

BOOK REVIEWS

SOCIO-LEGAL RESEARCH: THEORY AND METHODOLOGY (2021), By P.P.Mitra, Thomson Reuters South Asia Private Limited, 10th Floor, Building Number 9B, DLF Cyber City, Gurgaon-122002, India, Pp. xxiv + 181. Price Rs. 400/.

INDIAN RESEARCH quality, in recent times, is not able to compete with contemporary world, especially in social sciences. Our universities or research institutes are lagging behind.¹ In present times, the relevance of research institutions to generate research culture in any country for betterment of higher education has only gained greater significance.² In this regard, the University Grants Commission has been continuously trying to standardize researches by introducing Ph.D. course work in 2009.³ Subsequently, more Regulations followed namely, for a minimum of four credits assigned to one or more courses in course work⁴, setting up mechanisms to prevent plagiarism in Higher Educational Institution⁵ and a compulsory course (theory and practical) on ‘Research and Publication Ethics’.⁶

In this backdrop, the book⁷ holds much significance. The major part of the book gives various tips on how to relate. The added bonus of this book is a thought-provoking *Foreword* written by Emeritus Professor *Padma S Upendra Baxi*. While supporting the author’s view that “there is no single recipe for doing legal research”, Baxi opined that, “what matters is pursuit of one’s chosen area clearly, consistently, cogently and conscientiously.”⁸ Indeed, these four ‘C’s of research would constitute the necessity of teaching and learning research methods.

1 No Indian university could have been ranked within the rank of 300 of the world university ranking as per *Times Higher Education World University Rankings, 2020*, see https://www.timeshighereducation.com/world-university-rankings/2020/world-ranking#!/page/0/length/25/sort_by/rank/sort_order/asc/cols/stats (last visited on 20 Jan., 2021). Further, no Indian university could have made a rank within top 33 universities according to *Quacquarelli Symonds Asia University Ranking 2020*, available at: <https://www.qs.com/rankings/> (last visited on 20 Jan., 2021).

2 Rajeev Dhavan, “Legal Research in India: The Role of Indian Law Institute”, 27(2) *Journal of the Indian Law Institute* 223-248 (1985). See also Prakash Sharma, “A Review of Journal of Indian Law Institute in Legal Education” 4(1) *Asian Journal of Legal Education* 61-70 (2017).

3 University Grants Commission (Minimum Standards and Procedure for Awards of M.Phil./Ph.D. Degree) Regulation, 2009.

4 University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degrees) Regulations, 2016.

5 The University Grants Commission (Promotion of Academic Integrity and Prevention of Plagiarism in Higher Educational Institutions) Regulations, 2018.

6 D.O.No.F.1-1/2018(Journal/CARE), Dec., 2019.

7 P.P. Mitra, *Socio-Legal Research: Theory and Methodology* (Thomson Reuters, Gurgaon, 2021) [hereinafter *Socio-Legal Research*].

8 *Id.* at xvii.

Talking about relevance and need for socio-legal research, especially in the Indian context, Professor Baxi argues for examining “basic issues of power and equality in society”, the “anomie, alienation, legitimacy, violence and direct action”,¹⁰ for identifying “socio-political space”¹¹—from socio-legal perspective. Efforts in this direction would require, to quote Professor Baxi, “less talk and more work”,¹² including a “networked cooperation amongst the incongruous research entities to advance the scope of sociology of law”.¹³ On these lines, Prof. Baxi continues to encourage and guide the present thought of reforms.¹⁴

The book comprises of twelve thought provoking chapters that cover developments, approaches, application, mode, and pattern for socio-legal research. In the Introductory chapter, the author gives varied views about application of human knowledge in generating branches of theology, science and humanities and how human research has helped to grow human civilisation and human culture. The second chapter delves into achronological analysis of research methods applied from ancient Greco-Roman period to present day’s post modernism or critical legal system.¹⁵ The next chapter, titled “Scientific Research in Social Science”, examines an interesting and a rare area, wherein the author analyzes the basic differences between researches in natural sciences and social sciences. The chapter has given a transparent idea about sifting of knowledge from ‘myth and science’ to ‘arm chair research’ to ‘empirical research’.¹⁶ The chapter

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- 9 While quoting Louise G. Trubek and David M. Trubek, “Civic Justice Through Civil Justice: New Approach to Public Interest Advocacy in the United States”, in Mauro Cappelletti (ed.), *Access to Justice and the Welfare State* 119 (European University Institute, Florence, 1981).
- 10 Upendra Baxi, “Socio-Legal Research in India—A Programschrift”, 24 (2 and 3) *Journal of the Indian Law Institute* 443 (1982).
- 11 Upendra Baxi, “Taking Suffering Seriously: Social Action Litigation in the Supreme Court of India” 4(1) *Third World Legal Studies* 107-132 (1985), available at: <http://scholar.valpo.edu/twls/vol4/iss1/6> (last visited on 20 Jan., 2021).
- 12 See Upendra Baxi, “Notes Towards Socially Relevant Legal Education: A Working Paper for UGC regional Workshops in Law 1975-1977”, in *Towards a Socially Relevant Legal Education* 33 (University Grants Commission, New Delhi), available at: <https://www.ugc.ac.in/oldpdf/pub/report/1.pdf> (last visited on 22 Jan., 2021).
- 13 R. Venkata Rao, “Sociological Perspective towards Legal Research”, in B.C. Nirmal, Rajnish Kumar Singh, and Arti Nirmal (eds.), *Legal Research and Methodology: Perspective, Process and Practice* (Satyam Law International, New Delhi, 2019).
- 14 See Prakash Sharma, “Continuing Legal Education: Rethinking Professional Ethics and Responsibilities in India” 5(2) *Asian Journal of Legal Education* 152-168 (2018); Prakash Sharma “Continuing Legal Education: Idea, Need, and Relevance” 46(4) *Indian Bar Review* 399-407 (2019).
- 15 The chapter explores European enlightenment to logical positivism of Vienna Circle and empiricism to critical theory of Frankfurt School, *Socio-Legal Research*, supra note 7 at 14-27.
- 16 The readers will get to know the processes of scientific research after going through Induction method, Deduction Method and Falsification Theory. *Id.* at 34-36.

four, explains characteristics from pure research, applied research, doctrinal research, empirical research, quantitative research, and qualitative research.¹⁷

Every social science research starts with framing of hypothesis. Here in chapter five, the author deals with sources of hypothesis to testing of hypothesis. The chapter answers and clarifies a common confusion *i.e.*, difference between ‘research question’ and ‘hypothesis’ amongst young researchers.¹⁸ This chapter has also analysed how different theories have become specialised over the course of time.¹⁹ Thereafter, chapter six discusses methods of research.²⁰

In chapter seven, the author has referred about pilot studies, panel studies, trend studies, cohort studies, blind studies, double blind studies, focus group studies, cross sectional studies. The author has argued how case law studies are extremely useful for legal researchers. The chapter has clarified about the concepts of research design, research methods and research approach which are very commonly used mistakenly.²¹ The next chapter has given detailed ideas about sample frame, sample size, sample design, sampling error and sample bias. It has also dealt with target population and differentiated with census and sampling.²² Thereafter, the author has discussed on various tools and techniques including interview, questionnaire, interview schedule, observation, participant observation, content analysis, Q methodology, sociometrics, scaling, oral history methods, life history method, storytelling, participatory rural appraisal, and rapid rural appraisal.²³ Chapter ten is practically useful for young researchers engaged in writing their dissertation or thesis, and this is supported by a first hand guidance, by the author, for developing an idea about the format of legal research writing.

One interesting aspect of the book revolves around “research and publication ethics”. The chapter reflects upon some practical issues concerning research metrics

17 Here author has tried to classify all kinds of researches on the basis of their application, nature, mode, pattern, time span and instrumentality. *Id.* at 38-57.

18 The author opined that the basic difference between research question and hypothesis is that, while later is declarative statements that are intended to be tested during the course of the research, the former is interrogative in its form. *Id.* at 63.

19 The author explored various theories from social theory, grounded theory, legal theory, to pure theory of law and so on. *Id.* at 67-75.

20 The author covered Positive method, Experimental method, Evolutionary methods, Historical method, Hermeneutics, Field study method, Case study method, Survey method, Anthropological method, Ethnography with Ethnomethodology, Generic research, Literary method in legal research, Economic methods in law, Statistical methods, Jurimetrics, Marxist legal research, Feminist legal methods, Realist legal method and Critical legal method. *Id.* at 76-101.

21 *Id.* at 103-109.

22 *Id.* at 114-122.

23 *Id.* 126-139.

(as per internet status). This chapter is based on latest syllabus of UGC, including the contemporary issues of predatory journal, controversies on plagiarism, misrepresentation of data, and impact factor of journals.²⁴ The concluding chapter, highlights various aspects about future of social science research in India.

The book under review has brought out following observations, *viz.* (i) a complete and practical guide on how to carry out research using popular tools; (ii) discussion on modern methods, tools and techniques of legal research; (iii) explanation on methodological concepts and skills, related to legal research, and (iv) exposure to the methods of socio-legal research. For these reasons, there appears little doubt that a bold step to develop the research aptitude and research awareness among young Indian students is earnestly required. The chief merit of the book is its brevity. It is pithy and precise. The book is short and crisp, and explains the steps required in the formulation of fruitful and effective socio-legal research. The book will be immensely helpful to the researchers engaged in action-oriented research, and LL.M. and Ph.D. coursework students. Augmented with good printing and an attractive cover page, the book is reasonably priced.

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24 See Abhishek Kumar Pandey, “UGC Regulation on Plagiarism: What Does It Mean for Indian Academia and Research?”, and Prakash Sharma, “Legal Research via Digital Access: Analysis and Implications for Scholarship in a Networked Age”, in B.C. Nirmal, Rajnish Kumar Singh, and Arti Nirmal (eds.), *Legal Research and Methodology: Perspective, Process and Practice* (Satyam Law International, New Delhi, 2019).

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