BGS -011: UNDERSTANDING GENDER AND LAW

Course Code: BGS-011
Assignment Code: ASST /TMA / 2026-2027
Total Marks: 100

Section A

Answer the following in about 500 words each.

1. Analyze the fundamental debates on the discipline of sociology of law? (20 marks)
2. Discuss the International framework on disability? (20 marks)

Section B

Answer the following questions in about 250 words each.

3. Describe the salient features of Indian constitution. (10 marks)
4. Discuss the debates on sexuality by giving suitable examples. (10marks)
5. Read Unit 9, discuss the historical context of law and queer movement. (10 marks)

Section C

Answer the following questions in about 100 words each.

6. Write a note on Natural Law School. (6 marks)
7. Write a note on Rights of Persons with Disability Act, 2016' (6 marks)
8. Write a note on Critical Legal Studies (CLS). (6 marks)
9. Write a note on gender. (6 marks)
10. Write a note on citizenship (6 marks)

1. Analyze the fundamental debates on the discipline of sociology of law? (20 marks)

Answer

The sociology of law studies law as a social institution rather than treating it only as a collection of rules issued by the state. It asks who makes laws, why people obey or resist them, and how legal institutions interact with class, caste, gender, religion and power. While legal doctrine concentrates on what the law says, sociology examines what the law does in everyday life. Several fundamental debates have shaped this discipline.

Law as an independent system or a social product

A central debate concerns whether law develops according to its own legal principles or is influenced mainly by social conditions. Classical legal positivism separates the validity of a law from its moral value and social consequences. Sociological approaches argue that legislation, judicial decisions and enforcement cannot be understood without examining political authority, economic arrangements and customary practices. For example, a law prohibiting discrimination may exist on paper while social prejudice still restricts access to housing or employment.

Hence legal validity and social effectiveness are different questions.

Consensus, integration and social conflict

Émile Durkheim treated law as an expression of social solidarity. Repressive sanctions, associated with relatively similar communities, affirm shared collective beliefs; restitutive law becomes more important as a complex division of labour creates interdependence. From this viewpoint, law helps maintain cooperation and social order. By contrast, Karl Marx's perspective draws attention to unequal property relations and the influence of dominant economic groups over legal institutions. Conflict theorists therefore ask whose interests are protected by contract, labour, property and criminal law.

These perspectives are not entirely exclusive: law can coordinate society while also reproducing unequal advantages.