



**O.P. Jindal Global University**

*A Private University Promoting Public Service*

**NAAC Accreditation - 'A' Grade**

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**O.P. JINDAL GLOBAL UNIVERSITY**

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**COURSE INFORMATION**

<b>PROGRAMME</b>	: <b>Ph.D</b>
<b>SEMESTER</b>	: <b>Fall Semester</b>
<b>SESSION</b>	: <b>Fall 2021</b>
<b>SUBJECT CODE</b>	: <b>DS-C-006</b>
<b>NO. OF CREDITS</b>	: <b>1.5</b>
<b>SUBJECT</b>	: <b>QUALITATIVE RESEARCH METHODS FOR LAWYERS AND LEGAL PROFESSIONALS</b>
<b>MEETINGS</b>	: <b>2 Hours / Week</b>
<b>LOCATION</b>	: <b>Online</b>
<b>Mode of Delivery</b>	: <b>BLENDED (ON-SITE AND ONLINE WITH SMALL GROUP WORK)</b>

**INSTRUCTOR INFORMATION**

<b>INSTRUCTORS</b>	: <b>Dr Keerty Nakray</b>
<b>E-MAIL</b>	: <b><a href="mailto:knakray@jgu.edu.in">knakray@jgu.edu.in</a></b>
<b>Office Hours</b>	: <b>(TBC) or By Appointment</b>

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**OFFICE OF DOCTORAL STUDIES**  
**O. P. JINDAL GLOBAL UNIVERSITY**  
Sonipat-Narela Road, Near Jagdishpur Village, Sonipat,  
Haryana-131001, NCR of Delhi.  
Web : [www.jgu.edu.in](http://www.jgu.edu.in)

## I. COURSE DESCRIPTION, AIMS AND OBJECTIVES

Law is an inter-disciplinary subject to be relevant in the 21<sup>st</sup> century requires it to adopt multi-faceted approaches of social enquiry. This course is designed to draw out the intersections between philosophy and empirical research in the legal and social sciences. Qualitative Research Methods are associated with empiricism within social sciences and law. Legal studies have made extensive use of research methods such as ethnography, in-depth interviews, documentary analysis and survey methods. Social sciences have adopted rigorous approaches of social inquiry and adapted to fast-paced changes in the world by developing *state of the art* techniques to examine social media and visual arts. This course aims to provide PhD-candidates with an understanding of the purpose and appropriate use of the qualitative research methods and to equip researchers with the skills to decide whether their research topic requires the use of qualitative research methods, to select the most appropriate research methods and to know how to report on them. Qualitative Research Methodology for lawyers and legal professionals introduces students to theories, techniques, tools and methods of analysis focusing on a range of legal and social science research method. It will cover both positivist philosophy underpinning quantitative research and qualitative research approaches such as interviews, and ethnography. We will also draw on the contemporary research undertaken by legal scholars such as Jayanth Krishnan, Nayanika Mathur, SHylashri Shankar, Arup Surendranathan and Prabha Kotiswaran who extensively use empirical methods to make their work policy-relevant. The course adopts an active learning pedagogical approach which entails the in-class participative discussions, small group work and discussions; peer-reviews of assessments. We will also encourage students to develop and design research proposals. We encourage students to undertake practical, and skills-based exercises which entail conducting interviews, focus group discussions, ethnographies, visual and social media analysis. Besides, the students will be taught skills such as the development of codebooks and writing qualitative research.

**PREREQUISITES:** Basic and conceptual appreciation and understanding of the application of qualitative research methods to legal studies.

**Mode of instruction:** This course consists of mandatory lectures and small group work for assignments. The module adopts an active learning approach which entails learners to undertake skills-based assignments to deepen their learning.

### *I.A COURSE LEARNING OUTCOMES*

On successful completion of this course, students will be able to develop the following competencies:

*Core Skills:*

1. Application of legal philosophy towards understanding empirical realities.
2. The understanding of epistemology, ontology, methodology and methods.
3. Design original research designs based on rigour and science.
4. Examine the social relevance of legal advances and their implications.
5. Appreciate the delicate nuances of inter-disciplinary approaches to legal and social science research.
6. Reflect and engage on the ethics of research and its implications for human subjects.

*Transferable Skills:*

1. Examine research questions based on scientific rationality.
2. Design research based on specific research problems.
3. Demonstrate an understanding of interdisciplinary and mixed methods research designs and methods used in qualitative research (interviews, focus groups and observation).

4. Demonstrate the ability to design and conduct a small original quantitative/ qualitative research project.
5. Demonstrate the ability to structure a written qualitative research report.

#### *I.B PEDAGOGY*

- ✓ Active Learning approach: The students are expected to prepare in advance for the classes for the discussion and actively participate in the class.
- ✓ Small-Group Work: The students will be asked to review existing empirical legal research and prepare a brief critiques of the current works.
- ✓ Personalised Teaching and Formative Feedback: The students are encouraged to seek formative feedback for their assessments. Individualised feedback will be provided to each student on their research projects.
- ✓ The students will be encouraged to present their work in groups and as individuals.

## II.A Assessments, Break-Up of Marks, Submission and Deadlines

### **Formative Assessment 1: Submission of Critique of one empirical legal work (15 marks):**

The students will be divided into groups and will identify one empirical legal work and present a critique of the work based on the foundational concepts in empirical legal research.

**Deadlines: September 15-22, 2020**

### **Formative Assessment 2: Submission of Visual Ethnography/Interview/FDG/Social Media transcript (10 marks)**

Conduct an interview (10-30 minutes) and focus group discussion (30 minutes) by virtual methods of telephone, what's app or skype or Select one social media apps such as Instagram, Facebook, Twitter, and identify a prominent person or company and follow them and analyse their posts.

**Deadline: October 20,2020**

### **Summative Assessment 3: Submission of the final report (15 marks)**

### **Summative Assessment 4: Presentation (10 marks)**

**Deadline: November 1-10, 2020**

#### *Submission Guidelines*

- ✓ All the study materials will be available on the Learning Management System (LMS) Moodle.
- ✓ All the submissions should be via Moodle and all the assignments will be subjected to Plagarism Check via Urkund.
- ✓ Plagarised essays will be marked zero.
- ✓ No E-mail Submissions will be accepted

### II.B EVALUATION RUBRIC

Criteria (Course Objectives)	1 (Unsatisfactory)	2 (Emerging)	3 (Proficient)	4 (Exemplary)
	50> (Fail)	50-65	65-80	80 < Outstanding
Application of legal philosophy towards understanding empirical realities.	The student cannot establish a relationship between legal philosophy and empirical realities.	The student demonstrate a limited understanding of legal philosophy and empirical realities.	The student can clearly demonstrate an understanding of legal philosophy and empirical realities.	The student demonstrate a sharp understanding of legal philosophy and empirical realities.
Understanding the foundations of research based on epistemology, ontology, methodology and methods.	The student is not able to link between epistemology, ontology, methodology and methods.	The student has limited understanding of epistemology, ontology, methodology and methods.	The student is able to establish the relationship between epistemology, ontology, methodology and methods.	The student can establish the relationship between epistemology, ontology, methodology and methods.
Design original research designs based on rigour and science.	The student is not able to develop independent research designs.	The students demonstrates limited capacity to design original research.	The students demonstrates capabilities to design an original research.	The students demonstrates capabilities to design an original research based on critical thinking.
Examine social relevance of legal advances and its implications.	The student is not able to establish the implications of legal advances on the society.	The student has limited capacity to establish the implications of legal advances on the society.	The student is able to establish the implications of legal advances on the society.	The student is able to draw out the implications of legal advances on society.
Understanding the fine nuances of inter-disciplinary approaches to legal and social science research.	The student does not demonstrate an understanding of inter-disciplinary approaches.	The student has limited capacity to understanding of inter-disciplinary approaches.	The student is able to establish an understanding of inter-disciplinary approaches.	The student demonstrates excellent understanding of interdisciplinary approaches/
Reflect and engage on ethics of research and its implications for human subjects.	The student is not able to engage with complexity of ethical questions in research.	The student has limited understanding of ethical questions in research.	The student is able to understand the ethical questions in research.	The student engages in reflective approach to understanding complex ethical question in research..
Write and develop research reports based on qualitative research.	Student cannot write research proposal & reports.	Student can write research proposal & reports somewhat	Student can write research proposal & reports most of the time.	Student can write research proposal & reports in a time-bound fashion using module specific knowledge.

### II.C EVALUATION & GRADING

Description	Weightage	Schedule
Formative Assessment (Assessment 1 and 2)	50%	Detailed Below
Summative Assessment (Assessment 3 and 4)	50%	Course Calendar

### II.D FORMATIVE AND SUMMATIVE BREAK-UP

First Component	50% weightage	Individual/ Group Assignment (Tentatively in 4 <sup>th</sup> – 8 <sup>th</sup> week of course)
Second Component	50% weightage	End-Term Submission of Final Report and Presentation

### II.E Contact Hours and Total Work-Time for the Modules

This module has total contact time within classrooms of 22.5 hours. However, the students are expected to undertake independent study which entails additional hours of work individually and in groups.

### II.F PASSING CRITERIA

As per JGU guidelines for Doctoral Courses.

### II.G ATTENDANCE

The students are actively encouraged to participate in class and seek one-on-one formative feedback from their teachers. Poor attendance will result in low or fail grade. If you are absent, ask a classmate or your instructor about the work that you missed. Please do not come to class late. The rule for ODS is as follows:

- When you are less than 10 minutes late, you are marked "late."
- Three times "late" equals one time "absent."
- You are also marked "absent" if you arrive more than ten minutes late.

As per ODS rules students are required to have minimum attendance of 75%. Students with less than said percentage shall not be allowed to appear in final examination.

**Cell Phones:** Cell phones and other electronic communication devices are not permitted in classes. Such devices MUST be turned off and left at the front or back of the room. Please turn off your cell phone and do not answer it during class. This will help the class work together without disruption.

**Missed Classwork:** You must be ready with assignments on the scheduled day. If you are absent, your grade will probably be 0. If you are absent due to a situation beyond your control, your teacher may or may not allow you to make up the missed work.

**E-Mail:** Generally, important information related to the class will be transmitted via e-mail/LMS. The best way to arrange meetings with us or ask specific questions is by e-mail.

**Statement of Ethical and Professional Conduct:** The JGU faculty, staff and students will follow the highest level of ethical and professional behaviour. We will strive to be recognised as a community with legal, ethical and moral principles and to teach and practice professionalism in all that we do. In an academic environment, we will endeavour to not only teach these values but also to live them in our lives and daily work. Faculty and staff will be held to the same standards and expectations as our students. Failure to abide by these principles will result in sanctions up to and including dismissal.

**Actionable Conduct:** These are five different types of actions that will bring sanction. They are:

1. **Illegal activity:** Violation of any local, state or country laws that prohibit the offender from performance of his or her duty.
2. **Dishonest conduct:** Seeking or obtaining unfair advantage by stealing or receiving copies of tests or intentionally preventing others from completing their work. In addition falsifying of records to enter or complete a program will also be considered dishonest conduct.
3. **Cheating:** using someone else's ideas and not giving proper credit.
4. **Plagiarism:** using someone else's ideas and not giving proper credit.

### III Support Services for Students

#### Centre for Wellness and Counseling

We encourage the students to take the support from the Centre for Wellness and Counselling is available with prior appointment at the E-mail ID: cwcs@jgu.edu.in. CWCS 24X7 Helpline Number: +918396907312. The JGU Health Centre Helpline is 8930110722.

#### Disability Support and Accommodation Requirements:

The Disability Support Committee aims to provide an inclusive learning environment for all students. We have adopted the best international practices to achieve a fine-balance between institutional goals and student well-being. The Committee provides a range of accommodations to the conditions identified by *The Rights of Persons with Disabilities Act, 2016*, the *Mental Health Care Act 2017* and the University Grants Commission and well-beyond. DSC registration is open throughout the year. We prefer that students with long-standing conditions should register at the beginning of the semester so that we can make the necessary arrangements. The DSC will take at least 14 business days to make arrangements with the respective departments. All students with any known disability needing academic accommodation are required to register with the Disability Support Committee dsc@jgu.edu.in. The Disability Support Committee maintains strict confidentiality on the matters under its purview. The registration details are available on our website <https://jgu.edu.in/disability-support-committee/>

#### Essential Readings:

Cane, Peter, and Herbert M Kritzer . *The Oxford Handbook of Empirical Legal Research*. New York: Oxford University Press, 2010.

Research Methods for Law, Edited by Mike McConville, Wing Hong (Eric) Chui

Creswell, John W. *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*. 3rd. Los Angeles: Sage, 2009.

King, Gary, Robert O Keohane, and Sidney Verba. *Designing Social Inquiry: Scientific Inference in Qualitative Research*. Princeton, New Jersey: Princeton University Press, 1994.

Patrick Dunleavy, *Authoring a PhD: How to Plan, Draft, Write and Finish a Doctoral Thesis or Dissertation* (Basingstoke: Palgrave MacMillan, 2003).

John Law, *After Method: Mess in Social Science Research* (London: Routledge, 2004)

#### Websites:

Research Methods Knowledge Base <http://www.socialresearchmethods.net/kb/qual.php>

Critical Appraisal Skills Programme (CASP)  
[http://media.wix.com/ugd/dded87\\_29c5b002d99342f788c6ac670e49f274.pdf](http://media.wix.com/ugd/dded87_29c5b002d99342f788c6ac670e49f274.pdf)

## I. SESSION PLAN WITH ASSESSMENT DEADLINES

	Course Intended Learning Outcomes	Total In-Class Time
<b>Module 1 (Weeks 1-4)</b>	<b>Overview of Qualitative Approaches to Legal Research</b>	
Overview of Legal Research	Introduction to Legal Research: Ideas, Cognition and Evidence Making	5
Introduction to Philosophy of Science and Legal Empirical Enquiry	Identify the philosophical approach suitable to their research.	
Epistemology of Qualitative Research	Value Neutrality, Bias, Situatedness, Positionality, Scientificity and Objectivity	
Doctrinal Legal Research as a Knowledge Generating Means	Growth of scientific knowledge through unending process of trial and error	
Social Science Perspectives: Qualitative Turn	The full and deep description has been foundational to qualitative approaches to social reality.	
<i>Formative Assessment 1</i>	<i>Submission of Individual Assessment of Critique of Existing Empirical Legal Research</i>	10 marks
<b>Module 2 (Week 5)</b>	<b>Designing Legal Research for Inquiry</b>	
Sampling in QRM	Sampling & Elements of a Research Proposal, Literature Review for Empirical Approaches	2
Ensuring Quality in Qualitative Research	Triangulation, Trustworthiness, Rigor, Member Checking, Validity Reasoning, Sensitising Concepts, Interpretation & Reflexivity	
<b>Module 3 (Weeks 6-9)</b>	<b>Research Methodology</b>	
Methods of Data Collection	Interviewing techniques (Structured, semi-structured, unstructured, open-ended, internet-based surveys, telephone interviews, interview guides (preparation & testing), focus group discussions, Participant Observation	7
	Legal Ethnography	
	Participatory Action Research (PAR), Visual & Social Media Research	
<b>Module 4 (Weeks 9-12)</b>	<b>Analysis of Research Data</b>	
Making sense of the data	Coding (Coding Scheme, Coding Schedule & Coding Manual), data preparation, translation & transcribing data	7
Qualitative Data Analysis	Documentary & policy analysis	
	Content Analysis and Thematic Analysis	
	Grounded Theory Approach (GTA)	
	Discourse and Critical Discourse Analysis, Narrative Analysis	
<b>Writing Qualitative Research</b>	Analysis & Writing	
<b>Summative Assessment</b>	Final Report and Presentation	<b>30 marks</b>



## Week 1: Introduction to Legal Research: Ideas, Cognition and Evidence Making

This lecture will entail a discussion on doctrinal and empirical legal research. We will draw attention to the contrasts and similarities in philosophies between the two approaches and its role in understanding the role of law in society.

### *Essential Readings:*

Dobinson, I. and Johns, F. (2019) Legal Research as Qualitative Research, *Research Methods for Law*, Ed. McConville, M. and Chui, W. Edinburgh University Press.

Webley, L. Qualitative Approaches to Empirical Legal Research, *The Oxford Handbook of Empirical Legal Research*, Edited by Peter Cane and Herbert M. Kritzer, DOI:10.1093/oxfordhb/9780199542475.013.0039

Galligan, D. Legal Theory and Empirical Research, *The Oxford Handbook of Empirical Legal Research*, Edited by Peter Cane and Herbert M. Kritzer, <https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199542475.001.0001/oxfordhb-9780199542475-e-41?rkey=gLJzcH&result=1>

### *Additional Readings:*

Bailyn Lotte. (1977) "Research as a Cognitive Process", *Quality and Quantity* , P.97-117.

## Week 2: Introduction to Philosophy of Science and Legal Empirical Enquiry

At the centre of qualitative research is an understanding of scientific thinking along with an understanding of epistemological approaches and capability to engage in reflective thinking. We will discuss the beginning of any research based on hypothesis building and processes of drawing inferences based on theory and methods.

### *Essential Readings:*

E.D. Klemke (1988), *Introductory Readings in the Philosophy of Science*, New York: Prometheus Books (Chapter 1).

Popper, K. (1988), "Science: Conjectures and Refutations," *Introductory Readings in the Philosophy of Science*, edited by Klemke, Hollinger, and Kline, pp. 19-27.

### *Additional Readings:*

Kuhn, T. (1970), *The Structure of Scientific Revolutions*, University of Chicago Press, Chicago.

Thomas S. Kuhn. 1970. "Logic of Discovery or Psychology of Research?" In Imre Lakatos and Alan Musgrave, (eds.), *Criticism and the Growth of Knowledge*, Cambridge: Cambridge University Press, pp. 1-23.

## Week 3: Understanding Philosophical Foundations of Interdisciplinary Approaches to Legal Enquiry

### *Essential Readings:*

Epstein, Lee & Gary King. "The Rules of Inference" (2002) 69 *University Chicago Law Review*.

Ulen, Thomas S. "A Nobel Prize in Legal Science: Theory, Empirical Work, and the Scientific Method in the Study of Law" (2002) 2002 University of Illinois Law Review 875.

Nelken, David. "Can Law Learn from Social Science?" (2001) 35 Israel Law Review 205.

Samuel, Geoffrey. "Interdisciplinarity and the Authority Paradigm: Should Law Be Taken Seriously by Scientists and Social Scientists?" (2009) 36:4 Journal of Law and Society 431.  
<https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1467-6478.2009.00478.x>

#### Week 4: Principles of Doctrinal Legal Research

Legal research primarily relies on doctrinal legal research (DLR) which entails rigorous analysis and synthesis of legal theoretical standpoints. Legal concepts emerge from economic, social, political, and psychological reality. The societal changes also necessitate the review of legal concepts and its social relevance. The social nature of legal thinking requires a more robust interconnection between doctrinal and empirical enquiry into the social contexts of law.

##### *Essential Readings*

McCrudden C, 'Legal Research and the Social Sciences' (2006) 122 *Law Quarterly Review* 632-650

Hutchinson, Duncan, Defining and Describing what we do: Doctrinal Legal Research, (2012) 17 *Deakin Law Review* 83.

Baude, Chilton, Malani, 'Making Doctrinal Work more Rigorous: Lessons from Systematic Reviews' 84 *University of Chicago Law Review* 37

#### Week 5: Social Science Perspectives: Qualitative Turn

One of the classical texts for the cultural anthropology is *The Interpretation of Cultures* Clifford Geertz aims at a definition of culture and what it means to the practice of a cultural anthropologist. He explains culture on the contrary, "is a context, something within which [social events, behaviours, institutions, or processes] can be intelligible—that is, thickly—described." It gives meaning to individual acts, a yardstick against which they can be interpreted and judged. Therefore, the practice of cultural anthropology, the analysis of culture, is "not an experimental science in search of law but an interpretive one in search of meaning."

##### *Essential Readings:*

Geertz, Clifford. *The Interpretation of Cultures*. New York: Basic Books, 1973. Chapter 1

"Thick Description: Toward an Interpretive Theory of Culture" pp. 3-30; Chapter 15

"Deep Play: Notes on the Balinese Cockfight," pp. 412-453.

##### Additional Sources:

Arthur Stinchcombe. 1987. Constructing Social Theories. Chicago: University of Chicago Press, pp. 3 – 56.

Scott, James. *Weapons of the Weak: Everyday Forms of Peasant Resistance*. New Haven: Yale University Press, 1985. Chapter 2 "Normal Exploitation, Normal Resistance," pp. 28- 47, and Chapter 5 "History According to Winners and Losers," pp. 138-183.

## Module 2: Research Design

### *Week 6: Designing Research Design: Ensuring Quality in Qualitative Research*

This lecture will examine the challenges to rigours of quality control in research. It will exist the approaches to the literature review. It will examine triangulation, Trustworthiness, Rigor, Member Checking, Validity Reasoning, Sensitising Concepts). Also, we will discuss the interpretation & reflexivity

#### Essential Readings:

Willig, C. (2014). Interpretation and Analysis. In U., Flick (Ed.). The Sage Handbook of Qualitative Data Analysis (pp. 136-149). SAGE: Publisher.

May, T. and Perry, B.(2014). Reflexivity and the Practice of Qualitative Research. In U., Flick (Ed.). The Sage Handbook of Qualitative Data Analysis (pp. 109-122). SAGE: Publisher.

Flick, U. (2014). Triangulation. In U., Flick (Ed.5.). An Introduction to Qualitative Research (pp. 182-192). SAGE: Publisher.

*Small-Group Break-Out Sessions and Discussions: Scaling Justice: India's Supreme Court, Anti-Terror Laws and Social Rights* (Oxford University Press, New Delhi, 2009). The report utilizing the mixed methods research the book assesses the influences on India's Supreme Court justices in their decisions on anti-terror and social rights cases.

## MODULE 3: METHODS OF Non-Doctrinal and Empirical Approaches to Data-Collection

*Week 7: Interviewing techniques* (Structured, semi-structured, unstructured, open-ended, internet-based surveys, telephone interviews, interview guides (preparation & testing); online interviews)

#### Essential Readings:

Bryman, A. (2012). Chapters 9, 12, 19, 20, 21. *Social Research Methods*. Oxford: Oxford University Press.

*Small-Group Break-Out Sessions and Presentations: Jayant Krishna's Peel-Off Lawyers: Legal Professionals in India's Corporate Law Firm Sector*, Available from: <https://www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=2278&context=facpub>

*Week 8: Ethnography:* Legal scholarship has established traditions of legal anthropology and ethnography, with its roots legal pluralism which draws on the intellectual traditions of post-colonial studies. This field opens up students to local traditions and legal norms and why social control goes well-beyond the concepts of legality and illegality.

#### Essential Readings:

Jonas Bens & Larissa Veters (2018) Ethnographic legal studies: reconnecting anthropological and sociological traditions, *The Journal of Legal Pluralism and Unofficial Law*, 50:3, 239-254, DOI: [10.1080/07329113.2018.1559487](https://doi.org/10.1080/07329113.2018.1559487)

Malinowski, Bronislaw. [1922] 2007. "Method and Scope of Anthropological Fieldwork," pp. 46-57 in *Ethnographic Fieldwork, An Anthropological Reader*, A. C.G.M. Robben and J. A. Sulka, Oxford (eds.). Oxford, England: Blackwell Publishing.

*Small Group Break-Out Sessions and Discussions: Law, Bureaucracy and the Developmental State in Himalayan India* (Cambridge Studies in Law and Society) by Nayanika Mathur.

*Additional Readings:*

- M Hammersley and P Atkinson, *Ethnography: Principles in Practice* (London: Routledge: 2007)
- Katz, Jack. "Ethnography's Warrants" (1997) 25:4 Sociological Methods & Research 391.
- Moore, Sally Falk. "Law and Social Change: The Semi-Autonomous Social Field as an Appropriate Subject of Study" (1973) 7:4 Law & Society Review 719.
- Moore, Sally Falk. "Certainties Undone: Fifty Turbulent Years of Legal Anthropology, 1949-1999" (2001)

*Week 9: Understanding Documents and Archives*

- Emily Kadens, "Working in Archives #2: Advanced Preparation," Legal History Blog
- Emily VanBuren, "6 Tools to Make Archival Research More Efficient," gradhacker (Inside Higher Education), November 9, 2014
- Shane Landrum, "Camera, laptop, and what else?: Hacking better tools for the short archival research trip," Presentation, *The Past's Digital Presence: Database, Archive, and Knowledge Work in the Humanities*, February 19-20, 2010, Cliotropic.org

*Small-Group Break-Out Sessions and Discussions:*

- 39A Death Penalty Project by Arup Surendranathan  
<https://static1.squarespace.com/static/5a843a9a9f07f5ccd61685f3/t/5ebc3dc0879c75754ab23f78/1589394902371/Death+Penalty+Sentencing+in+Trial+Courts.pdf>

*Week 10: Participatory Observation and Action Research (PAR)*

We will examine the role of participant observation and action research in legal scholarship.

- Marc Simon Thomas, 2019. Teaching Socio-Legal Research Methodology: Participant Observation. Special Issue on Active Learning and Teaching in Legal Education. Bart va Klink, Hedwig van Rossum and Bald de Vries.  
file:///C:/Users/DELL/Downloads/SimonThomas\_2019\_TeachingSociolegalresearchMethodology\_Land M.pdf
- Smit, B., & Onwuegbuzie, A. J. (2018). Observations in Qualitative Inquiry: When What You See Is Not What You See. *International Journal of Qualitative Methods*, 17(1), 160940691881676. doi:10.1177/1609406918816766
- Houh, E. and Kalsen, K. 2014. Its Critical: Legal Participatory Action Research, *Michigan Journal of Race and Law*. Volume 19. <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=1032&context=mjrl>

*Week 10: Visual Research Methods:* This week, we will examine the role of new media and social research. We will look at the role of images in qualitative research.

*Essential Readings:*

- Rose, G. (2007). *Visual Methodologies: an introduction to the interpretation of visual materials*. 2nd Edition. London: Sage.
- Feigenson, N. 2011. The Visual in Law: Some Problems for Legal Theory,  
<https://journals.sagepub.com/doi/10.1177/1743872111421126>

*Week 11: New Media*

*Essential Reading:*

Hine, C. (ed) (2005). *Virtual Methods: Issues in Social Research on the Internet*, London: Berg.  
<https://www.tandfonline.com/doi/abs/10.1080/22041451.2016.1155307>

Stremlau, N. and Gagliardone. Socio-legal approaches to online hate speech (Chapter 28) Routledge Handbook of Socio-Legal Theory and Methods.

Giddens, T. Legal aesthetics as visual method, Routledge Handbook of Socio-Legal Theory and Methods, Available from: <https://www.routledgehandbooks.com/doi/10.4324/9780429952814-28>

#### **MODULE 4: QUALITATIVE DATA ANALYSIS**

*Week 12: Making sense of the Data: Coding (Coding Scheme, Coding Schedule & Coding Manual), data preparation, translation & transcribing data.* In this class we will work together on how to analyse and manage qualitative data from audio-taping to transcribing. We will look at notations that students will use in their transcripts. We will understand the benchmarks of good transcription and translation practices to ensure quality in research. We will also understand memoing and coding to keep track of analysis. I will also share examples of coding, different types of codes, strategies for coding, and showing examples of codebooks.

Learning Objectives: Develop deductive and inductive codes.

*Essential Readings:*

Seale, C. (1999). *The Quality of Qualitative Research*. London: SAGE.

Silverman, D. (2015). *Interpreting Qualitative Data (5 ed.)*. London: SAGE.

MacLean, L.; Meyer, M.; Estable, A. (2004). *Improving Accuracy of Transcripts in Qualitative Research*. *Qualitative Health Research*, Vol. 14

Tolley, et al. 2016. Chapter 5: Logistics in the Field Pages 157-172. In *Qualitative Methods in Public Health. A field guide for applied research*. Second Edition. Wiley.

Tolley, et al. 2016. Chapter 6: Qualitative data analysis. Pages 173-212. In *Qualitative Methods in Public Health. A field guide for applied research*. Second Edition. Wiley.

Chapter 2: Writing Analytic Memos about Narrative and Visual Data, Pages 43-55. In *The Coding Manual for Qualitative Researchers*. Sage Publications.

A. Squires, R. 2008. Language barriers and qualitative nursing research: methodological considerations PhD <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2697452/>

Daniel G. Oliver, Julianne M. Serovich, and Tina L. Mason, 2005. Constraints and Opportunities with Interview Transcription: Towards Reflection in Qualitative Research, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1400594/>

### Additional Readings:

Bernard, H.R. & Ryan, G.W. (2010). *Analysing Qualitative Data: Systematic Approaches*. Chapter 4: Codebooks and Coding.

Ritchie, J. and Spencer, L. (1994). *Qualitative Data Analysis for Applied Policy Research*. In A. Bryman and R. Burgess (Eds) *Analysing Qualitative Data*, (pp. 173–194). London: Sage. Republished (and more widely available)

Ritchie, J. & L. Spencer (2002). *Qualitative data analysis for applied policy research*. In A.M. Huberman & M.B. Miles (Eds.), *The qualitative researcher's companion*. (pp. 305-329). London: Sage.

*Week 13: State of the art Framework Analysis; Content Analysis*

Ritchie, J., Lewis, J., McNaughton Nicholls, C., & Ormston, R. (2013). *Qualitative Research Practice*. London: Sage.

Hsieh, H.-F., & Shannon, S. E. (2005). Three Approaches to Qualitative **Content Analysis**. *Qualitative Health Research*, 15(9), 1277–1288.

Mayring, P. (2000). Qualitative **Content Analysis**. *Forum Qualitative Sozialforschung / Forum: Qualitative Social Research [on-Line Journal]*, 1(2), 28 paragraphs.

Miles, M. B., & Huberman, A. M. (1994). *Qualitative Data Analysis*. London: Sage.  
*Content Analysis—Socio-Legal Applications*

Lindquist, Stefanie A & David E Klein. “The Influence of Jurisprudential Considerations on Supreme Court Decisionmaking: A Study of Conflict Cases” (2006) 40:1 *Law & Society Review* 135.

### Analytic Induction

We will spend time talking more about the distinction between topical and interpretive codes, and reviewing more examples of codebooks. Groups will have time in class to work on these codebooks together. Teaching team members will be available in class to meet with groups as needed. Develop qualitative data collection and analysis skills for health behavior practice.

### Week 14 Grounded theory

Charmaz, K. (2006). *Constructing Grounded Theory*. London: SAGE.

Charmaz, K. (2014). *Constructing Grounded Theory* (2nd ed.). London: SAGE.

Glaser, B. G., & Strauss, A. L. (1967). *The Discovery of Grounded Theory: Strategies for Qualitative Research*. Chicago: Aldine.

Glaser, Barney (1978). *Theoretical Sensitivity. Advances in the Methodology of Grounded Theory*. Mill Valley: Sociology Press.

Glaser, Barney (1992). *Emergence vs. Forcing: Basics of Grounded Theory Analysis*. Mill Valley: Sociology Press.

Strauss, Anselm L. & Corbin, Juliet (1990). *Basics of Qualitative Research. Grounded Theory Procedures and Techniques*. Newbury Park: Sage.

Additional

Links

<http://www.methodslab.org/resources/>

[https://anujacabraal.com/2020/05/01/coding-and-analysis-tips-for-qualitative-researchers/amp/?\\_twitter\\_impression=true](https://anujacabraal.com/2020/05/01/coding-and-analysis-tips-for-qualitative-researchers/amp/?_twitter_impression=true)

### Week 15 Critical Discourse Analysis

- Fairclough, N. (1992) *Discourse and Social Change*. Polity Press. Cambridge.  
Fairclough, N. (1995) *Critical Discourse Analysis*. Longman. London.  
Fairclough, N. (2003) *Analysing Discourse: Textual analysis for social research*. New York and London. Routledge.  
Foucault, M. (1980) *Power/Knowledge: selected interviews and other writings 1972-1977*. Edited by C. Gordon. Brighton. Harvester Press.  
Wodak, Ruth, "Introduction: Discourse Studies – Important Concepts and Terms," in Ruth Wodak and Michal Krzyzanowski, eds., *Qualitative Discourse Analysis in the Social Sciences* (Basingstoke: Palgrave, 2008), pp. 1-29.

### Chapters from Social Research Methods: A Reader Edited by Clive Seale

- Hall, S. (2019) Foucault and Discourse, Chapter 51;  
Potter, J. and Wetherell, M. (2019) Unfolding Discourse Analysis (Chapter 52)  
Fairclough, N. and Wodak, R. (2019) Critical Discourse Analysis (Chapter 53)  
Widdowson, H. (2019) The Theory and Practice of Critical Discourse Analysis (Chapter 54)  
Riessman, C. (2019) Strategic Uses of Narrative in the Presentation of Self and Illness: A Research Note, Chapter 55.  
Chase, S. (2005) Narrative Inquiry: Multiple Lenses, Approaches, Voices, *The Sage Handbook of Qualitative Research*, Third Edition, Thousand Oaks, Sage Publications  
Amer, M. (2017) Critical discourse analysis of war reporting in the international press: the case of the Gaza war of 2008–2009 <https://www.nature.com/articles/s41599-017-0015-2>

*Small-Group Discussion*: Kotiswaran, Prabha. *Dangerous Sex, Invisible Labor: Sex Work and the Law in India* (Princeton: Princeton University Press, 2011).

### Week 16 Writing Qualitative Research

Wayne C. Booth, Gregory G. Colomb, Joseph M. Williams - *The Craft of Research*, Third Edition (Chicago Guides to Writing, Editing, and Publishing)-University of Chicago Press (2008).pdf

### Conclusion and Review of the Course

## Annexure 1

### End-Term Assessment

Dr Keerty Nakray

Qualitative Research Methodology

Final Report Template

(Total Word Count 5000-7000 words)

- I. Title of the Study
- II. Abstract (200-300 words)
- III. Introduction (500)
- IV. Aims, Objectives and Research Questions (300-500 words)
- V. Methodology (Grounded Theory; Content and Thematic Analysis, Critical Discourse Analysis) (500 words)
- VI. Tools of Data Collection (500 words)
- VII. Data Analysis (1000 words)
- VIII. Findings and Discussion(1500)
- IX. Conclusion
- X. References





### Research Report Matrix Template

Author/ Date	Theoretical/ Conceptual Framework	Research Question(s)/ Hypotheses	Methodology	Analysis & Results	Conclusions	Implications for Future research	Implications For practice