FACULTY OF LAW

MASTER OF ARTS IN WOMEN CHILDREN AND NATURE RIGHTS IN ENVIRONMENTAL GOVERNANCE

GEG 6101 APPLIED RESEARCH METHODOLOGY IN WCNREG

COURSE CONVENERS:

Prof. Julie Stewart, Dr. Nkatha Kabira, Dr. Constance Gikonyo

LECTURE SCHEDULE: TUESDAYS 6-9PM EAT/ 4-7pm CAT

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Contact Hours:

Prerequisite:

Purpose of the Course

1. To enhance students' research skills by introducing theories, methodologies and methods relevant to exploring and critiquing women's, children's, and nature's rights at the international, national, and local levels.
2. To advance the learners' ability to apply appropriate research perspectives and methodologies in exploring legal and policy frameworks, identifying gaps in current governance arrangements, and juxtaposing lived realities with existing laws and policies at all levels.
3. To equip the learners with the requisite library science, computer, and online participation skills for the effective pursuit of the programme.

Expected Learning Outcomes

By the end of this course, the learner should be able to:

1. Assess environmental governance issues from a combination of appropriate legal, policy, empirical and ethical perspectives.

2. Distinguish between different research methodologies and methods and their suitability for the analysis of international, national, and local environmental governance issues.
3. Plan and conduct empirical research into environmental governance problems using appropriate skills.
4. Appraise a holistic, multilevel and problem-oriented approach to researching women's, children's and nature's rights in environmental governance
5. Integrate experiences and analysis of the lived realities of research subjects into interpreting, implementing and reforming appropriate laws, policies and practices at all levels of environmental governance.
6. Employ Information Communication and Technology (ICT), and Information Library Science (ILS) to conduct research, and in writing up research findings.

Mode of Delivery

Student active learning, Individual and collaborative learning and research capacitation, experiential research exercises, grounded research, case study methodology, fieldwork, seminar discussions; individual student and group presentations, problem-based learning.

COURSE REQUIREMENTS

Class Attendance and Participation

- As per the University regulations, students must attend **at least two thirds of the lectures** appearing on the timetable to qualify to sit for the examination in the course.
- In addition to class attendance, you are expected to contribute to the class discussions. The mode of instruction is interactive and you are expected to participate fully in the various class activities.

- To excel in the course, you need to complete all reading assignments.

ASSESSMENT

Type Weighting (%)

Examination 50

Continuous Assessment 50

Total 100

Note that continuous assessment is a mandatory component of the course and failure to do it renders one ineligible to sit for the examination.

Written Assignments

The objective of written assignments is to develop your legal writing and research skills. It also develops your ability to apply concepts learnt to actual situations.

As per the University regulations, **<u>PLAGIARISM</u>** will not be tolerated and will result in an (E) grade.

COURSE POLICIES AND RULES

- You must attend the class on time.

- Class participation is mandatory.

- The course's E-class provides a great platform for discussion and sharing of course materials. Students are encouraged to make use of this platform.

Core reading materials

Bentzon, A. W., Hellum, A., & Stewart, J. (1998). Pursuing grounded theory in law: South-North experiences in developing women's law. (Selected Chapters available online at searcwl.uz.ac.zw(open access)

Mihalopoulos A. & Brooks V (2017). *Research Methods in Environmental Law A Handbook Handbooks of Research Methods in Law series.* Edward Elgar Publishing.

Kabira, W & Maloy, L Maloy (2018). *Feminism and Feminist Research: Making Research Work for African Women.*ISBN-13-979-8672619040

Recommended reference materials

1. Andreassen, Bård A.; Sano, Hans-Otto & McInerney-Lankford, Siobhán (Eds.). (2017), Research methods in human rights: a handbook. Edward Publishing.

2. Bryman, A. (2016). *Social research methods*. Oxford university press.

3. Creswell, J. W., & Creswell, J. D. (2017). *Research design: Qualitative, quantitative, and mixed methods approaches*. Sage publications.

4. Dawn Watkins and Mandy Burton (Eds.) (2018). Research Methods in Law. Routledge.

5. Hellum, A. (2017). How to study human rights in plural legal contexts: an exploration of plural water laws in Zimbabwe. In *Research Methods in Human Rights*. Edward Elgar Publishing

6. Kothari, C. R. (2004). *Research methodology: Methods and techniques*. New Age International.

7. Monateri, P. (2021). *Advanced Introduction to Comparative Legal Methods*. Edward Elgar Publishing.

8. Omondi, S., Sitawa, M., (2021). Research Methodology Simplified. Law Africa.

9. Paris, D. and Winn, M.T. (Eds.). (2013). "Humanizing research: Decolonizing qualitative inquiry with youth and communities." Sage Publications.

10. Tsanga, A., & Stewart, J. E. (Eds.). (2011). *Women & law: Innovative approaches to teaching, research and analysis*. Weaver Press.

COURSE STRUCTURE

TOPIC ONE: INTRODUCTION TO ADVANCED RESEARCH METHODS JS and All

This is the first class and will involve class introductions based on the short e-profiles you will have already created, in line with previously sent instructions. Then there will be an outline discussion by the course conveners of the course, its purpose and expected learning outcomes.

Sub-topics:
Class Introductions (e-preparation and presentation)
Course Profile
Commencing the Cumulative Semester Research Exercise - Step 1

Reading Materials

None - expressly none. See Weeks 1-3 Exercises

Question/Assignment
Submission of experiential and observation based information on selected cumulative research site in the prescribed format - to … deadline 11 pm Malawi, Zimbabwe and 12pm Kenya [Central African Time Zone and East African Time Zone (so the same time) E-submission obligatory). The exercise is simple and short so computers and smartphones can be used.

TOPIC TWO: APPLYING GROUNDED THEORY

Sub-topics:
1 Discussions on and around exercises 1-3 and their epistemological significance.

2 In class guided preliminary identification, compilation and analysis of data from Week 1-3 exercises to distill preliminary environmental governance issues that would be pertinent to women's, children's and nature's rights in the individual selected research sites, including the implications from the expanded google-earth versions on the individual research sites.

Reading Materials

Bentzon, A. W., Hellum, A., Stewart, J. , Ncube, W., Agersnap, T. (1998). Pursuing grounded theory in law: South-North experiences in developing women's law. Tano-Aschehoug, Oslo (Selected Chapters available online at searcwl.uz.ac.zw(open access). For general overviews of processes read - Chapters 8, 9 and 10

Tsanga, A., & Stewart, J. E. (Eds.). (2011). *Women & law: Innovative approaches to teaching, research and analysis*. Weaver Press, Harare. Chapters 2 and 4 - Chapters available online at searcwl.uz.ac.zw(open access)

Question/Assignment
Exercise 4

Preliminary analysis of the empirical data obtained through Exercises 1-3 and whether and how these could form the basis of discrete group cumulative research topics to be undertaken by 5-6 different research groups, preferably intercountry, interdisciplinary and inter-gender.

TOPIC THREE: APPLYING ELIBRARY RESEARCH AND COMPUTER SKILLS ALL

Sub-topics:
Applying e-library research and computer skills
Accessing University of Nairobi eresources
Accessing University of Oslo eresources
Accessing SEARCWL eresources
Accessing UNEP eresources
Accessing University of Malawi eresources

Reading Materials

Question/Assignment

1 Provide three references to international instruments, could be treaties, conventions, policies that are relevant to the problem issues that you observed required interventions in exercise 3.

2 Provide three full references, plus where appropriate, urls, to books or articles that are relevant to the problem issues that you observed required interventions in exercise 3

TOPIC FOUR: PROBLEM IDENTIFICATION AND FORMULATION JS

Formulating research topics; devising preliminary assumptions and research questions to begin shaping the research design.
Formulating assumptions and research questions on legal and policy materials that are likely to be relevant to your potential research topic.
Formulating assumptions and research questions on customary laws and indigenous knowledge that might be relevant to your potential research topic.
Sub-topics:
  ● Issue Identification as a Precursor to Research
  ● Comparing and contrasting legal and policy analysis against empirical findings, engagement with customary laws and local indigenous practices.

Reading Materials

Question/Assignment

●   Peer group engagements on Week 1-2 experiential data assignments and Week 3 'library research'.
●   *Template 6 - Assumption exercise - formulate assumptions and preliminary research questions*

TOPIC FIVE: RESEARCH APPROACHES – LINKING THEORY TO DATA COLLECTION AND ANALYSIS DATA AH

Time : 7 November

Sub-topics: Feminist; Ecological; Children's, and Nature approaches to the triple crisis; Grounded theory; Feminist research methodologies; Human rights-based approaches; legal pluralist approaches, Interdisciplinary, intersectional problem-, person and context-oriented approaches.

Objectives:

Formulate a critical perspective the way in which law is understood by human rights based approaches to environmental governance regarding women's, children's, children's and nature's rights

Uncover the assumptions underlying the human rights based approach understanding of law's ability to ensure women's, children's and nature's livelihood rights

Identify shortcomings of the human rights based approach's to ensure livelihood rights in the light of a legal pluralist approach to law

Formulate research questions and assumptions that address the role of human rights in ensuring livelihood rights of women, children and nature in plural legal contexts

Formulate research questions and assumptions regarding the way in which international, national and local customs and practices works for women and children belonging to different groups

Reading Materials

Hellum, A. (2017). How to study human rights in plural legal contexts: an exploration of plural water laws in Zimbabwe. In *Research Methods in Human Rights*. Edward Elgar Publishing

Question/Assignment

Template 7 In five different groups students are asked to discuss the insights the article seeks to provide with focus on the following questions:

1. *How does the human rights based approach understand law?*
2. *What would a human rights based approach strategy with regard to ensure women's, children's and nature's rights in environmental governance look like?*
3. *How does a legal pluralist approach understand law?*
4. *What would a legal pluralist strategy to ensure women's, children's and nature's rights in environmental governance look like?*
5. *How would you go about to do research on how a human right to a clean environment is promoted or prevented in legislation, administrative decision-making, local customary norms and practice*

6. *What are your assumptions regarding human rights, state law, administrative application of law and local customs and practice capacity to ensure that different groups of women's and children's experiences of vulnerability and marginalization into consideration.*

TOPIC SIX: INTERPLAY BETWEEN DIFFERENT THEORETICAL AND METHODOLOGICAL FRAMEWORKS NK

Sub-topics: Use selected theories to design the methodology drawing on experiential knowledge sources and inspirations.

Reading Materials

Question/Assignment

Template 8

TOPIC SEVEN: METHODOLOGIES IN LEGAL AND POLICY ANALYSIS CG

Sub-topics: Explorative, explanatory, and transformative integrated research design; Doctrinal methods; Legal positivism, dynamic and context-based interpretations, and socio-legal research methods.

OBJECTIVES:

- ❖ Understand, differentiate, and apply explorative, explanatory, and transformative research designs
- ❖ Develop a comprehensive understanding of research design and its components.
- ❖ Cultivate a collaborative and empathetic approach to conducting socio-legal research, valuing diverse perspectives and lived experiences.
- ❖ Understand the significance of integrated research designs (explorative, explanatory, transformative) in addressing complex environmental legal issues
- ❖ Apply dynamic and context-based interpretations to bridge the gap between static legal frameworks and changing societal contexts.
- ❖ Demonstrate proficiency in qualitative and quantitative data collection techniques
- ❖ Foster an interdisciplinary mindset for innovative problem-solving in environmental governance.

Sub-topics:

WHAT IS A RESEARCH DESIGN/APPROACH

COMPONENTS OF A RESEARCH DESIGN

CHARACTERISTICS OF A GOOD RESEARCH DESIGN

CRITERIA FOR SELECTING A RESEARCH APPROACH: The Research Problem and Questions; Personal Experiences; Audience (accepted standards in a field).

QUANTITATIVE RESEARCH DESIGN: Experimental Designs; Surveys;

QUALITATIVE RESEARCH DESIGN: Case study; Phenomenology; Grounded Theory; Ethnography; Narrative Research Design.

Reading Materials

- Alan Bryman, Social Research Methods, (5 ed, Oxford University Press 2016) pgs. 37-70;
- Baker, Chad. "Quantitative research designs: Experimental, quasi-experimental, and descriptive." Evidence-based practice: An integrative approach to research, administration, and practice (2017): 155-183.
- Jackson, Ronald L., Darlene K. Drummond, and Sakile Camara. "What is qualitative research?." Qualitative research reports in communication 8.1 (2007): 21-28.
- Tomaszewski, Lesley Eleanor, Jill Zarestky, and Elsa Gonzalez. "Planning qualitative research: Design and decision making for new researchers." International Journal of Qualitative Methods 19 (2020): 1609406920967174.

Question/Assignment

Template 9- In three different groups students are given facts on potential research and are asked to identify and explain the appropriate research design to use in each case.

Scenario 1: Enhancing Children's Environmental Education Programs

Scenario: A nonprofit organization is running an environmental education program for children in a rural community to increase their awareness of nature rights and conservation. The organization wants to assess the program's impact and improve its effectiveness.

Research Objectives:

- Evaluate the effectiveness of the current program in enhancing children's understanding of nature rights.
- Identify areas for improvement in the program to better engage children and promote nature rights.

scenario 2:Women's Leadership in Local Environmental Initiatives

Scenario: In a small town, there are several local environmental initiatives led by women. Researchers want to understand the roles of women in these initiatives, the challenges they face, and the impact of their leadership on environmental governance.

Research Objectives:

- Explore the roles and contributions of women in local environmental initiatives.
- Identify common challenges faced by women leaders in these initiatives.
- Assess the impact of women's leadership on environmental governance.

Scenario3: Indigenous Women's Contributions to Biodiversity Conservation

Scenario: An indigenous community, led by women, has been actively involved in biodiversity conservation efforts. Researchers want to understand the unique contributions of indigenous women in preserving biodiversity and nature rights.

Research Objectives:

- Document the roles and practices of indigenous women in biodiversity conservation.
- Explore the cultural and spiritual dimensions of their conservation efforts.
- Assess the impact of their initiatives on nature rights and the community.

TOPIC EIGHT: RESEARCH DESIGN CG

Sub-topics: Grounded empirical research design involving triangulation of qualitative and quantitative data; and case studies. Mixed methodologies including ethnography, narratology, case studies, historical methods, and comparative research methodology.

OBJECTIVES:

- ❖ Understand, differentiate, and apply explorative, explanatory, and transformative research designs.
- ❖ Develop a comprehensive understanding of research design and its components.
- ❖ Gain proficiency in executing both quantitative and qualitative research designs.
- ❖ Cultivate a collaborative and empathetic approach to conducting socio-legal research, valuing diverse perspectives and lived experiences.
- ❖ Understand the significance of integrated research designs (explorative, explanatory, transformative) in addressing complex environmental legal issues
- ❖ Apply dynamic and context-based interpretations to bridge the gap between static legal frameworks and changing societal contexts.
- ❖ Demonstrate proficiency in qualitative and quantitative data collection techniques
- ❖ Foster an interdisciplinary mindset for innovative problem-solving in environmental governance.

Sub-topics:

- MIXED METHODS DESIGNS: Convergent; Explanatory sequential; Exploratory sequential; Transformative, embedded, or multiphase
- DOCTRINAL & SOCIO-LEGAL APPROACHES
- SAMPLING & SAMPLING DESIGNS
  - What is sampling?
  - Terminologies used in sampling.
  - Reasons for sampling
  - Factors to consider in determining the sample size: Availability of resources and time; Sample size depend on what one wants to know, the purpose of the inquiry, What is at stake, what will be useful, What will have credibility and Sampling design (probability or non-probability)
  - Non-probability (Purposive; quota; convenience; snowballing)
  - Probability (simple random; stratified random; cluster; systematic)

Reading Materials
- Alan Bryman, Social Research Methods, (5 ed, Oxford University Press 2016) pgs.620-658 (mixed methods)
- Alan Bryman, Social Research Methods, (5 ed, Oxford University Press 2016) pgs.170-195; 407-420 (sampling).
- O'Donovan, Darren. "Socio-Legal methodology: Conceptual underpinnings, justifications and practical pitfalls." Legal Research Methods: Principles and Practicalities 1 (2016): 31.

- Singhal, Ashish Kumar, and Ikramuddin Malik. "Doctrinal and socio-legal methods of research: Merits and demerits." Educational Research Journal 2.7 (2012): 252-256.
- Mohamed, Khadijah. "Combining methods in legal research." The Social Sciences 11.21 (2016): 5191-5198.
- Duncan, N. J. and Hutchinson, T. (2012). Defining and describing what we do: Doctrinal legal research. Deakin Law Review, 17(1), pp. 83-119.
- Vranken, Jan BM. "Methodology of legal doctrinal research: A comment on Westerman." Methodologies of legal research: Which kind of method for what kind of discipline (2011): 111-121.
- Menkel-Meadow, Carrie. "Uses and abuses of socio-legal studies." Routledge handbook of socio-legal theory and methods (2019): 35-57.

Question/Assignment

Template 10 - Based on the identified research designs in the previous class on research designs, identify and discuss the appropriate sampling method to use in each of the case studies.

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- *Evaluate the effectiveness of the current program in enhancing children's understanding of nature rights.*
- *Identify areas for improvement in the program to better engage children and promote nature rights.*

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- *Assess the impact of their initiatives on nature rights and the community.*

TOPIC NINE: RESEARCH ETHICS CG

OBJECTIVES:

- ❖ Develop a comprehensive understanding of the importance of research ethics, recognizing the ethical responsibilities researchers have towards participants.
- ❖ Gain familiarity with ethical principles guiding research.
- ❖ Identify and evaluate various forms of unethical behavior in research.
- ❖ Develop the skills to design research proposals that minimize risks to participants and ensure ethical standards are upheld.

Sub-topics:

- Importance of Ethics in Research
- Ethical Principles for Research & Norms of Scientific Research
- Unethical behaviour in Research
- Risks in research
- Minimizing Risks in research
- Ethical Considerations: Ensuring informed consent from participants. Addressing privacy and confidentiality concerns. Mitigating potential harm to participants.

Reading Materials

- Zhang, J. J. "Research ethics and ethical research: some observations from the Global South." Journal of Geography in Higher Education 41.1 (2017): 147-154.
- Bracken-Roche, Dearbhail, et al. "The concept of 'vulnerability'in research ethics: an in-depth analysis of policies and guidelines." Health research policy and systems 15.1 (2017): 1-18.
- Nosek, Brian A., Mahzarin R. Banaji, and Anthony G. Greenwald. "E-research: Ethics, security, design, and control in psychological research on the Internet." Journal of Social Issues 58.1 (2002): 161-176.
- Convery, Ian, and Diane Cox. "A review of research ethics in internet-based research." Practitioner Research in Higher Education 6.1 (2012): 50-57.
- Brown, Carol, Jane Spiro, and Sarah Quinton. "The role of research ethics committees: Friend or foe in educational research? An exploratory study." British Educational Research Journal 46.4 (2020): 747-769.
- **Nind, Melanie,** et al. "Methodological innovation and research ethics: forces in tension or forces in harmony?." Qualitative Research 13.6 (2013): 650-667.
- Wiles, Rose. What are qualitative research ethics?. Bloomsbury Academic, 2012.

Question/Assignment

TOPIC TEN: DATA ANALYSIS NK

Sub-topics:

Reading Materials

Question/Assignment

TOPIC ELEVEN: DATA PRESENTATION ALL

OBJECTIVES:

❖ Explain the significance of research tools in empirical research and demonstrate the ability to select appropriate research tools based on research questions, target populations, and contextual factors.
❖ To design and construct well-structured research instruments.
❖ Outline the ethical considerations associated with data collection.
❖ To apply various data collection techniques.
❖ To describe the procedures for managing and organizing collected data.

Sub-topics: Mini grounded research, Group based problem identification
Individual subtopics within the group
Development and Administration of Research Tools;

● Definition and importance of research tools in empirical research.
● Differentiating between quantitative and qualitative research tools.
● Types of Research Tools: Surveys/questionnaires, interviews, focus groups, observations, case studies, content analysis, etc. Advantages and limitations of each type of research tool.
● Selecting Research Tools: Aligning research questions/objectives with appropriate research tools. Considering the target population, context, and feasibility.
● Constructing Effective Questionnaires: Writing clear and unbiased questions. Structuring questionnaires for consistency and flow.
● Interview Techniques: Different types of interviews (structured, semi-structured, unstructured). Developing interview guides. Conducting ethical interviews and dealing with sensitive topics.
● Focus Group Methodology: Forming focus groups and participant recruitment. Moderation techniques for effective group discussions.
● Observation Methods: Participant and non-participant observation. Developing observation guides and checklists. Ensuring objectivity and avoiding bias in observations.
● Piloting and Pretesting: Importance of piloting research tools. Identifying and rectifying issues through pretesting.
● Data Collection Procedures: consistent data collection. Managing data collection logistics. Addressing challenges during data collection.
● Data Management: Storing and organizing collected data.

Reading Materials

Alan Bryman, Social Research Methods, (5 ed, Oxford University Press 2016) pgs**. 422-522; 699-680**

In, Junyong, and Sangseok Lee. "Statistical data presentation." Korean journal of anesthesiology 70.3 (2017): 267-276.

Verdinelli, Susana, and Norma I. Scagnoli. "Data display in qualitative research." International Journal of Qualitative Methods 12.1 (2013): 359-381.

Surkis, Alisa, and Kevin Read. "Research data management." Journal of the Medical Library Association: JMLA 103.3 (2015): 154.

Question/Assignment

TOPIC TWELVE: REPORT WRITING - NGEYI, ALL

Sub-topics:

Reading Materials

Question/Assignment