

B.A.LL.B FIVE YEARS INTEGRATED COURSE

VI - SEMESTER :

Paper 1.1 601 Jurisprudence

Jurisprudence - Definition, Nature and Scope.

(i) Importance of Jurisprudence, (ii) School of Jurisprudence : Analytical, Historical and Sociological including American Realism and Natural Law School.

Nature of Law : Definition - Austin, Salmond, Holland, Gray, Hart.

Sources of Law : (A) Meaning, Custom, Kinds, Essentials of legal custom; Importance of custom; (B) Precedents, kinds, ratio decidendi obiter dicta; Declaratory theory of precedent; judge - made law theory, (C) Legislation; kinds, comparison between legislation and other sources of law.

Concepts of Law : Rights and Duties : Nature of Rights and Duties ; Correlation of Rights and Duties ; Kinds of Rights and Duties ; Property ; Definition and Kinds ; Negligence ; Criminal liability.

Ownership and Possession : (A) Meaning of Ownership : Kinds, Definition of Ownership by Austin and Salmond, (B) Relation between Ownership and Possession. Importance of Possession : Elements of corporeal possession and problems ; Theories of possession ; Salmond and Savigny.

Person : Nature of personality ; kinds, corporate personality and its kinds, theories of corporate personality ; problems legal persons and punishment.

SUGGESTED READINGS :

1. Salmond : Jurisprudence
2. Dias & Hughes : Jurisprudence
3. Dhyanis S.N. : Fundamentals of Jurisprudence
4. Mahajan, V.D. : Jurisprudence and Legal Theory
5. Iyengar, S. : Jurisprudence
6. Vinogradoff, P. : Jurisprudence
7. Agarwala & Raizada : Some Thoughts on Modern Jurisprudence.

8. R.D. Yadav : Glimpses of Jurisprudence

