

SYLLABUS OF GRADE XI

LEGAL STUDIES

Rationale

The Latin maxim *ignorantia juris neminem excusat*, in plain, which reads as 'ignorance of law is not an excuse'. This is one of the age old principles followed under the Roman Law and even in our own Common Law. If every person of discretion is to know what law is, an effort to teach law outside the remit of a professional law school may have significant social benefits.

Law is a subject which has been traditionally taught in Universities for almost eight centuries. Learning law outside the settings of a professional law school has a number of perceived benefits. Some familiarity with law enhances one's understanding of public affairs and an awareness of one's entitlements and duties as a citizen. It may also be helpful in eliminating some of the mistaken notions about law and some of the inveterate prejudices about law, lawyers and the legal system as such. Another advantage is that an understanding of law can undoubtedly encourage talented students to pursue a career in law – an objective which is laudable in its own right.

The pitfalls of learning law outside the settings of a professional school are rooted in two key assumptions:

- (1) law is too vast and complicated to be taught in a non-professional setting;
- (2) the lack of professional trainers and experienced teachers could lead to incorrect appreciation and understanding of law. If an understanding of law is mis-formed or ill-formed as some academicians think, it may require greater efforts to unlearn whatever was learnt earlier. Both these criticisms have attracted detailed scrutiny, but at least a few countries have introduced law at the High School level.

The experience of countries that have introduced law has been by and large optimistic. The Central Board of Secondary Education is introducing Legal Studies at the Class XI level. The proposal is to introduce one module in Class XI and a second module in Class XII.

Objectives

- To provide a background of the evolution of the Indian legal system in a short and concise form.
- To focus on the applicability of *justice, equity and good conscience* and more importantly the development of Common Law system in India.
- To provide exposure on various systems of law such as Common Law, Civil Law, Hindu Law, Islamic Law etc.
- To develop an understanding of the essential features of the Indian Constitution, including the role and importance of Fundamental Rights, Separation of Powers, Structure and operation of Courts, concept of precedent in judicial functioning, the process of legislation, basic principles of statutory interpretation, etc.
- To deal with principles of practical utility such as the concept of Rule of Law, principles of justice, differences between criminal and civil cases, the concept of

crime and the fundamental theories of punishment, rights available to the accused at various stages of the criminal investigative process, or the key components of Human Rights, etc.

- To understand the fundamental concept and subject matter of property, contract and tort.
- To understand the rudimentary aspects of contract law such as formation of contract, terms and conditions, discharge, etc.
- To enable students to form an understanding of rights and duties and various categories of liability principles which form the bedrock for an understanding of Law.

Competencies expected after this course:

Students will be able to

- i. acquire knowledge of legal theory, laws, legal procedure, drafting, interpretation and application of laws;
- ii. identify legal issues from facts, differentiate between ratio decidendi and obiter dicta;
- iii. ask relevant, detailed, and probing questions to understand the differences among facts, opinions, analyse judgments and recognize and meaningfully respond to legal fallacies;
- iv. apply the law, and draw conclusions by applying analytical reasoning;
- v. apply knowledge and understanding of law, legal theory and procedure to solve legal problems;
- vi. evaluate, seek feedback and modify solutions to legal problems.
- vii. carry out low scale legal research.
- viii. acquire values such as justice, fairness, openness, honesty, integrity, respect for diversity, and respect for the rule of law; and ,
- ix. prepare themselves for pursuing higher education in the field of Law .

CLASS XI

Time: 3 hrs.

Marks: 100

S. No.	Contents	Periods	Marks
1	Theory and Nature of Political Institutions	40	15
2	Nature and Sources of Law	45	15
3	Historical Evolution of the Indian Legal System	45	10
4	Judiciary: Constitutional, Civil and Criminal Courts and Processes	45	20
5	Family Justice System	45	20
6	Project	20	20
Total		240	100

COURSE CONTENTS

S. No .	Unit	Topics
1	Theory and Nature of Political Institutions	i. Concept of State and Nation ii. Organs of Government iii. Separation of Powers iv. Basic features of the Constitution of India
2	Nature and Sources of Law	i. Nature and meaning of law ii. Classification of Law iii. Sources of Law iv. Law Reform
3	Historical Evolution of the Indian Legal System	i. Ancient Indian Law ii. Administration of Justice in British India iii. Making of the Indian Constitution
4	Judiciary: Constitutional, Civil and Criminal Courts and Processes	i. Constitution: Roles and Impartiality ii. Hierarchy of Courts iii. The Civil Court Structure iv. Structure and functioning of Criminal Courts in India v. Other Courts in India
5	Family Justice System	i. Introduction ii. Institutional Framework iii. Marriage and Divorce iv. Children v. Domestic Violence vi. Property, Succession & Inheritance
6	Project on Unit 2	

PROJECT GUIDELINES

INTRODUCTION:

The student is required to do a project on “Understanding the parts of a judicial decision”

OBJECTIVES:

The project work aims to enable students to be able to:

- design a strategy to identify , formulate, deconstruct a legal problem and its remedy
- select relevant legal sources and conduct searches
- analogize, distinguish and synthesize cases
- apply case and statutory law in an analytical framework utilizing the principles of analogies, distinctions, to write an objective legal memorandum
- acquire legal writing skills
- gain basic legal writing skills, including style, usage and attribution
- understand parts of a judicial decision, ie, ratio decidendi and obiter dicta.

METHODOLOGY:

1. The student is required to select any 5 decided cases related to the curriculum
2. The research on the cases must include the following points:
 - a. Name of the case
 - b. Parties to the case
 - c. Nature of the case (Civil, criminal or Constitutional)
 - d. Facts of the case and issues involved
 - e. Decision of the case
3. The focus should be on the decision of the case wherein the ratio decidendi and obiter dicta can be clearly identified and marked.
4. The difference between the two parts must also be highlighted.

RUBRICS FOR ASSESSMENT:

S. No.	Parameters for assessment	Marks
1	Preparation and presentation of file	5 marks
2	Research work	5 marks
3	Application and understanding of legal concept	5 marks
4	Viva	5 marks

LEGAL STUDIES
QUESTION PAPER DESIGN
CLASS – XI

Time: 3 Hrs.

M. M: 80

S. No.	Competencies	Marks	Percentage
1	Remembering and Understanding: Exhibit memory of previously learned material by recalling facts, terms, basic concepts, and answers. Demonstrate understanding of facts and ideas by organizing, comparing, translating, interpreting, giving descriptions, and stating main ideas.	30	37.5%
2	Applying: Solve problems to new situations by applying acquired knowledge, facts, techniques and rules in a different way.	24	30%
3	Analysing, Evaluating and Creating: Examine and break information into parts by identifying motives or causes. Make inferences and find evidence to support generalizations. Present and defend opinions by making judgments about information, validity of ideas, or quality of work based on a set of criteria. Compile information together in a different way by combining elements in a new pattern or proposing alternative solutions.	26	32.5%
	Total	80	100%

1. No chapter wise weightage. Care to be taken to cover all the chapters.
2. Suitable internal variations may be made for generating various templates.

Choice(s):

There will be no overall choice in the question paper. However, 33% internal choices will be given in all the sections.

Internal Assessment:

A Project based internal assessment of twenty marks will be done as indicated above.