



TWO-WEEK CAPACITY BUILDING PROGRAMME

On

Exploring the Dimensions of Research Methods in Social Sciences and Jurisprudence

10-23 December 2023

Organised by

*Centre for Comparative Public Law (CCPL), Himachal Pradesh National Law University,
Shimla in association with Indian Council of Social Sciences Research (ICSSR), New
Delhi*

About the University

The Himachal Pradesh National Law University, Shimla (HPNLU, Shimla), placed in the geographical terrains of the Himalayas, is among the premier law schools in India. The institution is one of the few educational centres in the country which enjoys natural endowment of mesmeric beauty of location topography and enjoyable weather conditions throughout the year. The University is bestowed with all-natural conditions conducive of seeking, creating, and imparting knowledge. The institution is taking every possible step to achieve excellence in the field of law education and research.



Centre for Comparative Public Law

The Centre for Comparative Public Law (CCPL) has been established by HPNLU, Shimla to further advance research in Public Law. The principal objective of CCPL is to undertake studies and investigations about fundamental categories/concepts of public law, advanced jurisprudence, and comparative legal systems.

Indian Council of Social Sciences Research

Indian Council of Social Science Research (ICSSR) was established in the year of 1969 by the Government of India to promote research in social sciences in the country. Among other goals, the Council, sponsors social science research programmes and projects and administer grants to institutions and individuals for research in social sciences.

Conception of CBP 2023

Introduction

History of ideas has progressed or regressed around research methods and tools. Even before Greek's musings for knowledge and wisdom, the quest for truth is as old as human civilization, which emerged along with the development of symbolic languages. Rituals and rites of the tribal communities signified inter-subject meaning which were given to the ritualistic practices. Emile Durkheim in his seminal work *The Elementary form of Religious Life*¹ explored the normative and functional aspects of religious rites and rituals which were meant to develop social solidarity among the tribal people. In subsequent period, more sophisticated form of languages, consisting of semantical reciprocity instrumentalized in the development of myths. Mythical explanations were meant to supply meaning to the life phenomenon which was mysteriously too powerful to be grasped by the sensory organs and mind of the human beings.² It is only around 1600 B.C. to 300 B.C., most of the sophisticated religious rationalization occurred under the charismatic leadership of many sages and prophets.³ Many of the religious scriptures were consisting of the explanation of life and death, sin and salvation, and mostly they expounded certain liturgical practices required to be performed by the members of the community. Some of those scriptures were intuition based hence they are treated as revealed scriptures. Many others were developed through intellectual works employed by theologians of the age. Notably, the method behind those writings were implicitly blossoming in the works. However, writers of those ages were not explicit about the method upon which the truth was explored and discovered. For example, many of the natural philosopher before the Greek speculated about nature and its truth, like Democritus, Anaximander, Parmenides, Heraclitus, and Thales, etc. Many of such speculations came true in the beginning of modern scientific age, when Newton, Galileo, Kepler, Copernicus, Descartes, and Francis Bacon, etc., laid the foundation of modern scientific rationality.⁴ However, Pre-Greek thinkers speculated many of their findings not through any specific method, at least, they were not specific about any method to reach upon certain conclusion about the truth of Universe.

¹ See generally Émile Durkheim, *THE ELEMENTARY FORMS OF THE RELIGIOUS LIFE: A STUDY IN RELIGIOUS SOCIOLOGY* (1912, 2014).

² Jürgen Habermas, *Myth and Ritual*, organized by BERKLEY CENTRE (Oct. 19, 2011), available at: <https://www.youtube.com/watch?v=qA4iw3V0o1c> (last visited 01 Jul., 2023).

³ Jürgen Habermas, *Id.*

⁴ Fritjof Capra & Pier Luigi Luisi, *THE SYSTEMS VIEW OF LIFE: A UNIFYING VISION* 25-36 (2014).



In Greek school of thought, Platonic dialogues exemplified the rationalistic approach to deduce certain conclusion from the abstract concepts in mathematical sense.⁵ To the contrary, Aristotelian exploration truth was experiential and empirical based.⁶ Aristotle also developed the binary structure of syllogism, which is still dominant in a world of sciences. Many of their ideas have become outdated in flux of time, but their methods are still immitted in the research and exploration about truth. Medieval Europe could not escape from the charisma of Plato and Aristotle. Many of the scholarly writings crafted by St. Augustine, St. Thomas Aquinas, and William of Ockham, etc. exemplified the impacts of Plato and Aristotle in their ideas.⁷ It is fallacy to treat the medieval age of Europe as Dark Age, since the logical analysis was predominant in the writings of those theologians, though, they could not completely withdraw from the reliance over divine wisdom and faith over it.⁸

Research Method in Ancient India

Ancient Indian societies were also enriched with respect to the development of grammar, epistemology, logic, and morals. Nyaya school of philosophy developed five-fold structure of logic. Buddhist philosophers explored four-fold logic, which is known as *Chatuskoti*.⁹ In Jainism, *Syadvada* was the prominent mode of logic to explore the knowledge and truth.¹⁰ Ancient Indian seers in Vedic period relied upon intuition hence the wisdom of Upanishads came into existence.¹¹ In the period of sutras and sastras, sophisticated methods and logics were developed to attain the truth.¹² While the early mode of discovering knowledge is treated as mystical but latter developments were based upon systematic methods. It is fallacy to overgeneralize ancient Indian traditions merely as spiritual and mystical civilizations.¹³ The rich culture of contemplation and dialogues was developed only through the exploration of methods.

⁵ Wayne Morrison, JURISPRUDENCE: FROM THE GREEKS TO POST-MODERNITY 34-40 (1997).

⁶ Wayne Morrison, 41-50 (1997).

⁷ Bryan Magee & Anthony Kenny, *Medieval Philosophy*, THE GREAT PHILOSOPHERS (1987), available at: https://www.youtube.com/watch?v=iVlq6joL_uI (last visited 01 Jul., 2023).

⁸ Bryan Magee & Anthony Kenny, *Id.*

⁹ Sonjoy Mondal & Debarshi Adhikari, *The Concept of Absolute in Madhyamika, Vijnanavada and Shankara: A Conceptual Analysis* 7 (1) JOURNAL OF CRITICAL REVIEWS 2169-2173 (2020).

¹⁰ Pradeep Gokhale, *The logical structure of Syādvāda*, JOURNAL OF INDIAN COUNCIL OF PHILOSOPHICAL RESEARCH 8 (3) (1991).

¹¹ See generally Sri Aurobindo, THE LIFE DIVINE, Part I (2006).

¹² Robert Lingat, THE CLASSICAL LAW OF INDIA 3-14 (1973).

¹³ See generally Bimal Krishna Matilal, MIND, LANGUAGE AND WORLD: THE COLLECTED ESSAYS OF BIMAL KRISHNA MATILAL, Vol. I (Jonardon Ganeri ed., 2002).



Birth of New Science

In the beginning of early modern period, the mechanical science was established and a worldview dominated by ancient and medieval outlook was displaced in favour of mechanized and dehumanized science. Descartes through his meditations demonstrated some of the clear and indubitable propositions through scepticism, a research method, which was expounded in the development of modern epistemology.¹⁴ Empiricists like John Locke and David Hume relied upon senses as the true guide to reach the truth. It was Immanuel Kant who developed the synthesis between two schools of thought and developed the thesis that mind and senses interact in the perceptual activities.¹⁵ Kantian meditations are known for his critical method of inquiry which is also considered as arche type of modernity. In Hegelian romanticism, the history of ideas reversed back into the idealism.¹⁶ The Hegelian progeny of ideas in form of nihilism and post-modernism challenged the dominant mode of teleological narratives of history and exposed the politics of knowledge creation. Paul Karl Feyerabend in his Magnum Opus *Against Method* vehemently criticized against the rationality of science which is all about method.¹⁷ Instead, he advocated for 'epistemological anarchism' for the exploration of truth and knowledge.¹⁸ In spite of many structural and post-structural critiques of knowledge and truth, the question of research method has remained alive in the critical gesture of deconstructionists and genealogist. In this context, it is significant task to explore the research methods applicable in development of social sciences and jurisprudence.

Objectives of the Programme

- (a) To explore various research methods applicable in social sciences and jurisprudence;
- (b) To investigate the relevance of research method in theory building;
- (c) To examine the methods, tools, and techniques of quantitative research for socio-legal study;
- (d) To develop the capacity among the faculties and researchers of law with respect to research methods.

¹⁴ Rene Descartes, *MEDITATIONS ON FIRST PHILOSOPHY* 1-16 (1641, 2008).

¹⁵ Wayne Morrison, *Supra* note 5 at 131-151.

¹⁶ Wayne Morrison, *Id.*, at 163-177.

¹⁷ *See generally* Paul Feyerabend, *Against Method* (1975).

¹⁸ Paul Feyerabend, *Id.*



Tentative List of Topics/ Broad Thematic Areas for the CBP

Evolution of Social Science Study Methods: Plato, Aristotle, and St. Aquinas
Theory Building and Causal Inferences in Social Sciences Research
Socratic Methods: Argument/Dialogue, Critical thinking etc., and Metaphysics: Plato, Hegel, and Kant
Positivism: Rene Descartes, Francis Bacon, Galileo, Newton, Thomas Kuhn etc.
Exploring Legal Research Method and Methodology: Teaching Dimensions for Law School Curriculum
Fundamentals of Research Method and Methodology
Use of Electronic Libraries and Digital Tools for Research
Exploring the Nuances of Scientific Research in Social Sciences
Research Design: Concept, Meaning, and Importance
Types of Research Design: Exploratory, Experimental, Descriptive, and Diagnostic
Qualitative and Quantitative Research
Deliberating the Hindu Logical Traditions: An Exploration of the Mimamsa Logic
Deconstructions, Archaeological and Genealogical Methods
Philosophical Speculations in the Hindu Knowledge Tradition: Exploring Dimensions of Research Methodology
Deliberating the Hindu Logical Traditions: An Exploration of the Nyaya & Samkhya Logic
Preparation of Research Proposal

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