

Classification
Characterisation
Incidental Issues



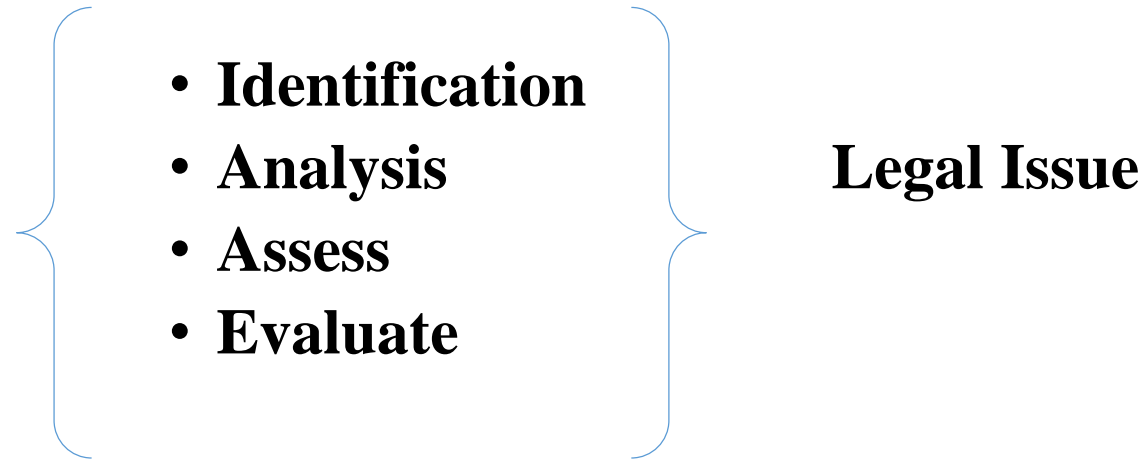
**Classification-
Class**



**Characterization-
Unit**

How to Characterized?

- **Legal Reasoning**



Heads of Classification or Characterization

- **Crime**
- **Torts**
- **Property**
- **Marriage**
- **Divorce**

Theories of Characterization

- Theory of Lex Fori
- Theory of Lex Causae
 - Dual Theory
- Comparative Law and Analytical Jurisprudence

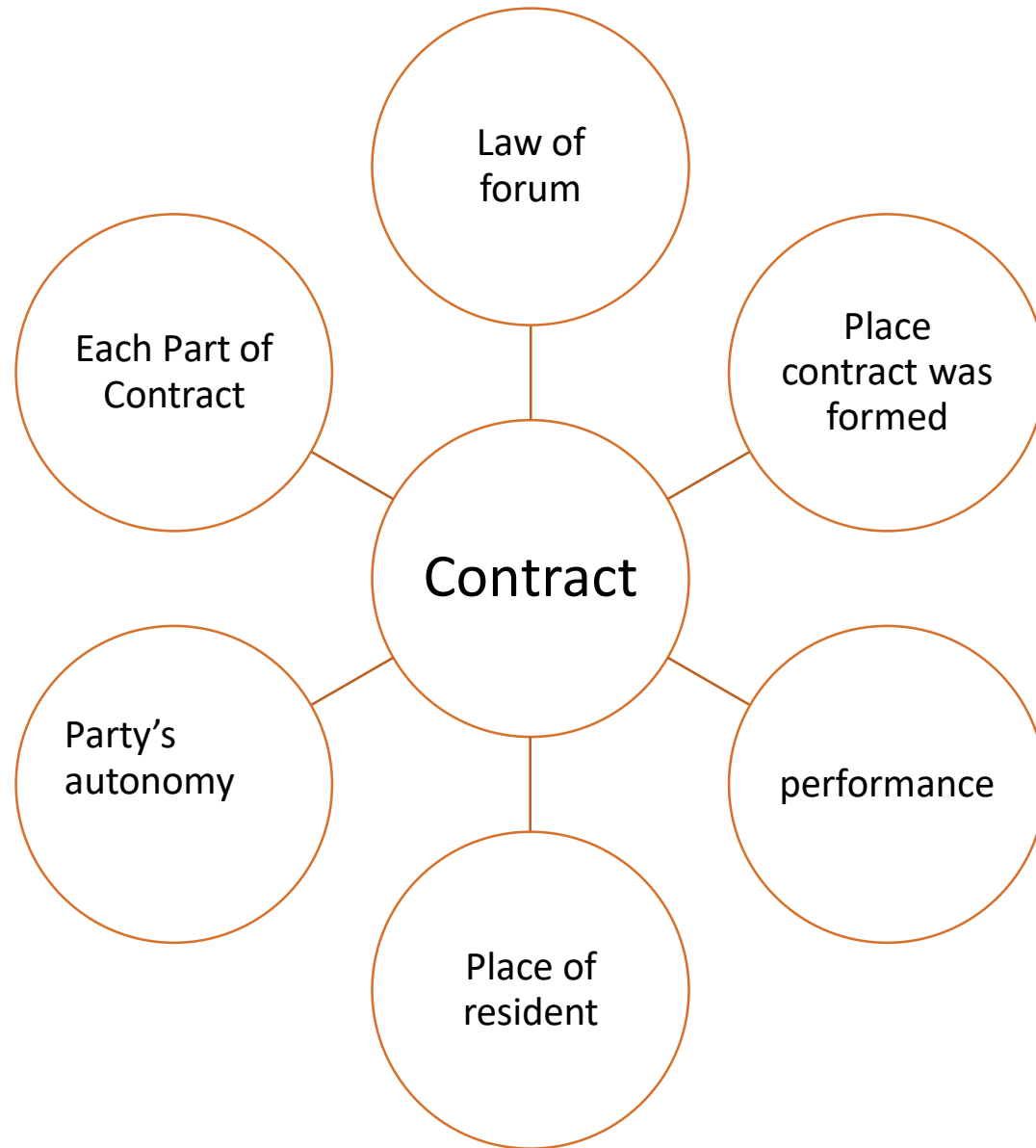
The Lex Fori Theory

- Bartin-1890
- Characterization-
 - Internal Laws
- Foreign Law- Internal Law
 - Analogy

Contract

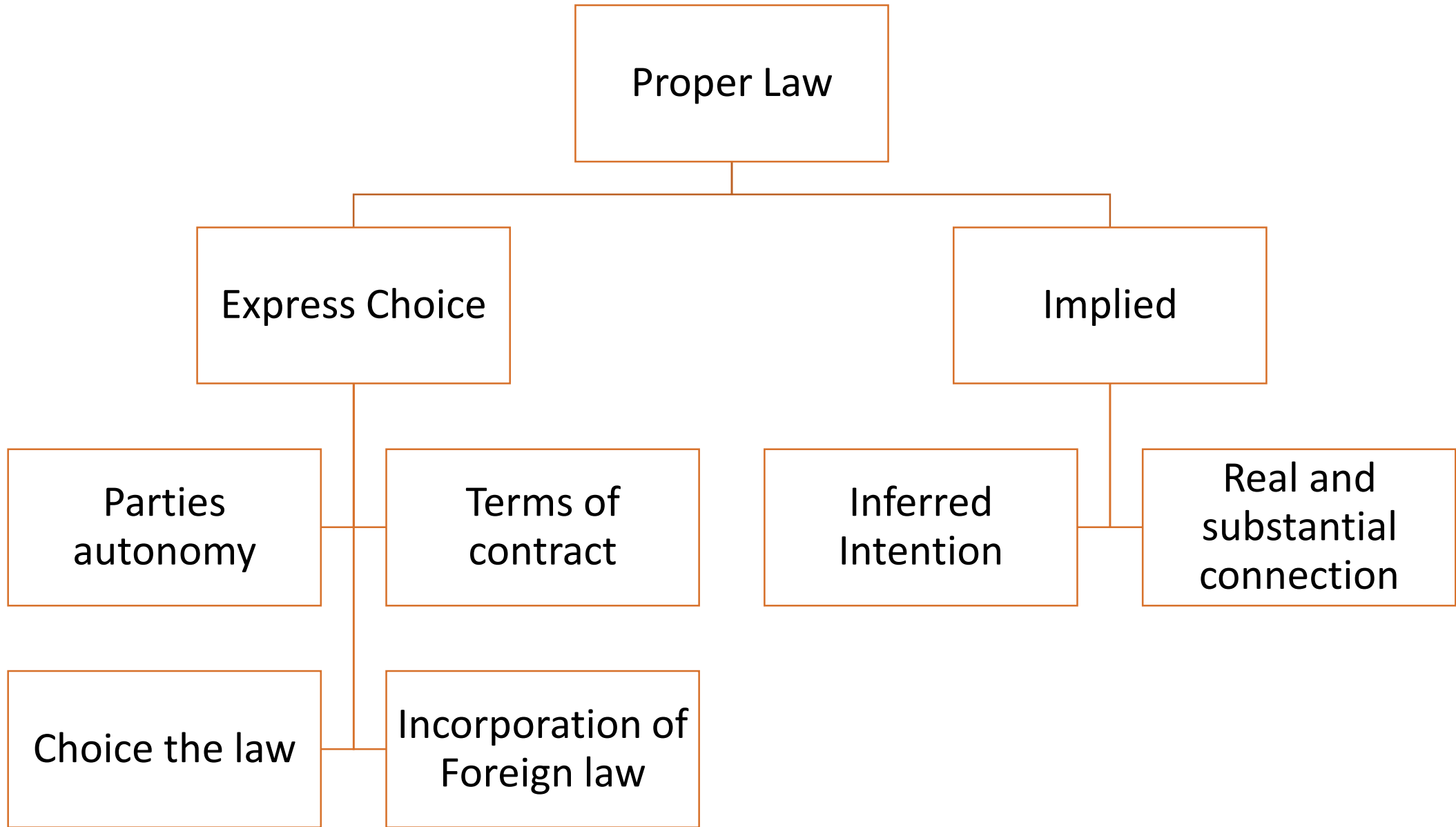
Law of Obligation

- What is Contract?
- Parties to contract
 - Age, legal incapacities, mental soundness etc.
- Obligations on parties- own –form- contract



Proper Law of Contract

- Law – by which contract is intended to govern
- Cheshire: system of law which governs-
 - Interpretation
 - Validity of contract
 - Mode of performance
 - Consequences of breach of contract



Trust and Corporations

Contracts

Trusts

Corporations

Convention on the
Law Applicable to
Trusts and on their
Recognition

Issues

Issues

Legality

Parties
(Capacity)

Recognition

Law applicable

Characterization