

SUBJECT : LEGAL METHODS

SUBJECT CODE : HVC

UNIT I : Introduction to Law and Legal system

What is Law? – Law in relation to concepts of justice, morality, state, citizens, society and the globe – Theories of law – Schools of thought on the nature, function, sources and role of law – Custom and law – Introduction to different legal systems of the world – Common law system – Civil law system – Role and functions of the legal institutions in such diverse systems – Global Administrative Law – Global Rule of law.

Unit II: Indian Legal System

Overview of the Indian legal system and legal institutions – Role of the Constitution – Process of legislation – Delegated legislation – Ordinances – Rules – Regulations – Orders – Notifications – Bye laws – Customs having the force of law – Constitutional conventions – Access to statutes and Bills – Techniques of reading and analyzing the statutes, rules and regulations.

Unit III: Judicial process

Hierarchy of courts – Judicial review – stare decisis – precedent – Law declared by the Supreme Court – Complete justice – quasi – judicial authorities – Techniques of reading and analyzing judicial decisions – General Principles of Statutory Interpretation – Comparative judicial process – Binding nature of foreign decisions – Legal and logical reasoning.

Unit IV: Legal Research

Concept of Research – Objectives – Types of Research – Social Science Research – Legal Research

Unit V: Socio-Legal Research

Methodology – Identification of the research problem – Framing of hypothesis – research questions – Data Collection – Legal material, Statutes, Subordinate Legislation, Notifications, Policy statements – Decisional materials, Foreign Judgments, Legal databases, Reports of Commissions & Committees – Statistical and Legal analysis of data – Interpretation and implication of data – Hypothesis testing – Report Writing.

Recommended Readings:

1. William J. Goode and Paul K. Hatt, Methods in Social Research
2. Adam Podgorecki, Law and Society, Routledge & Kegan Paul, London, 1974
3. Oaul Oliver, Writing Your Thesis, 2nd Ed., Sage Publications, New Delhi 2008
