

Course Description:

Law is considered not merely as a trade to be learnt, but as an intellectual pursuit which is to be understood, questioned, criticized and applied in a pragmatic manner. Therefore, there is a need to think about the nature and function of law, the legal system and the legal profession. In this context, the study of jurisprudence is of utmost importance for a good lawyer because it helps to develop an understanding of law, improves the questioning ability and the capacity to think independently. The term jurisprudence is derived from the Latin phrase *Jurisprudentia* which means the study of law or the knowledge or science of law. It deals with the basic question, "What is Law?" which is not only interesting but is also a challenging question to the scholars and academicians alike and is in fact the central question of the whole discipline of law. This part of Jurisprudence-I attempts to explain the core question of "What is Law?" with the help of exploring the main purpose of law which is "Justice". The objective of the first part of the course in this semester is to introduce important ideas of selected jurists to help the students to think critically and creatively about Law and Justice and the role of Law and Justice within the contemporary society. This part of the course also introduces one of the main schools of law which is Natural Law by dealing with the relationship of Law and Morality

Learning Outcomes:

- Understanding of the basic term of Justice
- Critically evaluate predominant jurisprudential schools of thought.
- Understanding the basic questions revolving around Law
- Understanding different legal theories
- Develop complex arguments on abstract topics.
- Display an understanding of the practical implications of theoretical analyses of the law.
- Assess the relative strengths and weaknesses of competing theories of law's nature and operation.

Contents:

- a. Introduction to Jurisprudence
- b. What is Justice?

- (1) Plato
 - (2) Aristotle
 - (3) Utilitarianism
 - (4) Immanuel Kant
 - (5) Libertarianism
 - (6) Rawls and Nozick (distributive Justice)
- c. What is Law?
 - d. The Relationship of Law and Morality
 - e. Natural Law
 - f. Legal Positivism

References:

- a. M. Sandel; Justice: What is the Right thing to do?
- b. Law's Empire by R. Dworkin
- c. H.L.A. Hart, The Concept of Law
- d. Natural Law: An Introduction to Legal Philosophy by AP Entreves
- e. The Morality of Law by Fuller in The Nature and Process of Law by P Smith
- f. An Introduction to Law by Raymond Wacks
- g. Philosophy of Law by A.M.armor