



**CENTRE FOR LAW, JUSTICE AND DEVELOPMENT**

**NATIONAL LAW UNIVERSITY, DELHI**

**TEACHERS' TRAINING PROGRAMME ON JURISPRUDENCE:  
ADVANCE COURSE**

**15<sup>th</sup>-19<sup>th</sup> December 2018**

**CONCEPT NOTE**

Jurisprudence as an art of raising questions is not just a separate field within the study of law but has the potential to inform the study of all the areas of law. These questions may be in the nature of why, how and what with respect to a particular law or may pertain to the foundations of law in general. The lived realities of people raise many such questions and challenges which legal philosophy engages with, to suggest pathways to envision just responses with respect to them. Identification of such questions, challenges, conflicts and philosophical engagement with the same must therefore constitute an integral part of Jurisprudence curriculum. This, however requires viewing law at the interface of society, economy, polity, culture *et al* so that the engagement does not exclude or dismiss certain questions and challenges at the outset as unworthy on technical grounds without even reflecting at them. The focus only on aspects of human existence like those mentioned above still retains us within the social, economic, political, cultural modes of thinking and does not allow us to probe into the very construction of such modes.

The expansive, critical and path-breaking potential of jurisprudence course can be realised by further questioning our own understanding of notions, ideas, phenomenon etc; questioning the ways in which meanings are constituted; questioning the fundamental categories which are employed to make sense of the world around us; questioning our own ways of thinking; questioning ways in which knowledge is created and what is it that gets recognised as knowledge *et al*. It is this potential which raises and seeks to explore answers to many fundamental and crucial questions. Such an approach in jurisprudence encompasses a critical role of the 'other' in understanding and questioning the legal framework, the notions, ideas and phenomenon which have enjoyed integral place in modern law. It involves taking sufferings of the exploited, the oppressed and the marginalised seriously, delving into the dialectics between the aforesaid and

the law. It is this critical approach to the fundamentals of the modern law that constitutes the theme for the Teachers' Training Programme on Jurisprudence: Advance course being organised by the Centre for Law, Justice and Development and the National Academy of Law Teachers, National Law University, Delhi.

The programme is second in the series, the first one being a basic training course on Jurisprudence organised last year which was a huge success. The need for the particular theme is embedded in the fact that barring a few, most of the courses in Jurisprudence being offered either in National Law Schools or Law Departments all over the country have largely remained inert to these philosophical developments in the field by either completely ignoring such developments or failing to recognise and fully explore their potential. The programme thus is an attempt to emphasise the potential that such developments hold for the study of law in terms of the range, depth and foundational nature of the questions that they raise. Studying and engaging with law from perspective of the excluded 'other' necessitates rethinking and revisiting the categories embedded in law, the assumptions on which the categorisation is based and their implications. If legal education is not to remain limited to mechanical production of legal personnel trained only in the black letter of the law devoid of or with limited critical ability, it must take seriously equipping the taught with the ability to develop critical approach which is not oblivious to the constitutive and foundational aspects of the field of law. With that vision the programme is envisaged as the first of its kind at the all India level that aims at building the capacity of law teachers in the hitherto largely ignored area in jurisprudence curriculum i.e. postmodernism and deconstruction.

The programme brings some of the well known legal luminaries to facilitate learning in the aforementioned theme. The purpose is not only to hone the capacity of teachers to undertake and engage with the theme as part of their jurisprudence course but also to critically engage with the same and identify the potential as well as the limitations of the said approach.

Varied Aspects of the Programme:

- The teachers' training programme on Jurisprudence is a week long programme divided into 3 intensive sessions each day. The sessions are from 1 and half hour to two hour duration. This will provide adequate time for engaging with not only basic but also advanced questions on the themes of discussion. It will also offer adequate time for discussions and deliberations by the participants.
- Each day devotes itself to exploring different aspects pertaining to the theme.
- Introductory readings shall be provided to the participants, setting a background for all the sessions. Additional readings, if any, suggested by the resource persons facilitating the training programme shall be circulated electronically.
- Participants are expected to be thorough with the introductory readings so as to enable them to participate in deliberations during each of the sessions.