

## BOOK REVIEWS

LEGAL METHOD-AN INTRODUCTION (2023), by G. V. Ajjappa and Sumeet Malik, [EBC, 2023] Lucknow, Pp. XVIII + 182, Rs. 345/-.

STUDYING LAW is not a hassle, but a bustle. It is not an act of emotional engagement rather. Law has to be studied with presence of mind in an endeavoring manner to assimilate, understand and create. It needs sharp observation, concern, analysis and zeal for resolution. Any method to study law must, therefore, contribute to this process of scrutiny, appreciation and decision with proclivity, objectivity and lucidity.

On the introduction of the integrated five year programmes for study of law in India, legal method became a compulsory foundation course for all such programmes. Anywhere in the country, the teaching of the BA, LL.B. and BBA,LL.B. or other like courses begin with the teaching of legal methods. Some authors have prepared books on the subject with duplication of contents from works on jurisprudence. The scene seems more of dissatisfaction than an expected goal. In the given situation, Professor G. V. Ajjappa, the Senior Most Professor of Law in the country (Mysur, Karnataka) has written this book on the subject of Legal Method with the idea that books written by scholars of United Kingdom, United States and France compile their books using materials from those countries. Such books seem to be of limited relevance to Indian students. Indian legal system has its own complex features for which the students here will have to be given understanding of the more diverse Indian system of law by using the materials from the nation itself. He feels the way jurisprudence is taught in India as 'absolutely unrelated to the needs and requirements of the country'. It should be taught with reference to the ends and purposes which the legal system seeks to serve. Any reference to foreign literature has only the purpose of comparative studies. The expression jurisprudence, as explained in the book, is used in many perspectives though the common element covered by the expression is 'law'. The author has attempted to develop a classification of jurisprudence which is worth examination.

The book gives an account of opinions for understanding the nature of law, under the captions: 'meaning of law', 'law and morality', 'law and fact', 'enforcement' and functions of law. It makes a useful reading for students having taken up studies in law as a carrier/profession. Getting to the topic of 'using a law library, Ajjappa has given a spectrum of printed and online 'sources of study' for law including books, journals, magazines, data basis, reports and judgments to enable a student to get familiarized with the relevant materials and develop ability for accessing them. Classification of laws has been lucidly give in a chapter of the book with crisp descriptions on the formulations: municipal law, public international law, private

international law, law and equity, public law and private law, constitutional law and administrative law, civil and criminal law, and personal and territorial law.

Very aptly, the book carries a comparative and appropriately a long chapter on 'sources of law' introducing a student primarily to legal formulations of jurists about the structure and validity of law. This is followed by detailed descriptions on factors influencing law and well known formal sources of law including codes and codification, judicial precedent and custom. The methods of deduction of the rules from these sources are well woven in the contents of this chapter. An appraisal of local digests, customs and practices is valuable addition to this part of the book presenting diversity in patterns of development in law, legislation and local usages and traditions.

The author has genuinely devoted a chapter to 'concept of a legal system' which explains the making up of a legal system through linkages between the norms, inter se and institutional, building a working mechanism to carry out the necessary activities/function. The comprehension of notions and systems of law is basic to the process of legal studies. Analysis and interpretation of laws is not possible without an understanding of legal systems. Jurists have attempted very exhaustive structural and functional analysis of legal systems for attempting a real understanding of the working of any system. This is most important for professionals of law and all engaged in the process of law making, implementation and enforcement. The author of the present book has given a very crunchy version of the thought of some prominent analysts dealing with norms and interrelations between norms necessary for systematic understanding of law. He has referred to Ulpian, John Austin, Kelsen, Hart, Bentham, Joseph Raz, *etc.* A climax is also reported in the words of Friedmann, "A multitude of legal norms may not amount to a legal system unless they are linked with each other in an integrated structure". [Legal Theory, 1967] Legal method is, therefore, mainly a developing of the concepts and description of the features of a legal system, including their re-examination and reconstruction.

The classification of legal systems, as possible in different perspectives, with their particular features, is given by the author in specific argots related to region, nature of law or ideology and approach. Rene David and John E.C. Brierley, their book *Major Legal Systems in the World* have use the expression "Families of Laws". John H. Merryman in his book *The Civil Law Tradition* uses the term "legal tradition" and not "legal system", and in his opinion "legal system" refers to "an operating set of legal institutions, procedures and rules". The book contains a fine matrix of expressions to enable an aspirant of legal studies to have an affluent understanding of the terminology, background and nature of different systems of laws known in the world with at least a preliminary distinctiveness. Examples for the systems of law in different contexts are: the Romano-Germanic Family, Common Law Family, the Family of Socialist law, Civil law, Common law, Roman law, French law, Procedural law, Substantive law, Private law, Public law and others. Structure of courts in England and America with

the title “Common Law Family/Tradition” has been incorporated in the book in a simplified way which can facilitate a comparative understanding of institutional display of legal systems.

The book ends with a chapter on the Indian Legal System, which is characterized by its very diverse edifice and content, working in a varied social environment and composite culture. The system is sustaining with a fair strength even amidst challenges posed by colonial extensions to its jurisprudence and sluggish deliverance for working difficulties.

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