
A Study of the Significance and Components of Report Writing in Legal Research

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Abstract

The goals, procedures, results, and conclusions of study on a legal issue are compiled in a legal research report. An introduction, literature review, methodology, data analysis, and conclusions or recommendations are all common components of a structure of a report in any legal research. Title, abstract, table of contents, introduction, literature review, methods, findings, summary, conclusions, references and appendix are the chief components in a legal report. Clear language, logical structure, in-depth analysis, and pertinent citations are essential components, and depending on the goal of the report, the tone can be either neutral or compelling. Since no research can be finished without a report, creating reports is a fundamental activity for researchers. It is actually possible to compare a research study without a report to a house without a roof. From the manager's perspective, all observation and data analysis would be in vain if the report was not made available to support his decision-making. Report writing is therefore essential to research. The goal of a research report is to provide interested parties with a thorough explanation of the study's findings and to enable them to assess the conclusions' validity for themselves. The research report, which is the final product of the inquiry, includes a description of the various survey stages and the results reached. As a result, it is the culmination of a research endeavour that describes a protracted quest to discover new information of changed knowledge. Research report writing is a technical task that demands not only the researcher's skill but also a great deal of effort, patience, and penetration, as well as a comprehensive approach to the problem data and analysis, a command of language, and increased objectivity—all of which stem from careful consideration. The current paper aims to study the different aspects of report writing and its significance in legal research. The author has covered the relevant aspects and especially the methodology part of report writing.

Keywords: *Analysis, Inquiry, Legal Research, Method, Results.*

Introduction to Report Writing

Report writing is a task of a socio-legal researcher after he finishes his study or research work. Purpose of report writing is to tell the results of his research. It contains analysis, findings, interpretations, recommendations and conclusions.¹ The researcher must write his report clearly and in vivid details. Otherwise it would render his research work useless.

A report's size is decided by the study that was done. If the research is small, the problem will be defined in short, its methodology will be simple, it will be have a limited scope and the length of the report will also be brief. However, when the scope of the study is broad and the researcher gives an in-depth description of sources of his data, procedures of research, sample design, data gathering methods, analysis of findings, interpretations, conclusions and recommendations, the report would obviously be much longer. A research report, long or short, has the following basic components:

1. Title

Title of research work gives an idea about the study. The title has to be expressed in a way that the reader can assess the nature of the research.

2. Abstract

An abstract means a summary of the entire report and it is usually written at the completion of the study. A summary includes only the important information of the study in brief so that the reader comes to know the purpose and nature of the study. Length of an abstract is about 100 to 150 words in case of a small study, like a research paper, and about 150 to 200 words in case of a lengthy research, such as a thesis or dissertation.

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¹ Donald R Cooper and Pamela S Schindler, *Business Research Methods* 610 (New York: Mc Graw Hill, 7th International Edition, 2001).

3. Table of Contents

A report that is divided into several sections should have a table of contents. It is usually given at the beginning of the report.

4. Introduction

The research problem or question is succinctly and clearly stated in the opening and it is the introduction. It explains the social and academic importance of the work. Main purpose of an introduction is to describe what the investigation is about and why it is being conducted.

It may be done in context of theoretical basis of the study. For example, it can be about earlier findings of delinquencies among children belong to affluent families. Again, it can be of practical importance of the study. For example, instances of higher rate of crimes against children and the adequacy of existing laws and their implementation mechanism.

5. Literature Review

The object of literature review is to explain the theoretical relevance of the research problem and to draw attention to how it was studied by other scholars and jurists. The literature review 'should justify the current research through what's already been written or not written about the topic'.² It is not about the listing of books and articles studied before making of the research proposal or the research itself. The intent of performing the literature review is to show that the research was fruitful.

6. Methods

It describes the procedures adopted by the researcher. It contains the outline of research design, population that has been covered in the study, sample of the study, technique undertaken for

² Emily Stier Adler and Roger Clark, *How It's Done: An Invitation to Social Research* (2nd ed.), Belmont: Wadsworth/ Thomson Learning, 2003, p 524.

sampling and data collection method. It can also explain difficulties faced by the researcher in the practical field. It also gives detail of all ethical considerations.

If the research is through field study and observation method is involved, the researcher writes the chronological events of the study and explains how they studied the selected population. He also mentions how his relationship with the informants developed and how long he worked in the field.

In the methodological steps, a researcher explains whether the information collected was from the point of view of the informant or the researcher. If data collection is through interview method, the researcher has to mention the following information, namely, who the participants were, number of persons interviewed and the basis on which the persons were selected for interviewing.

If it was a mail survey, the researcher has to tell the number of people who answered the questionnaire and how many of them did not respond. Where the participants or respondents are divided into groups, it must be mentioned on what basis they were divided. It must be explained whether they were characterised on the basis of their caste, social class, age, gender or levels of intelligence.

If the research methodology includes questionnaires and interviews, the researcher has to explain the questions that were asked in the process. Many researchers often present their interview or questionnaire separately in an appendix.³

Various methods are available for performing a socio-legal research which are elaborated as follows:

Positive method: The term positivist was initially used by the French philosopher Auguste Comte. "What law is" is the definition of positivism. Those who believe in "what law ought to be," or the natural school of law, oppose positivism.

³ Rick H Hoyle, Monica J Harris & Charles M Judd, *Research Methods in Social Relations* (7th ed), US: Thomson Learning, 2002, p516.

Positivism holds that social truths are things or objects. The beliefs, customs, organizations, and facts of the social world should be considered things, just like the objects and events of the natural world.⁴ It has been observed that positivity can flourish in socially stable settings. It becomes challenging to discern between "what is" and "what ought to be" when society is in disarray.⁵ The existence of legal rights is dependent on explicit social practices or political decisions, according to positivism, which rejects the idea that any implicit will may establish laws. Since 1960, positivism has been criticized by sociologists such as Karl Popper and Thomas Kuhn, which has resulted in an intellectual attack on the natural science of social research and the processes used to certify information as objective and reliable.

Experimental Method: Munroh Smith says that expressiveness is articulated by the social science of justice.⁶ The legal professionals have been creative in their creation of rules and concepts. Every new case has been viewed as an experiment, and all guiding ideas and regulations have been treated as hypotheses. Any rule that causes unfairness or has unfavourable effects will be re-examined and changed. The principle itself needs to be re-examined if rules that are drawn from it are ineffective.⁷

Evolutionary Method: Professor A. Lakshminath believed that judicial review is an evolutionary method in both civil and common law systems. During the period of "natural justice," the Acts of Crown and Parliament were subject to a higher form of unwritten law. Following the French and English Revolutions, the concepts of "positivism" or "legal justice" gained prominence. Henry Maine, known as the Social Darwinist, began anthropological research in law and noted that law had evolved through several stages to reach the present stage. This period of "positivism" or "legal justice" was distinguished by the significance of written statutes or legislatures. This introduced a new flag—the "principle of legality"—to the bulwark of justice.⁸

⁴ M.Haralambos and R.M.Heald, *Sociology: Themes and Perspectives* 495 (Oxford University Press, 14th edition, 2012)

⁵ R.W.M.Dias, *Jurisprudence* 331 (Aditya Books Butterworths, 1st Indian reprint, 1994)

⁶ Munroh Smith, *Jurisprudence* 21 (Columbia University Press, 1909)

⁷ Benjamin N. Cardozo, *Nature of the Judicial Process* 23 (Martino Publishing, 2011)

⁸ A.Lakshminath, *Judicial Process: Precedent in Indian Law* Page V Preface (Eastern Book Company, 3rd Edition, 2012)

Historical Method: A historian looks at historical events in chronological order to find a detailed account of what happened in the past. The primary fields of historical study are social, cultural, intellectual, and political. Both primary and secondary sources are used in historical study. Primary sources are those that were available at the time of the incident. Letters, pictures, lectures, stories from recent newspapers, and more are all included. The primary sources are typically interpreted by secondary sources. It can be a written assessment of a historian from the past. The three main sources of historical information that social science researchers typically focus on are documents and other historical sources that the historian has access to, materials related to cultural and analytical history, and firsthand accounts from reliable observers and witnesses.⁹

The historical school of legal studies was one of the many reactions to the natural law theory at the beginning of the 19th century.¹⁰ Although the jury system was a tool for legal reform in common law historiography, the jury itself was not very interesting because its decisions were not considered to be binding. The critical legal studies movement in the 1970s led to the creation of fresh and provocative legal histories. The relationship between the law and the social environment was shown by the historical school of legal research.

Prior to the 19th century, when historical legal studies first emerged, the state had no interest in issues related to economics, welfare, education, or health. However, the state has since begun to take these matters seriously. As a result, legal history began to adapt by considering these concerns.¹¹ Two outstanding instances of historical approaches to legal study conducted in India are the studies of George H. Gadbois Jr. on the Supreme Court of India¹² and Granville Austin on the Indian Constitution.¹³

⁹ Pauline V. Young, *Scientific Social Surveys and Research* 155 (PHI Learning Private Limited, 4th Edition, 2010)

¹⁰ R.W.M.Dias, *Jurisprudence* 373 (Aditya Books Butterworths, 1st Indian reprint, 1994).

¹¹ R.W.M.Dias, *Jurisprudence* 420 (Aditya Books Butterworths, 1st Indian reprint, 1994).

¹² George H. Gadbois Jr., *Supreme Court of India: The Beginnings* (Oxford University Press, 1st edition, 2017).

¹³ Granville Austin, *Indian Constitution: Cornerstone of a Nation* (Oxford University Press, 1st edition, 1966).

Hermeneutics: Wilhelm Dilthey, a German philosopher, coined the phrase in the late 1800s. Max Weber then employed it as a substitute for positivism. Martin Heidegger, a German philosopher, used this phrase liberally in his research. This approach interprets significant human actions and behaviour. It does not focus on any exterior manifestations because it does not adhere to the natural science approach. It aims to interpret topics that are fundamentally significant in nature. Hermeneutics distinguished the natural sciences from all other disciplines. It examined history, society, and people independently of natural science.

Field Study Method:

This approach is wholly an empirical investigation. William I. Thomas placed a strong emphasis on field research and was the first to apply scientific thought to socio-legal research. He objected to the speculative armchair philosophy that American academics studying under German sociologists were doing.¹⁴ The father of American anthropology, Franz Boaz, was a professor at Columbia University. To conduct a field study on Inuit, or Eskimo, he embarked on an excursion to Baffin Island.

Case Study Method:

It is used in both quantitative and qualitative research. It was primarily used in qualitative research, though. It is a thorough examination of a particular instance. It could have an internal or external source. Case studies were first used in social science by Frederic Le Play. An empirical investigation of a real-world occurrence is what it signifies. A case study is a comprehensive, qualitative analysis of one or a small number of illustrative cases that focuses on a single environment, one subject, one document repository, or one specific event.¹⁵

¹⁴ Pauline V. Young, *Scientific Social Surveys and Research* 39 (PHI Learning Private Limited, 4th Edition 2010).

¹⁵ Bruce L. Berg and Howard Lune, *Qualitative Research Methods for the Social Sciences* 325 (Pearson, 8th edition, 2012).

Survey Method:

A survey is a tool used to gather data. Non-experimental or correlational research designs, in which no independent variable is experimentally altered, comprise the majority of survey research.¹⁶ The survey procedure entails gathering a large number of facts in an orderly and methodical manner. Reporting on a social issue or the state of particular facts in a particular society is the goal. It has a specific set of scales and questions. Numerous survey offices under the Indian government conduct demographic and natural resource surveys. For instance, the All India Citizens Survey of Police Services (Ministry of Home Affairs), the Zoological Survey of India (Ministry of Environment, Forests, and Climate Change), etc.

Anthropological Method:

Positivism had an impact on the development of social anthropology in England. Once more, historical schools have affected and modernized the anthropological study of prehistoric judicial systems. According to Maine, legislation, equity, and fiction all contribute to the development of a progressive society.¹⁷ Many tribal groups that anthropologists have studied rely on tradition to meet their needs.¹⁸

Ethnography: The foundation of social and cultural anthropology is ethnography, which is basically field research and observation. Ethnographers conduct field research and write ethnographies.

Ethnomethodology: Harold Garfinkel first used this word in his 1967 book *Studies in Ethnomethodology*. It focuses on the social interactional systems that would not change if a society's institutions underwent a radical change.¹⁹

¹⁶ Susan R. Hutchinson, *Survey Research Foundation for Research* 285 (Lawrence Erlbaum Associates Publishers, London, 2004).

¹⁷ R.W.M.Dias, *Jurisprudence* 388 (Aditya Books Butterworths, 1st Indian reprint, 1994).

¹⁸ M.D.A.Freeman, *Lloyd's Introduction to Jurisprudence* 1085,1088 (Sweet & Maxwell, 8th edition, 2008)

¹⁹ M. Francis Abraham, *Modern Sociological Theory: An Introduction* 259 (Oxford University Press, New Delhi, 19th impression 2014).

Generic Research:

It is distinguished by its methodological adaptability. There is no precise definition of a generic inductive technique or generic qualitative research, and it is not constrained by any preconceived notions. Generic qualitative research is the general term for a study genre that does not fit under any specific qualitative research category. In accordance with the topic at hand, the researcher in a generic study will create new instruments, methods, and research designs.

Literary Method in Legal Research:

The fields of law and literature overlap. In addition to offering intriguing hypothetical scenarios for putting legal principles to the test, literature can give judges, attorneys, and law students important background information on topics of legal regulation. There are two methods in this field: "law in literature" and "law as literature." "Law in literature" refers to the identification of law in works of literature. "A surprising number of literary works—some immensely distinguished, some much less so about legal proceedings in the sense that such a proceeding, usually a trial of some sort, plays a central or climatic role in the work," Richard Posner said.²⁰ Conversely, a "literary approach to legal writing" is what is meant by "law as literature."²¹

Economics Methods in Law:

This type of research examines legislation from an economic perspective. It focuses on "ethics" and "engineering," but in the end, both will be examined in relation to politics. Aristotle's *Politics* created this viewpoint. The purpose of this study is to examine how the law influences economic behaviour. In recent years, the study of the behavioural analysis of law has grown in popularity among legal experts.²²

²⁰ Richard Posner, *Law & Literature: A Misunderstood Relation* (Harvard University Press, London, 1988).

²¹ K. Dolin, *A Critical Introduction to Law and Literature*, (Cambridge University Press, 2007).

²² Frans L. Leeuw, Hans Schmeets, *Empirical Legal Research: A Guidance Book for Lawyers, Legislators and Regulators* 32 (Edward Elgar Publishing Limited, UK, 2016).

Statistical Method: In the statistical technique, socio-legal research is conducted using statistical methods. Analysis and interpretation are crucial steps after gathering all the data. This type of research uses the mean, median, mode, and correlation of data from empirical studies. Action research, explanatory research, and survey research all use this approach, which produces more intriguing and scientific findings.

Marxist Legal Research:

Marxism is a political theory that uses an economic framework to study society. An economic theory of law and state is a rough way to characterize this philosophy. Marx investigated the components of a society based on capitalism. He researched its evolution, its capacity to generate itself as a social and economic structure, and its future.²³

Jurimetrics:

One contemporary method of legal research is jurimetrics. It combines the study of jurisprudence with science. Jurimetrics is the study or analysis of legal issues using scientific or empirical techniques, such as measurement.²⁴ Activities involving the study of legal issues have been referred to as "jurimetrics."²⁵

Feminist Legal Method:

For individuals interested in feminist legal theory, postmodernism provides valuable perspectives.²⁶ Katharine Bartlett examined feminist research methods, including:

- (i) asking women questions, or recognizing and disputing aspects of current legal doctrine that exclude or disadvantage women and members of other marginalized groups;

²³ Wayne Morrison, *Jurisprudence: From the Greeks to Post-Modernism* 262 (Cavendish Publishing Ltd., 1st publication, 1997).

²⁴ *Black Law Dictionary* (9th edition)

²⁵ Lee Loevinger, "Jurimetrics: The Methodology of Legal Inquiry", *Law and Contemporary Problems* 8 (1963).

²⁶ M.D.A. Freeman, *Lloyd's Introduction to Jurisprudence* 1297 (Sweet & Maxwell, 8th edition, 2008).

- (ii) feminist practical reasoning, or reasoning from an ideal in which legal resolutions are practical responses to real-world problems rather than static choices between opposing, frequently mismatched perspectives; and
- (iii) Consciousness-raising, or seeking insights and enhanced perspectives through collaborative or interactive engagement with others based upon personal experience and narrative.²⁷

Realist Legal Method: It is the most up-to-date and scientific approach to legal research. It focuses mostly on judges and their opinions, attitudes, actions, and patterns. Many American legal scholars began studying case law texts in the 1960s, which were solely based on court rulings. Analyzing the law through decided cases allows for a proper perception. This approach holds that the study of law must be conducted by looking at how it developed and changed over time.

Critical Legal Method: Usually, it is an orthodox method. In India, it essentially consists of pointing up the flaws and shortcomings in the current legislation and making appropriate reform and modification suggestions.

7. Findings

The most important component of a socio-legal study is the findings section. The questions, issues, and hypotheses that were brought up in the earlier phases of the research design are addressed in the findings section. It is the most important part of the whole study. Tables, graphs, and charts are used by the researcher when analyzing quantitative data. However, an excessive number of figures and tables should not be employed. It should be given simply in order to facilitate clearer comprehension.

²⁷ Wayne Morrison, *Jurisprudence: From the Greeks to Post-Modernism* 485 (Cavendish Publishing Ltd., 1st publication, 1997).

The researcher must offer some generalizations and summary comments if the study includes qualitative analysis. Such generalizations or summaries must be backed up with examples drawn from field notes, interviews, noteworthy occurrences, and firsthand observations. This type of study's data cannot be expressed as tables and numbers. However, the data must be used similarly, with the data arranged around the report and used to bolster claims. Usually, the data will contain the crucial and significant elements. It doesn't have to contain all of the resources and data the researcher has acquired.

8. Summary

Usually, it is a brief repeat. It provides a summary of the issue or research question, the research technique used, the key findings, and the significant conclusions drawn from them. There will be a lot of findings if the investigation is extensive and intricate. After that, all of the materials pertaining to the particular findings must be arranged under headings or paragraphs.

9. Conclusions

Inferences derived from the main research findings are called conclusions. Suggestions are ideas that are used for any more research or action. Simple descriptive studies may not require conclusions or recommendations, therefore a summary is thought to be sufficient to finish the report.²⁸

10. References and Appendix

Every book, paper, and reference that is mentioned in the research's body must be stated at the conclusion under the "references" title. It ought to be arranged alphabetically. A copy of the questionnaire the researcher used for the interviews is included in the appendix. Occasionally, the coding method, sample pattern, and other details are added to the appendix.

²⁸ William G. Zikmund, *Business Research Methods* 561 (Ohio: Southwestern, 6th Edition, 2000)