

PAPER 5: LEGAL EDUCATION AND RESEARCH METHODOLOGY

[Compulsory]

Objectives:

A post-graduate student of law should get an insight into the objectives of legal education. The student should be introduced to the legal regime governing legal education so that they can contribute better when involved in activities of centres of legal education. Further, the student should be thoroughly introduced to the idea and methods of legal research to better equip them to effectively discharge their responsibilities in the capacity of both academicians and professionals. This course is designed to equip the students with the requirements of legal education and legal research in contemporary society.

Course Outcome:

On successful completion of the course the student will be able to –

1. apply the best methods of research including the historical and comparative methods which include Case Study to the given situation.
2. critically evaluate the research methodology and their utility in academic legal research.
3. write a research report conveying the findings of the Legal Research in a cogent form

Course content:

Unit I : Introduction to Legal Education

Legal Education; history of Legal education; National Education Policy; objectives of Legal education, Bar Council of India Rules of Legal education, present problems of Legal education and future perspectives; curriculum making and reform; designing teaching methods to suit the curriculum requirements; diversity in teaching methods and their merits and demerits; legal aid, legal literacy and law reform.

Unit-II: Idea of Legal Research, Methodology and ensuring good quality research

Legal research: introduction; legal research methodology, purposes and footprints; thinking process in legal research: diverse models; objectivity, value neutrality, originality and ethics in legal research; choosing, designing and building the research theme; formulation and testing of hypothesis; rules against plagiarism, introduction to kinds of research.

Unit-III: Doctrinal Legal Research

Doctrinal Legal Research as a means of synthesizing facts, thoughts and legal principles; analytical legal for expanding the legal world; historical legal research: implications and applications; philosophical research in law: the possibilities; comparative method of legal research: nature, process and potentiality.

Unit-IV: Non- Doctrinal Methods of Legal Research

Empirical Legal Research: nature, features and expanding Horizons; tools of data collection in empirical legal research: observation, interview case study, ethnography, questionnaire ,

survey, qualitative legal research; sampling method: varieties and uses; qualitative legal research

Unit-V: Integrated Methods of Legal Research and Research Reporting:

Multi -method legal research: nature, features, procedure and potentiality; policy research in law, action research in law, methodology of feminist legal research , legal writing based on Research report writing, writing articles, case comments and notes.

Prescribed books:

Bhat Ishwara P., Idea and methods of legal Research (Oxford: Oxford University Press, 2019)

References:

1. Whitney F.L., The Elements of Research (rev. edn., Prentice Hall, 1948)
2. Goode William J. and Hatt Paul K., Methods in Social Research, McGraw-Hill Book Company, London
3. Mike McConville and Wing Hong Chi, Research Methods for Law (Edinburg University Press, 2007)
4. Justice A.S. Anand, “Legal education in India- Past, Present and Future” in Lokendra Malik and Manish Arora ed., Legal Education in India: Essays in honour of Professor Ranbir Singh (New Delhi: Universal Law Publishing Co. 2014) pp.11-20.
5. Justice A.R. Lakshmanan, “Legal Education- Role of Bar” in Lokendra Malik and Manish Arora ed., Legal Education in India: Essays in honour of Professor Ranbir Singh (New Delhi: Universal Law Publishing Co. 2014) pp.35-48.