

NALSAR University of Law
Research Methodology Workshop for Doctoral Students

Program Schedule
(March 11-21, 2021)

<p style="text-align: center;">Thursday 11th March 2021</p>	<p>10 to 10:15 AM: Introduction to the Workshop – Amita Dhanda The objective with which the workshop has been organized; the logic behind the sequencing of sessions and the expectations from the participants.</p> <p>10:15 to 11:30 AM: Inaugural Lecture: Why We All Need to Know the Constitution? – Faizan Mustafa</p> <p>12:00 to 1: 30 PM: Why We Need Theoretical Understanding to do Research? – Amita Dhanda</p> <p>2:30 to 4:00 PM: What the Social Sciences can offer to Legal Research? – Manisha Sethy In this session, we look at the interrelationship between law and social sciences, tracing the history of their commingling, the debates and concerns that drove the social scientists towards law as a site of study, and conversely, legal scholars to become interested in other disciplines. What can we learn from those debates and that history? Does a grounding in social sciences – especially History and Sociology – aid our understanding of the concept of law, and the workings of legal institutions? We will look at some of ways in which we can understand the key legal issues extant today through the lens of social sciences.</p> <p>4.30 to 6.00 pm Why We All Need to be International Lawyers? B.S. Chimni</p>
<p style="text-align: center;">Friday 12th March 2021</p>	<p>10 to 11:30 AM: Positivism in Social Sciences –T Kannan The lecture will focus on original assumptions and objectives of positivist method by Comte, later developments and nature of relationship between causality and rationality in social sciences.</p> <p>12.00 to 1.30: Positivism in Legal Research – Amita Dhanda The session will look at the possibilities of doing legal research from a positivist perspective and also highlight the limitations of doing legal research by restricting the definition of law to norms emanating from legal authorities, be it the legislature, the executive or the judiciary.</p>

	<p>2:30 to 4 PM: Research Problem and Research Questions – Manisha Sethy We start with the basics of undertaking research: how to formulate your research questions and problems so that they attend to the ‘so what’ test? The session will also try and demonstrate the disjunction between ‘social problems’ and ‘research problems’, and how the statement of the research problem must straddle both theory and empirical data.</p> <p>4:30 to 6 PM: Review of Literature – T. Kannan</p>
<p>Saturday 13th March 2021</p>	<p>10 to 11:30 AM: Feminist Method – Vasanthi Nimushakavi The session looks at ways in which theory shapes method in the context of channeling feminist theory into a legal method. Feminist legal method provides a lens through which legal positivism can be critiqued and helps uncover inbuilt biases in legal structures.</p> <p>11:30 to 1 PM: Transgender Studies – T Muralidharan <i>Transgender studies</i> is one of the most recent additions to the widening horizon of academic debates on gender and sexuality. A series of judicial interventions after 2014 has also made the ‘transgender issue’ an important topic in the social debates in contemporary India. Governmental agencies and NGOs are planning/ introducing different streams of affirmation actions to help improve the social status and lives of transgender individuals. In spite of all these, a major section of transgender individuals in India as well as other South Asian Nations continue to face severe social discrimination and violence even from their biological families and immediate society. There is growing interest among Indian academics and students to study the issues and problems that vex the lives of transgender individuals in the country. But their task is rendered cumbersome by the apparent lack of any previous scholarship or pioneering research in this area. Absolute reliance of studies conducted in the Euro-American contexts could sometimes be misleading. In my presentation, I shall introduce the concept of transgender, critically examine the kind of academic research that has already taken place in this area and speculate on an appropriate methodology that could effectively address contemporary transgender existence in the Indian context.</p> <p>2.30 to 4.00 pm: Critical Legal Studies – Amita Dhanda Objectivity and neutrality have been celebrated values in the positivist legal tradition. This school of thought was responsible in demonstrating the political preferences and biases disguised by claims of neutrality. This session will explore the methodological possibilities of the critical approach.</p> <p>4.00 to 6.00 pm: Locating Politics: Situating the Legal – Harathi Vageeshan</p>

<p style="text-align: center;">Sunday 14th March 2021</p>	<p>10 to 11:30 AM: Qualitative Research Methods – Manisha Sethy This class will focus on the value of qualitative research methods for legal researchers, and how they can be undertaken effectively. It will familiarise students with methodological and ethical dilemmas that a researcher may confront when dealing with real, human subjects and the intimacy that qualitative research may entail. It will also provide a more practical guide towards conducting this form of data collection, such as preparing research design, devising interview schedules, negotiating access to informants and so on. We will conclude by doing a rapid survey of some key legal ethnographies to understand how the methodological/ ethical issues come together with qualitative means of data gathering in research on law.</p> <p>12.00 PM to 1.30 PM: Quantitative Research Methods – Divya Vaid This lecture will lay out the bare outline of quantitative research methods used by social scientists through various examples. It will in particular lay emphasis on understanding surveys as part of quantitative data collection through the various stages of survey research design especially sampling and questionnaire design.</p>
<p style="text-align: center;">Monday 15th March 2021</p>	<p>10 to 11:30: Archival Research – Bhangya Bhukya The practice of history writing; using archival data and the issue of objectivity; contestations of historical truth; historical facts as mere constructions; specific skills to read the historical facts; Archival sources and where we get them and in what forms, and how to make sense of them.</p> <p>12 to 1:30 PM: Politics of the Archive – Javed Iqbal Wani I would like to engage with the nature and scope of archives and will examine the layers of meaning that legal archives can offer, for example. For this purpose, I will be using the debate between Ranajit Guha and Upendra Baxi and explain the potential of the archive when imbued with analysis.</p> <p>2:30 to 4 PM: Historical Methods and the Use of Social Documents – Tanweer Fazal In the social science literature, there are apprehensions regarding the use of documents as primary sources of research. However, a broader perspective would not discount the use of documents for social research. Particularly, first person accounts such as autobiographies, letters, documents from government archives, court judgments and other legal documents become important sources for building theories and generalisations about past and present. But documents are not restricted to the printed world; a work of art, a film documentary, musical compositions, epitaphs on tombs, recorded speeches too come to be counted as part of documentary evidence. In this discussion, since documents are important sources to reconstruct the</p>

	<p>past itself, we will try to problematize history and historiography as much as the kinds of documents to be used and the caveats involved. Besides, ethnographic research too, that relied largely on the speech act, has increasingly come to use documents as lives sources of data thus calling for some serious re-orientation in disciplinary practice.</p> <p>4:30 to 6 PM: Why Archives are Important for Legal Scholars? – Javed Iqbal Wani In the second session, I will use some of my ongoing research to show how marginal events in history when recovered from the archives, could offer insights into the politics of public order and the broader question of justice in India.</p>
<p>Tuesday 16th March 2021</p>	<p>10 to 11:30 AM: Constitutional Morality – Murali Karnam</p> <p>12 to 1.30 PM: Govern mentality – Manohar Reddy Focuses on the French philosopher Michael Foucault’s theory of governmentality and shows how Partha Chatterjee has used it in his research in the Indian context to show the limitations of our normative understanding of legal vs illegal, and argues that it is necessary to do away with such binaries in order to understand the functioning of democracy and the nature of politics in India today.</p> <p>2:30 to 4 PM: Feminism and the Law – Janaki Nair There has been a foundational link between feminism and the law. Law reform and legal strategies had been integral to the post development of feminism in India. I will discuss some elements of this sometimes tortured relationship, from the late 1970s to the present. I propose linking the developments related to women and the law in the post independence period to crucial moments in the colonial past (such as for instance the definition of a set of laws which crucially concern women as 'personal laws').</p> <p>4:30 to 6 PM: Presentation of Research Proposals by the PhD candidates</p>
<p>Wednesday 17th March 2021</p>	<p>10 to 11:30 AM: Politics of Census – Sheela Prasad The Lecture will critically review the history of the Census and engage with the politics of a colonial and contemporary project. The main focus of the Lecture will be to attempt to answer the questions: Is there an agenda in the information / data collected in the Census? How relevant is the Census data to Research, particularly Social Science research?</p>

	<p>12 to 1:30 PM: Law's media system – Ravi Sundaram Media technology has been seen as an external supplement to law, to simply aid an existing normative system of justice. In fact, legal infrastructure has from the outset been based on technologies of writing and storage media like paper. Today media technologies have emerged at the forefront of all legal dramas and public events. Judicial forums are central players in media events. In this lecture I ask, what do media technologies do to law's materiality? What happens when media objects are seen to 'speak' parallel to the human witness? What does the forensic turn do to legal speech?</p> <p>2:30 to 4:00 PM: Using Computer Techniques in Humanities and Legal Research - Aniket Alam</p> <p>4.30 to 6.00: Presentation of Research Proposals by the PhD candidates</p>
<p>Thursday 18th March 2021</p>	<p>10 to 11: 30 AM: Authorship – Manohar Reddy The attempt is to critically analyze the notions of the text, author, reader, and the process of meaning making. Although most of these critical insights are widely used in the fields of literature and visual media, they are equally important for law.</p> <p>12 to 1:30 PM: Academic reading and writing – 1 – Ravindra Karnena</p> <p>2:30 to 4 PM: Academic reading and writing – 2 – Ravindra Karnena</p> <p>4:30 to 6 PM: Presentation of Research Proposals by the PhD candidates</p>
<p>Friday 19th March 2021</p>	<p>10 to 11:30 AM: Doing historiography, history and genealogy – Shilpaa Anand How do we use history, genealogy and historiography as methods of research? What are the objects of these three types of inquiry and how does the material to be studied vary among them? What is 'effective history'? The discussion will also focus on 'primary sources' and 'secondary sources' and questions related to meaning and interpretation of these sources. What is the relationship between history and objects of research? How do we use sources such as cultural texts that are not considered standard historical sources?</p> <p>12 to 1:30 PM: Language, Democracy and Justice in India – Manohar Reddy Examines the role of language in the realization of citizenship, rights and (social) justice. Curiously, in the modern</p>

	<p>Indian Republic, major people’s languages have been denied any meaningful function even in the most important domains of democracy such as education, administration and judiciary. The strategies through which this denial has been made possible appears to be nothing less than “trickery in the broad day light,” as one scholar put it. This session is an attempt to understand the language question beyond the mainstream discourses of Indian nationalism, diversity, multiculturalism, and so on.</p> <p>2:30 to 4 PM: Reference Management – Anindita Mukherjee</p> <p>4:30 to 6:30 PM: Presentation of Research Proposals by the PhD candidates</p>
<p>Saturday 20th March 2021</p>	<p>10 to 11:30 AM: Personhood – Amita Dhandra</p> <p>12 to 1:30 PM: Strict Liability and the Research Issues in Criminal Law – Faizan Mustafa</p> <p>2:30 to 4 PM: Reference Management – Anindita Mukherjee</p> <p>4.30 to 6.00: Multimodal Ethnography – Ankur Datta We inhabit both the real and virtual worlds in some form or the other. Our lives draw on experiences that are in the first person, direct and mediated, involving, the audio, visual and digital simultaneously. How do they intertwine and shape social relationships and cultural forms in everyday life? What methods can we call upon to explore this process? This seminar addresses multi modal ethnography, what it is, is not and can be. While multimodal ethnography has been in the making for some time, the Covid 19 pandemic compels a sense of urgency and possibility towards its practice, almost as an alternative when conventional ethnographic research has become potentially unsafe. This seminar will cover categories, techniques in the collection of audio, visual and digital data.</p>
<p>Sunday 21st March 2021</p>	<p>10 to 11:30 AM: Ethics and Research – Bhargavi Davar</p> <p>12 to 1.30 pm: The how and why of researcher- supervisor interface – Neha Pathakji</p>

Suggested readings for the workshop

Amita Dhanda

Margaret Davis. *Asking the Law Question*. 2017. (Chapters 1 & 3)

Alan Hunt. The Critique of Law: What Is 'Critical' about Critical Legal Theory? *Journal of Law and Society*, Vol. 14, No. 1, Critical Legal Studies (Spring, 1987), pp. 5-19.

Susan S. Silbey and Austin Sarat. "Critical Traditions in Law and Society Research." *Law & Society Review*, Vol. 21, No. 1 (1987), pp. 165-174.

Ankur Datta

Pink, Sarah (2011). "Multimodality, multisensoriality and ethnographic knowing: social semiotics and the phenomenology of perception". *Qualitative Research*. **11** (3): 261–276

Bonilla, Yarimar and Jonathan Rosa. 2015. #Ferguson: Digital protest, hashtag ethnography and the racial politics of social media in the United States. *American Ethnologist* 42(1): 4-17

Bhangya Bhukya

Bhangya Bhukya. "The Subordination of the Sovereigns: Colonialism and the Gond Rajas in Central India, 1818–1948." *Modern Asian Studies / FirstView Article / January 2006*, pp 1- 30.

Harathi Vageeshan

Adrian Leftwich. "Thinking Politically: On the Politics of Politics." Pp. 1-22.

David Kairys. "Law and Politics." *George Washington Law Review*, vol. 52, no. 2, January 1984, p. 243-262.

T. Kannan

Joanna Heidtman, et. al. "Positivism and Types of Theories and in Siociology." *Sociological Focus*, Vol. 33, No. 1 (February 2000), pp. 1-26.

J. Laird. "Positivism, Empiricism, and Metaphysics." *Proceedings of the Aristotelian Society*, New Series, Vol. 39 (1938 - 1939), pp. 207-224.

Brian Z. Tamanaha. "Socio-Legal Positivism and a General Jurisprudence." *Oxford Journal of Legal Studies*, Vol. 21, No. 1 (Spring, 2001), pp. 1-32.

Manisha Sethi

Manohar Reddy

Roland Barthes. "The Death of the Author."

Michel Foucault. "What is an Author?" *The Foucault Reader*. Pantheon Books: New York. Pp.101-120.

Michel Foucault. "Governmentality."

Pattabhi Sitaramayya. "United States of India." *For and Against Andhra* (1913).

Sheela Prasad

R.B. Bhagat. 2003. "Role of Census in Racial and Ethnic Construction: US, British and Indian Censuses", *EPW*, 38(8), February 22.

Jayaraj, D and S Subramanian 2004. "Manufacturing Hysteria: On Census-Inspired Nationalism", *EPW*, 39(39), September 25

Shilpaa Anand

Michel Foucault. "Nietzsche, Genealogy, History."

T. Muralidharan

Transgender Studies Reader

Sebastian Lelio Watt. *A Fantastic Woman* (2017). (A Spanish film, available on Amazon Prime)

Divya Vaid

J. A. Fox and D.R. Forde. 2014. "Introduction." *Elementary statistics in social research*, 12th edition. Pearson.

Stanley Lieberman. "Asking Too Much, Expecting Too Little."

Janaki Nair

Pratiksha Baxi. "Governing India's Daughters."

Janaki Nair. Revised Introduction. *Women and Law in Colonial India*

Ravi Sundaram

Weizman, Eyal. *Forensis: The architecture of public truth*. Sternberg, 2014.

Cohen, Julie E. "The biopolitical public domain: The legal construction of the surveillance economy." *Philosophy & Technology* 31, no. 2 (2018): 213-233.

Liang, Lawrence, "Sensuous Encounters: Law, Affect, and the Media Event" in Ravi Sundaram (ed) *No Limits, Media Studies from India*, OUP India 2015

Schuppli, Susan. "Deadly Algorithms: Can Legal Codes Hold Software Accountable for Code that Kills?." *Radical Philosophy* 187 (2014): 2-8.