

LEGAL METHODS

Nature, classification and sources of law

It aims at equipping a law student with different skills that will help a law student to be capable to study law.

LAW: there are different definition of the term law meaning that there are many authors who have different definitions.

The encyclopedia says that law comprises of all principals, rules and enactments that are applied in courts and enforced by the the state

From oxford English dictionary says that law is the body of rules whether proceeding from formal enactment or from customs which a particular state or community recognizes .

Law is a body of principals recognized and applied by the states in the administration of justice.

According to Blackstone he says law is a rule of civil conduct prescribed by the supreme power in the state, commanding what is right and prohibiting what is wrong.

According to Simonton he says that law is the body of principals and rules recognized and enforced by the courts by which the relations of the members of the community with each other are regulated

Generally law is a body of rules and principals recognized by a particular state and enforced by it to administer justice and regulate social behavior. By regulating social behavior the law brings about equilibrium by balancing the conflicting interests in a particular community.

For the law to be in a position to achieve this it must set a standard of behavior that ought to be complied by every citizen, this standard is enforced by the state through imposition of penalties for those who go against it, this is known as normativity character of law.

NORMATIVITY CHARACTER OF LAW: this is the character of law that differentiate law from other things where by it establishes standards where by when someone goes against those standards a punishment is given to him or her. But law is created and regulated by a state while others are just created by customs.

FUNCIONS OF LAW

Law has mainly three basic functions which are as follows

PERMISSIVE FUNCTION

This is the function of law that actually allows or permits the subjects of it to do or engage in a range of transactions for example entering into marriage, entering into contracts, in cooperative companies etc.

Legal Method Notes

Tobias Bleicker



Legal Method Notes :

Legal Method Ian McLeod, 2020-04-16 The Palgrave Macmillan Law Masters series is a long running and successful list of titles offering clear concise and authoritative guides to the main subject areas written by experienced and respected authors This ninth edition of Legal Method provides a lively introduction to the nature of the English legal system and its sources and to the techniques which lawyers use when handling those sources The text assumes no prior knowledge and makes its content accessible by clarity of expression rather than by dilution of content In addition to more conventional sources writers as varied as Jonathan Swift Alexander Pope and T S Eliot are cited This is an ideal course companion for both law undergraduate and GDL CPE students Includes end of chapter summaries and self test exercises

Nigerian Legal Methods C. C. Ohuruogu, O. T. Umahi, 2013-09-27 This text is a collection of writings on assigned topics by some scholars and lecturers in the Faculty of Law at Benson Idahosa University and those invited from outside the university The idea to write a text for use in the study of legal methods for law students was borne out of the desire to present a range of updated material in this area of study The focus of this text is Nigeria The book is written in simple easy to understand language and meant essentially for law students in the first year of the five year course in Law as structured by the National Universities Commission NUC Nevertheless persons who are in need of information or education on different aspects of the Nigerian legal process will also find aspects of the text useful The contributors come from diverse backgrounds and experiences which is reflected in their styles of presentation However each has endeavoured to present the assigned topic in such a form as to enhance comprehension by the primary beneficiaries The inclusion of chapters on advocacy and mooted skills as well as examination skills and strategies makes this text unique and allows it to offer more detailed analysis than existing texts in Nigeria provide

French Legal Method Eva Steiner, 2002 The chief purpose of this book is to assist increasing numbers of students involved in Anglo French Law programmes to work out the techniques of legal analysis in France in the course of their legal studies in French Law The book also brings together the theory and practice of legal reasoning in France in a comparative perspective The book covers the core areas found at the beginning of a French Law degree such as the legislative process statutory interpretation codification case law law reform judges reasoning judicial style and case notes It also includes a chapter on legal education with example legal exercises essays a problem question and a case study as well as advice on examinations in French Law Law reform in England increasingly concerns itself with an examination of the legal method employed in Continental legal systems particularly France and this book makes an ideal tool for those involved in the practice and research surrounding law reform

Introduction to Legal Method and Process Michael A. Berch, Rebecca White Berch, Ralph S. Spritzer, 2002 **The Limits of the Legal Process** David Nelken, 2013-08-04 This classic and pathbreaking study in the sociology of law has won multiple academic awards for its insight clarity and broad import in examining the UK s Rent Acts and landlord behavior over a period of time in the 1960s and 1970s Not just a revelation of the

unintended consequences of well meaning tenant reforms though it certainly does lay bare the bizarre side effects of a law presented as protecting tenants from unscrupulous landlords the book is a deeper penetration into the very notion of reform legislation class dominance competing interests and the counter use of reformist law as a weapon by those intended to be regulated The study even questions the very notion of who really was the intended beneficiary or target of some of the housing reforms passed by Parliament to much fanfare and chest thumping Adding a new and reflective 2013 Preface by the author the Classics of Law Society edition of this recognized and much cited book includes quality ebook formatting active Contents and linked endnotes and even a fully linked subject matter Index which uses the actual pagination of the original print edition to facilitate continuity and referencing Links in the Index take the reader to the precise page for that entry The Quid Pro Books digital edition also includes all figures and tables from the original

Social Science Methods in the Legal Process Noreen L. Channels,1985 This volume is the first to provide a systematic introduction to the methods of social science for the legal professions and decision makers in public policy fields Designed as both a text and a convenient reference the book provides an understanding of all the elements in the research process and acquaints the reader with the choices that are available in designing and conducting research A particularly useful feature is each chapter s examination of research cited in specific court or public policy decisions together with discussion of possible legal applications of various research approaches

Index to Legal Periodicals ,1909 *The History of Legal Education in the United States* Steve Sheppard,2007 An invaluable and fascinating resource this carefully edited anthology presents recent writings by leading legal historians many commissioned for this book along with a wealth of related primary sources by John Adams James Barr Ames Thomas Jefferson Christopher C Langdell Karl N Llewellyn Roscoe Pound Tapping Reeve Theodore Roosevelt Joseph Story John Henry Wigmore and other distinguished contributors to American law It is divided into nine sections Teaching Books and Methods in the Lecture Hall Examinations and Evaluations Skills Courses Students Faculty Scholarship Deans and Administration Accreditation and Association and Technology and the Future Contributors to this volume include Morris Cohen Daniel R Coquillette Michael Hoeflich John H Langbein William P LaPiana and Fred R Shapiro Steve Sheppard is the William Enfield Professor of Law University of Arkansas School of Law

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Controversies in Affirmative Action James A. Beckman,2014-07-23 An engaging and eclectic collection of essays from

leading scholars on the subject which looks at affirmative action past and present analyzes its efficacy its legacy and its role in the future of the United States This comprehensive three volume set explores the ways the United States has interpreted affirmative action and probes the effects of the policy from the perspectives of economics law philosophy psychology sociology political science and race relations Expert contributors tackle a host of knotty issues ranging from the history of affirmative action to the theories underpinning it They show how affirmative action has been implemented over the years discuss its legality and constitutionality and speculate about its future Volume one traces the origin and evolution of affirmative action Volume two discusses modern applications and debates and volume three delves into such areas as international practices and critical race theory Standalone essays link cause and effect and past and present as they tackle intriguing and important questions When does affirmative action become reverse discrimination How many decades are too many for a temporary policy to remain in existence Does race or gender based affirmative action violate the equal protection of law guaranteed by the Fourteenth Amendment In raising such issues the work encourages readers to come to their own conclusions about the policy and its future application

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