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TWO WEEK CAPACITY BUILDING PROGRAMME

EXPLORING THE DIMENSIONS OF RESEARCH IN SOCIAL SCIENCES AND JURISPRUDENCE

10-23 December 2023



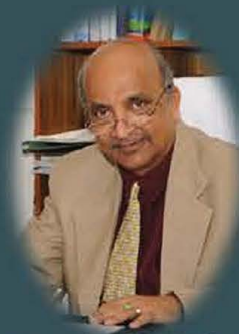
PROF. NISHTHA JASWAL



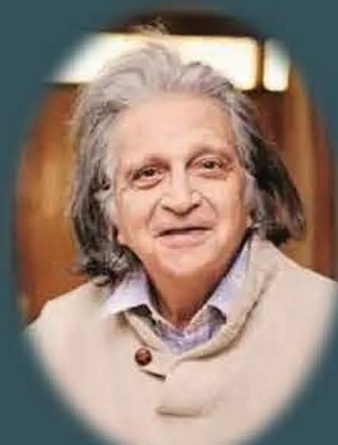
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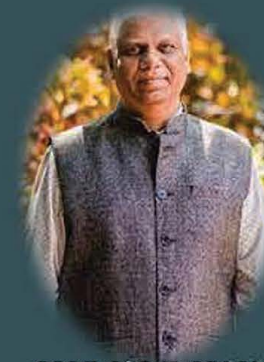
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PROF. CHANCHAL K. SINGH



TWO-WEEK CAPACITY BUILDING PROGRAMME

On

Exploring the Dimensions of Research Methods in Social Sciences and Jurisprudence

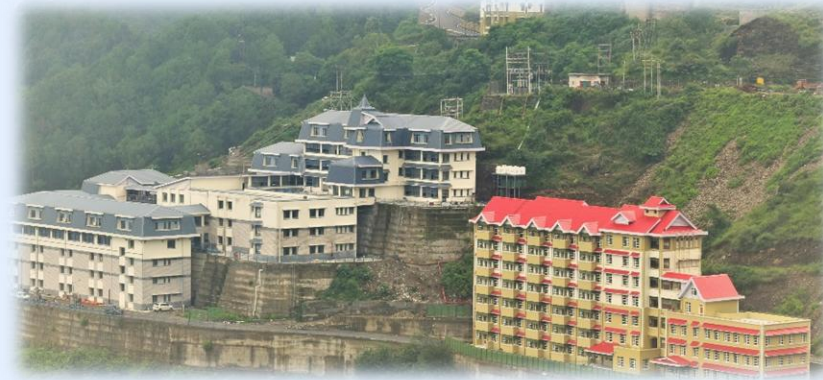
10-23 December 2023

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

Patron-in-Chief
Prof. (Dr) Nishtha Jaswal
Vice-Chancellor

Prof. Chanchal Kumar Singh
Director of CBP
Director, Centre for Comparative Public Law
Mo. No. – +91-8076153198
Email – chanchalsingh@hpnlu.ac.in

Dr. Mritunjay Kumar
Co-Director of CBP
Coordinator, Centre for Comparative Public Law
Mo. No. – +91-8527104218
Email – mritunjaykumar@hpnlu.ac.in



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Chief Patron

Hon'ble Justice Mamidanna Satya Ratna Sri Ramachandra Rao

Hon'ble Chief Justice, Himachal Pradesh High Court
Chancellor, HPNLU, Shimla

Patron

Prof. Dr. Nishtha Jaswal

Vice Chancellor
Himachal Pradesh National Law University, Shimla

Course Director

Prof. Chanchal Kumar Singh

Professor of Law
Himachal Pradesh National Law University, Shimla

Course Co-Director

Dr. Mritunjay Kumar

Assistant Professor of Law
Himachal Pradesh National Law University, Shimla

RESOURCE PERSONS



Prof. Upendra Baxi, former VC, University of Delhi, and Professor of Law at the University of Warwick has, through his work, achieved an unparalleled place in the legal philosophical tradition, human rights, and working of judicial institutions. His works are part of teaching curriculums across the globe and he is Professor Emeritus in several top universities, globally.



Prof. Ranbir Singh, Founder Vice-Chancellor of National Law University, Delhi established by the Delhi Government in 2008. He was the Founder Vice-Chancellor of NALSAR, University of Law, established by the Andhra Pradesh Government in 1998. The British Council portrayed him as one of the 12 talented, creative, and generous spirits who are making an effort personally and through their institutions to ensure their engagement with the U.K, works to mutual benefit.



Prof. Virender Kumar *Former Founding Director (Academics) of Chandigarh Judicial Academy & UGC Emeritus Fellow.* He has assisted the judiciary in Canada as an expert on various facets of Family Law and his specialization is in Constitutional Law, Election Law & Family Law. He has been crucial to the development of jurisprudence on human rights in India.



Prof. V. Vijayakumar, *former Vice-Chancellor, NLIU, Bhopal* has been a professor of law since 1997 and has taught at Presidency College Madras before he joined NLSIU. Vijayakumar specialises in constitutional law, administrative law, human rights law, law of elections and refugee and humanitarian law. A graduate of Madras University, Vijayakumar was VC at the Ambedkar Law University Chennai from 2010 to 2013. He has also served as registrar at NLSIU from 2005 to 2008.



Prof. R. Venkata Rao, Vice-Chancellor, IIULER, Goa has been the Chairperson, Vivekananda School of Law and Legal Studies and Vivekananda School of English Studies (Vivekananda Institute of Professional Studies, New Delhi). Prior to this he served as Vice Chancellor of the National Law School of India University Bangalore. He has the distinction of receiving Gold Medal for the Best Ph.D. Thesis from the Andhra University in 1993, the Best Researcher Award from the Andhra University in 2003, the Best Teacher Award from the Government of Andhra Pradesh in 2006.

Prof. Nishtha Jaswal, formerly Head & Dean, Faculty of Law, Punjab University & currently VC, HPNLU, Shimla. She is an authority in public law including environmental, constitutional, and administrative law. She has vast experience and apart from her academic accolades she has held various administrative positions. She is recipient of many awards both nationally and internationally.



Prof. Paramjit S. Jaswal, Chancellor, SRM, Sonapat & Eminent Professor, HPNLU, Shimla. He has extensively worked on the theme of administrative law, constitutional law, and human rights law. He has built institutions at various levels and he has contributed significantly to the legal academia. His acumen and leadership is a source of guidance for many institutions across India.



Dr. G Mohan Gopal, former Director of the National Judicial Academy of the Supreme Court of India (2006 to 2011). From 2012-2019 Prof. Gopal was the founder Chair of the National Court Management Systems Committee of the Supreme Court of India. Prof. Gopal is former Director (Vice-Chancellor) of the National Law School of India, Bengaluru. He continues to work actively on current judicial and legal issues and reform of legal and judicial institutions.



Dr. M.R.K. Prasad, Principal, Salgaokar College of Law, Goa is a leading expert in clinical education in India. He is the first recipient of the Vanderbilt-Fulbright Scholarship in Clinical Legal Education. He is instrumental in establishing and functionalizing Community Legal Aid Clinics set up by a law college in the community. For this initiation, V.M. Salgaocar College of Law received “The Institutional Excellence Award 2011” from SILF (Society of Indian Law Firms) and MILAT (Menon Institute of Legal Advocacy Training).



Prof. Anand Pawar, Registrar, Rajiv Gandhi National Law University, Patiala is an accomplished academician and administrator. He has contributed to the field of academia through his writings in the area of law and technology. As an administrator he has held various positions and contributed in ways more than one to the RGNUL, Patiala.





Dr. Niraj Kumar, Associate Professor and Director, Centre for Comparative Public Law, NLU, Delhi. He has worked on various aspects of legal philosophy and his core areas of interest include the constitutional law, interpretation of statutes, among others. He is also co-author of the book titled *The Indian Legal System: An Enquiry* (2019) published by OUP.

Dr. Ashutosh Dayal Mathur, Associate Professor, Sanskrit Department, St. Stephens College, University of Delhi. He is a renowned name in the field of Sanskrit literature and has written book on Hindu law and philosophy during the medieval period. He has been pivotal in developing various courses on Sanskrit literature at the St. Stephens College, DU including for foreign students.



Dr. Rakesh Mohindra, Head Librarian, Panjab University. He did his Doctorate on Library Service Quality of Indian Law Universities from KUK. He has edited 4 books and published more than 10 papers in research journals. He has also presented papers in National and International Conferences and visited more than 15 countries and also chaired the Sessions.

PROCESS OF REGISTRATION

<p style="text-align: center;"><i>Fee</i></p> <p>There is <i>NO REGISTRATION FEE</i> for this Capacity Building Programme. The CBP is being organised in association with the Indian Council for Social Science Research, New Delhi.</p>	<p style="text-align: center;"><i>Who may participate?</i></p> <p>The participants should be Professor/ Associate Professor/ Assistant Professor or Research Associates/ Ph.D. Scholar in a UGC recognized university/ deemed university/ colleges/ institutes of national importance and ICSSR Research Institutes. Their application should be duly forwarded by the parent institution.</p>
<p style="text-align: center;"><i>Important Dates</i></p> <p>Opening of the CBP for Registration – 05.11.2023 Last Date of Registration – 30.11.2023 Intimation of Acceptance – 02.12.2023 Conducting the CBP – 10-24 December, 2023</p>	<p style="text-align: center;">Register here.</p>

Rules for Registration –

Interested candidates should fulfill the following criteria for participating in the CBP. There is no registration fee for the CBP AND the organizers shall provide food-lodging for all participants.

Criteria for Registration –

1. The minimum qualification for participation is post-graduate in law/ social sciences/ literature &c. The following are eligible for participating –
 - a. Professor, Associate Professor and Assistant Professor
 - b. Ph.D. Scholars, only teaching – part-time, full-time, or visiting faculty
 - c. Research or Teaching Associates
2. *The participation in the CBP is free of cost, including fooding, lodging, and visit to the cultural and historical places in and around Shimla as part of the programme as prescribed in the schedule.*

Note: No TA/ DA (to/from the residence/office of the participant to HPNLU, Shimla) shall be admissible.

3. Interested candidates will have to submit a No Objection Certificate/ Letter of Relieving duly signed by the concerned authority on behalf of the institution in which the candidate is working.
4. Non-submission of the No Objection Certificate/ Letter of Relieving within 15 days of receipt of provisional acceptance will automatically cancel the provisional acceptance of registration. Condonation of delay will be accepted in exceptional circumstances stating cogent reasons, subject to approval of the Director, CBP.
5. Participants shall be intimated about their acceptance of registration through the online medium.

Organising Committee	
Prof. (Dr.) Nishtha Jaswal Vice Chancellor HPNLU, Shimla	Chairperson
Prof. Chanchal Kr. Singh Course Director	Member
Dr. Mritunjay Kumar Course Co-Director HPNLU, Shimla	Member
Dr. Alok Kumar Associate Professor of Law, HPNLU, Shimla	Member
Dr. Santosh Kumar Sharma Associate Professor of Law, HPNLU, Shimla	Member
Mr. Aayush Raj Assistant Professor of Law, HPNLU, Shimla	Member
Mr. Bineet Singh Teaching & Research Associate, HPNLU, Shimla	Member
Researchers-cum-Students Support Committee	
Ishita Kumar Student B.A.LL.B.	Ayush Bhardwaj Student B.A.LL.B.
Navya Chadha Student B.A.LL.B.	Abhavya Rathore Student B.A.LL.B.
Chanchal Sharma Student B.A.LL.B. VIII	Mudavath Sreenu Naik Student B.A.LL.B.
Varin Sharma Student B.B.A.LL.B.	

Contact & Queries

Prof. Chanchal Kumar Singh

Director, Capacity Building Programme

(Professor of Law)

Director, Centre for Comparative Public Law

Mo. No. – +91-8076153198 | Email – chanchalsingh@hpnl.ac.in

Dr. Mritunjay Kumar

Co-Director, Capacity Building Programme

(Assistant Professor of Law)

Coordinator, Centre for Comparative Public Law

Mo. No. – +91-8527104218 | Email – mritunjaykumar@hpnl.ac.in

Mr. Aayush Raj

(Assistant Professor of Law)

Co-Coordinator, Centre for Comparative Public Law

Mo. No. – +91-8986580111 | Email – aayushraj@hpnl.ac.in

Mr. Bineet Singh

(Teaching & Research Associate of Law)

Member, Centre for Comparative Public Law

Mo. No. – +91-8628829824 | Email – bineetsingh@hpnl.ac.in