

## LEGAL STUDIES · CHAPTER 1

# Theory and Sources of Law

A 1-page guide for parents · 90-second read.

EXPECTED MARKS

**12 marks**

TIME TO MASTER

**3-4 hrs**

HELPLINE

**70330 05444**

### WHAT THIS CHAPTER IS, IN PLAIN ENGLISH

This is the very first chapter of Class 11 Legal Studies. It answers the most basic questions a future lawyer or civil servant must understand: What is 'law'? Where does it come from? Why does society need it? Your child learns the major SCHOOLS OF THOUGHT about law (some thinkers say law must be moral; others say law is simply whatever the government commands), the five SOURCES from which law flows (custom, court decisions, statutes, the Constitution and conventions), and how law is CLASSIFIED (civil vs criminal, public vs private, substantive vs procedural). These foundations are used in every later chapter and are directly useful for law entrance exams (CLAT) and civil services.

### 5 QUESTIONS TO ASK YOUR CHILD

- Name the five main schools of jurisprudence and one thinker from each.
- What did John Austin mean when he said law is 'the command of the sovereign'?
- What are the five sources of law? Which is the oldest and which is the supreme one?
- What is the difference between civil law and criminal law?
- What is the difference between substantive law and procedural law?

### WEAK-SPOT INDICATORS

- If your child cannot link each school to its jurist (Austin, Savigny, Pound, Holmes), the schools section is unmemorised.
- If they confuse custom with precedent, the sources answer will lose marks.
- If they cannot tell you civil law gives a 'remedy' while criminal law gives a 'punishment', the classification topic is shaky.

### WHEN TO WORRY — AND WHAT TO DO

Legal Studies rewards CLARITY of definitions and the ability to DISTINGUISH similar concepts. Pure memorisation gives about 60%; to cross 80% the student must be able to compare schools and classifications confidently and give an example for each. Discussing a simple real example (a shopkeeper sues a customer = civil; the police charge a thief = criminal) turns these abstractions into understanding.

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