



BHAGWAN MAHAVIR UNIVERSITY

**Effective From
(2023-2024)**

Bhagwan Mahavir College of Legal Education

BBA LL.B course (5 year)

Semester: VII

Subject Code	Subject Title	Teaching Scheme					
		(Hours/Week)		Credits	Examination Marks		Total Marks
		Theory	Tutorial		Internal	External	
1BL342T	Jurisprudence	4	0	4	50	50	100

Duration of exam: 2:30 hours

COURSE OBJECTIVES:

<ul style="list-style-type: none"> The main objective of this course is to acquaint students with the complexities of laws and equip them with the means of solving those using sound jurisprudential principles.
<ul style="list-style-type: none"> The aim is to develop the legal analysis and reasoning among the students.
<ul style="list-style-type: none"> To equip the students to ask deeper questions about law, its normativity and legal theory while delving deep into issues and challenges facing us today.
<ul style="list-style-type: none"> The objective of the course is to create an understanding of basic legal concepts like state, sovereignty, rights, possession, ownership, liability, which are basic to the study of law.
<ul style="list-style-type: none"> Any academic discipline, worthy of the name, must develop in the student the capacity for critical thought.
<ul style="list-style-type: none"> Legal education needs to teach both law and its context-social, political and theoretical.

Chairman - BOS

Dean- Academics

Registrar

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COURSE OUTCOMES:

Sr.No.	CO statement	Marks % weightage
1	To understand the meaning of the jurisprudence and legal theory.	20
2	To explain the genesis of the law through various Jurisprudential schools of law.	20
3	To analyse various jurisprudential concepts, their interrelation and application of laws.	20
4	To analyse the application of the jurisprudential rules to the modern contemporary society.	20
5	To analyse the emergence of modern trends in jurisprudence.	20

DETAIL CONTENT

Sr. No.	Topic	Total Hrs.
UNIT-1	1. INTRODUCTION AND SOURCES OF LAW 1.1 Meaning of the term ‘jurisprudence’, Importance. 1.2 Nature and definition of law, Relation between: Law and Morality, Law and Justice. 1.3 Sources of law: Legislation, custom, Precedents: concept of stare decisis, Juristic writings.	15

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UNIT-2	2. SCHOOLS OF JURISPRUDENCE 2.1 Analytical positivism: Bentham and Austin’s view Criticism of Austin’s theory of positivism. 2.2 Natural law School, Historical school, Sociological School. 2.3 Kelson’s Pure Theory of Law, H.L.A. Hart’s Theory.	15
UNIT-3	3. LEGAL RIGHTS, DUTIES, PERSONS, TITLES, LIABILITIES ETC. 3.1 Rights, Duties and Wrongs: Definitions and relationship, Rights: kinds, Legal Rights as defined by Hohfeld, Right-Duty Correlations. 3.2 Nature of personality, types of persons: Natural and artificial persons. 3.3 Corporate personality: Corporation sole and aggregate, Rights & liabilities. 3.4 Status of the unborn, minor, lunatic, drunken and dead persons. 3.5 Titles: kinds. 3.6 Liabilities: conditions for imposing liabilities, Mens rea, Intention, negligence, Vicarious liability, Strict Liability. 3.7 Theories of punishment.	15
UNIT-4	4. OWNERSHIP, POSSESSION AND PROPERTY 4.1 Possession: Definition, concept and importance. 4.2 Kinds of possession, Essentials of possession: Corpus Possessiones and Animus Possidendi. 4.3 Ownership: Definition, concept, kinds of ownership. 4.4 Distinction between ownership and possession, Kinds of property.	15

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	<p>REFERENCE BOOKS:</p> <ul style="list-style-type: none"> • Bodenheimer Jurisprudence - The Philosophy and Method of Law (1996), Universal. Delhi. • Fitzgerald, (ed) Salmond on Jurisprudence, Tripathi, Bombay. • W. Friedmann, Legal Theory, Universal, Delhi. • V. D. Mahajan, Jurisprudence and Legal Theory, Eastern, Lucknow M.D.A. Freeman (ed). • Lloyd's Introduction to Jurisprudence, Sweet & Maxwell • Paton G. W., Jurisprudence Oxford, ELBS • H.L.A. Hart the concept of law, Oxford, ELBS • Roscoe pond introduction to the philosophy of Law, Universal Delhi • Dias, Jurisprudence, Adithya Books New Delhi. • Dhyani S.N. Jurisprudence A Study of Indian Legal Theory, Metropolitan, New Delhi. 	
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