

Foundation Course-I: Research Methods and Legal Writing

Objectives:

All professionals require adequate exposure to research methods to attain greater heights in the professions. Law being a most socially relevant subject, appropriate exposures to research skills and legal writing will make qualitative difference in the services rendered and contribute to social good. The LL.M. students should be trained to undertake research study of any issue, collect relevant data using appropriate tools, analyse the data, employ different methods of research and produce a report, petition, opinion, etc. of great utility. This course is designed in that direction.

Course Content:

Unit-I

Meaning of research; purpose and objectives of legal research; reflective thinking; application of reflective thinking in legal research; scientific method; pure and applied research; doctrinal and non-doctrinal research.

Unit-II

Research problem; hypothesis; research questions; tentative chapterisation; research methodology; Methods of legal research- analytical method, historical method, comparative method and sociological or empirical method.

Unit-III

Experimental method, philosophical type of research, prognostic type of research, descriptive method.

Unit-IV

Research Tools- use of library, observation, questionnaire, mailed questionnaire, interview. Probability and sampling, scaling techniques, analysis of data,

Unit-V

Legal Writing- meaning, Importance, nature of academic research and writing in law. How to start a research paper?- felt difficulties, selection of topic, focusing on specific theme, making notes and paraphrasing, developing independent ideas. Thinking and writing originally-

Reflective thinking, perspectives of legal philosophy and constitutional ideoplogy; law-society perspective. Literature review. Report writing; writing case comments and book reviews. Publication of academic work in books, journals and newspapers. Use of technology in legal research.

Books Prescribed:

1. Frederick L. Whitney, *The Elements of Research*, (New York: Prentice Hall, 1950).
2. William J. Goode and Paul K.Hatt, *Methods in Social Science Research*, 1st Ind. Re.pt., (Delhi: Surjeet Publications, 2006).
3. S.N.Jain, et.al., ed, *Legal Research and Methodology*, 2nd ed., 4th re.pt. (New Delhi: Indian Law Institute, 2010).
4. Terry Hutchinson, *Research and Writing in Law*, (Sydney: Lawbook Co., 2009).