



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY, SHIMLA

Semester: I

B.A./B.B.A. LL.B. (Hons.)

Paper Code: LB-102

Legal Methods, Methodology and Legal Writing

Credit - 04

Introduction:

At the heart of the legal enterprise is the concept of law. Without a deep understanding of this concept, neither legal education nor legal practice can be a purposive activity oriented towards the attainment of justice in society. Moreover, without a comprehension of the cognitive and teleological foundations of the discipline, pedagogy becomes a mere teaching of the rules. It is unable to present various statutes, cases, procedures, practices, and customs as a systematic body of knowledge, nor is it able to show the interconnection between these various branches of law, procedures and principles. The fact that the basic nature and purpose of law should be clear to every student and that it should be the very foundation of law teaching needs little argument. A course in jurisprudence (specifically, Legal Methods, Methodology and Legal Writing) should primarily induct the students into a realm of questions concerning law so that they are able to live with their perplexity or complexity and are driven to seek out answers for himself.

Course Objectives:

1. To impart analytical skills and equip the student with the basic problems concerning law and the types of solutions sought.
2. To bring jurisprudence closer to our reality and application of law.
3. To introduce the students to the fundamental concepts of law.
4. To introduce the students to the idea of law as propounded by various legal schools of thought.

Learning Outcomes:

On the successful completion of the course, students will be able to:

1. Develop a basic understanding of Law.
2. Understand the practical application of legal thoughts.
3. Understand the fundamental concepts of law & school of law.
4. Understand the origin of India's legal system along with the sources of law.

Module - I

Fundamentals of Law and Legal Systems

- 1.1. Meaning and Concept of Law;
- 1.2. Schools of Law;
- 1.3. Classification of Laws;
- 1.4. Concept of Legal System and Classification of Legal Systems – Civil and Common Law Systems;
- 1.5. Development of Legal System in India.

Module - II

Law and Its Sources

- 2.1. Sources of Law;
- 2.2. Custom;
- 2.3. Precedent – Doctrine of Stare Decisis;
- 2.4. Legislation;
- 2.5. Equity.

Module - III

Access to Justice and Court System in India

- 3.1. Court Structure in India;
- 3.2. Hierarchy of Courts;
- 3.3. Jurisdiction of Courts;
- 3.4. Access to Justice: Legal Services, Legal Aid, Lok Adalat, and Gram Nyayalaya;
- 3.5. Alternative Dispute Redressal and Emerging Trends.

Module - IV

Legal Writing

- 4.1. Introduction to Research Methodology;
- 4.2. Types of Research;
- 4.3. Use of Data in Legal Research.
- 4.4. Citation and Footnotes in Legal Writing
- 4.5. Legal Writing – Case Comments, Case Briefs, Report Writing, Summary of Research, Critical Analysis, Legislative Notes, Reporting to the Law Commission, and Judgment Writing.

Prescribed Books:

1. M. D. A. Freeman, INTRODUCTION TO JURISPRUDENCE, (2014).
2. G. W. Paton, A TEXTBOOK OF JURISPRUDENCE, (2004).
3. Glanville Williams, LEARNING THE LAW, (2019).
4. Wayne Morrison, JURISPRUDENCE FROM GREEK TO POSTMODERNISM, (1997).
5. Kenneth D. Bailey, METHODS OF SOCIAL RESEARCH, (2007).
6. Marc Galanter, LAW AND SOCIETY IN MODERN INDIA, (1993).
7. Fali S. Nariman, INDIA'S LEGAL SYSTEM: CAN IT BE SAVED?, (2017).
8. Edgar Bodenheimer, JURISPRUDENCE: THE PHILOSOPHY AND METHOD OF THE LAW, (1967).
9. Sir Paul Vinogradoff, COMMON-SENSE IN LAW, (2022).

Dean Academic Affairs
H.P. Narayan University, Shimla
13/2024