



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY
SHIMLA

Paper Code: Pre-Ph.D

**Subject: Legal Research and Methodology
& Emerging Trends in Law**

Pre Ph.D

24th April, 2018

NOTE: Attempt any two questions from each section. All questions carry equal marks.

Time: 3 Hours

Maximum Marks: 100

SECTION-A

Q.1 Legal pluralism has yet to establish itself as an alternative theory/philosophy of law. In pursuit of this task it has primarily to take on directly to 20th century dominant theory, that is, positivism. Secondly, challenges posed and opportunities occasioned by globalization complicates its ambition to be an alternative theory and its mission to contribute to the discipline of law. Critically examine. (25Marks)

Q.2'...the moral-practical rationality creates possible features by transforming new ethical demands of liberty, equality, and fraternity into political imperatives and juridical demands. the values of modernity liberty, equality, autonomy, subjectivity, justice, as well as the antimonies amongst them remain, but are subject to an increasing symbolic overload, in that they mean increasingly more disparate things to different people or social groups, with the result that the excess of meaning turns into trivialization, and hence into neutralization'. In

light of the above statement evaluate the theory and practice of equality under the present Indian scenario. (25Marks)

Q.3 'The strange political economy of globalization has carried away, discursively, the basic principles and foundational justifications of human rights theory and practice beyond human and natural subjects, but to a new epistemological world. Where anxious efforts are directed not at the wellbeing and freedom of human individual but on constructing and fortifying systems of power structure through the means of law, economics and politics that can sustain and provide justification for those structures'.

Do you agree with the view expressed above? Critically argue. (25Marks)

SECTION-B

Q4. 'The law is a critical part of our social world'. Comment on this observation; Discuss and critically assess the benefits and disadvantages of at least two different research methodologies as tools for conducting independent legal research. (25Marks)

Q5. 'Research problem: the word problem must not be comprehended as "Problem" literally, on the contrary it must be 'why a particular research has to be conducted' and then to work on this question arising in the mind of the researcher, he formulates a research problem.' In the light of above statement discuss in detail the relevance of research design in legal research. Also prepare a research design on any socio-legal issue prevalent in society. (25Marks)

Q6. What is data? Classify data. Explain methods of data collection, presentation and interpretation of data. (25Marks)

Dr. H. Gupta
23/04/18.