

SPECIAL LECTURE ON JURISPRUDENCE

On 19th October 2019 a special lecture on “Theories of Jurisprudence” was organized for IInd Year LL.B Students at 10.30 AM. In this lecture resource person explained about various theories of jurisprudence. He pointed that, theories of jurisprudence as "legal positivism", which holds that there is no necessary connection between law and morality and that the force of law comes from basic social facts. In the “legal realism” theory which argues that the real-world practice of law determine what law is, the law having the force in the different legal theories developed throughout societies. Though there are a number of theories, only four of them are dealt with here under. They are Natural, Positive, Marxist, and Realist Law theories. He interacts with the student that regarding other theories in detail in course on jurisprudence. He mainly pointed that two different things in “natural law” theories i.e.: i) a natural law theory of morality, or what's right and wrong, and ii) a natural law theory of positive law, or what's legal and illegal. He discussed comparative analysis of the two theories which are independent of each other and perfectly consistent to accept one but reject the other.



He opined that, theory has its basis in the common law legal system in which the decision previously given by a court is considered as a precedent to be used as a law to decide future similar case. This is not applicable in civil law legal system, which is the other major legal system of the world, and as a result this theory has been criticized by scholars and countries following this legal system for the only laws of their legal system are legislation but not precedents.

