

Day 5 | Session 9:

Generating new knowledge: Legal research methodology and process

Date: Friday, 24 September 2021 [3:30 am - 5:30 am UTC]

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Researching digital rights is often incomplete without addressing laws and policies that further restrictive environments or fail in curbing violations. Despite strong constitutional guarantees in the region, we have witnessed monumental challenges in realising rights in online spaces. Sociological and intersectional approaches are essential in reflecting the human impact of laws and policies. Ethical research practices behind evidence-based credible research are critical for engaging in advocacy for changes in regulatory framework.

This unit will seek to help participants unearth practices for developing a research process by addressing key issues around developing research questions, methods and ethical practices. The session will also provide an overview on collecting data and engaging in developing a narrative in the research. This will be followed by a break-out session where participants will hear from the developers of two key researches on policies from the region discussing the process and challenges they faced.

Key points of overall discussion:

- How to frame the research question?
- What support systems would you need when embarking on legal research?
- Principles for ethical research from a human rights based approach
- How can we go about data collection?
- Common pitfalls to avoid

Session breakout:

This session will have two breakout groups of 12 participants each.

Each breakout group will consist of an interview lead by the organisers with an established researcher who will speak to the group about a legal research that they have undertaken in the past, including how they framed the research questions, the kind of research methodology that they undertook, their approach to data collection and principles of carrying out ethical research.

Reference materials:

1. [Table 4 - Resources and databases on ICT and jurisprudence](#)
2. [Table 6 - Resources for referencing](#)

Suggested readings:

1. De Nardis et al, *Researching internet governance: methods, frameworks, futures* (2020)
2. Jessica Dheere, *A methodology for mapping the emerging legal landscapes for human rights in the digitally networked sphere* (2017)
3. Marsha L. Baum, *Ten tips for moving beyond the brick wall in the legal research process* (2001)
4. Unshackling Expression: the Philippines Report 2020 (*Association for Progressive Communications*)

Additional readings:

1. George Orwell, *Politics and the English Language*
2. Strunk, *The Elements of Style*
3. ICT law analysis workbook
4. Jurisprudence analysis workbook

Emilie - Session Presentation

Read Day 5 Summary Here

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