

EDO UNIVERSITY IYAMHO
Faculty of Law
Legal Methods I - PUL 111(3 Units)



Instructor: Miss Hauwa Abiri, hauwa.abiri@edouniversity.edu.ng
Lecture Hours: Mondays, 2pm – 4pm at LT12; Tuesdays, 1pm – 2pm at MCC
Office Hours: Thursdays, 8am – 4pm; Fridays, 8am – 12noon

General Overview of Lecture:

This course is designed to expose students to legal methods and the workings of law in the society. It will examine such issues as the meaning of law; the functions of law; the law and allied concepts i.e. law and morality, law and freedom, law and justice, law and order, law and the state, law and legitimacy, as well as law and sovereignty; the types, theories, sources and classification of law; the methods of social control through law; comparative adjudicatory methods and customary methods of adjudication; the nature of orthodox legal process; legal reasoning, legal language, legal logic, legal rhetoric and justification; legal reasoning in legislative process, legal reasoning in judicial decision and interpretation of statutes.

Learning Outcomes:

At the completion of this course, students are expected to know the meaning, scope and importance of legal method; know the meaning, features and functions of the law; understand the different aspects, types, theories, sources and classification of law; show sufficient knowledge of law as an instrument of social control; understand and apply the different adjudicatory methods; understand the concepts of legal reasoning, legal language, legal logic, legal rhetoric and justification; appreciate the basic principles of legislative drafting; understand legal reasoning in legislative process, legal reasoning in judicial decisions and the interpretation of statutes.

Course Assessments:

Students will be assessed on the bases of their notes, assignments, term paper and mid-term test before their examinations. A term paper is given at the beginning of the semester to be presented and submitted at a given date. Individual assignment will be given to students to test their understanding of the lectures. The mid-term test will be organized prior to examinations to assess students' preparedness for examinations. Students will also be assessed on the bases of their notes. The goal of course assessments is to test students' weaknesses in a bid to revisit them and cure them during the interactive/revision sessions that will hold before the semester examinations.

Grading:

The grading system is as indicated below.

- Continuous Assessment: 30%



- Examination: 70%
- Total: 100%

Recommended Textbooks:

- Introduction to Nigerian Legal Method
Abiola Sanni
2nd Edition, 2006
ISBN: 9781361547
- The Nigerian Legal Method
Ese Malami,
2nd Edition, 2012.
ISBN: 9789789060467

Outline of Courseware:

The following topics make up the courseware of the Legal Method PUL 111 course - which in an introductory course for legal study. Most of the listed topics are taken from the above recommended textbooks.

1. Introduction
2. What is law?
 - i) Introduction
 - ii) Defining Law
 - iii) Why is the law obeyed?
 - iv) Nature of the Law
 - v) Functions of the Law
 - vi) Law and Allied Concepts
 - vii) Conclusion/Summary
 - viii) Study Questions
3. Types of Law
 - i) Introduction
 - ii) Natural Law
 - iii) Human/Positive Law
 - iv) Conclusion/Summary
 - v) Study Questions
4. Theories of Law
 - i) Introduction
 - ii) The Natural Law Theory
 - iii) The Positive Law Theory
 - iv) The Realist Theory of Law
 - v) Pure Theory of Law
 - vi) The Utilitarian Theory of Law
 - vii) The Sociological Theory of Law
 - viii) The Historical Theory of Law
 - ix) The Marxist Theory of Law
 - x) Conclusion/Summary
 - xi) Study Questions



5. Classification of Law
 - i) Introduction
 - ii) Common Law and Equity
 - iii) Civil and Criminal Law
 - iv) Public and Private Law
 - v) Substantive and Procedural Law
 - vi) Written and Unwritten Law
 - vii) National and International Law
 - viii) Conclusion/Summary
 - ix) Study Questions

6. Sources of Law
 - i) Introduction
 - ii) Case Law
 - iii) Primary Legislation
 - iv) Secondary/Delegated Legislation
 - v) Received English Law
 - vi) Customary Law
 - vii) International Law
 - viii) Text books
 - ix) Periodicals
 - x) Law Journals
 - xi) Legal dictionaries, etc.
 - xii) Conclusion/Summary
 - xiii) Study Questions

7. Methods of Social Control Through Law
 - i) Introduction
 - ii) The Penal technique
 - iii) The Grievance-Remedial technique
 - iv) The Private Arranging technique
 - v) The Administrative Regulatory technique
 - vi) The Conferral of PUBLIC benefit technique
 - vii) The Constitutive technique, and
 - viii) The Fiscal technique
 - ix) Conclusion/Summary
 - x) Study Questions

8. Fact Finding and Dispute Resolution
 - i) Introduction
 - ii) Adjudicatory Methods
 - iii) Non-Adjudicatory/Alternative Dispute Resolution Methods
 - iv) Conclusion/Summary
 - v) Study Questions

9. Legal Reasoning, Language, Rhetoric, Logic, and Justification
 - i) Introduction
 - ii) Legal Reasoning
 - iii) Bases for Legal Reasoning



- iv) Legal Logic
- v) Legal Language
- vi) Features of Legal Language
- vii) Legal Rhetoric
- viii) Legal Justification
- ix) Legal Reasoning Methods
- x) Conclusion/Summary
- xi) Study Questions

10. Legal Reasoning in Legislative Process

- i) Introduction
- ii) Legal Drafting
- iii) Stages in Legal Drafting
- iv) Rules of Legal Drafting
- v) Legislative Process
- vi) Stages in the Legislative Process
- vii) Types of Legislation
- viii) Parts of a Legislation
- ix) Conclusion/Summary
- x) Study Questions

11. Interpretation of Statutes

- i) Introduction
- ii) The Golden Rule
- iii) The Literal Rule
- iv) The Mischief Rule
- v) Other Rules of Interpretation
- vi) Conclusion/Summary
- vii) Study Questions

12. Legal Reasoning in Judicial Decisions

13. Conclusion and Revision

