



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR
FACULTY OF LAW

FIFTH SEMESTER BACHELOR OF ARTS AND LAWS INTEGRATED

(Effective from Session 2016-17)

PAPER – III (PAPER CODE – **BAL503**) : (PAPER NAME – **JURISPRUDENCE**)

V – SEMESTER

- UNIT- I** Jurisprudence Definition, Nature and Scope.
(i) Importance of Jurisprudence,
(ii) School of Jurisprudence : Analytical, Historical and Sociological including American Realism and Natural Law School and Kelson's pure theory of Law.
- UNIT-II** Nature of Law : Definition - Austin, Salmond, Holland, Gray, Hart,
UNIT-III Law & Morality:
UNIT-IV Sources of Law : Meaning, Kinds
(A) Custom: Definitions, Kinds Essentials of legal custom; Importance of custom; .
(B) Judicial Precedents : Definition, Kinds, ratio decidendi obiter dicta;
Declaratory theory of precedent; judge - made law theory,
(C) Legislation: Definition, Kinds, comparison between legislation and other sources of law.
- UNIT-V** Concept of Law : (1) Person: Nature of personality: kinds, corporate personality and its kinds, theories of corporate personality; legal persons and punishment.
(2) Rights and Duties: Nature of Rights and Duties; correlation of Rights and Duties; Kinds of Rights and duties.
- UNIT-VI** Property; Definition and Kinds.
UNIT-VII 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.
- UNIT-VIII** Negligence and Criminal liability.

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. Agarwal & Raizada : Some Thoughts on Modern Jurisprudence.
6. R.D. Yadav : Glimpses of Jurisprudence