

LAW 901	Research Methodology	L	T	P	C
Version1.1		4	0	0	4
Pre-requisites//Exposure					
co-requisites					

Course Description

Research Methodology is essential for all the subjects. It facilitate the researcher in selection of the relevant problems in the field as well as equip the students with research theory and skills for conducting research at doctoral, post-doctoral levels and undertake need based research projects for the development of the society as a whole. Legal researchers have always struggled to explain the nature of their activities to colleagues in other disciplines. This course intends to enable the students to understand the scope of legal research and tenants of qualitative and quantitative research; so that they may develop skills for conductive good research.

Course Objectives

Specific objects of the course are as follows:

- To understand the concept, role and nature of research and methodology thereto.
- To enable the students to learn problem formulation and stages of research
- To understand the research design, and models of legal research
- To examine the stages of legal research.
- To assess the impact of research in socio-legal development of the country.
- To examine the challenges in research work.

Course Contents:

Part – A (2 credits)

UNIT I.: Research: A Conceptual Framework

- Research: Meaning and Concept
- Knowledge, facts, principles, theories and research as a source of Knowledge
- Scientific method of inquiry and basic steps of research
- Types of research: Basic, Applied and Action Research
- Ethics in Research
- Methods and Methodology
- Intellectual Property Rights

UNIT II. Computer application for research

- Word processing, Data processing, Graphical processing, Use of web tools for research, Use of excel, Use of multimedia tools.

Part-B (2Credits)

UNIT III: Research Design

- Stages of Research and Problem Formulation
- Review of relevant Literature
- Hypothesis- Meaning, Type of Hypothesis,
- Types of Research Design-Descriptive, Exploratory, Experimental and Diagnostic Design.
- Research Questions and formulations.
- Collection and analysis of Data.

UNIT IV

Quantitative Method

- (a) Use of quantitative method in research
- (b) Types and sources of data
- (c) Data analysis for specific type of data
- (d) Tabulation and graphical representation
- (e) Central tendency
- (f) Dispersion
- (g) Correlation
- (h) Regression

(i) Use of chi square

UNIT V

Models of Legal Research and Current Trends

A. Models of legal research

1. Evolutive and evaluative
2. Identificatory and Impact studies
- 3 Projective and Predictive
- 4 Collative
5. Historical
- 6 Comparative

B. Current trends in legal research

- 1 Mono-disciplinary legal research
2. Trans-disciplinary legal research
3. Inter-disciplinary legal research

Recommended Books

1. Bruce L Berg, *Qualitative Research Methods for the Social Sciences*, 2001
2. C.R.Kothari, *Research Methodology; Methods and Techniques*,1985
3. Manoj Kumar Sinha & Deepa Kharb, *Legal Research Methodolgy*, LexisNexis, 2017.
4. Frederic Charls Hicks, *Materials and Methods in Legal Research*
5. Good and Hall, *Methods in Social Research*, 1985
6. Harvard Law Review Association, *The Bluebook; Uniform System of Citation*
7. Janathan Anderson, *Thesis and Assignment Writing*
8. Johan Galtung, *Theory and Mathods of Social Research*,1970
9. Leon Festinger, *Research Methods in Behavioral Sciences*,1953
- .10. Raman V. Raja, *Fundamentals of Computer*, New Delhi, Prentice Hall India.
11. PC, *Software Windows made Simple*, Tasali, Tata Mcgraw-Hill Publication.
12. Jain.S.N., *Legal Research and Methodology*
13. Morris.L.Cohan, *Legal Research in Nutshell*
14. Gupta S.C, *Fundamentals of Statistics*, Himalaya Publication House, Bombay

15. Sanders D.H. (1981), Computer Today, McGraw Hill, New York.
16. Sinha P.K. (1992), Computer Fundamentals, BPB Publications, New Delhi.
17. Engalhart Max D. (1972), Methods of educational Research, Rand McNally and Company, Chicago
18. Paul Chynoweth, Legal research, in Edited Book on Advanced Research Methods in the Built Environment, Edited by Andrew Knight & Les Ruddock, published by Wiley Blackwell.
19. Research Methods for Law, Edited by Mike McConville and Wing Hong Chui, Edinburgh University Press.
20. Legal Research Methods- Teaching Material, Prepared by Prof (Dr) Khushal Vibhute & Filipos Aynalem.
21. Methodologies of Legal Research, Edited By Mark Van Hoecke, published by HART Publishing. OXFORD AND PORTLAND, OREGON.
22. Denis P.Forcese and Stephen Richer, *Stages of Social Research-Contemporary Perspectives*,1970.



LAW 902	Tools and Techniques of Research	L	T	P	C
Version1.1		4	0	0	4
Pre-requisites//Exposure					
co-requisites					

Course Description:

This course aims to enable the research students with the peculiarity of the Legal Research Techniques and to explain the nature of legal research in context with other disciplines within the built environment. The built environment is usually considered to be an interdisciplinary (or, at the very least, a multidisciplinary or at least trans-disciplinary) field linking the disciplines of management, economics, sociology, History, law, science and technology. As we know conducting a thorough legal research requires to certain specific steps and identification of legal resources that may provide answers to the research questions. Understanding and analysis of this course and all the tools and techniques shall enable the research students with the competency of conducting an effective legal research.

Objectives of the Course:

This course has following aims:

1. To equip the students with the necessary skills for analysis and interpretation of data, analysis of research report and production of quality legal writings.
2. To understand to the purpose and process of legal research writing and documentation.
3. To develop in students skills for conducting research in multidisciplinary local.

Course Contents:

UNIT I Doctrinal and Non-Doctrinal Legal Research

- Doctrinal Legal Research- Aims and Basic Tools
- Stages and Limitations of Doctrinal Legal Research
- Advantages and Limitations
- Non-Doctrinal Legal Research- Aims and Basic Tools.
- Advantages and Limitations of Non-Doctrinal Legal Research
- Inter-relation between Doctrinal and Non-doctrinal Legal Research

UNIT II Research Tools and Data Processing

- Observation Method
- Interview and Schedule Method
- Questionnaire Method
- Survey Method
- Case Study Method
- Projective Techniques
- Contents Analysis
- Data Processing (deductions and Inductions) analysis and Interpretation of Data.

UNIT III Research Techniques

- Sampling
- Survey and Case Study
- Scaling and Contents Analysis

UNIT IV Interpretation and Analysis of Data

A. Legal Research and Interpretation

- a. Application of Doctrine of Ex Vescibus Actus
- b. Doctrine of Ut Res Magis Valeat Quam Pareat
- d. Doctrine of Presumptions
- e. International Laws- Doctrine of Transformation and Incorporation

B. Analysis of Data

- 1) Meaning and Nature Analysis in Legal Research
- 2) Quality of Analysis in Legal Research
- 3) Use of Deductive and Inductive Methods in Legal Research.

UNIT V Preparation of Research Report and Legal Writings

A. Preparation of Report

- 1). Features of a Legal Research Report
- 2). Quality of Theoretical Descriptions and Statistical Presentations
- 3). Modes of Citation and Elucidation

B. SPECIFIC LEGAL WRITINGS

- Essentials of Good Legal Writing
- Kinds of Legal writing.
- Structured Legal Writing: Organization of Legal Materials
- Framing of Write Up: Research Question, Title, Identifying relevant areas of law, Identifying Literature and Case Laws, Analysis, Discussion, Recommendations and Conclusion,
- Sources of Authority
- Kinds: Informative, Persuasive; Writing for Individual Purposes; Writing for Academic Purpose; Writing for Court Purposes: Briefs, Plaints etc.; Writing for Publication: reviews, articles, books etc.; Judicial Writing.
- Citation, Reference and Footnoting
- Editing and Proof reading,
- Writing of Research Proposal
- Dissertation/ Thesis Writing
- Publication and Research Ethics.

Recommended Readings:

1. Manoj Kumar Sinha & Deepa Kharb, Legal Research Methodolgy, LexisNexis, 2017.
- 2., Michael J. Crotty, *The Foundations of Social Research: Meaning and Perspective in the Research Process*.
3. Steinar Kvale, Svend Brinkmann, Interviews: Learning the Craft of Qualitative Research Interviewing.
4. Morriss L Cohen and Kent C Olsen, Legal Research in Nutshell, West 11th edition (2013).
5. Allen F Repko , Interdisciplinary Research: process and theory 2nd edition (2011) Sage Publications.
6. Mark Ven Hoeche (Ed), Methodologies of Legal Research: Which kind of method for what kind of discipline (2013) Hart Publishing.
7. Dawn Watkins and Mandy Burton, Research Method in Law (Ed), Routledge Publishers, 2013.

8. S.K. Verma and M. Afzal Wani (Eds.) *Legal Research and Methodology*, ILI Publication 2nd edition 2001 (2015 Reprint).
9. Frederic Charls Hicks, *Materials and Methods in Legal Research*.
10. Terry Hutchinson, *The Doctrinal Method: Incorporating Interdisciplinary Methods in Reforming the Law*, ELR December 2015 | No. 3 - doi: 10.5553/ELR.000055.
11. Lee Loevinger, *Jurimetrics: The Methodology of Legal Inquiry*, **LAW AND CONTEMPORARY PROBLEMS**, PP. 5-35.
12. Mike McConville and Wing Hong Chui. (Edited), *Research Methods for Law*, Edinburgh University Press, 2007.
13. Prof (Dr) Khushal Vibhute & Filipos Aynalem, *Legal Research Methods*, Justice and Legal System Research Institute, 2009.
14. Mark Van Hoecke (Edited), *Methodologies of Legal Research*, Hart Publishing Ltd, 2011.
15. Mark Van Hoecke, *Methodology of Comparative Legal Research*, Law and Method, PP. 1-35.
16. R. van Gestel, H.-W. Micklitz & M. Poiares Maduro, **METHODOLOGY IN THE NEW LEGAL WORLD**, EUI Working Paper **LAW** 2012/13.
17. Kristina Simion, *Qualitative and Quantitative Approaches to Rule of Law Research*, The International Network to Promote the Rule of Law (INPROL), 2016.
18. Lee Epstein and Andrew D. Martin, **QUANTITATIVE APPROACHES TO EMPIRICAL LEGAL RESEARCH**, PP. 901-925.
19. C R Kothari, *Research Methodology: Methods and Techniques*, New Age International Publishers.
20. Dr. Prabhat Pandey & Dr. Meenu Mishra Pandey, **RESEARCH METHODOLOGY: TOOLS AND TECHNIQUES**, BRIDGE CENTER, 2015.
21. 2016. Rattan Singh, *Legal Research Methodology*, LexisNexis. 2016.
22. Matthew B. Miles, *Qualitative Data Analysis: An Expanded Sourcebook*.

23. Laura Cahillane (Editor), Jennifer Schweppe (Editor), *Legal Research Methods: Principles and Practicalities*, CLARUS, 2016.

LAW 903	Preparation and Presentation of Research Proposal	L	T	P	C
Version1.1		4	0	0	4
Pre-requisites//Exposure					
co-requisites					

Course Description

This paper intends to ensure literature review of the proposed study and synthesizes the current understanding of a particular topic. It is a very useful way to become up to date on the state of knowledge and the research that has been done in a particular research area. **Reviewing and summarizing the literature is a critical skill for successful scientists.** In particular, this skill is an important component of identifying research questions and writing research proposals. In this Course the **research students is required** to submit a research proposal on the topic chosen by the candidate for his Ph.D. **Each students** shall be required to articulate in an about 5000 words his/her individual subject of the study in the intended area of research by selected bibliography.

You must do library research to collect journal articles (and books) to write your paper. Information from the Internet will not be accepted, unless it is from a journal that is published or available on the web. You should not assume that the reader has read the papers that you have read. In addition, you should define any new terms or jargon that have not been discussed in class or course readings.

Course Contents

There will be four main steps involved in writing this paper:

1. Topic Choice
2. Paper Outline and Article Summaries
3. Research Proposal (75 Marks)
4. Seminar Presentation (25 Marks)

Detail of the various stages

(1) Topic choice - You will be given a list of possible topics. You must rank your top five choices from this list and submit to your supervisor. Your supervisor shall then assign topics to students based on their choices while avoiding excessive overlap among students.

(2) Paper outline and article summaries- : write an outline of your paper and write a summary of the main points from each individual article and an explanation of why you think each article will help address your topic. At this point, you need to have all of the citations that you are going to use for the paper using sufficient previous research works. Thus, you must have planned on doing most of your literature searching and journal article reading BEFORE this assignment is due.

(3) Research Proposal Submission– Each student is required to revise his draft of paper outline as suggested by the Supervisor and make a final submission of the proposed research plan.

4. Seminar Presentation of your Proposal- After the final submission each student has to present his proposal paper before the DRC.