

B.A.LL.B (Hons.) 5 YEARS INTEGRATED COURSE

SEMESTER-II

Course Code	BAL202
Course Title	Jurisprudence
Type of Course	Core
L T P	5 1 0
Credits	6
Course Prerequisites	12 th
Course Objectives (CO)	Jurisprudence a philosophical study behind the laws is a dynamic subject. The subject is introduced to provide the depth knowledge regarding the development of laws and philosophy behind the laws. It will help the students to understand the origin, nature and philosophy behind the changing law in the society.

UNIT-I

Meaning of Jurisprudence, nature, need and scope

Notion of Law, Kinds of Law, Law and Morality

State and Sovereignty

Schools of Thought:

Command theory of Law by John Austin

Law as a manifestation of the spirit of the people by Savigny

Natural Law School: origin and development through times

Law as a means of Social Engineering by Roscoe Pound

UNIT-II

Rights and Duties – meaning and definition of right

Theories of right

Elements of legal right

Classification of rights

Meaning and definition of duty

Classification of duty

Co-relation between rights and duties

UNIT-III

Legal Personality

Personality- meaning, definition and nature of legal personality

Status of unborn person

Dead man and animals: status and capacity

Legal person: Corporate personality; theories of corporate personality

UNIT-IV

Possession

Meaning and definition

De facto possession and de jure possession

Analysis of possession, its kinds, rights of the possessor, acquisition of possession

Ownership

Meaning and definition

Rights of owner

Classification of ownership

Modes of acquisition of ownership

Suggested Readings:

- Dias R.W.N, Jurisprudence, Eastern Book Company, Lucknow, 1994

- Hijam N.K. Singh, Jurisprudence Explained, Hind Publishing House Delhi, 1999
- Mani and Tripathi, Jurisprudence, Allahabad Law Agency, Allahabad, 2008
- Fitzgerald P.J., Salmond on Jurisprudence, Universal Law Publisher, Delhi, 2004
- Friedman, Legal Theory, Columbia University Press, Columbia 1967
- S.N. Dhyani , Jurisprudence, Central Law Agency, Allahabad 1997
- G.W. Paton, A Text Book of Jurisprudence, Oxford University Press, Oxford, 2004