



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

PROGRAMME: B.A.,LL.B.(HONS) FYIC

DETAILS OF COURSE OFFERED

ODD SEMESTER (I) – ACADEMIC YEAR- 2022-23

SL. NO	COURSE CODE	COURSE TITLE	L	T/ P	CR	CH
1	BL101	LEGAL ENGLISH AND RESEARCH METHODS-I	4 PER WEEK	1 PER WEEK	4	

- A. CODE AND TITLE OF THE COURSE: BL 101, LEGAL ENGLISH AND RESEARCH METHODS**
- B. COURSE CREDIT: 4 (TOTAL MARKS 200)**
- C. MEDIUM OF INSTRUCTION: ENGLISH**
- D. COURSE COMPILED BY: APARAJITA DUTTA HAZARIKA
DR. THANGZAKHUP TOMBING**
- E. COURSE INSTRUCTOR: APARAJITA DUTTA HAZARIKA**

1. COURSE OBJECTIVES

This course is intended to provide the students with working and practical aspects of the language and the course deals with a module which lays stress on grammar, writing skills and communicative English. This module will highlight the constitutive aspects of the written as well as spoken English. At the same time, a complete module has been dedicated to legal language which includes understanding of legal terms and legal phrases. It will help the students to take recourse to the legal register of the English language. The Research Methodology aspect of the course attempts to inculcate the habit of developing a research bent of mind which is ethical, analytical, responsible and confident. Lectures on interdisciplinary research methodology will help students appreciate the significance and interconnection of legal research with other social sciences research like research in sociology, history, political science, economics etc. Through this course, the students will get to learn the intricacies of research not only from the doctrinal perspective but also from the empirical research point of view. However, major emphasis is also laid in legal research and language of law. For students of law, understanding of the process of research is very important. A student should know what, where and how to look for the information that he/she is searching for. In the legal field, expertise in research tools and techniques is a sine qua non as the nature of the job itself requires precision in finding the relevant facts, circumstances, cases, decisions and judgments

To sum up the objectives,

To enable the students to speak, read and to write English language clearly, flawlessly and comprehensively;

To initiate the students into various self-training methods of improving their communication skills in English, more particularly, for various types of legal transactions;

To make the students to realize the importance and significance of research in dismantling ignorance and prejudice that is deeply ingrained in the society;

To familiarize the students with the intricacies of research in law and interdisciplinary research of socio-legal research and its implications;

To introduce the students to the methods of research and the tools of research; ω To train students on how to write articles, report and seminars.

2. TEACHING METHODOLOGY

The teaching methodology shall be participatory in nature with discussions on the topics included and related. The students are informed in advance the topic for discussion and the topic of project / assignment they have to prepare. The students prepare their topics from the sources suggested to them. The students are also encouraged to do independent research on their respective assignments. In the classroom every student is required to present his/her topic and to have his/her doubt cleared through discussion. The teacher will be helping and guiding the students in their pursuits of legal learning. The teacher summarizes after the students have completed their discussion, and the doubts, if any, are clarified.

3. EXPECTED OUTCOMES OF THE COURSE

On completion of the Course the students are expected to comprehend the various aspects of the legal language and the students can write effortlessly. The students shall also be expected to explore different areas of research in English literary studies as well. Students are expected to gain the art, skill and techniques of research to carry out research activities which are pertinent in the domain of legal research as well as social-legal research which will guide them in their future line of advocacy, litigation, judiciary, academics, politics etc.

4. COURSE EVALUATION METHOD

The Course shall be assessed for 200 marks. The Evaluation Scheme would be as follows:

Internal Assessment: 70% (140 marks)

External Assessment: 30% (60 marks)

Sl. No.	Internal Assessment	
1.	Project Work	40 marks
2.	Seminar	20 marks
3.	Mid Semester Examination	40 marks

4.	Assignment	30 marks
5.	Attendance in class	10 marks
6.	Semester End Examination	60 marks

5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE MODULES AND SUB-MODULES)

MODULE I

Essay Writing; Writing A Professional Letter; Comprehension Writing; Legal Writing; Fundamental Principles of Legal Writing; Writing a Case Comment; Drafting of Law Reports; Problem of Legal Language in Drafting; Punctuation; Narration; Clauses; Transformation of Sentences; Adjectives and Degrees of Comparison; Prepositions; One Word Substitution; Idioms and Idiomatic Expression; Words Often Confused; Common Errors in Sentences

MODULE II

Legal Terms and Legal Maxims- *Ab Intio*; *Ad Hoc*; *Ad Interim*; Agreement; Appeal; Bonafide; Court; Deed; De facto; Ex Officio; Ex-parte; First Information Report (FIR); Locus Standi; Malafide; Modus Operandi; Petition; Plaint; Private; Public; Sine Damno

- *Actus Non Factit reum Nisi Mens Sitrea* (The act itself does not constitute guilt unless done with a guilty intent);
- *Actio Personalis Moritur Cum Person* (A personal right of action dies with the person);
- *Audi Alterm Partem* (No person should be condemned unheard);
- *Communis Error Facit Jus* (Common error sometimes passes current as law);
- *Delegatus Non Potest Delegare* (A delegate cannot further delegate);
- *Ex Nudo Pacto Non Oritur Action* (No cause of action arises from a bare promise);
- *Ex Turpi Causa Non Oritur Actio* (An action does not arise from a base cause);
- *In Pari Delicto Portior est Conditio Defendantis* (Where the parties are equally at guilt, the party in possession is better placed);
- *Falsus In Uno Falsus in Omnibus* (False in one particular is false in general);

- *Generalia Specialibus Non Derogant* (General things do not derogate from special things)

PRESCRIBED READINGS

Madabhushi Sridhar, *Legal Language*, 2nd Edition: Fundamental Principles Of Legal Writing, p211-213; General guidelines relating to legal writing, p214-221; How to write a case comment, P 232-246; Legal maxims, p289-296; Legal terms, p371-393.

A.S.Hornby, *Guide to Patterns and Usage in English*, OUP, Delhi, 1999.

Bansal, R.K. and J.B. Harrison, *Spoken English*, Orient Longman, Mumbai, 1991.

Bhatnagar, R.P., *Law and Language*, Macmillan India Ltd., New Delhi, 2010

Brown, Gordon W., *Legal Terminology*, Prentice Hall, New Jersey, 2003

Freeman, Sarah, *Written Communication in English*, Orient Longman, London, 1977

Garner, Bryan, *Dictionary of Modern Legal Usage*, Oxford University Press, Oxford, 2001

Kreig, Paul, Longman's: *Dictionary of Common Errors*, Orient Longman, London, 2002.

Tripathi, S.C., *Legal Language, Writing and General English*, Turton, New Delhi, 2001

Wren, P C and Martin, H., *English Grammar and Composition*, Macmillan, New Delhi, 1999 Essay Writing pp423-436, pp367-389pp; Punctuation pp312 -319; Narration pp258-266; Clauses pp193-201, pp201-208 pp211-215; Transformation of Sentences pp169-178; pp215-223; pp223-239; Adjectives and Degrees of Comparison p19, p24 p34; Prepositions p127- p136.

MODULE III

CONCEPTS OF RESEARCH

Meaning of research; difference between research and common sense; legal reasoning difference between research and research methodology ; research in social sciences; research in the field of law; components of good research; purpose behind teaching the subjects of research methodology; types of research : doctrinal research; non - doctrinal research; comparative research; descriptive research; empirical research; evaluative

research; experimental research; historical research; inter - disciplinary research; inductive and deductive research; the emergence of socio - legal research in India; Using library- importance and finding the law- cases, journals, periodicals etc

MODULE IV

INTRODUCTION TO LEGAL RESEARCH

Nature and Scope of Legal Research; Definition of Legal Research; Research as a Creative, Strategic and Thinking Process; Research Ethics; Unethical Research Practices: Plagiarism and its Consequence, steps involve in research process; Source of Literature – Primary, Secondary, Documentary Sources; Selection and Dissemination of Literature; How to Read Primary Documents – Judgments, Statutes and Reports ; How to Read Secondary Documents – Books, Journals, Periodicals and News Papers; Internet and Web Sources. Formulation of Research Problem Conditions to be Conducive to the Formulation of a Research Problem; Intellectual sufferings, Identification of a Research Problem; Role of a Research Supervisor ;Role of Research Funding Agencies. Hypothesis and Research Design Concept, Formation and Utility of Hypothesis; Types of Hypothesis - Null Hypothesis, False and Barren Hypothesis; Significance of Hypothesis in Research, Characteristics of a useful hypotheses. Meaning, Definition and Significance of Research Design; Contents and Essentials of Research Design; Types of Research Design -Diagnostic, Explanatory, Exploratory and Experimental Research Design, phases in research designing, advantage of research designing.

PRESCRIBED READINGS

George D. Braden, Legal research: A Variation on an old Lament, S.K. Verma and M. Afzal Wani, Legal Research and Methodology, Legal Research and Methodology, ILI, pp. 16 – 24.

EP Elinger and KJ Keith, Legal Research Techniques and Ideas, S.K. Verma and M. Afzal Wani, Legal Research and Methodology, Legal Research and Methodology, ILI, pp. 219 – 240.

Jill K. Jesson, Lydia Matheson and Fiona M. Lacey, Doing Your Literature Review: traditional and Systematic Techniques, Sage Publications, N. Delhi, Part I Getting Information pp. 7 – 69.

HC Jain Using Law Library, S.K. Verma and M. Afzal Wani, Legal Research and Methodology, Legal Research and Methodology, ILI, pp.241 - 263. Rattan Singh, Legal research Methodology, Lexis nexis, India, First edition 2013, part I Current trends in Research and Research Ethics, pp. 3 – 14.

Ram Ahuja, Research Methods, Rawat Publications, N. Delhi, reprint 2012, Chapter 5, Problem Formation and developing Research Questions, pp. 103 – 119

SL Sharma, Identification and Formulation of Research Problem, , S.K. Verma and M. Afzal Wani, Legal Research and Methodology, Legal Research and Methodology, ILI, pp. 301 – 308

William J. Goode and Paul K.Hatt, Methods in Social Research, First India Reprint, Surjeet Publications, 2006, Chapter – 6, Basic Elements of the Scientific Method: Hypotheses, pp. 74 – 91.

Rattan Singh, Legal research Methodology, Lexis nexis, India, First edition 2013, part V Presumption and Construction of Hypothesis, pp. 205 – 251.

Ram Ahuja, Research Methods, Rawat Publications, N. Delhi, reprint 2012, Chapter 3, Hypotheses, pp. 70 – 90, also chapter 6 Research Design, pp. 12- - 154.