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A GUIDE TO CRAFTING A COMPREHENSIVE LEGAL RESEARCH PROPOSAL

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ABSTRACT

This article provides a comprehensive overview of how to craft a legal research proposal that is well-structured, informative, and persuasive. The proposal is a critical tool for legal scholars and practitioners who want to conduct research on a particular legal issue, policy, or practice. The guide outlines the key elements that should be included in a legal research proposal, such as the research question, objectives, methodology, literature review, and expected outcomes. It also provides tips on how to write a clear and concise proposal that effectively communicates the significance and relevance of the proposed research to the legal community. By following this guide, legal researchers will be able to create compelling research proposals that have a greater chance of being accepted by funding agencies, publishers, and academic institutions.

Keywords: Legal research proposal, Methodology, Literature review.

INTRODUCTION

A research proposal is a document where a researcher provides all the details of a proposed research project. Research proposals are written for several different purposes such as: as a part of a grant application for a research project; for Masters/PhD degree related research; and, in response to calls for research proposals sent out by research institutions. While each institution may have its own specific formats or requirements, generally research proposals describe the process and requirements to implement a specific research project, including budgets and timelines.

In a research proposal, the author demonstrates how and why their research is relevant to their field. They demonstrate that the work is necessary to the following: Filling a gap in the existing body of research on their subject, underscoring existing research on their subject, and/or adding

new, original knowledge to the academic community's existing understanding of their subject. A research proposal also demonstrates that the author is capable of conducting this research and contributing to the current state of their field in a meaningful way. To do this, your research proposal needs to discuss your academic background and credentials as well as demonstrate that your proposed ideas have academic merit.

A research proposal describes a research problem that is going to be investigated, the scope and rationale of this investigation, the methods used during the investigation, the implementation process and resources required to conduct the investigation. A research proposal outlines the entire purpose and implementation of a research project. Researchers write research proposals for all types of research projects – those carried out based on research into written sources; others may be on research conducted in the field, and still others on experiments carried out in laboratories.

A research proposal is intended to convince others that you have a worthwhile research project and that you have the competence and the work-plan to complete it. Generally, a research proposal should contain all the key elements involved in the research process and include sufficient information for the readers to evaluate the proposed study. Regardless of your research area and the methodology you choose, all research proposals must address the following questions: What you plan to accomplish, why you want to do it and how you are going to do it.

ISSUES IN RESEARCH PROPOSAL

A research proposal is an outline of the entire research process that gives a reader a summary of the information discussed in a project. Preparation of research proposal is needed because it facilitates the smooth sailing of the various research operations, thereby making research as efficient as possible yielding maximal information with minimal expenditure of effort, time and money. In fact, the research proposal is the conceptual structure within which research is conducted; it constitutes the blueprint for the collection, measurement and analysis of data. As such the proposal includes an outline of what the researcher will do from writing the hypothesis and its operational implications to the final analysis of data. More explicitly, the research proposal concentrates on the following issues-

1. What is the study about?
2. Why is the study being made?
3. Where will the study be carried out?
4. What type of data is required?
5. Where can be the required data found?
6. What periods of time will the study include?
7. What

will be the sample design?

8.What techniques of data collection will be used? 9.How will the data be analysed?

10.In what style will the report be prepared?

These questions will be answered in different ways and receive different emphases depending on the nature of the proposed project and on the institution to which the proposal is being submitted. Most institution provide detailed instructions or guidelines concerning the preparation of proposals; obviously, such guidelines should be studied carefully before you begin writing the draft.

NEED TO WRITE RESEARCH PROPOSALS

The research proposal is a summary of the plan you are contemplating for carrying out in the form of a dissertation by making you put it down into a standard format and requiring you to discuss it with your supervisor, it is intended that this will -

- 1.Help you to order your thoughts to create a research proposal.
- 2.Present your preparatory material in a logical way.
- 3.Highlight the way in which each section interrelates with the others.
- 4.Assist you in defining the boundaries of your study and the concepts to be included.

The more you sort out your ideas at this stage, the more effectively you will use your time.

TYPES OF RESEARCH PROPOSAL

In all sectors (academic, government, and the private sector), research scientists typically seek and obtain competitive funding for their research projects by writing and submitting research proposals for consideration by the funding source. There are different kinds of research proposals. Each type of proposal, outlined below, may have its own requirements or qualifications-

1.New Proposal: A proposal submitted to a sponsor for the first time, or a proposal being resubmitted after having been declined by a potential sponsor.

2.Revised Proposal: This modifies a proposal that is pending or is otherwise unfunded, but not official declined by the sponsor. If a proposal has been declined, a new proposal must be prepared.

3.Supplemental Proposal: A supplemental asks for an increase in support for a proposal that has already been funded. The requested increase would occur in the current budget period and may

involve a broadening of the project's approved scope. Since additional funding is requested, a new budget is required.

4.Continuation Proposal: A continuation applies to a multi-year award. The continuation proposal requests the already approved funds for the next phase (or next year) of the project. Typically, sponsors require a progress report and budget before releasing additional funds. These proposals only apply to project and budget years that were approved by the sponsor in the original award.

5.Pre-proposal/Notice of Intent: The purpose of the pre-proposal is to peek the interest of a potential sponsor. It typically does not include a cost estimate and is not expected to result in an award. Interested sponsors will ask for a full proposal. Pre-proposals are usually in the form of a letter of intent or brief abstract. After the preproposal is reviewed, the sponsor notifies the investigator if a full proposal is warranted.

6.Solicited: Solicited proposals are those that are written and submitted in response to the issuance of a 'Request for Proposals' (RFP), a document that identifies a specific research problem of interest to the funding agency for which they are specifically seeking a solution. Interested investigator then submits a 'concept' or 'white paper' briefly outlining their proposed solution to the problem. If the funding agency or company is interested, they may then request that the investigator submit a full proposal for consideration of funding.

7.Unsolicited: Unsolicited proposals are those proposals that are submitted by an investigator in response to a 'general call' for proposals that is issued by a funding agency or company in a field or area of study.

8.Renewal or Competing Proposals: Are requests for continued support for an existing project that is about to terminate, and, from the sponsor's viewpoint, generally have the same status as an unsolicited proposal. The majority of funding agencies issue calls for proposals which have firmly established deadlines and for which the format of the proposals is fairly well defined. Thus, it is vitally important at the outset after you have identified a funding source that you obtain all of the relevant information on the specific grant program and its requirements. Today most funding agencies have searchable websites where they post detailed information concerning their grant programs.

FUNCTIONS OF RESEARCH PROPOSAL

A research proposal serves the following functions:

1. To define and describe your research project to an external audience.
2. To highlight the knowledge gap your project addresses.
3. To develop a plan of action for implementing your research project.
4. To demonstrate that a project has been conceptualized and planned in detail
5. To define the resources (financial, human, material and technical) that would be required to accomplish the research project.
6. To establish the researcher's qualifications, expertise and credibility in the concerned area of research.
7. Serves as the basis for requesting grant funding and seeking approval for academic research such as Masters and PhD theses.

COMPONENTS OF A RESEARCH PROPOSAL

Although the format of a research proposal may vary by the institution/organization that you are submitting it to, this section describes the key components of a research proposal. However, ensure that you review and follow the guidelines prescribed by your institution/organization carefully, as not doing so can imply a rejection of your proposal. Also, note that different institutions may label components differently – for example, some people refer to the Introduction section as the background section. Be aware of this as you review your institution's guidelines, or read additional resources in books or on the internet. Some institutions also have fixed page number requirements, make sure you follow these.

1. TITLE PAGE

The title page must have the following information:

Personal details: Your name, your academic title or designation, date of submission, the name of your supervisor (if any), name of your university/institution (if any) and the name of the organization/entity to whom you are submitting the proposal.

Title of the study: The title should be concise, relevant, and descriptive of the major focus of the study. By reading the title one should get a clear idea about what and who are studied. An effective title not only catches the reader's interest, but also predisposes him/her favourably towards the

proposal. Since the title reflects the nature of your entire research project, sometimes it may be useful to finalize this only once you have completed writing the entire proposal.

2. ABSTRACT

An abstract is an executive summary of your research proposal, and is usually written in 150- 300 words. It should include a brief mention of the research question and objectives, hypothesis if any, and the methodology to be used. Descriptions of the methodology may include the design, the sample and research tools. Describe your project as clearly and concisely as you can, remember you have word restrictions.

3. TABLE OF CONTENTS

The Table of Contents is a listing of all the different sections of the proposal along with their page numbers. This may not be required for short proposals with two or three pages.

4. INTRODUCTION

This section introduces the reader to the main area of your project. Therefore, it is important to use this section to catch your reader's attention. Provide a brief overview of the theme/area of your research study and then describe what specific goal or question your study will address within this broad area. Research question is studied with the help of specific study objectives and hypotheses (in some cases) and they have to be clearly spelt out. This section should also provide the justifications or rationale for your study. Also, indicate why your study is significant, or what contributions it will make to the body of literature.

Make sure the proposal starts on a general level with some type of introductory remarks before going into the details of the specific research question you are proposing. This can be accomplished by providing a frame of reference, a definition, or a discussion of the significance of the topic in the field.

Provide a statement of the question, issue or general problem that you are examining. A common problem in research proposals is for the author to delay too long in stating the specific research question. Make sure the research question is stated no later than the end of the second or third paragraph. Make sure the research question is fully stated in one place. Discuss what other studies have said about your research topic and how your research relates to that of other scholars who have written on the topic.

This part will be of special interest to reviewers and funders alike, because they may want to know in what way your research is unique and also worth granting approval and/or funds.

Since the Introduction lays out the key points of the full proposal, some people find it helpful to write this section last, because it helps to synchronize the information presented in the complete proposal.

5. LITERATURE REVIEW

The literature review is an essential part of a proposal because it defines what information /research is available on a specific topic, and how your proposed study will address a gap in the available research. The purpose of this section is to review previous research conducted on your research topic. Remember to make note of research findings as well as research gaps. You must also explain your research question(s) and objectives within the context of these gaps as this will also help you explain how your study adds to the existing body of knowledge. You may find it useful to review Module 4 before writing this section of your proposal, as it describes the process of conducting a literature review in detail.

6. METHODS

The methodology section is an important part of your proposal because it tells the readers and reviewers how you plan to study your research problem. It describes your work plan and the activities necessary for the completion of your project. While writing this section, maintain a focus on the research question(s), objectives and hypotheses and use the section to describe how you would go about collecting the data that is required to answer them. It is also important to make sure that the research questions, objectives and methods all link up to each other, and flow smoothly. The Methods section will undoubtedly be the one that will receive the closest attention from reviewers, so it is important to demonstrate here your skills in planning and organizing research related activities.

As you describe your chosen methods, it is important to state the reasons why you feel that your approach is the most appropriate to address your research question. This will demonstrate to the reviewers and readers that you have given considerable thought to the choice of your methods. If you have conducted any preliminary research, then it would be a good idea to mention this in this section and also describe how that has influenced your choice of methods in your current project.

Depending on whether you choose to use quantitative, qualitative or mixed methods, the contents of your methods section may vary.

Quantitative Methods

For quantitative studies, the method section usually consists of the following sections:

1. Design - What kind of design do you choose? (Is it an experimental, descriptive or causal design? For example, a study on the average time patients have to wait in a health care clinic in a village can be quantitative if the only variable you are measuring is the amount of time the participants of the study waited in the clinic. However, you could also include a descriptive element by interviewing the patients on what they felt about having to wait in a health care clinic, or how this waiting time affected them. An experimental design might test and see whether the number of medical and Para medical staff available in the clinic determines the waiting time for the patients, with a hypothesis that 'Higher the number of clinical staff available, lower the waiting time for the patient'.
2. Subjects or participants - Who will participate in your study? Why have you chosen this particular target group? What are the advantages and disadvantages of choosing this group? What kind of sampling procedure do you use – for example, probability sampling? What geographical areas do you intend to cover? Is the approach to respondent selection feasible given the resources you have?
3. Ethics – when researching with human participants, we need to make sure we follow ethical practices. Therefore, explain how you would be ethical in your project – how will you obtain informed consent from participants? Will there be any possible harm/ adverse impact to your participants by virtue of their participation in your study? If so, how do you intend to manage this risk?
4. Instruments - What kind of tools of data collection and measuring instruments are being used in the study. It can be Questionnaire, Interview schedule and guide, Observational schedules, Format for recording secondary data and guidelines for conducting Focus Group Discussion. Further particular instruments of measurement such as scales and psychological testing inventories can be incorporated in a tool. These details have to be mentioned in this part. Also, necessary to mention whether the tool/s are pretested and necessary permissions are obtained for using an available scale or inventory. You may also have to state about the reliability of your tool/s and the validity of the measurement instruments such as scales if used.

5. Procedure - How do you plan to carry out your study? What activities are involved? For example, will you conduct the survey door-to-door, or will the participants be invited to a central location? How will the data be compiled and organized? These have to be mentioned here.

6. Data Analysis – what variables do you intend to analyse? How do you plan to analyse the data? Do you plan to do this manually or by using software such as STATA or SPSS? Are you planning to do the analysis yourself, or also involve other technical specialists? What data tests do you intend to use? How would you justify them? If there are multiple people involved in the analysis of the data, how would you ensure the accuracy of data analysis?

Qualitative Methods

In qualitative research, the research design develops further as the process unfolds. For qualitative studies,

the method section typically consists of the following sections:

1. Design –What is your research design? Is it ethnographical design, or a phenomenological study, or a study based on the grounded theory approach? Again, provide a justification for your choice, and note any disadvantages inherent in this approach.

2. Subjects or participants - Who will take part in your study? Why have you chosen this particular target group? What are the advantages and disadvantages of choosing this group? What kind of sampling procedure do you use? What geographical areas do you intend to cover? How feasible is this approach given the available resources?

3. Ethics – when researching with human participants, we need to make sure we follow ethical practices. Therefore, explain how you would be ethical in your project – how will you obtain informed consent from participants? Is there any harm to your /participants? If so, how do you intend to manage this risk?

4. Data Collection procedures – how will you conduct the data collection? Example of qualitative data collection methods are interview, focus group discussion, field observation use of biographical and historical data and so on. How many interviews or focus group discussions will you conduct? What variables will be studied through a particular method of data collection?

5. Data Processing - Since qualitative research is an inductive process, it depends heavily on documents such as process notes, field notes, journals and so on. Therefore, in your proposal you need to indicate what documents you will be maintain, and how you intend to use and analyse those.

6. Data analysis procedures – how will you analyse the data? Are you planning to use manual

methods or software? This has to be specified.

Mixed methods

Mixed method studies are those studies that combine quantitative and qualitative methods. For example, a study focused on exploring child labour in the rag picking industry could include a survey of child laborers (quantitative) and a focus group discussion (qualitative) to gain a more in-depth understanding of the perspectives of child laborers. While mixed methods have the advantage of combining the best of both worlds, they are resource-intensive.

If you plan to use mixed methods in your study, you could include the following components:

1. Design – explain why you are using a mixed methods approach and why this is necessary for your project.
2. Sample size – describe the overall sample population (combining both quantitative and qualitative methods) and describe how/where you will identify this group.
3. Methods – describe each method using the above sections on quantitative/qualitative methods as a guide.
4. Data analysis – describe how you will integrate the data analysis of the different methods. This component is important because it is here that you will use integrated data to answer your research question(s).

Doctrinal method

As conceived in the legal research domain, is research 'about' what the prevailing state of legal doctrine, legal rule, or legal principle is. Therefore, a legal scholar undertaking doctrinal legal research takes one or more legal propositions, regulations, rules, or doctrines as a starting point and focus of his study.

Doctrinal legal research involves:

- Systematic analysis of statutory provisions and of legal principles involved therein, or derived from that place.
- Logical and rational ordering of legal propositions and principles.

The researcher emphasizes substantive law, rules, doctrines, concepts and judicial pronouncements. The researcher organizes his study around legal propositions and judicial pronouncements on the appellate court's legal propositions and other conventional legal materials such as parliamentary debates revealing the legislative intent policy and history of the rule or doctrine. Classic works of legal scholars on torts and administrative law do furnish outstanding

examples of doctrinal legal research.

Legal research sources are divided into two categories.

1.Primary

2.Secondary

The sources that contain original information and observations are known as primary sources of information. Such information can be collected directly from the persons having suinformation or can be found in research papers published in legal periodicals/ journals, reports, theses and conference papers.

Primary sources in legal research are the Constitution, National Gazette, which publish Acts/Proclamations passed by Parliament Rules, Regulations, Statutory Orders, Directives of Administrative Agencies, and case reports publish judicial pronouncements of different higher courts. All these sources contain rich original information/observations about the identified research problem. They are indeed indispensable for any legal researcher.

Secondary sources are more diverse and include law review and journal articles, legal encyclopaedias, treatises, and law digests. Primary sources are not necessarily binding. It depends on which jurisdiction your case is pending. Mandatory authority is binding on the court, but persuasive authority is not binding. All primary sources are not mandatory authority. In essence, all primary sources are not necessarily binding. For example, judicial decisions are primary sources, but they are only persuasive authority depending on the jurisdiction. No secondary sources are a mandatory authority. They are all only persuasive authority.

7.PERSONNEL OR RESEARCH TEAM

This section provides information on all the key staff associated with the project. One element of this section is to describe the personnel arrangements for this project. This includes a list of different positions and a brief description of the duties of the positions. You may also want to indicate what percentage of time each individual may be spending on the project. If the personnel have any specific training or qualifications that make them especially valuable to this project, be sure to mention that in this section. Finally, also include CVs/resumes of the key staff.

8.BUDGET

The budget section includes information on the expenses required to implement the project. If you are submitting the proposal for research funding, make sure to make this section as detailed as possible. The institution you are applying for funding may have its own budget template, so be

sure to use the correct template.

Even if you are not submitting the proposal for funding, it is helpful to include the budget. Developing a budget will help you and your readers assess the expenses required for this project. Typical budgetary expenses include personnel costs, administrative expenses, transportation, phone/internet expenses, software expenses (if you are planning to buy any), cost of stationary, materials and supplies, and expenses for hospitalities. In order to make sure you have estimated all the expenses you may incur; you may find it useful to coordinate the budget with the timeline. Look at your timeline, and estimate the expenses you are incurring at each stage. This will help you develop your budget more effectively.

9.TIMELINE

As you work through the various stages of your proposal, it is important to demonstrate for readers and viewers the different stages and the time it will take to complete each stage. Build in time for monitoring meetings with your supervisor or team meetings that will help you keep track of the progress made on the project. Therefore, include a timeline in your proposal. The timeline is essential as a list of steps and the approximate time it will take to complete each step. This will give readers an idea of the total time required to complete your project, and the time taken for each step. However, remember that this is a tentative plan, and it will change as you begin the project and encounter unexpected delays.

10.BIBLIOGRAPHY

The bibliography or reference list is a list of all the texts you have referred to in your literature review and other parts of your proposal. Remember to follow the style requirements (example: APA, MLA, etc.) of your institution, if any. If there are no requirements, you can use your choice of style. However, once you pick a style, make sure you follow it consistently throughout the document. Make sure the details provided in each bibliographic entry is accurate.

CONCLUSION

A research proposal is a document describing all the key elements of a proposed research project. A research proposal helps in indicating what knowledge gaps your project addresses. It also defines the plan of action to implement it, indicates what resources are required, serves as the basis of a grant application and establishes the expertise of the researcher and research team. While the components of a research proposal may vary by institution, typical research proposals include the

following fields:

- o Title Page
- o Abstract
- o Table of Contents
- o Introduction
- o Literature Review
- o Methods
- o Timeline
- o Personnel
- o Budget
- o Bibliography

Because the proposal is such a key document, it is important to make sure it is written as concisely, accurately and clearly as possible. Finally, keep in mind the common errors in proposal writing: objectives too broad or too ambitious, objectives do not reflect title of the study or statement of problem, no literature review or relevant references, inadequate information on methodology, inappropriate time-frame and schedule of activities too ambitious, no justification for budget – asking for too much or too little, no attribution of sources for definitions or no definitions for discipline-specific terms, inadequate research plan: the plan is a prose roadmap of where you want to go with the paper, no mention either in the introduction or the research plan of the need for interdisciplinarity to fully study the topic, expected conclusions: just as, in a case brief, the rule of law is the answer to the issue, in your papers, the conclusions must answer the hypothesis. Do not introduce into the conclusion any element which does not follow from your lines of inquiry for the hypothesis.

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