

RMM LAW COLLEGE SAHARSA

JURISPRUDENCE

Part I

Paper -1

Topic-

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Schools of thought in Jurisprudence

Philosophical School

The Philosophical School focuses much more in the theory of natural law. This school seeks to find out the reason why a law is enacted and what are the effects of such a law in our society. They believe the purpose of the law is to enhance the nobility of humanity. The philosophical school is not concerned with the analytical and the historical aspect of law.

Analytical School

Analytical School is much more focused on the theory of imperative law. analytical school is related to the origin of civil law. Analytical school talks about the concept of rights and duties and investigates legal models such as acts and contracts.

Analytical school of law believes that law should be codified and the law must be governed by the state with the aim of the benefit of people.

Historical School

The historical school believes that law is a consequence of years of growth of our society. The historical school believes that the sources of law are customs, religious philosophies and societal rules.

Historical school is too much dependent in the past and as a result, it becomes much more conservative but still after such conservatism, the historical school states that law must change with the people.

Realist School

Realist school is technically not a school of jurisprudence; rather realist school is tutoring of thoughts. In realist school, they are much more focused on the actions of the court and what they create. Realist school merely does logical assumptions from the general law.

Sociological School

Sociological school concentrated more on the function of law rather than its intangible content. The sociological school came into existence due to the accumulation of various thoughts of jurists. The sociological school wanted to connect law with society and law can be adjusted according to the needs of the society. Sociological school talks about legal institutions, doctrines and other theoretical aspects of the law.