

English Jurisprudence BA Part II

Objective

This course introduces students to theories of classical and contemporary jurisprudence and the issues debated within them. Jurisprudence provides a discipline of thought and is extremely helpful in improving the logical analysis of the legal concepts. The focus of course will be on the nature, origin and development of law and legal concepts. In this component the focus will be on legal theories such as Natural Law theory, Positive theory, the nature of legal reasoning, legal realism, sources of law and Precedents. This is a vital course designed to cultivate in students the ability to reason persuasively and encourage students to develop a clear picture of the overall conceptual framework within which legal thoughts operate. In this module certain main institutions of law will be considered such as property, ownership and possession; contract, legal personality, negligence and risk; responsibility and punishment, evidence and procedure.

Course Contents

- 1. Definition, Nature and Scope of Jurisprudence**
- 2. The Nature of Law**
- 3. Classification and Kinds of Law**
- 4. Administration of Justice/Purpose of Criminal Justice**
- 5. Question of Law, Facts, Presumption, Discretion**
- 6. Sources of Law**
 - Legislation
 - Precedent
 - Custom
 - Etc.
- 7. State**
- 8. Sovereignty**
- 9. Legal Rights**
- 10. Ownership**
- 11. Possession**
- 12. Person**
- 13. Titles**

14. Liability

15. Law of Property

16. Law of Obligations

17. Law of Procedure

TEXT BOOKS

1. Finnis, John. *Natural Law and Natural Rights*. 2nd edn. Oxford: OUP, 2011.
 2. Glanville, Williams L. *Jurisprudence by John Salmond*, 10th edn. London: Sweet and Maxwell, 1947.
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Reference Books

1. Austin, John. *The Province of Jurisprudence Determined and the Uses of the Study of Jurisprudence with an Introduction by H. L. A. Hart*. Indianapolis: Hackett, 1998.
2. Friedmann, W. *Legal Theory*, 8th edn. London: Stevenson, 2008 (rpt.).
3. Harris, J. W. *Legal Philosophies*, 2nd edn. London: Lexis Nexis, 2005.
4. Hayman, Robert L and Levit, Nancy et al. (ed.) *Jurisprudence: Classical and Contemporary: From Natural Law to Postmodernism*. St. Paul: West, 2002.
5. Holland, Sir Thomas E. *The Elements of Jurisprudence*, 13th edn. New Delhi: Universal, 2010 (rpt.).
6. Leimer, Edger B. *Jurisprudence: The Philosophy of Method and Law* 6th edn. California: Harvard University Press, 2009.
7. Nyazee, Imran Ahsan. *Jurisprudence*. Islamabad: Advanced Studies Legal Institute, 2007.
8. Posner, Richard A. *Frontiers of Legal Theory*. Delhi: Universal, 2010 (2nd I rpt.).
9. Rawls, John. *A Theory of Justice*, 3rd edn. Delhi: Universal, 2008 (rpt.).
10. Raz, Joseph. *The Concept of a Legal System: An Introduction to the Theory of Legal System*, 2nd edn. Oxford: Clarendon, 1980.
11. Wacks, Raymond. *Jurisprudence*, 5th edn. Oxford: OUP, 1999.