



KLE SOCIETY'S KLE COLLEGE OF LAW, NAVI MUMBAI

COURSE PLAN

AY 2022 – 2023

SECTION-I

CLASS: S. Y. LLB

SEMESTER: IV

COURSE NAME: JURISPRUDENCE / LEGAL THEORY

HOURS PER WEEK: 6

FACULTY NAME: Ms. Niharika Gayakwad

CONTACT DETAILS: Niharika@klecollegeoflawmumbai.edu.in

CREDITS: 6

COURSE OBJECTIVES:

This course in Jurisprudence is designed primarily, to induct students into a realm of questions concerning nature of law. Accordingly, the first part of the course sheds vivid light on various schools of law explaining, what is law, what are the purposes of law? What is the relationship between law and justice? This course aims to educate students on various legal concepts, such as, Rights, Persons, Property, Possession, Ownership, Title and Obligation and attempts to shape up a general and more comprehensive picture of each concept as a whole. This course is proposed predominantly on English model but native Indian orientation is given wherever possible with help of case laws. The course aims at developing an analytical approach to understand the nature of law and development of legal system. The concerns of jurisprudence are an inescapable feature of the law and legal system. Overall, the course aims to identify and elucidate several major principles of legal theory.

COURSE OUTCOMES:

1. Identification of Formal and Material Sources of Law, their function and purpose, under the current legal trends.
2. Describe the jurisprudential aspect of legal concepts, legal statutes, legal interpretations.
3. Application of different Legal Concepts: Legal Personality, Property, Obligations and its relevance in the legal system further identify the problems in the following field.
4. Apply the various theoretical jurisprudential concepts and identify the problem, suggest the modifications.
5. Analysis of Hofliedian analysis on rights as per the current trends in the Indian Legal System. Analysis of Rights as legal concepts, related elements and its kind.
6. Analyze the concepts of Custody, Possession, Ownership, Title and the distinction between and among them.
7. Compare various theories of law along with its merit demerit under the current legal system.

SECTION II

Unit Number and Title	Unit Details	Week	Hours per week	Teaching learning (methods used) / activities and or class trips / dates for assessment	Resource / Reference details
Unit: 1 Introduction To Jurisprudence	Introduction Meaning	1	1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Nature Scope Importance of Jurisprudence		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Law: Nature and Definition of law		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni

					Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Function and Purpose of Law		2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Classification of Law		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	State: Introduction, Meaning and Nature of State	2	1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence

					<p>– Dr. Myneni</p> <p>Philosophy and Method of Law – Universal Publication</p> <p>Introduction to Philosophy of Law</p>
	<p>Elements of State Population Territory Government Sovereignty</p>		1	<p>Presentation Lecture Interactive Learning</p>	<p>Jurisprudence and Legal Theory by V. D. Mahajan</p> <p>Jurisprudence – Dr. Myneni</p> <p>Philosophy and Method of Law – Universal Publication</p> <p>Introduction to Philosophy of Law</p>
	<p>The Divine Theory Social Contract</p>		1	<p>Presentation Lecture Interactive Learning</p>	<p>Jurisprudence and Legal Theory by V. D. Mahajan</p> <p>Jurisprudence – Dr. Myneni</p> <p>Philosophy and Method of Law – Universal Publication</p> <p>Introduction to Philosophy of Law</p>
	<p>Patriarchal Theory Matriarchal Theory</p>		1	<p>Presentation Lecture Interactive Learning</p>	<p>Jurisprudence and Legal Theory by V. D. Mahajan</p>

					<p>Jurisprudence – Dr. Myneni</p> <p>Philosophy and Method of Law – Universal Publication</p> <p>Introduction to Philosophy of Law</p>
<p>Unit: 2</p> <p>Sources of Law</p> <p>Precedent</p> <p>Legislation</p>	<p>Formal and material sources of law</p> <p>Custom</p>	2	1	<p>Presentation</p> <p>Lecture</p> <p>Interactive Learning</p>	<p>Jurisprudence and Legal Theory by V. D. Mahajan</p> <p>Jurisprudence – Dr. Myneni</p> <p>Philosophy and Method of Law – Universal Publication</p> <p>Introduction to Philosophy of Law</p>
	<p>Meaning and Nature of Custom as a source of law</p> <p>Kinds of Customs</p>		1	<p>Presentation</p> <p>Lecture</p> <p>Interactive Learning</p>	<p>Jurisprudence and Legal Theory by V. D. Mahajan</p> <p>Jurisprudence – Dr. Myneni</p> <p>Philosophy and Method of Law – Universal Publication</p> <p>Introduction to Philosophy of Law</p>
	<p>Trade Usage/ Convention</p> <p>Essential</p>	3	2	<p>Presentation</p> <p>Lecture</p> <p>Interactive Learning</p>	<p>Jurisprudence and Legal Theory by V. D. Mahajan</p>

	conditions of validity of Custom				Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Meaning and nature of Precedent as a source of law Doctrine of Stare Decisis, Doctrine of Prospective Overruling and Declaratory theory of Precedents		2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Ratio-Decidendi and Obiter Dicta Circumstances which destroy the binding force of precedent		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Merits and Demerits of Precedent		1	Presentation Lecture Interactive	Jurisprudence and Legal Theory by V.

				Learning	D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Meaning, Nature and Scope of Legislation as a source of law	4	1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Kinds of Legislation Merits and Demerits of Legislation as a source of law		2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Codification of Law		1	Presentation Lecture	Jurisprudence and Legal

	Statutory Interpretation			Interactive Learning	Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Convention as a source of law.		2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
Unit: 3 Schools of Jurisprudence	Basic Tenets of Natural Law History of Natural Law School- The Greek period, The Roman period, Christian period, Medieval period and Modern period.	5	2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Bentham's		1	Presentation	Jurisprudence

	Utilitarian theory			Lecture Interactive Learning	and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Austin’s Imperative/ Analytical theory		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Prof. HLA Hart’s Concept of Law		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law

	Hans Kelson's Pure Theory of Law		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	The Concept of Dharma	6	1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Historical School of Law Savigny Puchta		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy

					of Law
	Henry Maine		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Basic tenets		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Sociological School of Law Roscoe Pound's Social Engineering		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction

					to Philosophy of Law
	Basic Tenets		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	American Realist School	7	1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	The Scandinavian Realist School Basic Tenets of Realist School		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication

					Introduction to Philosophy of Law
	Feminist Legal Theory		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
Unit: 4 Rights and Duties Persons Property Possession Ownership The Law of Obligation	Meaning of Rights Characteristics Rights and Duties Correlation		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Hofeldian Table Classification of Rights		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication

					Introduction to Philosophy of Law
	Nature of Personality Legal Status of Animal, Minor		2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Person of Sound Mind, Drunk, Unborn Dead	8	2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Corporate Personality		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal

					Publication Introduction to Philosophy of Law
	Theories of Property		1	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Kinds of Property Mode of Acquisition		2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Possession in fact and possession in law Corporeal and Incorporeal Possession	9	2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law –

					Universal Publication Introduction to Philosophy of Law
	Modes of Acquisition Possessory Remedies		2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Ownership – Definition Characteristics of Ownership Possession and Ownership		2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Austin’s conception of Ownership Different kinds of Ownership	10	2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method

					of Law – Universal Publication Introduction to Philosophy of Law
	The Conception of Obligation Imperfect and Perfect Obligations		2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law
	Simple and Solidary Obligations Sources of Obligations		2	Presentation Lecture Interactive Learning	Jurisprudence and Legal Theory by V. D. Mahajan Jurisprudence – Dr. Myneni Philosophy and Method of Law – Universal Publication Introduction to Philosophy of Law

SECTION-III

Course Outcome (CO) and Programme Outcome (PO) & Programme Specific Outcome (PSO1) Mapping

Course Outcome	Programme Outcome					
	PO1	PO2	PO3	PO4	PO5	PO6
CO1	✓					
CO2		✓			✓	
CO3			✓	✓		✓
CO4		✓		✓		
CO5	✓		✓			
CO6	✓	✓	✓			
CO7	✓			✓	✓	✓

SECTION-IV

Course Outcome and Internal Assessment Mapping

Learning outcomes of the course	Components of Assessment		
	Internal Assessment 1 (Class Test)	Internal Assessment 2 (Research Project)	End Semester Exam
CO1: Remember and Understand	✓		✓
CO2: Apply			✓
CO3: Analyze	✓	✓	
CO4: Evaluate	✓	✓	
CO5: Create		✓	