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| COURSE TITLE | JURISPRUDENCE |
| COURSE CODE | 10FL2304 |
| COURSE CREDITS | 4 |

Objective:

- 1 To encourage the development of skills in legal reasoning and analysis among the students
- 2 To introduce students to basic theoretical perspectives on the creation and application of law.
- 3 To provide students with knowledge and appreciation of the major theories of law, justice and rights.
- 4 To provide students with awareness of principles underpinning legal doctrine, and of the ways in which those principles can conflict.
- 5 To engage students in reflection upon the question of what makes for a valid system of binding laws, and upon the distinction between a just and an unjust legal system.

Course Outcomes: After completion of this course, student will be able to:

- 1 Interpret and assess competing philosophical and ethical perspectives on law, and to use those perspectives to formulate arguments about law, politics and ethics
- 2 Identify and analyze critically key jurisprudential issues
- 3 Engage in and cultivate reasoned legal and moral arguments, by way of both oral and written presentation
- 4 Produce (by a specified deadline) a concise and appropriately structured report addressing a key jurisprudential issue
- 5 Carry out literature reviews, formulate theses and summarize legal and ethical perspectives
- 6 Think logically, to assess competing principles impartially and to identify and solve legal and ethical problems

Pre-requisite of course:N/A

Teaching and Examination Scheme

| Theory Hours | Tutorial Hours | Practical Hours | ESE | IA | CSE | Viva | Term Work |
|---------------------|-----------------------|------------------------|------------|-----------|------------|-------------|------------------|
| 3 | 1 | 0 | 50 | 30 | 20 | 0 | 0 |

| Contents : Unit | Topics | Contact Hours |
|------------------------|---|----------------------|
| 1 | Jurisprudence: Nature and Scope Nature, meaning & Scope of Jurisprudence, Difference between legal theory & jurisprudence, Relation of justice to law and ethics. | 4 |
| 2 | Sources of Law Legislation, Precedents: concept of stare decisis , Customs, Juristic Writings | 2 |

| Contents : Unit | Topics | Contact Hours |
|------------------------|---|----------------------|
| 3 | Theories/Schools of Law Natural Law Theory: Aristotle, Thomas Aquinas, Lon L. Fuller, Historical School: Charles Montesquieu, Karl V. Savigny, Sir Henry Maine, Positive Law Theory: John Austin, Jeremy Bentham, H.L. A Hart, Sociological School: Rudolf V. Ihering, Eugene Ehrlich, Roscoe Pound, Realistic School: John Chipman Gray, Oliver Wendell Holmes, Jr., Jerome N. Frank | 6 |
| 4 | Purpose of Law Justice, Meaning and kinds, Justice and law: approaches of different schools, Power of the Supreme Court of India to do complete justice in a case: Article 142, Critical studies, Feminist jurisprudence | 5 |
| 5 | Legal Concepts Rights : Wrongs, Duties, Rights Theories of Rights, The Characteristics of legal rights, Legal rights in a wider sense, The Kinds of legal rights, Right – Duty correlation | 4 |
| 6 | Possession The idea of possession,, Possession in fact and Possessions in law, Acquisition and loss of possessions, Possessory remedies | 4 |
| 7 | Ownership The idea of ownership, The subject matter of ownership, Kinds of ownership, Difference between Possession and ownership | 3 |
| 8 | Title Title | 2 |
| 9 | Property: The concept, Kinds of property Property: The concept, Kinds of property | 2 |
| 10 | Persons The nature of personality, Natural and Artificial Person, The legal status of animals and protection of animal, The legal status of dead men, The status of unborn person, minor, lunatic, drunken, physically challenged, Double capacity and personality, Double capacity and personality, Legal persons, Corporate personality | 8 |
| 11 | Liability The nature and kinds of liability, Remedial liability, Personal liability, Damnum sine injuria, Causation, Mens rea - Intention, Malice, Negligence, Strict liability and absolute liability, Vicarious liability, Accident, Mistake of law and facts | 5 |
| Total Hours | | 45 |

Suggested List of Experiments:

| Contents : Unit | Topics | Contact Hours |
|------------------------|---|----------------------|
| 1 | Issues related to Jurispudence Issues related to Jurispudence | 15 |
| Total Hours | | 15 |

Textbook :

- 1 Lectures in Jurisprudence, Jayakumar, N.K., Lexis Nexis Butterworths, New Delhi., 2006

References:

- 1 Lloyd's Introduction to Jurisprudence, Lloyd's Introduction to Jurisprudence, M.D.A Freeman, Sweet & Maxwell, 1994

Suggested Theory Distribution:

The suggested theory distribution as per Bloom's taxonomy is as follows. This distribution serves as guidelines for teachers and students to achieve effective teaching-learning process

| Distribution of Theory for course delivery | | | | | |
|--|------------|-------|---------|----------|----------------------------------|
| Remember / Knowledge | Understand | Apply | Analyze | Evaluate | Higher order Thinking / Creative |
| 10.00 | 10.00 | 30.00 | 10.00 | 20.00 | 20.00 |