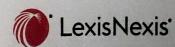
LEGAL RESEARCH METHODOLOGY



Prof. (Dr.) Rattan Singh





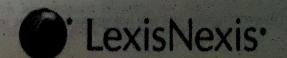


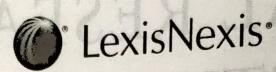
LEGAL RESEARCH METHODOLOGY

Third Edition

Prof. (Dr.) Rattan Singh

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CHAPTER 2

THE CONCEPT OF RESEARCH: AN ANALYSIS OF CURRENT TRENDS IN LEGAL RESEARCH

Prof. Rajinderjit Kaur Gagandeep Kaur

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2.1 Learning Objectives

After reading this chapter, you will be familiar with:

- Meaning of research
- Importance of research
- Evolution of research
- Misconceptions in research
- Current trends in socio-legal research

2.2 Introduction

Research is to see what everybody else has seen, and to think what nobody else has construction and the publication as well constructed

Albert Szent-Györgyi de Nagyrápolt

Research has opened its eyes in the lap of an inquisitive mind. An inquisitive mind conceives the seeds of research from self-enlightenment. It is very clearly depicted in Isavasyopanishad:

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The face of truth has been covered up by a golden pot, I, therefore, beseech you, O sun, to kindly uncover it so that I may know what is true and righteous.

Each research study has specific purpose but the overall objective of research is to find our the truth, the truth which is hidden and not yet known. The world is filled with unanswered questions, unsolved problems and unresolved conflicts. Since from the birth of a child it starts to look everywhere, observe things that makes him/her wonder, to speculate and ask questions, It shows that knowing something unknown is much inherited in us since our very first breath on this Earth. An inquisitive mind takes its power from the victory on the problems. In society there were problems, there are problems and there will be problems. The roots of research lie in the solution of these problems. Research is directly proportional to the development and development is directly proportional to the reformation of society. Research is an inseparable part of human knowledge. Life will lose its interest if the flavour of research is missing. Research is an original contribution to the existing stock of knowledge. Research in any stream of education is the gathering of evidence or information for ascertaining an assumption or verifying some hypothesis. Research is an inquiry for the verification of a fresh theory or for supplementing prevailing theories by new knowledge. No research can be purely new, as even original discoveries are an extension of the search already undertaken; being shaped generally as expressing agreement or refutation or plain addition. Like rivers, acquired human knowledge does not flow backwards. Research is thus a continuum.5

2.3 Meaning of Research

The word "research" is derived from the French word recerch, meaning to search or seek again. It means intensive research with a view "to become certain" and "to investigate thoroughly." Research is composed of two words "re" and "search", which mean to search again, or the search for new facts or to modify older ones in any branch of knowledge. It involves the treatment of materials, concepts or symbols for the purpose of generalising to extend, correct or verify knowledge. Research is defined as a human activity based on intellectual application in the investigation of matter. The primary purpose of research is discovering, interpreting and the development of human knowledge for the advancement of treasure of education. In the broadest sense, the meaning of research includes any gathering of literature, data, information, material and facts for the advancement of knowledge. In other words, reading a factual book of any sort, reading a newspaper, magazine, pamphlets, advertisement, watching news and surfing the Internet are also various types of research. However, this broader sense is rarely considered as a research in the academics world. The concept of research can be well understood with the help of definitions by eminent scholars.

The Webster's International Dictionary proposes a very inclusive definition of research as a careful critical inquiry or examination in seeking facts or principles diligent investigation in order to ascertain something.

P V Young defines research as: We may define social research as the systematic method of discovering new facts or verifying old facts, their sequence, inter-relationships, causal explanations and the natural law which govern them.

4. JA Khan. Research Methodology, A P H Publishing Corporation, New Delhi, 2007, p 1.

^{3.} R P Sharma and Rabi N Misra, Research Methodology and Analyses, Discovery Publishing House, New Delhi, 2006, p 1.

^{5.} R Agrawala, "Indian Legal Research: An Evolutionary and Perspective Analysis" in S K Verma and M. Afzal Wani, Legal Research and Methodology, 2nd Edn, Indian Law Institute, New Delhi, 2001, p 138.

^{6.} A Kumar, Research Methodology in Social Science, Sarup and Sons, New Delhi, 2002, pp 1-3.

^{7.} M Shuttleworth, Definition of Research (Oct. 3, 2008), retrieved from http://explorable.com/definition-of-research (last accessed in April 2021).

According to John Best. Research is a more systematic activity directed towards discovery and the development of an organized body of knowledge.

RR Rusk defines research as, Research is a point of view, an attitude of inquiry or a frame of mind. It asks questions which have not been asked and it seeks to answer them by following a fairly definite procedure. It is not a mere theorizing, but rather an attempt to eficit fact and to face them once they have assembled.

According to Francis Bacon, Research is a power of suspending judgment, with patience. of mediating with pleasures, of asserting with caution, of correcting with readiness and of arranging thought with scrupulous plan.

According to Slesinger and Stephenson, Research is a process of manipulation of things. concepts or symbols for the purpose of generalizing to extend, correct or verify knowledge, whether that knowledge aid in the construction of theory or the practice of an art.

In simple words, research can be defined as any scholarly investigation in search of traths, facts and certainties. Research is best described as a "self-correcting" process; it is the foundation of the scientific method.8 It is scientific because it establishes a cause-and-effect relationship between variables; the validity of which is yet to be tested. Research is carried out both for discovering new facts and verifications of old ones.9 The obvious function of research is to add new knowledge to the existing store but its power for cleansing our minds of clutches and removing of rubbish and inapplicable theory is equally notable. 10 This demands knowledge of research methodology best suited to the researcher's appropriate problem. A proper understanding and appropriateness of research techniques help in making the best suited use of research sources. 11 Research methodology is defined as "body of methods, rules, and postulates employed by a discipline," "a particular procedure or set of procedure" or "the analysis of the principles or procedure of inquiry in a particular field." Research methodology is attempted to validate the rationale behind the selected research methods and provide justification of how it is appropriate in solving the selected research problem. 12

2.4 Importance of Research

Research is an active, diligent and systematic process of inquiry in order to discover, interpret or revise facts, events, behaviours or theories as well as to make practical applications of these theories. It is often said that research is one of the biggest industries of modern times. Research plays two prominent roles: firstly, it contributes to the enlightenment of knowledge and secondly, it helps to solve many complex problems of the society.13 Research inculcates intellectual skills that help to grasp the concepts deeply. The intensive knowledge of research enables a person to judge the research of others and understand the messy reality behind." Research helps us to beware of prejudices, as they are like rats and men's minds are like traps. Prejudices get in easily, but it is doubtful if they ever get out. So, research is an intellectual

^{8.} S R Verma & N Verma, Universe of Knowledge & Research Methodology, Shree Publishers & Distributors, New

^{9.} V K Prabhakar (ed), Research Methods and Systematic Analysis, Anmol Publications Pvt Ltd. New Delhi.
2001, p 1. 10. S Gupta, Research Methodology and Statistical Techniques, Deep & Deep Publications Pvt. Ltd. New Dolhi,

^{11.} VV Khanzode, Research Methodology: Techniques and Trends, APH Publishing Corporation, New Delhi, 2002, p 1.

^{12.} K K Garg, Research Methodology, Omega Publications, New Delhi, 2006, p 1.

13. R P Misra, Research Methodology, A Handbook, Concept Publishing Company, New Delhi, 1989, Reprint

^{14.} W C Booth, G G Colomb and J M Williams, The Craft of Research. The University of Chicago Press, London, 2008, p 3.

activity which involves systematic analysis and explores unexplored dimensions of a consept Research has become an integral part, not only of academic pursuits but also for all the areas Research has become an integral part, not only of human activity including sociology, economics, science, natural sciences, nuclear scienc of human activity including sectors, industrial engineers, physicians, surgeons, management and the commercial world—all take recourse to research in their day-to-day decision making.15

An inquisitive mind is the beginning of research. Research requires clear articulation of goals. Research requires a specific plan of procedure. In other words, research is an original contribution to the existing stock of knowledge providing mankind the advancement of living A researcher is not a futile antiquarian who gathers data for the sake of gathering them. Nor is he/she to be dismissed as a niggling fault-finder or an individual wasting his time and energy for apparently useless knowledge. His strength lies in the originality of his investigation, analysis and critical evaluation. 16 Research brings originality in polished papers which we come across daily for numerous purposes. Research inculcates scientific and inductive thinking, which is a foundation for the birth of good researchers in the world.17

2.5 Evolution of Research

Research is as old as the academic consciousness of human mind. Human beings have all along tried to look back at the history for better understanding of the evolutionary process leading to the present stage of mankind. Present has its roots in the past and the seeds of future are sown in the present itself. Man's urge to grasp the present has obviously induced him to look into his past more carefully so that he can get purposeful directions to his intellectual efforts in pursuit of diverse ends to which the human activities are devoted. The urge of the human mind to re-examine and to re-understand things may rightly be called research, at least, to begin with.18 The concept of research is thus closely linked with human endeavour for better understanding of his evolution, environment and growth through diverse stages of human history.

2.5.1 Origin of the Term Research

Man's quest for research is much inherited in its nature itself. If we explore man's earliest research interest, it clearly depicts that it has its roots in the operations of universe. Universe itself provides a basket of opportunities for research. However, lack of scientific knowledge in the past led the mankind to believe in the existence of supernatural powers and their manipulative capabilities of stars and other authority of religion become supreme. Everything that happened or was thought to happen was solely attributed to fate and operation of supernatural powers. This blind faith in nature's operation gave a serious setback to the process of research. The lack of systematic scientific observations and objective methodology greatly restricted the progress of research on the lines of scientific enquiry. Thinking itself was not systematic and many a times, the researcher would either over or under generalise the observations and sometimes makes the interpretations biased. Once this thing occurred to the human mind, the era of logic began. With the passage of time, the resistance to orthodox explanations mounted and people with a scientific bent of mind started putting greater reliance on facts. The empirical evidence for or against the dogmas of preferring scientific evidence was given greater credence. This type of reasoning marked a great challenge to old and false beliefs of vested men and represented significant steps in the direction of scientific research. The concept of research thus developed

^{15.} Y K Singh and R B Bajpai, Research Methodology Data Presentation, A.P H Publishing Corporation, New Delhi,

^{16.} A Kumar, Research Methodology in Social Science, Sarup and Sons, New Delhi, 2002, p. 1. 17. ABIM Hasouneh, Research Methodology, Sublime Publications, Jaipur, 2003, p 2.

^{18.} M Sharma, Research Methodology. Anmol Publications Pvt Ltd, New Delhi, 2004, pp 1-7.

2.5.2 Jurisprudence of Research

The early beginning of logic was in the form of deductive doctrines and this process is attributed to the Greeks. The Greeks—prime among them are Socrates, Plato and Aristotle—gave a direction to philosophy of thought and developed their concepts of the relationships of man to society. Human thought is the basis of research and Greek philosophers are remembered for having developed it not only intellectually but even socio-politically. The diversity of thought is the source of research. Plato's assertion that man cannot live by himself alone and needs help, gave a further fillip to the man's urge to work for better alternatives of social order. Human imagination could no longer be treated as vague. Aristotle's political philosophy tended to give a more specific shape to human imagination by analyzing their thoughts based on facts that were inductively ascertained. Aristotle was ahead among historians in his teachings so far as the analysis is concerned. In Aristotle's work, one finds a relentless quest for facts and he based many of his assertions or field observations and dimension of empiricism to the process of research.

In the age of Galileo, Newton and other contemporaries, scientific enquiry was strengthened and the intellectual process developed more on the lines which may rightly be called as "research". During the period from the 16th to 18th centuries, the research came under the influence of many intellectuals as Sir Thomas More, Nicole Machiavelli, Sir Francis Bacon, Thomas Hobbes, John Locke and Montesquieu. Modern thought which has shaped the present character of research in social sciences began essentially with Industrial Revolution in America and Europe. This period witnessed the emergence of the great intellectuals who made scientific enquiries in diverse social phenomenon such as in the fields of socio-politics, economics and other sciences. The thinkers like Adam Smith, David Ricardo and Thomas Malthus, usually considered to be belonging to the classical school added considerable material for scientific exercises and enquires by their followers. Later on, James Mill, Bentham and John Stuart Mill represented their views sometimes as quite different as existed earlier. August Comte, who is known as the father of sociology, stimulated academic activities in sociology and social sciences in general. Karl Marx's contribution is more often treated a call for revolution and is not only considered from an economic point of view but from social and philosophical angles which have made a dent on the latest human history of the world. Darwin's significant contribution on the theory of evolution in the middle of the 19th century brought about an intellectual revolution in the world. His work, The Origin of Species marked a highly systematic organisation of field data for deriving fundamental results regarding the evolution of man. Herbert Spencer, William Jones, Sir Frances Galton, Max Weber and Alfred Marshall are some of the greatest philosophers who emerged during these days and enriched human knowledge by their outstanding contributions. 19

Now, if we test the credibility of modern-day research with the research work depicted by these classical philosophers, it is clear that now research work is generally limited within the framework of a compiled piece of work. By reading a number of books and compiling their material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research. Research is always expected to be something original material in another book is not research.

Research in any stream of education is the gathering of evidence or information for ascertaining an assumption or verifying some hypothesis. Research is an inquiry for the ascertaining an assumption or verifying some hypothesis by new knowledge. verification of a fresh theory or for supplementing prevailing theories by new knowledge.

^{19.} M Sharma, Research Methodology, Anmol Publications Pvt Ltd, 2004, pp 3-7.

No research can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are also as a search can be purely new, as even original discoveries are also as a search can be purely new, as even original discoveries are an extension of the search can be purely new, as even original discoveries are also as a search can be purely new as a search can be purely new as a search can be presented as a search can be purely new as No research can be purely new, as even original to refutation or refutation or refutation or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already undertaken; being shaped generally as expressing agreement or refutation or plant already agreement or refutation or plant a already undertaken; being shaped generally as already undertaken; be addition. Like rivers, acquired human knowledge addition and acquired human knowledge addition. And acquired human knowledge addition and acquired human knowledge addition and acquired human knowledge addition. And acquired human knowledge addition a a continuum. 20 Now the question is where is the original piece of thinking of writer? On the judged that the work is not copied but is the original piece of thinking of writer? On the judged that the work is not copied but is the original piece of thinking of writer? On the judged that the work is not copied but is the original piece of thinking of writer? On the judged that the work is not copied but is the original piece of thinking of writer? On the judged that the work is not copied but is the original judged that the work is not copied but is the original hand, research is continuum; on the other, if it is continuum, it can never be original hand, research is continuum no doubt. It is in the key words that "Research is continuum" no doubt. It is in the key words that "Research is continuum" no doubt. It is in the key words that "Research is continuum" no doubt. hand, research is continuum; on the other, if it is hand, research is continuum no doubt, but the paradox of both lies in the key working (re-searching) on a new aspect, picking the the paradox of both lies in the key working (re-searching) on a new aspect, picking the law originality and flavour is added by working (re-searching) on a new aspect, picking the law originality and flavour is added by earlier writers. thread of that concept left behind by earlier writers.

2.6 Misconceptions In Research

The word research is used in everyday speech to cover a broad spectrum of meaning, which makes it confusing for students to understand what it exactly means? Students feel that research means finding of an item of information or the making of notes or writing of a documented paper on a topic. On the other hand, it is a collection of information about what one does not know. Merchandisers use this word to suggest the discovery of a revolutionary product. All these activities have been called research but these terms should have been called by their appropriate names: information gathering, library skills, documentation and self-enlightenment. In order to clear its mystique nature, it is a must to know misconceptions about research. Research is not merely information gathering. Research is not mere transportation of facts from one location to another. In research, there is a need to travel from the World of Transportation of Facts to the World of Interpretation of Facts. The difference between the two worlds lies in the distinction between transference of information and genuine research. Research is not a catchword used to get attention. It is intellectual activity which satisfies inquisitiveness of the researcher to dive deep into the ocean of knowledge.21

The basic principle behind research in academics is that, "Advance knowledge is essentially a distinction, but not aggregation. Each new aspect of knowledge is not an addition to, but a newly observed part of a previously conceived whole." Research centers round a problem. It involves original work and rests upon an attitude of curiosity. Research requires an open mind. In reality, the fundamental aim of the researcher should be an undeviating search for truth. The results of research should produce evidence of originality by the discovery of new fact or verifying old facts or by a critical survey of existing facts. In the present time, the very important misconception about writing a thesis is-Degree Orientation. The very important reason for writing a thesis is that there is some mistake or inadequacy in the existing state of knowledge of a particular subject and the researcher wants to remedy the defect or remove the inadequacy. The researcher does not aim at proving something, but at discovering something The researcher must seek to discover what no one else yet knows, and he/she should produce

2.7 Current Trends in Socio-Legal Research

During the last few years, legal research has undergone a tremendous change on the path of better understanding of the role of the law in society. A new spirit and zeal have taken place in the legal research—the spirit of innovation and exploration. In the modern setting, when we look at the research, two things are very important:

^{20.} R Agrawala, "Indian Legal Research: An Evolutionary and Perspective Analysis" in \$ K Verma and M Afral Wani, Legal Research and Methodology, 2nd Edn. Indian I. Wani, Legal Research and Methodology, 2nd Edn, Indian Law Institute, New Delhi, 2001, p 138. 21. M K Jain, Research Methodology and Statistical Techniques, Shree Publishers & Distributors, New Delhi.

- (a) That it take stock of changed economic, political, social and cultural institutions;
 - (b) That it substitute inductive reasoning for deductive one to make research more meaningful and an acceptable academic contribution.

The concept of research in its modern setting is held to be consisting of the following things:

- (i) a venue of quest, inquisition or investigation;
 - (ii) specific or well-defined domain;
 - (iii) capable of being based upon observable data; and
 - (iv) logical interpretation of results.

Some of the important trends are as follows:

- 1. Formerly a legal scholar alone, or with one or two student assistants if he was fortunate enough to be located in one of the law schools that would supply assistance. However, the growth of project research in the 21st century in all the universities is a trend. University Grant Commission has started sponsoring the project researches in law.
- 2. History depicts that the law department in a university has always been given stepmotherly treatment in the case of financial assistance and infrastructure. But growth of national law universities has given a boost to legal research.
 - 3. Till the end of the 20th century, legal research was centered on doctrinal research. In the field of law, empirical research is the current trend. Today the relevance of theoretical legal principles is determined in the light of practical life problems. It has brought both life and theory in focus.
 - 4. The upsurge in legal research is the movement towards inter-disciplinary research. Some aspects of inter-sectional research are highlighted as follows:
 - (i) Law and Sociology: Law has opened its eyes in the lap of society. In other words, society is the mother of law; however, after cutting of the umbilical cord, law has its independent existence but the bond of both mother and child can never be underestimated. This relation was very beautifully grasped by the eminent father of sociological jurisprudence—Dean Roscoe Pound. He propounded that law is a predominant instrument of "social engineering". Both are supplementary and complementary for each other. We can't teach legal research without considering social conditions. Legal research gives its color in the field of social circumstances. Thus, personal touch can only be given if we test our theory in the touchstone of social perspective. Law is not for law sake. Law is an important instrument for social change. Law and society are indivisible. Both have deep connections. Legal research deals with the social and behavioural phenomenon. It studies the behaviour of human beings as members of the society. Legal research tries to establish a causal connection between various human attitudes and law. As there are changes in the society, it is the need of law to change. The nature of crimes in the society has changed. Therefore, the new laws are coming into force. The earlier evils in the society are finished. New changes are taking place. Technology, terrorism, piracy and other crimes are increasing. Similarly, the law is also enacted.
- (ii) Law and Economics: Economics is the social science that analyses the production, distribution, and consumption of goods and services. The term economics comes from the Ancient Greek οἰκονομία + νόμος (οἰκοπομία +

nomos). Oikonomia means management of a household, administration (Oikos nomos). Oikonomia means management of "law"). A primary stimulus for means "house" + Nomos means "custom" or "law"). A primary stimulus for means "house" + Nomos means "custom" or "law"). means "house" + Nomos means custom of the development of modern economics was the desire to use an empirical sciences. 22 Economics aims to approach more akin to the physical sciences. 22 Economics aims to explain approach more akin to the physical selection agents interact. Economic analysis how economies work and now economies, finance and government, but also in crime, education, the family, health, law, politics, religion, social institutions, war, and science. The expanding domain of economics in the social sciences has been described as economic imperialism.²³ All the policies of inflation, deflation, corruption, black money and hoardings are managed by the legal policies.

- (iii) Law and Political Science: Political science is the systematic study of the allocation and transfer of power of decision making. Amongst the disciplines, political science is dealt with studying the provinces of public affairs and institutions. It is usually divided into the fields of comparative politics, international politics, political philosophy, national politics (including the politics of major government institutions, electoral politics, and regional and local politics). Political scientists study matters concerning the allocation and transfer of power in decision making, the roles and systems of governance including governments and international organizations, political behavior and public policies. They measure the success of governance and specific policies by examining many factors, including stability, justice, material wealth, and peace.²⁴ Since politics is the omnipresent existence of people, parties, resources, power and potential, there is great opportunity to do applied political science in addition to abstracted or theoretical studies. Political science can justifiably be used to further actual political goals, or predict events such as elections, revolutions, assassinations, and patriotism.²⁵ Law contains the elements of politics in the form of our Constitution governing the entire parliamentary form of government. International law governs the relationship among States. Elections, universal adult franchise, citizenship, powers of president, governor, supreme court, high court, public servants and Emergency provisions are governed by law.
 - (iv) Law and Psychology: Psychology is the science of mind and behaviour. Its immediate goal is to understand humanity by both discovering general principles and exploring specific cases. For many practitioners, one goal of applied psychology is to benefit society. In this field, a professional practitioner or researcher is called a psychologist, and can be classified as a social scientist, behavioural scientist, or cognitive scientist. Psychologists attempt to understand the role of mental functions in individual and social behaviour, while also exploring the physiological and neurobiological processes that underlie certain functions and behaviors. 26 The word psychology literally means, "study of the soul." The Latin word psychologia was first used by the Croatian humanist

^{22.} D Harper, Online Etymology Dictionary—Economy, retrieved from http://www.etymonline.com/index php?term=economy&allowed_in_frame=0 (last accessed in April 2021).

^{23.} E Ricardo, The Fatal Delusions of the Society, Author House, 2014, p 87,

^{24.} J Cohn, Irrational Exuberance: When Did Political Science Forget About Politics?, The New Republic, 15 October 1999, retrieved from https://www.unm.edul.doub.edu/pol/S2021 1999, retrieved from https://www.uvm.edul-dguber/POLS293/articles/cohn2.htm (last accessed in April 2021).

K. R. Mladenka, and B. D. Jones. "Political Science In April 2021). 25. K R Mladenka, and B D Jones, "Political Science: Looking to the Future", in W Crotty, (ed), American

Institutions, Vol 4, Evanston, North-western Illinois University Press, Illinois, 1994, pp 287-289. 26. See "Psychology", retrieved from http://www.newworldencyclopedia.org/entry/Psychology (last accessed in

and Latinist Marko." Psychologists explore such concepts as perception, cognition, attention, emotion, phenomenology, motivation, brain functioning, personality, behaviour, and interpersonal relationships. The relationship between psychology, policy and law has assumed substantial importance in our society in the following ways: (1) reformative theory of punishment; (2) rehabilitation of juvenile delinquents; (3) background of the criminal is taken into consideration at the time of quantum of punishment; (4) P-300, polygraph tests and narco analysis are a new trend in law to read the mind of criminals.

(v) Information and Communication Technology: Information technology has played a very important role in giving a new direction to research in law. The last decade of the 20th century has witnessed information technology emerging as the most prominent technology which has a revolutionary effect on the lives of the people across the world. Telecommunication combined with the computer has enabled the advent of the Internet, which is the latest breakthrough in the field of communication technology. Computer is the driving force behind the revolution in information technology. In the era of globalisation, the 21st century generation cannot imagine a life without computers. Internet has brought an information revolution. Information technology has come forth for managing the valuable information in the lap of computers. This new technology coupled with an inspiration to explore has generated an incessant exodus of creativity reducing time and distance on the globe.28 In the 21st century, any researcher without computer and Internet is not worth. All seminars, moot courts, conferences and workshop without computers cannot become a success. The computers and Internet have made it possible to interact all around the world while sitting at their homes. Internet has made research very easy. There is also violation of copyrights but its benefits cannot be denied.

2.8 Conclusion

As a novice researcher, the term "research" seems that great ideas first "come" to a God gifted author, who is blessed with a "holy spark." Yes, this is true to some extent; however, it is analysed that new ideas are the outcome of meticulous work.29 Undoubtedly, inspiration plays an important role in fruitful research. In its absence, a fascinating topic may receive a mundane and boring treatment. It is, however, fallacious to underestimate the hard work which is frequently hidden behind the polished pages of a well-written paper or book. Along with inspiration, yes, a certain element of luck is usually present in any discovery. The research worker, however, needs to have the intuition to recognize the importance of his findings. He must also be capable of undertaking the hard and tedious spadework which unearths it. Being academicians, it is required to learn all research techniques and value the research. With the passage of time, the quality of research is deteriorating. The reasons are many. Time to time various guidelines are appearing for improving the quality. But it is realised that nothing can be improved by enacting guidelines if researchers are not morally or ethically guided on the

29. E P Ellinger and K J Keith, Legal Research: Techniques and Ideas, S K Verma and M Afral Wani (eds), p 219,

^{27.} Marko Marulić used this word in his book, Psichiologia de ratione animae humanae in the late 15th century or early 16th century. The earliest known reference to the word "psychology" in English was by Steven Blankaart in 1693 in The Physical Dictionary: Wherein the terms of Anatomy, the names and causes of Diseases, chyrugical Instruments and their Use; are accurately Describ'd. Retrieved from https://acsweb.ucsd.edul-aaa001/CSE3/Lab2/ MyMajor.pdf (last accessed in April 2021). Also see S Blankaart as quoted in "psychology n.", A Dictionary of 28. S A Syed, and R Raheja, A Guide to Information Technology: Cyber Laws and E-Commerce, Capital Law House,

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