



RAMA UNIVERSITY

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FACULTY OF JURIDICAL SCIENCES

Course : B.A LL.B/BB.A LL.B

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LECTURE: 3

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Assistant Professor

Lecture-32



Unit 4

Lecture –32:- Wide sense of Legislation

Wide Sense of Legislation

As we discussed above, it includes every method of lawmaking.

- **Addition or alteration:** Acts made by the Parliament that add to the existing laws or alter them.
- **Precedent set by Court:** While judges pronounce judgement, they apply certain principles to arrive at their decision. This decision then becomes a precedent to guide the courts in future cases. This is also a method of lawmaking. For example, the landmark judgement of the Supreme Court in [Kesavananda Bharati v. State of Kerala](#) laid down the Doctrine of Basic Structure. This meant that no law made by Parliament could alter the basic structure of the Constitution.
- **Every other expression of the will of the Legislature:** Every expression of the legislature, whether directed to making rules or not, like Acts that ratify a treaty, declare war, etc falls within the wide sense of legislation.
- Customs, rituals, and past practices can also be included in this broad sense. These are **mostly unwritten laws**.

Narrow Sense of Legislation

In its strict sense, we look at legislation as a source of law. These include:

- **Legal Rules:** Laying down legal rules by the sovereign or subordinate legislator through enactments or subordinate legislation.
- **Enacted law:** Statute law made by the Parliament or the State Legislature. It would not include delegated legislation. Blackstone uses the terms “written and unwritten law” to draw the distinction.