

# Chanakya National Law University, Patna

Academic Session: 2022-23

LL. M.

Semester- I

**Course Title: RESEARCH METHODS AND LEGAL WRITING**

**Compulsory Paper – : Credits : 4**

## Course Overview

The main objective of this course is to acquaint the student of law with the scientific method of social science research. This course is expected to provide the knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio legal research. Emphasis would be laid on practical training in conducting research in this course. By the end of the course the students are expected to develop a scientific approach to socio legal problems. They should be able to design and execute small scale research problems. The practical skill in conducting research will be evaluated on their performance in field research and workshops/seminars.

## Learning Outcomes

To develop legal research skills & legal reasoning and apply it during programme & in Legal practice. Recognise primary and secondary sources of legal research material. Use and apply secondary sources, case law and legislation using both paper based and online resources to a research problem. Develop correct research strategies to critically evaluate the relevance, quality, authority and currency of the research materials. Demonstrate good legal writing skills, including an understanding of the use and preparation of legal research material in legal writing and the correct methods of legal referencing.

Topic/ Module	Contents/ Concepts	Sessions / Lectures
<b>Module I:</b>	<b>INTRODUCTION</b> Law and society: mutual relationship and interaction, Meaning of research, Objectives of legal research, Types of research, Nature and scope of socio-legal research, Factors affecting legal research, Inter-disciplinary research, Common law and Civil law systems, Legal writing and its significance.	<b>10 Lectures</b>
<b>Module II:</b>	<b>LEGAL RESEARCH AND METHODOLOGY</b> Sources of information, Identification and formulation of a research problem, Review of literature, Formulation of hypothesis, Research design, Methods of legal research: doctrinal and non-doctrinal research, Preparation of synopsis, Rules of interpretation.	<b>12 Lectures</b>
<b>Module III:</b>	<b>RESEARCH METHODS</b> Research Design, Various Steps in Research: Research Process, Research Problem: Identification and Formulation, Hypothesis, Use of Library, Use of Modern Technology/ Computer Assisted Research, Tools and Techniques for Collection of Data	<b>12 Lectures</b>

	<ul style="list-style-type: none"> <li>· Primary and Secondary Sources</li> <li>· Literature Review</li> <li>· Observation Method</li> <li>· Questionnaire</li> <li>· Schedule</li> <li>· Interview</li> <li>· Case study</li> <li>· Sampling</li> <li>· Jurimetrics</li> </ul> <p>Analysis and Interpretation of Data, Use of Deductive and Inductive Methods in Research, Preparation of Research Report and Writing of Research report, Budgeting of Research, Ethical and Legal Issues: Plagiarism and Copyright Violation.</p>	
<b>Module IV:</b>	<b>RESEARCH TECHNIQUES</b> Data collection: tools and techniques, Sampling procedure, Survey and Case study method, Scaling and Content Analysis, Use of Questionnaires, Schedule, Observation and Interview, Legal Material, Interpretation and Analysing Data, Statistical tools.	<b>10 Lectures</b>
<b>Module V:</b>	<b>LEGAL WRITING AND PARA-LEGAL ACTIVITIES</b> Report/Article writing, Citation methodology, Book review and case comments, Organization of seminars, Publication of journals, Clinical legal education: legal aid, legal literacy camp, legal survey, law reforms, Essentials of Good 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.	<b>12 Lectures</b>
<b>Module VI:</b>	<b>Plagiarism</b>	<b>04 Lectures</b>

#### **TEXT BOOKS**

1. Agrawal, S.K; Legal Education in India; Eastern Book House
2. Legal Research and Methodology; Indian Law Institute
3. Legal Research and Research Methodology, Dr. G P Tripathi and Dr. Ajay Kumar, Central Law Publication, Allahabad

#### **REFERENCE BOOKS**

1. Pauline, V.; Scientific Social Survey and Research; Prentice-Hall of India
2. Madhava Menon, N.R.; A Handbook of Clinical Legal Education; Tata McGraw Hill

3. William, Goode; *Methods in Social Research*; Tata McGraw Hill
4. *Journal on Research Methodology*; Indian Law Institute
5. *Index to Indian and Foreign Legal Articles*; National Law University, Delhi
6. Bruce L. Berg, *Qualitative Research Methods For The Social Sciences* (London, Allyn and Bacon, 2001).
7. C.R. Kothari, *Research Methodology: Methods and Techniques* (New Delhi: Wiley Eastern Ltd., 1985).
9. Dennis P. Force and Stephen Richer (ed.), *Stages of Social Research – Contemporary Perspectives* (New Jersey : Prentice Hall Inc., Englewood Cliffs, 1970).
11. Frederic Charles Hicks, *Materials and Methods in Legal Research* (Lawyers Cooperative Publishing, New York).
12. Goode and Hall, *Methods in Social Research* (Singapore : MacGraw Hill Book Co., 1985).
13. Harvard Law Review Association, *The Bluebook: Uniform system of Citation* (Harvard Law Review, Harvard).
14. Janathan Anderson, *Thesis and Assignment Writing* (Wiley Eastern Ltd., New Delhi).
15. Johan Galtung, *Theory And Methods of Social Research* (London: George Allen & Unwin Ltd., 1970).
16. Leon Festinger (ed.), *Research Methods in Behavioral Sciences* (Holt, Rinehart and Winston, New York, 1953).
17. Pauline V. Young, *Scientific Social Surveys and Research* (New Delhi : Prentice Hall of India Pvt. Ltd., 1984).
18. Selltitz, Jahoda *et.al.*, *Research Methods in Social Relations* (Holt, Rinehart and Winston, New York, 1964).
19. Vijay K. Gupta, *Decision Making In The Supreme Court of India (A Jurimetric Study) – Alternatives in Judicial Research* (Delhi : Kaveri Books, 1995).

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