

BA.LL.B (HONS.) – I-SEMESTER

LEGAL METHODS, LEGAL SYSTEMS AND RESEARCH

COURSE CODE:

Course Objective: Knowing the genesis of law and various legal systems is of utmost importance before venturing into the legal studies. This Course would focus on orientation of law and legal systems along with basic research skills that are quintessential for the law students.

Course Outcomes:

1. To understand the meaning of law and the evolution of law
2. To understand various legal systems at the global level
3. To analyse and interpret various rules of interpretation of statutes
4. To understand the development of Indian legal system
5. To identify various research techniques in legal research

UNIT-1: Introduction to Law, What is Law? Functions of laws, Law, Justice and Morality; Development of Law-Schools of Law- Natural Law School, Analytical school, Historical school, Sociological school, Realist school, Concept of Dharma, Sources of Laws

UNIT-II Categorising Laws and Legal Systems, Civil and Common law legal systems, Public & Private Law, Substantive & Procedural Law, Municipal & International Law, Civil & Criminal Law, Tax Laws, Welfare laws, Emerging fields of laws

UNIT-III Indian Legal System, Common Law system and India, Rule of Law, Separation of Powers, Principle of Natural Justice and equity, Constitution of India, Hierarchy and jurisdiction of Indian Courts-Higher Judiciary, subordinate judiciary; Digitisation of Courts

UNIT-IV: Understanding legal rules interpretation, Literal rule, Golden rule, Mischief Rule, Harmonious construction, *Constrcution ut res magis valeat quam pereat*, *Noscitur a sociis*, *ejusdem generis*, *expressio unius est exclusion alterius*, Internal aids and external aids to interpretation, Legal and logical reasoning of laws.

UNIT-V Introduction to Research, Principles of legal research, Types of Research, Research Strategies, Finding Material in Library, writing a Research Paper, Selection of the Research Topic (finding out contemporary legal issues), Research Design, Computer-Assisted Research, Mode of Citation (Blue Book, OSCOLA, Harvard, ILI, etc.) and Bibliography

References:

1. A.V. Dicey, An introduction to the Study of the Law of Constitution, Universal Law Publishing Co., 10th edn. 4th Indian Reprint, 2003
2. Glanville Williams, Learning the law
3. C.R. Kothari, Research Methodology, Methods and Techniques, New Age International Publishers 2nd Edition, 2004