

NIRMA UNIVERSITY

Institute:	Institute of Law
Name of Programme:	B.A., LL.B (Hons.), B.Com.LL.B(Hons.), B.B.A.LL.B(Hons.)
Course Code:	1LW102CC23
Course Title:	Legal Methods
Course Type:	Core
Year of Introduction	2018

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Course Learning Outcomes:

At the end of the course, students will be able to:

1. Understand of the debates around the nature of law. (BL-1)
2. Distinguish between the major kinds of law, legal systems and institutions. (BL-2)
3. Explain the structure of the legal institutions and the hierarchy of courts in India. (BL-3)
4. Demonstrate ability to identify legal issues and principles in given factual situation. (BL-4)
5. Explain the various sources of law and be able to synthesise such sources and use them to (BL-4)

Teaching Hours: 6

Syllabus

Unit I : Nature of Law and Legal Methods

7 Hours

- 1.1 Objective of the Course
- 1.2 Scope of Different Legal Methods
- 1.3 Scope of Law
- 1.4 Nature and Character
- 1.5 Is Law a Social Science or Behavioral Science?
- 1.6 Is law a system?
- 1.7 Formal and informal character of Law

Unit II : Introduction to Law and Legal Systems and Institutions 8 Hours

- 2.1 What is Law? - Introduction to Law, Its Functions
- 2.2 Categorising Laws and Legal Systems
- 2.3 the Indian Judicial System

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Unit III: Functions of Law**6 Hours**

- 3.1 Maintenance of Social Order
- 3.2 Influence of Social Change
- 3.3 Social Engineering
- 3.4 Disputes Settlement

Unit IV: Sources of Law**6 Hours**

- 4.1 Custom
- 4.2 Legislation
- 4.3 Judicial Decisions
- 4.4 Public Opinion
- 4.5 Delegated Legislation and Rules enacted
- 4.6 Process of Law Making
- 4.7 Indian Judicial System and Hierarchy of Courts

Unit V : Different Systems of Law**3 Hours**

- 5.1 Common Law
- 5.2. Civil Law

Unit VI : Different Types of Law**3 Hours**

- 6.1 Civil and Criminal Law
- 6.2 Public and Private Law
- 6.3 Substantive and Procedural Law
- 6.4 Penal and Remedial Laws

Unit VII : Logical Reasoning and Analysis**8 Hours**

- 7.1 Basic Concepts in Logic and Legal Reasoning: Propositions, Arguments, Explanations, Paraphrasing
- 7.2 Deductive Reasoning and Inductive Reasoning
- 7.3 Fallacies – Typical Errors in Reasoning
- 7.4 Various Approaches to Legal Reasoning
- 7.5 Introduction to Legal Reasoning

Unit VIII: Reasoning and Finding of Ratio**8 Hours**

- 8.1 Logical and Legal Reasoning
- 8.2 Fallacies in Reasoning
- 8.3 Application of Principles of Logic in legal Reasoning
- 8.4 Scope of Ratio Decedendi and Obiter Dicta
- 8.5 Different Tests of Confirming Ratio and Exercises

Unit IX: Reading, interpreting and Analyzing Law**6 Hours**

- 9.1 Statutes and subordinate legislation
9.2 Cases

Unit X: Legal Writing

5 Hours

- 10.1 Referencing
10.2 Plagiarism
10.3 Writing: Working towards clarity and structure

Self-Study:

Suggested List of
Experience: NA

Suggested Reading
Reference:

- Slaer G. and Kelly D. (2002). *The English Legal System*. Oxford: Routledge.
- David R. and Brierley J. E. (1985). *Major Legal Systems in the World Today*. London: Stevens & Sons.
- Williams G. (2000). *Learning the Law*. New-Delhi: Sweet & Maxwell/Universal Law Publishing Company Private Limited.
- Garner B. A. (2013). *Legal Writing in Plain English*. Chicago: University of Chicago Press

Suggested Case List: NA

