

2020 → Q1

<sup>Explain</sup> the concept of law with help of definitions given by various legal thinkers

Ans

## 1. Introductory Lines

Law is a body

of principles promulgated by government.

Many jurists defined law according to their perspectives.

Some scholars defined it by its nature

some defined it according to its purpose.

2-

Meaning of law  
a. Literal → Derived

Salmond

Jurisprudence is the science of law.

Uplains

Jurisprudence is the knowledge of things what is good or bad, the science of just and unjust.

Austin

The Science of Positive Law

Holland

The Science of Formal Positive Law.

## 5- Definition of Sources of Law

a- According to Austin Holland

The expression source of law is sometimes employed to denote the source whence obtain our knowledge of law.

from the state.

## 6- Kinds of Sources of Law

Following are the classification of Austin.

source

used



## Law as a Command

Law is a command of Sovereign.  
There are some law which have common and some are not. Austin distinguish law from morality. Law is general rules. Unlike to the rules of Parada ground and then by its troops to follow.

## 2 Law is a laid down by Political Sovereign

Law is laid down by some Sovereign or Political authority which

### 3. Some Other Sources

a- **Equity** → The term equity drawn from Latin word "Aequitas" which means "to equalize" To remove defects from common law.

### 4. Social Values

Law derives much of its force and validity from the social values.

<sup>Secures</sup>  
Sovereign. Firstly the accers did not follow and had to much limited compliance and the latter they enjoy the sovereign ruling.

## Indivisible

The authority of the sovereign is indivisible. ~~no~~ one can interpret in its order and legal ruling.

## Obedience

The sovereign ruling is applied and continuous.



# Explain Various Sources of Law

## Introductory Lines

The term 'Sources of Law' has been used by different writers and different views have been expressed from time to time.

## 2. Meaning of Law

body of Civil law has sprung from the will and the power of state.

## b- Material

a) - definition → The sources which are not formal

## ii- legal sources

The sources recognised

by law itself

iii- kinds of

legal sources

a- legislation

c- Customs

b- precedents



(i) Eye of law

It is the eye of law

(ii) Grammar of law

It is the grammar of law.

(iii) Helps lawyers in legal ruling

It seeks the lawyers the fundamental principles which helps lawyers in their parallel work and helps society to makes relation between men to men.

(iv) Educational importance

Jurisprudence helps the lawyer to learn the basic theories of law

i) **Philosophy of law** → Jurisprudence

Jurisprudence is certain type  
of investigation.

**Jurisprudence is as big as law  
and bigger**