

		SGT UNIVERSITY, GURGAON FACULTY OF LAW	
PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LL.B. (Hons.)	I	Jurisprudence – I (Legal Method, Indian Legal System & Basic Theory of Law)	08040101

Jurisprudence – I (Legal Method, Indian Legal System & Basic Theory of Law)

Course Objective:

Law must develop in the student the capacity for critical thought. Without deep understanding of the various concepts of law and legal terms and their evolution, neither legal practice nor legal education can be a purposeful activity. This course in Jurisprudence will induct students into a realm of questions concerning nature of law like, what is law?, What are the purposes of law? The relationship between law and justice, etc. This course will introduce the students to the academic topics like methods of dispute resolution, Indian legal system, legal research, etc.

Module – I Law – Meaning, Nature & Functions

- 1.1 Definition of Law
- 1.2 Functions & Classification of Law
- 1.3 Law, Justice & Morality
- 1.4 Classification of Law
 - Public & Private Law
 - Substantive & Procedural Law
 - Municipal & International Law
 - Civil & Criminal Law
- 1.5 Approaches to Study of Law
 - Historical
 - Analytical
 - Sociological
 - Natural Law

Module – II Sources of Law

Custom, Legislation, Judicial Precedent, Religion, Culture

Module – III Methods of Law

- 3.1 Methods to Study of Law
 - Case Method
 - Statute

- 3.2 Method of Dispute Resolution
- Adversarial
 - Inquisitional
 - Alternate Dispute Resolution Mechanism

Module – IV Indian Legal System

- 4.1 Structure of Indian Legal System:
Rule of Law, Institutions of Law, Legislature,
Executive, Judiciary
- 4.2 Hierarchy of Indian Courts
- 4.3 Legal Remedies
Punishment, compensation, Specific
Relief, Injunction, Writ
- 4.4 Challenges facing the Indian Legal System

Module – V Legal Material & Legal Research

- 5.1 Legal resources
- Primary
 - Secondary
- 5.2 Legal Research
- Doctrinal
 - Non-Doctrinal (Empirical)
 - Methods of Data Collection
 - Sampling
 - Data Analysis
- 5.3 Report writing

Course Outcome: After successful completion of the course the students will be able to:

1. Work efficiently and with critical engagement with jurisprudential concepts, having due regard to the practical implementation of the principles in actual life;
2. Understand the jurisprudential dimensions of the various aspects of the legal system, like law, justice, dispute resolution, etc;
3. Demonstrate a thorough and contextual knowledge of the Indian Legal System;
4. Understand legal research and legal methods.

Suggested Reading:

1. Edgar Bodenhemier, *Jurisprudence*, Universal book traders, 1997.
2. G.W. Paton, *A text Book of Jurisprudence*, Clarendon Press, 1984
3. Glanville Williams, *Learning of the Law*, (5th Indian reprint) Sweet & Maxwell 1997.
4. John H. Farrar and A.M. Dugdale, *Introduction to Legal Method*, Sweet & Maxwell 1996.

5. Joseph Minattur (ed.) *Indian Legal System*, Indian Law Institute, 2006.
6. Mare Galanter, *Law and society in Modern India*, Oxford University Press, 1997
7. N.R.Madhva Menon (ed.) *Rule of Law in a Free society*, Oxford University Press, New Delhi, 2008
8. Sangita Ahuja, *People's Law and Justice*, Orient Longman, 1997.
9. UpendraBaxi, *Crisis of the Indian Legal System*, Vikas publishing house, 1983
10. W. Friedmann, *Legal Theory*, Columbia University Press. 1967.