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“QUESTIONNARIE METHOD IN LEGAL RESEARCH : A CRITICAL ANALYSIS”

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Abstract

Questionnaires can be classified as both, quantitative and qualitative method depending on the nature of questions. Specifically, answers obtained through closed-ended questions (also called restricted questions) with multiple choice answer options are analyzed using quantitative methods. Research findings in this case can be illustrated using tabulations, pie-charts, bar-charts and percentages.

Answers obtained to open-ended questionnaire questions (also known as unrestricted questions), on the other hand, are analyzed using qualitative methods. Primary data collected using open-ended questionnaires involve discussions and critical analyses without use of numbers and calculations. This paper will cover about Research Methodology and This paper also provide the guidance for design of standardized Questionnaires that are to be administered everywhere in school system to students, teachers & Researchers. Basically, this project deals with the concept of Questionnaires Method in detail. It is a research Instrument consisting of a series of questions and other prompts for the purpose of gathering Information from respondents.

Keywords

Research, Instrument, Questionnaires, Primary Data, Collection

Introduction

This paper provides the guidance for design of standardized Questionnaires that are to be administered everywhere in school system to students, teachers & Researchers. Basically, this project deals with the concept of Questionnaires

Method in detail. It is a research Instrument consisting of a series of questions and other prompts for the purpose of gathering Information from respondents.

The heart of any research design is the collection of data. There are two sources of collecting data-the primary and the secondary.¹ In the first, the data is directly collected from the respondent, whereas in the second the main source is published and unpublished material. This is often called library research as well. Most of the studies have found these sources very beneficial. Several devices are employed to collect primary data. In this paper we shall confine our discussion to mainly two tools and techniques: Questionnaire and schedule. The specific preparation, construction and use of these tools will largely depend on aim, nature, scope and contour of the study.

Questionnaires and schedules are designed to collect data from a group of people coming under the purview of the study. The questionnaire is designed to collect data from large, diverse and widely scattered groups of people. Thus, it is a device for securing answers to questions by using a form which the respondent himself fills in. This is usually mailed to the respondents or is administered to a group of people at the same time by giving them appropriate forms and collecting them later. The schedule is referred to as a form filled in during a personal interview in which both the interviewer as well as the respondent are. This project is divided into VII² Chapters. The ingredients of a good questionnaire and schedule are: (a) Clarity, (b) brevity, (c) unambiguity, (d) reliability, and (e) communicability. Direct questions should be avoided as far as possible.

Target of the Research Study: To Understand the nature and concept of Questionnaire Method in legal research. To understand the usage of Questionnaire Method in the field of legal Research. To determine the Issues related to content of Questionnaire Method in legal research and its construction.

Research Methodology

Problem

Today there are several problems in surveys / Questionnaire Method that arise when we do not get an adequately completed questionnaire or no information at all from a unit selected to be in a sample. The problem is part of the wider problem of coverage error where we do not get a response from some units in the target population. No response occurs with censuses as well as sample surveys. However, while nonresponse is an error of non-observation like coverage error, it differs from coverage error – non response reflects an unsuccessful attempt to obtain desired information from an eligible unit, whereas coverage error reflects the failure to have the sample unit uniquely included in the frame. Sometimes methods to reduce coverage error can improve nonresponse error, and methods of

¹ Head, Department of Social Work (Delhi School of Social Work), University of Delhi, Delhi

² Fred N. Kerlinger, Foundations of Behavioral Research 481 (Surjeet Publication, Delhi, 1973).

estimation can sometimes be used to handle both response and coverage problems. This paper will therefore look at response problems in the wider context of under coverage problems. Approaches to achieving and sustaining adequate response levels while managing the load placed on respondents will be discussed and also the essential guidelines to be followed for preparing Questionnaire Method (Garcia-Hernandez et al., 2021; Granada & Mejia, 2020; Lobão & Costa, 2020).

Rationale

Questionnaire Method is one of the methods of collecting data and this project will highlight on the aspects of questionnaire method and what are the factors affecting the questionnaires. This topic is worth as in previously many contentions have been put forth but this will broaden the knowledge and give us the idea of the whole concept of Questionnaire Method.

Objectives

The main objectives of this research are:

- To Understand the nature and concept of Questionnaire Method in legal research.
- To understand the usage of Questionnaire Method in the field of legal Research.
- To determine the Issues related to content of Questionnaire Method in legal research and its construction.

Review of Literature

The review of literature for this topic is:

- Prof. Dr. Rattan Singh in his book "Legal Research Methodology"—has explained the very concept of Questionnaire Method and the role of Questionnaires in legal research. His book begins with the current trends in research and research ethics, methods and techniques of formulation of a questionnaire and research problem. The rationale for inclusion of the chapter on sampling is based on the newness and various aspects of legal research modes.
- Murtala Ganiyu Murgan, in his journal "A Critical Analysis of the Techniques for Data Gathering in Legal Research" (2015) has explained that the issue of data gathering starts after defining the research problem and after making the research design. Data gathering is equally very important to research work, as research findings will be affected by poor data collection techniques. This paper analyses various techniques of data gathering in legal research which include, survey sampling technique, questionnaire technique, mailed questionnaire technique, interview method, observation method, field work and diary studies technique with critical examination of the advantages and disadvantages of each of the techniques The paper finally concludes that adequate care must be generally taken to ensure that data collection techniques are properly applied and managed so as to avoid collection of inaccurate and misleading information which may lead to poor research result.

- C R Kothari & Gaurav Garg in their book "Research Methodology (1990)- Methods and Techniques" has mentioned the clear objectives firstly to enable researchers, irrespective of their discipline, in developing the most appropriate methodology for their research studies and secondly to make them familiar with the art of using different research methods and techniques.
- Mukul Gupta & Deepa Gupta in their book on "Research Methodology" (2013) stated to provide the knowledge in respect to legal research and emphasis on quantitative research and in some others as qualitative research. This book also covers various methods of data collection and throw light upon Questionnaire method as well.

Hypothesis

The hypothesis for this research is that generally Questionnaire method if used for different people in a strata, they might give different answers so because of this reason it creates confusion and bit difficult to reach at the conclusion.

Concepts

Questionnaire Method is considered as the heart of the survey operation. The word questionnaire is defined as series of questions for obtaining information in special points. It is a kind of method for securing answers to questions by using a form which the respondent himself fills in.

Research Design

Nature and Type of the Study

This study is Non-Doctrinal in nature. This Doctrinal research is descriptive and analytical in nature. Legal rules, statutes and cases are provided wherever necessary.

Sources and Types of Data

Primary and Secondary resources have been largely used to gather information and data about the topic. Books and other references have been primarily helpful in giving this project a firm structure. Websites and articles have also been referred. Footnotes have been provided wherever needed to acknowledge the source.

Chaptarization

The following is the Chapterisation for this research Paper:

- **Chapter I- Introduction: This chapter provide the guidance for the design of standardized Questionnaires that are to be administered everywhere.** It is a research instrument consisting of a series of questions and other prompts for the purpose of gathering information from respondents.
- **Chapter II- Questionnaire Method: Overview & Concept** - This Chapter deals with the concept and meaning of the Questionnaire Method in legal research. Further this chapter also contains the importance, characteristics, elements etc.

- **Chapter III- Questionnaire Method & its Kinds:** This Chapter deals with the various forms of Questionnaire Method specifically deals with open end and closed questionnaire and other types too including mail questionnaire, computer questionnaires, in house etc. Further it also highlights the distinction between questionnaire method and schedule.
- **Chapter IV- Questionnaire Design: Procedure:** This Chapter deals with the effect of designing of questionnaire method and basically it will deal with types of questions asked in questionnaire method and factors affecting Questionnaire Method.
- **Chapter V- Guidelines for Preparing Questionnaires:** This Chapter deals with certain important guidelines that has to be followed before presenting a Questionnaire.
- **Chapter VI- Suggestion and Conclusion:** Chapter VI will throw light on the suggestion and conclusion in regard with the topic concern.

Limitation of Study

This research has been limited to the study of concept of Questionnaire Method in legal Research Only significant concepts have been dealt in this research which are related to the topic.

Time Limit

Topic	Time Allotted (Days)
Research and Data Collection	12
Research Methodology	6
Chapterisation	6
Finalization of Research Paper	6
Total	30

Contribution

This research explains the scenario of Questionnaire Method in Research. It analyses the various factors, advantages, disadvantages that affects the Questionnaires. This research also puts forwards the various guidelines that is very important for the preparation of Questionnaires. This paper is a simple and clear language so as to enable any person interested in the topic to understand it in a better manner.

CHAPTER II

"QUESTIONNAIRE METHOD: OVERVIEW & CONCEPT "

Meaning of Questionnaire Method:

A Questionnaire method is a tool or device for securing answers to the set of questions by the respondents who fills in the form of questionnaire himself. It is a systematic compilation of questions that are submitted to a sample of population from which information is desired. The questions in a questionnaire are generally

arranged in a sequence depending on the nature of study and are capable of recheck³. Information through a questionnaire can be obtained either in person or by post or by mail through internet or through telephone.

According to Goods and Hart, 1952 Questionnaire Method is a device for securing answers to questions by using a form which a respondent fills himself.⁴

Questionnaire Method is a series of questions asked to individual to obtain statistically useful information about a given topic said by Best & Kahn,2007. A Questionnaire is an essential instrument for getting factual reliable and valid information for research purpose. A Questionnaire is to gather data or to get information about opinions, attitudes and interests.

Questionnaires and schedules are designed to collect data from a group of people coming under the purview of the study. The questionnaire is designed to collect data from large, diverse and widely scattered groups of people. Thus, it is a device for securing answers to questions.

Characteristics of Good Questions

Following are the various characteristics of a good questions which are as follows

1. Good Questions should be simple and clear
2. It should be suitable to respondent's intelligence level⁵
3. It should be relevant
4. It should be indirect
5. It should have serial order
6. It should have classifiably
7. It should have verifiable questions
8. It should have impersonal questions.
9. It should have ambiguous questions.
10. It should be answerable in few words.

Significance of Questionnaire Method:

The following are the significance of the Questionnaire Method that we will discuss here.

1. Economical- The first and the most important significance we can take up is it is Economical and further the questionnaire method requires paper printing and postage only. There is no need in it to visit the respondents personally or continue the study over a long period. Accordingly in comparison with the other methods, the mailed questionnaire is by far for the cheapest and quickest research method.⁶

³Dr. Sarangi Prashant, Taxman's Research Methodology, taxman publication ltd, sept ,2010 edn

⁴ Dr,D.R Kapoor, M.S Pooja Saigal,Research Methodology' Methods & techniques, Rega Pub,edn2013

⁵ Mukul Gupta & Deepa Gupta, Research Methodology, PHI Learning Pvt Ltd,Delhi, Edn 2011

⁶ Methods in Social Research (134)New York: Me Graw Hill 1962 PB 3; 3 ibid.

2. Time Saving- Besides saving money, the questionnaire also saves time. Simultaneously hundreds of persons are approached through it whereas if they are to be interviewed, it may take a very long time.⁷
3. Most reliable in special cases- As noted above to certain problems, the questionnaire is not only suitable but a preferred technique of research.

LIMITS METHOD OF QUESTIONNAIRE

Like all other methods this method also has some limitations. It is not useful for each or every situation.

1. Limited response- The persons who cooperate or respond to the questionnaire are very few in number. Due to their negligent attitude most of them fail to mail answers.
2. Information is not reliable- A respondent may not understand the problem (questions) so misleading information may be given. There is no way to check the validity of answer or to clarify the vague answers.
3. Lack of Personal Contact- Due to lack of personal contact it is difficult for researcher to probe deeply into the feelings and sentiments of respondents. Without personal contact the aim and purpose of the questionnaire cannot judiciously explained.
4. Useful for only literate people- It is only useful when respondents are literate and well educated. It is not suitable for illiterate people.
5. Incomplete responses- Some respondents leave many unanswered questions or if answered, they are so brief that the meaning is not clear. The incomplete responses is the biggest problem of this method.
6. Inflexible technique- Not useful when spontaneous answers are needed.
7. Not suitable for complex problems- Where questions or research problem is difficult and complex and it requires special knowledge, mail questionnaire become useless.

MERITS OF QUESTIONNAIRE METHOD

In a questionnaire, the list of questions is dispatched to respondents by post, and they are required to fill up and return it by post. The following are the merits which are as follows-

1. Suitable for large or wide area- If universe of study is large, like international or national area, this is the useful method.
2. Economical- Questionnaire proves to be very economical tool, The cost of mailing questionnaire is generally less than the cost of face-to-face interview.
3. Minimizes bias- The questionnaire avoids problem associated with the interviewer or face to face interview, like personal bias and influence.
4. Less pressure on respondents – As researcher is not present, it places less pressure on respondents for immediate response. Also puts less emotional or personal burden on respondent.⁸

⁷ Social Research; A study in methods of gathering data, London, Longmans, Green, 1942.

⁸ James Holland & Julian Wwbb, Learning Legal Rules, Oxford Pub, 9th Edn.

5. Valid and more reliable information- Respondents, him or herself fills the questionnaire, so information collected is more reliable and valid.

QUALITIES OF A GOOD QUESTIONNAIRE:

Following are the qualities of a good questionnaire: -

1. The length of questionnaire should be proper one.
2. The language used should be easy and simple
3. The term used are explained properly.
4. The questions should be arranged in a proper way.
5. The questions should be in analytical manner.
6. The questions should be in logical manner.
7. Complex questions should be broken into filter questions.
8. The questions should be described precisely and correctly.
9. The questionnaire should be constructed for a specific period of a time.
10. The answers should be short and simple.⁹
11. The answers should be relevant to the problem.
12. These answers should be accurate.
13. The answers should be direct one.
14. The questions should be moving around the theme of the investigator.
15. The answers should be understandable to everyone.

PURPOSE OF A QUESTIONNAIRE METHOD:

A Questionnaire is generally made for the benefit of understanding the very experiences, beliefs, and feelings of a given group of people. Questionnaire may be used in a variety of fields including business, science and social studies as well. Questionnaires create a more accurate picture regarding the way people view certain things in the community by collection of specific data.^{10s}

And more over it is very convenient to use questionnaires in digital form, because in this case respondent can answer your questions in the free time and have enough time to think on any point. This method acts as a great source or a facility for the collection of the data from the diverse and scattered group of people. A questionnaire consists of a variety of the questions printed or typed in a definite order on a form – which are mailed further to the respondents. The respondent has to answer these questions on his own.

This method also helps in the collection of reliable and dependable data.¹¹

According to Bogardus, "a questionnaire is a list of the questions sent to a number of persons to answer. It secures the standardized results that can be tabulated and also treated statistically."

⁹ Umar Farooq, Qualities of a good questionnaire, 23/07/13 :02:58, www.studylecturenotes.com

¹⁰ <http://www.reference.com>, accessed on sept 16/9/17 at 7:00 pm

¹¹ <http://www.mbaofficial.com/mba-courses/research-methodology/write-a-note-on-the-questionnaire-method-followed-in-research-methodology/> (last accessed on 16/09/17 at 7:00 pm)

CHAPTER III

QUESTIONNAIRE METHODS AND ITS KINDS

STRUCTURED QUESTIONNAIRE: Pauline V. Young says "Structured questionnaires are those which pose definite, concrete and pre oriented questions, that is, they are prepared in advance and not constructed on the spot during the questions period."¹² Additional questions may be asked only when some classification is required. Certain questions for instance, questions on age, marital status, number of children, nationality, etc are automatically structured by virtue of their nature.

The structured questionnaire may further be categorized into two types- closed and open-end questionnaires. A closed form questionnaire is one in which there will be a few alternative answers. They may be either yes/no type or multiple-choice type, from which the respondent has his freedom in express in his own style. Open end questionnaire is used mainly for intensive studies.

OPEN ENDED QUESTIONS: Basically, in this kind of questionnaire, the interviewer/respondent writes the answer of the respondent verbatim' this type, there is no preceded classification of answers to questions. The respondents have to make replies on their own after due thinking. These are further classified into:¹³

(a) Numeric open-ended questions.

Ques- How much did you spend on groceries this week?

(b) Text Open-ended questions.

Ques- How can our organization improve in working conditions?

CLOSE-ENDED QUESTIONS: In a closed ended questions the possible answers are set out in the questionnaire or schedule and the respondent, or the investigator tick marks the category that best describe the respondent's answer. Such questions can be further categorized into:

UNSTRUCTURED QUESTIONNAIRE: The Unstructured questionnaire contains a set of questions which are not structured in advance, and which may be adjusted according to the needs of questions period. There is flexibility in unstructured questionnaire. It aims at precision and contains definite subject matter. It aims at collecting the maximum information. The unstructured questionnaire assumes insight, articulateness, and possession of facts by the respondents. It is used mainly for conducting interviews.¹⁴

MAIL QUESTIONNAIRE: This sort of questionnaire includes for the researcher to send the questionnaire list to respondents through post, often attaching pre-paid envelope. Mail questionnaires have an advantage of providing more accurate answer, because respondents can answer the questionnaire in their spare time. The disadvantage associated with the mail questionnaire include them being expensive, time consuming and sometimes they end up in the bin put by respondent.

¹² Dr.S.R Myneni; Legal Research Methodology; Alld law agency; 2012 edn.

¹³ Mukul Gupta & Deepa Gupta, Research Methodology, PHI Learning pvt.ltd, Feburary 2013.

¹⁴ Dr.S.R Myneni; Legal Research Methodology;Alld law agency; 2012 edn.

TELEPHONIC QUESTIONNAIRE: Researcher may generally choose to call potential respondents with the aim of getting them to answer the questionnaire. The advantage of the telephone questionnaire is that it can be completed during the short amount of time. The main disadvantage of the phone questionnaire is that it is expensive most of the time. Moreover, most people do not feel comfortable to answer many questions asked through the phone and it is difficult to get sample group to answer questionnaire over the phone.

COMPUTER QUESTIONNAIRE- Respondents are asked to answer the questionnaire which is sent by mail. The advantages of computer questionnaires include their inexpensive price, time can be saved, and respondents do not feel pressured, therefore can answer when they have time, giving more accurate answers. However, the main shortcomings of the computer questionnaire is that sometimes respondents do not bother answering them and they can just ignore the questionnaire.

IN HOUSE SURVEY- This type of questionnaire involves for the researcher visiting respondents in their house or workplace. The advantage of in-house survey is that more focus towards the questions can be gained from respondents. However, in house surveys also have a range of disadvantages which include its being time consuming, more expensive and respondents may not wish to have the researcher in their houses or workplaces for various reasons.

MIXED QUESTIONNAIRE: It consist of closed as well as open ended questions. These are normally used in the field of social research.

PICTORIAL QUESTIONNAIRE: - It is generally used in promotion of interest to answer questions. These are mostly used as study materials for children

DIFFERENCE BETWEEN QUESTIONNAIRE & SCHEDULE

The difference between questionnaire and schedule are as follows:

1. The questionnaire is generally sent through mail to informants to be answered as specified in a covering letter without assistance from the sender. The schedule is generally filled out by the research worker or enumerator who can interpret and understand questions when necessary.
2. In case of questionnaire, it is not always clear as to who replies, but in case of a schedule the identity of respondent is known.
3. To collect data through questionnaire is relatively cheaper and economical than the other method, as it is mainly done through mailing system. But a schedule is relatively more expensive since it requires supporting enumerates and imparting training to them.
4. Questionnaire method is slow and more time consuming since the respondents may not return the questionnaire in time but in case a schedule the information is collected well in time as they are filled by enumerates having specified and defined targets.
5. Personal contacts are generally not possible and are less in case of a questionnaire but in case of schedules direct personal contact is established with respondents.

6. Questionnaire method can be used only when respondents are literate and cooperative but in case of a schedule the information can be gathered even when the respondents happen to be illiterate.¹⁵
7. Wider distribution of sample is possible in case of questionnaire but due to involvement
8. of enumerators there is difficulty in covering wider area in case of a schedule.
9. Risk is incomplete and wrong information Is more in case of questionnaire as compared to schedule.
10. Observation can be used in a schedule but less in case of a questionnaire.

QUESTIONS TO BE AVOIDED IN A QUESTIONNAIRE:

- **Hypothetical-** Questions with misleading speculation and fantasy should be avoided.
- **Embarrassing Questions-** Making respondents feel uncomfortable by asking details about personal or private issues which in turn can lead to losing trust.
- **Extreme Positive/Extreme Negative-** Care must be taken in designing a question to avoid hard positive or negative overtones.¹⁶

CHAPTER IV

QUESTIONNAIRE DESIGN : PROCEDURE

CONSTRUCTION OF QUESTIONNAIRE: The researcher generally has to decide the composition of a questionnaire while taking into consideration the data which is already available on the topic and the extent of data now required. The process of drafting a questionnaire should have the following aspects:¹⁷

1. Information is required.
2. Secondly type of questionnaire to be used.
3. First draft.
4. Revising questions.
5. Editing of questionnaire.
6. Explaining the procedure for its use.
7. Pre-testing of questionnaire.

QUESTIONNAIRE DESIGN

Perhaps the most important part of the survey process is the creation of questions that accurately measure the opinions, experiences and behaviors of the public. Accurate random sampling and high response rates will be wasted if the information gathered is built on a shaky foundation of ambiguous or biased

¹⁵ Mukul Gupta & Deepa Gupta, Research Methodology, PHI Learning pvt.ltd, February 2013

¹⁶ Research & Analysis Services, <https://www.flatworldsolutions.com>, accessed at 18/9/17 at 7:15pm.

¹⁷ Mukul Gupta&Deepa Gupta, Research Methodology, PHI Learning pvt.ltd,February 2013

questions. Creating good measures involves both writing good questions and organizing them to form the questionnaire.

Questionnaire design is a multistage process that requires attention to many details at once. Designing the questionnaire is complicated because surveys can ask about topics in varying degrees of detail, questions can be asked in different ways, and questions asked earlier in a survey may influence how people respond to later questions. Researchers also are often interested in measuring change over time and therefore must be attentive to how opinions or behaviors have been measured in prior surveys.

Surveyors may conduct pilot tests or focus groups in the early stages of questionnaire development in order to better understand how people think about an issue or comprehend a question. Pretesting a survey is an essential step in the questionnaire design process to evaluate how people respond to the overall questionnaire and specific questions.

For many years, surveyors approached questionnaire design as an art, but substantial research over the past thirty years has demonstrated that there is a lot of science involved in crafting a good survey questionnaire. Here, we discuss the pitfalls and best practices of designing questionnaires.

(A) Question development

There are several steps involved in developing a survey questionnaire. The first is identifying what topics will be covered in the survey. For Pew Research Center surveys, this involves thinking about what is happening in our nation and the world and what will be relevant to the public, policymakers and the media. We also track opinion on a variety of issues over time so we often ensure that we update these trends on a regular basis so we can understand whether people's opinions are changing.

At Pew Research Center, questionnaire development is a collaborative and iterative process where staff meet to discuss drafts of the questionnaire several times over the course of its development. After the questionnaire is drafted and reviewed, we pretest every questionnaire and make final changes before fielding the survey.

(B) Measuring change over time

Many surveyors want to track changes over time in people's attitudes, opinions and behaviors. To measure change, questions are asked at two or more points in time. A cross-sectional design, the most common one used in public opinion research, surveys different people in the same population at multiple points in time. A panel or longitudinal design, frequently used in other types of social research, surveys the same people over time. Pew Research Center launched its own random sample panel survey in 2014; for more, see the section on the American Trends Panel.

Many of the questions in Pew Research surveys have been asked in prior polls. Asking the same questions at different points in time allows us to report on

changes in the overall views of the general public (or a subset of the public, such as registered voters, men or African Americans).

When measuring change over time, it is important to use the same question wording and to be sensitive to where the question is asked in the questionnaire to maintain a similar context as when the question was asked previously (see question wording and question order for further information). All of our survey reports include a topline questionnaire that provides the exact question wording and sequencing, along with results from the current poll and previous polls in which the question was asked.

(C) Open- and closed-ended questions

One of the most significant decisions that can affect how people answer questions is whether the question is posed as an open-ended question,¹⁸ where respondents provide a response in their own words, or a closed-ended question, where they are asked to choose from a list of answer choices.

For example, in a poll conducted after the presidential election in 2008, people responded very differently to two versions of this question: "What one issue mattered most to you in deciding how you voted for president?" One was closed-ended and the other open-ended. In the closed-ended version, respondents were provided five options (and could volunteer an option not on the list).

When explicitly offered the economy as a response, more than half of respondents (58%) chose this answer; only 35% of those who responded to the open-ended version volunteered the economy. Moreover, among those asked the closed-ended version, fewer than one-in-ten (8%) provided a response other than the five they were read; by contrast fully 43% of those asked the open-ended version provided a response not listed in the closed-ended version of the question. All of the other issues were chosen at least slightly more often when explicitly offered in the closed-ended version than in the open-ended version. (Also see "High Marks for the Campaign, a High Bar for Obama" for more information.)

Researchers will sometimes conduct a pilot study using open-ended questions to discover which answers are most common. They will then develop closed-ended questions that include the most common responses as answer choices. In this way, the questions may better reflect what the public is thinking or how they view a particular issue.

When asking closed-ended questions, the choice of options provided, how each option is described, the number of response options offered and the order in which options are read can all influence how people respond. One example of the impact of how categories are defined can be found in a Pew Research poll conducted in January 2002: When half of the sample was asked whether it was "more important for President Bush to focus on domestic policy or foreign policy," 52% chose domestic policy while only 34% said foreign policy. When the category "foreign policy" was narrowed to a specific aspect – "the war on terrorism" – far more people chose it; only 33% chose domestic policy while 52% chose the war on terrorism.

¹⁸ Sameer Phanse; Research Methodology (Logic, Methods, and cases.)

In most circumstances, the number of answer choices should be kept to a relatively small number – just four or perhaps five at most – especially in telephone surveys. Psychological research indicates that people have a hard time keeping more than this number of choices in mind at one time. When the question is asking about an objective fact, such as the religious affiliation of the respondent, more categories can be used. For example, Pew Research Center’s standard religion question includes 12 different categories, beginning with the most common affiliations (Protestant and Catholic). Most respondents have no trouble with this question because they can just wait until they hear their religious tradition read to respond.

What is your present religion, if any? Are you Protestant, Roman Catholic, Mormon, Orthodox such as Greek or Russian Orthodox, Jewish, Muslim, Buddhist, Hindu, atheist, agnostic, something else, or nothing in particular?

In addition to the number and choice of response options offered, the order of answer categories can influence how people respond to closed-ended questions. Research suggests that in telephone surveys respondents more frequently choose items heard later in a list (a “recency effect”).

Because of concerns about the effects of category order on responses to closed-ended questions, many sets of response options in Pew Research Center’s surveys are programmed to be randomized (when questions have two or more response options) to ensure that the options are not asked in the same order for each respondent. For instance, in the example discussed above about what issue mattered most in people’s vote, the order of the five issues in the closed-ended version of the question was randomized so that no one issue appeared early or late in the list for all respondents. Randomization of response items does not eliminate order effects, but it does ensure that this type of bias is spread randomly.

Questions with ordinal response categories – those with an underlying order (e.g., excellent, good, only fair, poor OR very favorable, mostly favorable, mostly unfavorable, very unfavorable) – are generally not randomized because the order of the categories conveys important information to help respondents answer the question. Generally, these types of scales should be presented in order so respondents can easily place their responses along the continuum, but the order can be reversed for some respondents. For example, in one of the Pew Research Center’s questions about abortion, half of the sample is asked whether abortion should be “legal in all cases, legal in most cases, illegal in most cases, illegal in all cases” while the other half of the sample is asked the same question with the response categories read in reverse order, starting with “illegal in all cases.” Again, reversing the order does not eliminate the recency effect but distributes it randomly across the population.

(C) Question wording

The choice of words and phrases in a question is critical in expressing the meaning and intent of the question to the respondent and ensuring that all respondents interpret the question the same way. Even small wording differences can substantially affect the answers people provide.¹⁹

¹⁹ John Knowles; *Effective Legal Research*, Sweet & Maxwell pub, Second edn.

An example of a wording difference that had a significant impact on responses comes from a January 2003 Pew Research Center survey. When people were asked whether they would “favor or oppose taking military action in Iraq to end Saddam Hussein’s rule,” 68% said they favored military action while 25% said they opposed military action. However, when asked whether they would “favor or oppose taking military action in Iraq to end Saddam Hussein’s rule even if it meant that U.S. forces might suffer thousands of casualties,” responses were dramatically different; only 43% said they favored military action, while 48% said they opposed it. The introduction of U.S. casualties altered the context of the question and influenced whether people favored or opposed military action in Iraq.

There has been a substantial amount of research to gauge the impact of different ways of asking questions and how to minimize differences in the way respondents interpret what is being asked. The issues related to question wording are more numerous than can be treated adequately in this short space. Here are a few of the important things to consider in crafting survey questions:

First, it is important to ask questions that are clear and specific and that each respondent will be able to answer. If a question is open-ended, it should be evident to respondents that they can answer in their own words and what type of response they should provide (an issue or problem, a month, number of days, etc.). Closed-ended questions should include all reasonable responses (i.e., the list of options is exhaustive) and the response categories should not overlap (i.e., response options should be mutually exclusive).

It is also important to ask only one question at a time. Questions that ask respondents to evaluate more than one concept (known as double-barreled questions) – such as “How much confidence do you have in President Obama to handle domestic and foreign policy?” – are difficult for respondents to answer and often lead to responses that are difficult to interpret. In this example, it would be more effective to ask two separate questions, one about domestic policy and another about foreign policy.

In general, questions that use simple and concrete language are more easily understood by respondents. It is especially important to consider the education level of the survey population when thinking about how easy it will be for respondents to interpret and answer a question. Double negatives (e.g., do you favor or oppose not allowing gays and lesbians to legally marry) or unfamiliar abbreviations or jargon (e.g., ANWR instead of Arctic National Wildlife Refuge) can result in respondent confusion and should be avoided.

Similarly, it is important to consider whether certain words may be viewed as biased or potentially offensive to some respondents, as well as the emotional reaction that some words may provoke. For example, in a 2005 Pew Research survey, 51% of respondents said they favored “making it legal for doctors to give terminally ill patients the means to end their lives,” but only 44% said they favored “making it legal for doctors to assist terminally ill patients in committing suicide.” Although both versions of the question are asking about the same thing, the reaction of respondents was different. In

another example, respondents have reacted differently to questions using the word “welfare” as opposed to the more generic “assistance to the poor.” Several experiments have shown that there is much greater public support for expanding “assistance to the poor” than for expanding “welfare.”

One of the most common formats used in survey questions is the “agree-disagree” format. In this type of question, respondents are asked whether they agree or disagree with a particular statement. Research has shown that, compared with the better educated and better informed, less educated and less informed respondents have a greater tendency to agree with such statements. This is sometimes called an “acquiescence bias” (since some kinds of respondents are more likely to acquiesce to the assertion than are others). A better practice is to offer respondents a choice between alternative statements. A Pew Research Center experiment with one of its routinely asked values questions illustrates the difference that question format can make. Not only does the forced choice format yield a very different result overall from the agree-disagree format, but the pattern of answers among better- and lesser-educated respondents also tends to be very different.

One other challenge in developing questionnaires is what is called “social desirability bias.” People have a natural tendency to want to be accepted and liked, and this may lead people to provide inaccurate answers to questions that deal with sensitive subjects. Research has shown that respondents understate alcohol and drug use, tax evasion and racial bias; they also may overstate church attendance, charitable contributions and the likelihood that they will vote in an election. Researchers attempt to account for this potential bias in crafting questions about these topics. For instance, when Pew Research Center surveys ask about past voting behavior, it is important to note that circumstances may have prevented the respondent from voting: “In the 2012 presidential election between Barack Obama and Mitt Romney, did things come up that kept you from voting, or did you happen to vote?” The choice of response options can also make it easier for people to be honest; for example, a question about church attendance might include three of six response options that indicate infrequent attendance. Research has also shown that social desirability bias can be greater when an interviewer is present (e.g., telephone and face-to-face surveys) than when respondents complete the survey themselves (e.g., paper and web surveys).

(D) Question order

Once the survey questions are developed, particular attention should be paid to how they are ordered in the questionnaire. The placement of a question can have a greater impact on the result than the particular choice of words used in the question.

When determining the order of questions within the questionnaire, surveyors must be attentive to how questions early in a questionnaire may have unintended effects on how respondents answer subsequent questions. Researchers have demonstrated that the order in which questions are asked can influence how people respond, earlier questions – in particular those directly preceding other

questions – can provide context for the questions that follow (these effects are called “order effects”).

One kind of order effect can be seen in responses to open-ended questions. Pew Research surveys generally ask open-ended questions about national problems, opinions about leaders and similar topics near the beginning of the questionnaire. If closed-ended questions that relate to the topic are placed before the open-ended question, respondents²⁰ are much more likely to mention concepts or considerations raised in those earlier questions when responding to the open-ended question.

For closed-ended opinion questions, there are two main types of order effects: contrast effects, where the order results in greater differences in responses, and assimilation effects, where responses are more similar as a result of their order.

An example of a contrast effect can be seen in a Pew Research Center poll conducted in October 2003 that found that people were more likely to favor allowing gays and lesbians to enter into legal agreements that give them the same rights as married couples when this question was asked after one about whether they favored or opposed allowing gays and lesbians to marry (45% favored legal agreements when asked after the marriage question, but 37% favored legal agreements without the immediate preceding context of a question about gay marriage). Responses to the question about gay marriage, meanwhile, were not significantly affected by its placement before or after the legal agreements question.

Another experiment embedded in a December 2008 Pew Research poll also resulted in a contrast effect. When people were asked “All in all, are you satisfied or dissatisfied with the way things are going in this country today?” immediately after having been asked “Do you approve or disapprove of the way George W. Bush is handling his job as president?”; 88% said they were dissatisfied, compared with only 78% without the context of the prior question. Responses to presidential approval remained relatively unchanged whether national satisfaction was asked before or after it. A similar finding occurred in December 2004 when both satisfaction and presidential approval were much higher (57% were dissatisfied when Bush approval was asked first vs. 51% when general satisfaction was asked first).

Several studies also have shown that asking a more specific question before a more general question (e.g., asking about happiness with one’s marriage before asking about one’s overall happiness) can result in a contrast effect. Although some exceptions have been found, people tend to avoid redundancy by excluding the more specific question from the general rating.²¹

Assimilation effects occur when responses to two questions are more consistent or closer together because of their placement in the questionnaire. We found an example of an assimilation effect in a Pew Research poll conducted in

²⁰ James Holland & Julian Webb; *Learning Legal Rules*; Oxford pub; 9th edn.

²¹ U.S. SURVEY RESEARCH, Questionnaire design, <http://www.pewresearch.org/methodology/u-s-survey-research/questionnaire-design/>

November 2008 when we asked whether Republican leaders should work with Obama or stand up to him on important issues and whether Democratic leaders should work with Republican leaders or stand up to them on important issues.

The order questions are asked is of particular importance when tracking trends over time. As a result, care should be taken to ensure that the context is similar each time a question is asked. Modifying the context of the question could call into question any observed changes over time (see measuring change over time for more information).

A questionnaire, like a conversation, should be grouped by topic and unfold in a logical order. It is often helpful to begin the survey with simple questions that respondents will find interesting and engaging to help establish rapport and motivate them to continue to participate in the survey. Throughout the survey, an effort should be made to keep the survey interesting and not overburden respondents with several difficult questions right after one another. Demographic questions such as income, education or age should not be asked near the beginning of a survey unless they are needed to determine eligibility for the survey or for routing respondents through particular sections of the questionnaire. Even then, it is best to precede such items with more interesting and engaging questions.

Pilot tests and focus groups

Similar to pretests, pilot tests are used to evaluate how a sample of people from the survey population respond to the questionnaire. For a pilot test, surveyors typically contact a large number of people so that potential differences within and across groups in the population can be analyzed. In addition, pilot tests for many surveys test the full implementation procedures (e.g., contact letters, incentives, callbacks, etc.). Pilot tests are usually conducted well in advance of when the survey will be fielded so that more substantial changes to the questionnaire or procedures can be made. Pilot tests are particularly helpful when surveyors are testing new questions or making substantial changes to a questionnaire, testing new procedures or different ways of implementing the survey, and for large-scale surveys, such as the U.S. Census.

Focus groups are very different from pilot tests because people discuss the survey topic or respond to specific questions in a group setting, often face to face (though online focus groups are sometimes used). When conducting focus groups, the surveyor typically gathers a group of people and asks them questions, both as a group and individually. Focus group moderators may ask specific survey questions, but often focus group questions are less specific and allow participants to provide longer answers and discuss a topic with others. Focus groups can be particularly helpful in gathering information before developing a survey questionnaire to see what topics are salient to members of the population, how people understand a topic area and how people interpret questions (in particular, how framing a topic or question in different ways might affect responses). For these types of focus groups, the moderator typically asks broad questions to help elicit

unedited reactions from the group members, and then may ask more specific follow-up questions.

For some projects, focus groups may be used in combination with a survey questionnaire to provide an opportunity for people to discuss topics in more detail or depth than is possible in the interview. An important aspect of focus groups is the interaction among participants. While focus groups can be a valuable component of the research process, providing a qualitative understanding of the topics that are quantified in survey research, the results of focus groups must be interpreted with caution.

Pretests

One of the most important ways to determine whether respondents are interpreting questions as intended and whether the order of questions may influence responses is to conduct a pretest using a small sample of people from the survey population. The pretest is conducted using the same protocol and setting as the survey and is typically conducted once the questionnaire and procedures have been finalized.

For telephone surveys, interviewers call respondents as they would in the actual survey. Surveyors often listen to respondents as they complete the questionnaire to understand if there are problems with particular questions or with the order questions are asked. In addition, surveyors get feedback from interviewers about the questions and an estimate of how much time it will take people to respond to the questionnaire.²²

NATURE OF QUESTIONS-

The questions should possess the following nature:

1. Questions should be few, short clearly worded, simple and easy to answer.
2. They should be within the informational scope of the respondent.
3. The tabulation plan must be kept in mind while framing questions.²³
4. Questions should have a direct bearing upon the problem.
5. Indirect questions may be asked to get a correct reply.
6. The questions should be inter-related with each other so that the sequence may be maintained.
7. Questions facilitating cross-checking may be given.
8. The questions should be so framed that there is minimum of writing work.
9. Units of technical terms should be on the lines of the previous enquiry.
10. The questions should be thorough and no place for any doubt should be allowed.

TYPES OF QUESTIONS GENERALLY ASKED:

Different types of questions are framed in a questionnaire. Following are the main types of questions used in a questionnaire.

²² https://www.designingbuildings.co.uk/wiki/Construction_dissertation_guide_part_4_-_Questionnaires_and_interviews

²³ Dr.S.R Myneni; Legal Research Methodology;All law agency; 2012 edn.

1. **Open ended questions-** No alternative answer is prescribed to respondent. Respondents are free to give their own replies on their own, thinking or feeling e.g. what are the causes of communalism in India.
2. **Close questions-** In this respondent are given alternative answers and best of possible answer is exhausted and question and answers are predetermined.
3. **Dichotomous questions-** These types of questions posses' only two alternatives. Mostly in yes or no, means respondent has to choose negative or positive, eg- Are you married yes/no.²⁴
4. **Multiple choice questions-** In this type of questions various possible alternatives are given. Respondent has to choose one of them. E.g.- Which subject do you like most?
(a) Cr.pc (b) I.P.C (c) C.P.C (d) jurisprudence (e) Constitution.
5. **Ranking item questions-** In this various alternative are given but unlike multiple choices (where one alternative has to be chosen), In Ranking item questions various alternatives have to be arranged in order to your preferences.²⁵

FACTORS AFFECTING QUESTIONNAIRES:

Following are the factors which are affecting the Questionnaires that are as follows.

1. Length of the Questionnaire.
2. Reputation of the sponsoring agency.
3. Complexity of the questions asked.
4. Relative importance of the study as determined by the potential respondent.
5. Extent to which the respondent believes that his responses are important.
6. Quality and design of the questionnaire.

CHAPTER V

Guidelines for preparing Questionnaires: Questionnaire Method.

There are certain guidelines that should be kept in mind before preparing the Questionnaire: -

1. Prepared the questionnaire according with the study objective.
2. Secondly it should be concise, precise, and brief.
3. Criticism from faculty and class members.
4. Trailing the Questionnaire with friends generally.
5. Respondents selected carefully.
6. As par as possible open-ended questions should be avoided.
7. Controversial and ambiguous questions should be avoided, and it should be kept in mind.
8. One should get the permission in organization before administering questionnaire.

²⁴ Dr.Prasant Sarangi;Taxman's Research Methodology, Taxman pub pvt.ltd; Sept 2010 edn.

²⁵ Dr. D.R Kapoor, MS Pooja Saigal; Research Methodology (Methods & Techniques), Regal Publication,2013 year

9. Try to get rid of sponsorship also.
10. Mailed Questionnaire should have introduction, purpose and directions to fill the questions.
11. Abrupt ending of the questions and questionnaire should be removed.

SUGGESTIONS

The following are the suggestion that can be applied to make it a successful Questionnaire:

1. A well designer questionnaire should generally meet the research objectives.
2. Secondly, it should obtain the most complete and accurate information possible. The Questionnaire designer needs to ensure that the respondent must fully understand the questions and are not likely to refuse to answer them basically or even lie to the interviewer or try to conceal their attributes.
3. Thirdly A good Questionnaire is organized and worded to encourage respondents to provide accurate, unbiased and complete information.
4. Fourthly, A well designed Questionnaire should make it easy for respondents to give the necessary information and for the interviewer to record the answer.
5. Fifthly, it would keep the interview brief and to the point and be so arranged that the respondent remain interested throughout the interview.
6. Further one should also know the academic and mental capacity of the targeted population.

According to Bogardus, "a questionnaire is a list of the questions sent to a number of persons to answer. It secures the standardized results that can be tabulated and also treated statistically."

Conclusion

The central design of legal research now a days is the collection of data. During the course of legal research, the scholar goes for different resources of collecting data generally there are two sources of data collection. The first source is called primary, and the second source is named as secondary. In case of first source research scholar collect data through questionnaires and interview schedule. The method of questionnaires is applied in cases where data are collected from large group of peoples widely scattered in the manner that the scholar generally mails to the respondents or is administered to a group of peoples at the same time by giving them appropriate forms of questionnaire for seeking information of the problem.

Questionnaires are the main and easy way of collecting data, but the questionnaire must be highly reliable and valid. Using standardized questionnaires will give us the appropriate data and will yield study. One must follow all the basic guidelines and methods of constructing and test it before using it.

Analysis was made on questionnaire technique, mailed questionnaire technique, interview method, observation method field work and diary studies with

critical examination of the advantages and disadvantages of each technique. Generally, adequate care must be taken to ensure that the techniques for data collection are carefully applied and properly managed so as to avoid collation of inaccurate data which may bring about misleading information and poor research result.

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