture: Concept and its Sustainability
- Constitution Making and Nation Building: Imperatives of Constitutional Design & Drafting
- Constitutionalism, Pluralism and International Cosmopolitanism: Trinity or Trichotomy?
- Decentralization and Conflict Management in Multi-Cultural Societies: A Debate in South Asia
- The Paradigm of Democratic Transition and Future of Democratic Governance in South Asia
- Constitutional Politics of Human Rights in South Asia
- The Judiciary in SAARC and its Response in Situations of Assertion and Subjugation
- Impendence of Judiciary in Maldives: Is it withering?
- Executive V. Judiciary: Towards Existential Atrophy in Sri Lanka
- Judicial Activism in Pakistan: Its Limits and Laxities
- Constitutional Construction in Nepal: From Construction To Deconstruction
- The Idea of Confederalism in South Asia: Power, Politics, Prejudice and Policies

**XXX**
THE SYLLABUS OF COMPARATIVE CONSTITUITIONAL LAW OF SAARC NATIONS IS SUBJECT TO PERENNIAL CHANGES KEEPING IN VIEW THE NEW CONSTITUITIONAL DEVELOMENTS OR MATTERS INCIDENTAL THERETO OR CONNECTED THERewith IN THE REGION AND ELSEWHERE OR OTHERWISE

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