

## **BA.LL.B (HONS.) – V-SEMESTER**

### **JURISPRUDENCE**

#### **COURSE CODE:**

**Course Objectives:** The main objective of this course is to acquaint students with the complexities of laws and equip them with the means of solving them using sound jurisprudential principles. The course aims to develop the legal analysis and reasoning among the students.

#### **Course Outcomes:**

1. To understand the meaning of the jurisprudence and legal theory
2. To explain the genesis of the law through various Jurisprudential schools of law
3. To analyse various jurisprudential concepts, their interrelation and application of laws
4. To analyse the application of the jurisprudential rules to the modern contemporary society
5. To analyse the emergence of modern trends in jurisprudence

**UNIT-I:** Introduction to Jurisprudence-Definition or meaning of Jurisprudence, Meaning of Legal Theory, Scope of Jurisprudence, Purpose of Jurisprudence in Contemporary world

**UNIT-II:** Schools of Law- Natural Law School, Analytical school, Historical school, Sociological school, Realist school

**UNIT-III:** Definition of Law; Sources of Law; Custom- Theories regarding Transformation of Custom into Law, Kinds of custom, Requisites of a Valid Custom; Precedent- Nature of Precedent, Kinds of Precedents, Judge made law; Legislation- Supreme and Subordinate Legislation, Legislation and Precedents, Legislation and Custom, Advantages of Legislation over Precedent, Advantages of Precedent over Legislation; Codification- Kinds of Codification

**UNIT-IV:** Concepts of Law- Immunity and Liability, Rights and Duties- Classification of Rights according to their Objects; Possession and Ownership-Kinds; Legal Personality- idols, unborn person, animals, etc; Theories of Corporate Personality, Realist, Fiction, Bracket etc. Judicial Decisions, Criminal Liability of Corporations

**UNIT-V:** Contemporary trends in Jurisprudence-Feminist jurisprudence; Privacy; Free speech; Law and morality; medical jurisprudence; environmental jurisprudence

#### **Text Books:**

1. Friedman W. -Legal Theory. (Fifth Edition), Universal Law Publishing Co-Pvt. Ltd.
2. P.J. Fitzgerald, Salmond on Jurisprudence (12th Edition) Universal Law Publishers
3. V.D. Mahajan, Jurisprudence and Legal Theory. Lucknow: Eastern Book Co., 2021 (reprint)