

LL.M. SEMESTER- I

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Legal and Social Science Research Methodology (Paper-III)

INTRODUCTION Research is an activity that leads us to finding new facts, information, assisting us in verifying the available knowledge and in making us question things that are difficult to understand as per existing data. To be successful manager it is important for you to know how to go about making the right decisions by being knowledgeable about the various steps involved in finding solutions to problematic issues. It may be understood in following terms also:

- Research is a continuous activity in majority of disciplines and professions.
- It is helpful in critical assessment of the way we work, execute policies, and give instructions in our professions.
- It is systematic observation of processes to find better ways to do things and to reduce the effort being put in to achieve an objective and identifying the validity of the targets.
- In fact research is a subconscious activity that we are involved in at all times whether it is purchase of daily use articles , a car, an electronic good or planning a holiday.

MEANING OF RESEARCH

Research is a process to discover new knowledge to find answers to a question. The word research has two parts re (again) and search (find) which denote that we are taking up an activity to look into an aspect once again or we want to look for some new information about something. E.g Front Office Executive has to learn about the facilities, timings, key features of products and services available at the hotel if one wants to become a wonderful sales professional other than being a host. "All progress is born of inquiry. Doubt is often better than overconfidence, for it leads to inquiry, and inquiry leads to invention" is a famous Hudson Maxim in context of which the significance of research can well be understood. Clifford Woody states that research comprises defining and redefining problems, formulation of hypothesis; collection, organizing and evaluation of data; and reaching conclusions. Here it is emphasized that all research has to be systematic and logical to arrive at expected outcome. D. Slesinger and M. Stephenson in the Encyclopedia of Social Sciences Research define research as "The manipulation of things, concepts or symbols for the purpose of generalizing to extend, correct or verify knowledge, whether that knowledge aids in construction of theory or in the practice of an art." The authors have a different view of research as they suggest that it can be taken up by modifying, challenging and changing; available knowledge either to prove a process being appropriate or to develop it in entirety. E.g. A standard

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recipe to prepare a particular dish may be modified by an enterprising chef to introduce the dish in new taste, flavor or aroma by using a different method of cooking, or by twisting the combination of spices used in the original recipe, . At the same time the chef may create entirely new dish with the use of same ingredients. As per another school of thought research has to undertaken under defined parameters and it should satisfy the following conditions if you want to term the process as research activity. This ascertains adherence to three criteria that research: i. is undertaken by making a framework within certain philosophies; Philosophy here means approach e.g. qualitative, quantitative and the academic discipline in which you have been trained. Assessing and finalizing the team size of a preopening hotel is quantitative but developing the pre-requisites, job specification and job descriptions to hire trained professionals may be termed as qualitative. Also, simply specifying number of participants and time constraints in a cross country race is quantitative but defining winning criteria like fairness, completion of race, assisting a fellow participant in trouble, following the rules and regulations, not taking assistance on the way are qualitative aspects. ii. Makes use of procedures, methods and techniques that have been tested for their validity and reliability; Validity means that correct procedures have been applied to find answers to a question. If a large plot of land has to be measured the results should be same whether we use a meter scale or a measuring tape once we put the values obtained; in the formula being used to calculate the area. Reliability refers to the quality of a measurement procedure that provides repeatability and accuracy. This is understood by the example of preparing the bill of purchase using a software which has inbuilt details of taxes and charges levied, the formulas to be used and a format in which it would be printed. This ensures that all the bills shall have values calculated as per standard set. iii. Has been planned to be unbiased and objective Unbiased and objective means that you have taken each step in an unbiased manner and drawn each conclusion to the best of your ability and without introducing your own vested interest. (Bias is a deliberate attempt to either conceal or highlight something). The researcher does not change / attempt to change the procedure as per his/ her understanding of facts and information. However, the degree to which these criteria are expected to be fulfilled varies from discipline to discipline and so the meaning of research‘ differs from one academic discipline to another.

DEFINITIONS OF RESEARCH

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Research has been interpreted and defined by various scholars as per their fields of study and availability of resources at the given time. You will find out that the basic meaning and the context of these definitions are same. The difference between these definitions lies only in the way the author has undertaken research in his discipline. According to (Thyer, 2001), "the word research is composed of two syllables, re and search. re is a prefix meaning again, anew or over again search is a verb meaning to examine closely and carefully, to test and try, or to probe. Together they form a noun describing a careful, systematic, patient study and investigation in some field of knowledge, undertaken to establish facts or principles." As per the Merriam-Webster Online Dictionary, the word research is derived from the Middle French —recherchell, which means —to go about seekingll, the term itself being derived from the Old French term —recherchierll a compound word from —re-ll + —cerchierll, or —searcherll, meaning ‘search’. The earliest recorded use of the term was in 1577. Research is a structured enquiry that utilizes acceptable scientific methodology to solve problems and create new knowledge that is generally applicable.

According to (Rocco, 2011), "Research is a careful investigation or inquiry especially through search for new facts in any branch of knowledge." Research is a movement, a movement from the known to the unknown (Redman and Mory, 2010). Research is manipulation of things, concepts or symbols for the purpose of generalizing to extend, correct or verify knowledge, whether that knowledge aids in construction of theory or in the practice of an art (Kothari, C.R.) .According to (Creswell, 2008), "Research is systematic investigation to establish the facts." In the broadest sense of the word, the definition of research includes any gathering of data, information and facts for the advancement of knowledge. According to Clifford woody, "research comprises defining and redefining problems, formulating hypothesis or suggested solutions collecting, organizing and evaluating data, making deductions and reaching conclusions; to determine whether they fit the formulating hypothesis." According to Cambridge dictionary online, research is "a detailed study of a subject, especially in order to discover (new) information or reach a (new) understanding." According to Kara, H (2012). "Research is an art of scientific investigation." Cohen, N. & Arieli, T. (2011), explain that research means "gathering and analyzing a body of information or data and extracting new meaning from it or developing unique solutions to problems or cases. This is "real" research and requires an open-ended question for which there is no ready answer. Kumar, Ranjit, (2005). said that "research is —a careful investigation or enquiry especially through search for new facts in any branch of knowledge." A broad definition of research is given by Martyn

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Shuttleworth – —In the broadest sense of the word, the definition of research includes any gathering of data, information and facts for the advancement of knowledge. Another definition of research is given by Creswell who states that – —Research is a process of steps used to collect and analyze information to increase our understanding of a topic or issue. It consists of three steps: Pose a question, collect data to answer the question, and present an answer to the question.

CHARACTERISTICS OF RESEARCH:

Characteristics of research determine whether a research is free of biases, prejudices, and subjective errors or not. The terms are very commonly used in research and the success of any research depends on these terms. They can be summarised as:

1. Generalized. 2. Controlled. 3. Rigorous. 4. Empirical. 5. Systematic 6. Reliability. 7. Validity. 8. Employs hypothesis 9. Analytical & Accuracy. 10. Credibility. 11. Critical
1. Generalised: The researcher usually divides the identified population into smaller samples depending on the resource availability at the time of research being conducted. This sample is understood to be the appropriate representative of the identified population therefore the findings should also be applicable to and representative of the entire population. The analytical information obtained from studying these samples should be give a fair idea of total population of being follower of particular ideology, beliefs, social stigmas, driving force, etc. E.g. A study to understand the occupancy statistics and patterns of small hotels and resorts in a given city would involve the researcher studying selected properties after the city is divided into zones (East, West, North, South and Central). He may also divide the properties on the basis of number of rooms for categorisation and selection for study purposes thus ensuring that the findings are representative of entire city.
2. Controlled: The concept of control implies that, in exploring causality in relation to two variables (factors), you set up your study in a way that minimizes the effects of other factors affecting the relationship. Some variables are classified as controlling factors and the other variables may be classified as possible effects of controlling factors. Laboratory experiments as in pure sciences like chemistry can be controlled but any study that involves societal issues cannot be controlled. E.g. Destination studies are not controllable as they have variables like geography, climate, accessibility, seasonality, etc but studying the effects of standard operating procedures in a hotel applied in a particular service can be controlled.
- 3.

DR. Vipin Kumar Singh, Assistant Prof. of YBN University, Ranchi

Rigorous: One must be careful in ensuring that the procedures followed to find answers to questions are relevant, appropriate and justified. Again, the degree of rigor varies markedly between the physical and social sciences and within the social sciences. 4. Empirical: The processes adopted should be tested for the accuracy and each step should be coherent in progression. This means that any conclusions drawn are based upon.

firm data gathered from information collected from real life experiences or observations. Empirical nature of research means that the research has been conducted following rigorous scientific methods and procedures. Quantitative research is easier to prove scientifically than qualitative research. In qualitative research biases and prejudice are easy to occur. 5. Systematic: The procedure or process being developed to undertake a study should be carefully drafted to ensure that resources utilization is optimized. Chaotic or disorganized procedures would never yield expected outcomes. The steps should follow a logical sequence to get to the desired outcome. E.g The meal in a fine dine restaurant at a five star hotel cannot commence with dessert being served before the starter or soup course. 6. Reliability: This is a the degree to which the result of a measurement, calculation, or specification can be depended on to be accurate. It is difficult to be measured accurately, but now there are instruments which can estimate the reliability of a research. It is the extent to which an experiment, test, measuring procedure, research, research instrument, tool or procedure yields the same results on repeated trials. If any research yields similar results each time it is undertaken with similar population and with similar procedures, it is called to be a reliable research. 7. Validity & Verifiability: It is the extent to which a concept, conclusion or measurement is well-founded and likely corresponds accurately to the real world. The word "valid" is derived from the Latin validus, meaning strong. This should not be confused with notions of certainty nor necessity. The validity of a measurement tool (for example, a test in education) is considered to be the degree to which the tool measures what it claims to measure. Validity is based on the strength of a collection of different types of evidence. In terms of research validity is the strength with which we can make research conclusions, assumptions or propositions true or false. Validation refers to accuracy of measurement whether or not it measures what it is supposed to measure. It also ascertains the application of research in finding the solution to an issue in different conditions. This gives a clear direction to the research activity. The findings of a study should be verifiable

by the researcher as well as anyone else who wants to conduct the study on similar guidelines/ under similar conditions

8. Employs Hypothesis: Any research definitely begins with formulation of a hypothesis. It is a supposition or proposed explanation made on the basis of limited evidence as a starting point for further investigation. A hypothesis can be defined as an educated guess about the relationship between two or more variables. In simple words a hypothesis is an idea around which one starts working before it is actually converted to research. A question is what forms the base and is later termed as hypothesis and it may or may not draw a logical outcome. Hypothesis may prove to be wrong or null or void after the study is conducted. A hypothesis is an informed and educated prediction or explanation about something. Part of the research process involves testing the hypothesis, and then examining the results of these tests as they relate to both the hypothesis and the world around you. When a researcher forms a hypothesis, this acts like a map through the research study. It tells the researcher which factors are important to study and how they might be related to each other or caused by a manipulation that the researcher introduces (e.g. a program, treatment or change in the environment). With this map, the researcher can interpret the information he/she collects and can make sound conclusions about the results.

9. Analytical & Accurate : A research should be focussed not only about what is happening but also on how and why a particular phenomenon, process draws certain conclusions. Any data collected if does not yield results or is unsuitable to be used for further studies or applications disrupts the purpose of research. Therefore, data collected should be reasonable and free of errors to be easily analysed. Accuracy is also the degree to which each research process, instrument, and tool is related to each other. Accuracy also measures whether research tools have been selected in best possible manner and research procedures suits the research problem or not. Selection of appropriate data collection tools is essential for a research. E.g. Guest Comments Card in hotels or Feedback Collection Card in a dining outlet gives the guest a chance to be honest in commenting about the standard of services in comparison to asking them to give a verbal feedback.

10. Credibility: The extent to which an analysis of finding can be treated to be trustworthy is termed as credibility. This can only be assured by the use of the best source of information and best procedures in research. Researches based on secondary data are not reliable as such data may have been manipulated or distorted by earlier researchers to suit their work. The availability of secondary data from

public domains is easy but comes with lots of risks involved. The research study conducted based on primary data is always reliable and carries more credibility. A certain percentage of secondary data can be used if the primary source is not available but basing a research completely on secondary data when primary data can be gathered is least credible. When researcher gives accurate references in the research the credibility of the research increases but fake references also decrease the credibility of the research. 11. Critical: Critical scrutiny of the procedures used and the methods employed is crucial to a research enquiry. The process of investigation must be foolproof and free from drawbacks. The process adopted and the procedures used must be able to withstand critical scrutiny.

TYPES OF RESEARCH

Research can be classified into various categories depending on the perspective under which the research activity is initiated and conducted. The categorization depends on the following perspectives in general:

- Application of research study
- Objectives in undertaking the research

1. Classification based on Application:

- a. Pure / Basic / Fundamental Research:** As the term suggests a research activity taken up to look into some aspects of a problem or an issue for the first time is termed as basic or pure. It involves developing and testing theories and hypotheses that are intellectually challenging to the researcher but may or may not have practical application at the present time or in the future. The knowledge produced through pure research is sought in order to add to the existing body of research methods. Pure research is theoretical but has a universal nature. It is more focused on creating scientific knowledge and predictions for further studies.
- b. Applied / Decisional Research:** Applied research is done on the basis of pure or fundamental research to solve specific, practical questions; for policy formulation, administration and understanding of a phenomenon. It can be exploratory, but is usually descriptive. The purpose of doing such research is to find solutions to an immediate issue, solving a particular problem, developing new technology and look into future advancements etc. This involves forecasting and assumes that the variables shall not change.

Key Differences between Basic and Applied Research

- a) Basic Research** can be explained as research that tries to expand the already existing scientific knowledge base. On the contrary, applied research is used to mean the scientific study that is helpful in solving real-life problems.
- b) While basic research is purely theoretical, applied research has a practical approach.**
- c) The**

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applicability of basic research is greater than the applied research, in the sense that the former is universally applicable whereas the latter can be applied only to the specific problem, for which it was carried out. d) The primary concern of the basic research is to develop scientific knowledge and predictions. On the other hand, applied research stresses on the development of technology and technique with the help of basic science. e) The fundamental goal of the basic research is to add some knowledge to the already existing one. Conversely, applied research is directed towards finding a solution to the problem under consideration. 2. Classification based on Objectives: a. Descriptive Research: This attempts to explain a situation, problem, phenomenon, service or programme, or provides information viz. living condition of a community, or describes attitudes towards an issue but this is done systematically. It is used to answer questions of who, what, when, where, and how associated with a particular research question or problem. This type of research makes an attempt to collect any information that can be expressed in quantifiable terms that can be used to statistically analyze a target audience or a particular subject. Descriptive research is used to observe and describe a research subject or problem without influencing or manipulating the variables in any way. Thus, such studies are usually correlation or observational. This type of research is conclusive in nature, rather than inquisitive. E.g. explaining details of budget allocation changes to departmental heads in a meeting to assure clarity and understanding for reasons to bring in a change. b. Co relational Research: This is a type of non-experimental research method, in which a researcher measures two variables, understands and assesses the statistical relationship between them with no influence from any extraneous variable. This is undertaken to discover or establish the existence of a relationship/ interdependence between two or more aspects of a situation. For example, the mind can memorize the bell of an ice cream seller or sugar candy vendor. Louder the bell sound, closer is the vendor to us. We draw this inference based on our memory and the taste of these delicious food items. This is specifically what co relational research is, establishing a relationship between two variables, —bell sound and —distance of the vendor in this particular example. Co relational research is looking for variables that seem to interact with each other so that when you see one variable changing, you have a fair idea how the other variable will change. c. Explanatory: is the research whose primary purpose is to explain why events occur, to build, elaborate, extend or test a theory. It is more concerned with showcasing, explaining and presenting what we already

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have. It is the process of turning over 100 rocks to find perhaps 1 or 2 precious gemstones. Explanatory survey research may look into the factors that contribute to customer satisfaction and determine the relative weight of each factor, or seek to model the variables that lead to people shifting to departmental stores from small shops from where they have been making purchases till now. An exploratory survey posted to a social networking site may uncover the fact that an organization's customers are unhappy thus helping the organization take up necessary corrective measures.

d. Exploratory Research: Exploration has been the human kind's passion since the time immemorial. Looking out for new things, new destinations, new food, and new cultures has been the basis of most tourist and travel journeys. In the subjective terms exploratory research is conducted to find a solution for a problem that has not been studied more clearly, intended to establish priorities, develop operational definitions and improve the final research design. Exploratory research helps determine the best research design, data-collection method and selection of subjects. For such a research, a researcher starts with a general idea and uses this research as a medium to identify issues that can be the hub for future research. An important aspect here is that the researcher should be willing to change his/her direction subject to the revelation of new data or insight. Such a research is usually carried out when the problem is at a beginning stage. It is often referred to as grounded theory approach or interpretive research as it used to answer questions like what, why and how. For example: a fast food outlet owner feels that increasing the variety of snacks will enable increase in sales, however he is not sure and needs more information. Thus the owner starts studying local competition, talks to the existing customers, friends etc to find out what are their views about the current menu and what else do they wish to be included in the menu and also assess whether he would be able to generate higher revenues.

3. Classification based on Inquiry Mode:

a. Structured approach: The structured approach to inquiry is usually classified as quantitative research. Here everything that forms the research process- objectives, design, sample, and the questions that you plan to ask of respondents- is predetermined. It is more appropriate to determine the extent of a problem, issue or phenomenon by quantifying the variation e.g. how many people have a particular problem? How many people hold a particular attitude? E.g. asking a guest to give feedback about the dishes served in a restaurant.

b. Unstructured approach: The unstructured approach to inquiry is usually classified as qualitative research. This approach allows flexibility in all aspects of the research process. It is more

DR. Vipin Kumar Singh, Assistant Prof. of YBN University, Ranchi

appropriate to explore the nature of a problem, issue or phenomenon without quantifying it. Main objective is to describe the variation in a phenomenon, situation or attitude e.g., description of an observed situation, the historical enumeration of events, an account of different opinions different people have about an issue, description of working condition in a particular industry. E.g. when guest is complaining about the room not being comfortable and is demanding a discount the staff has to verify the claims empathically. In many studies you have to combine both qualitative and quantitative approaches. For example, suppose you have to find the types of cuisine / accommodation available in a city and the extent of their popularity. Types of cuisine are the qualitative aspect of the study as finding out about them entails description of the culture and cuisine. The extent of their popularity is the quantitative aspect as it involves estimating the number of people who visit restaurant serving such cuisine and calculating the other indicators that reflect the extent of popularity.

4. Other Types of Research: (i) Descriptive v/s Analytical: Descriptive research includes surveys and factfinding enquiries of different kinds. The major purpose of descriptive research is description of the state of affairs as it exists at any given time. The term Ex post facto research is used in social sciences and business research for descriptive research studies. The researcher only reports about the factors identified a cannot modify the details available thus it makes it clear that he does not have any control over such variables Most ex post facto research projects are used for descriptive studies in which the researcher strives to find out information about, for example, frequency of dining out, preferences of individuals, etc. Ex post facto studies also include attempts by researchers to discover causes even when they cannot control the variables. The methods of research utilized in descriptive research are survey methods of all kinds, including comparative and co relational methods. In analytical research, on the other hand, the researcher has to use facts or information already available, and analyze these to make a critical evaluation of the material. (ii) Applied v/s Fundamental: Research can either be applied (or action) research or fundamental (to basic or pure) research. Applied research aims at finding a solution for an immediate problem facing a society or an industrial/business organization, whereas fundamental research is mainly concerned with generalizations and with the formulation of a theory. —Gathering knowledge for knowledge's sake is termed pure or basic research. Research concerning some natural phenomenon or relating to pure mathematics are examples of fundamental research. Similarly, research studies, concerning human behavior carried on

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with a view to make generalizations about human behavior, are also examples of fundamental research, but research aimed at certain conclusions (say, a solution) facing a concrete social or business problem is an example of applied research. Research to identify social, economic or political trends that may affect a particular institution or the copy research (research to find out whether certain communications will be read and understood) or the marketing research or evaluation research are examples of applied research. Thus, the central aim of applied research is to discover a solution for some pressing practical problem, whereas basic research is directed towards finding information that has a broad base of applications and thus, adds to the already existing organized body of scientific knowledge. (iii) Quantitative v/s Qualitative: Quantitative research is based on the measurement of quantity or amount. It is applicable to phenomena that can be expressed in terms of quantity. E.g. Studying the number of enquiries received for room bookings through different modes like internet, emails, calls, letters, or different sources like travel and tours operators, companies and government organizations etc. Qualitative research, on the other hand, is concerned with qualitative phenomenon, i.e., phenomena relating to or involving quality or kind. E.g. studying the stress levels and reasons for variable performances of staff in different shifts in the same department of a hotel. The same individuals may perform differently with the change of shift timings. It can involve performing research about changing preferences of customers as per the change of season. Researching for Hospitality and Tourism Management

conceptual vs. Empirical: Conceptual research is associated to some theoretical idea(s) or presupposition and is generally used by philosophers and thinkers to develop new concepts or to get a better understanding of an existing concept in practice. On the other hand, Empirical research draws together the data based on experience or observation alone, often without due regard for system and theory. It is data-based research, coming up with conclusions which are capable of being verified by observation or experiment. It is also known as experimental research as it is essential to get facts firsthand, at their source, and actively to go about doing certain things to stimulate the production of desired information. Here the researcher develops a hypothesis and assimilates certain outcomes to start with followed by efforts to get adequate facts (data) to prove or disprove his hypothesis. An experimental design is then developed based on variables that can modify or concur the results to prove that he has given a valid statement. This also affirms that he has a reasonable control over the variables and can get

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different results by giving different values to them. Empirical research is appropriate when proof is sought that certain variables affect other variables in some way. Evidence gathered through experiments or empirical studies is today considered to be the most powerful support possible for a given hypothesis.