

Interview Technique in Legal Research

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Abstract

Interview is important tool in the data collection process in the legal research. There are certain stages in interview like, to create rapport, to ask questions, to note down answers and to wind up the interview. There are certain types of interview on the basis of the mode of collection of information from the respondents. Among the kinds of interview the structured and unstructured interviews are two basic types of the interview method. It encourages the respondent to give answer on particular aspect. This makes difference between interview and social survey method with the help of questionnaire

The structured interview is characterized on the basis of the list of particular questions the interviewer is required to ask only those questions and collect that much information. But the interviewer is given freedom to take necessary explanation from the respondent and can ask to clear confusion if any in this regard. One thing must be kept in the mind by the interviewer that he must not tell his own statement with the respondent and cannot create effect on the opinion of the respondent. Generally the structured interview is in questions and answer form.

The unstructured interview is most favored one in the community of researcher in the world. It is more conversational than the former. The significant aspect of this type of interview is that same questions are asked to the respondents but it free rather than rigid. The questions are asked according to the response of the respondent. There is chance to introduce the interviewers ideas to encourage the respondent. Therefore skilled and expert person is required to conduct this complicated interview. Thus a good interview is the art and science to extract the knowledge, views, and opinions of an individual which is called a system, therefore the purpose of interview is to extract the system and all of its elements.

In this article the researcher has tried to discuss the types of interview, advantages and disadvantages of interview method of data collection in the legal research.

KEYWORDS: Interview techniques, Legal research, data collection, tool.

Introduction:

Interview gives detailed information about research issue. Generally interview is called as qualitative research method because it collects more information from fewer subjects. On the other hand quantitative research method (experiment) collects less information from more subjects. In interview there must be minute observation of the relationship between the statements made by the interviewee, their controversy, consistencies etc. it is an attempt to find out the proper idea in the minds of the

interviews therefore it is a holistic research method. Thus a good interview is the art and science to extract the knowledge, views, and opinions of an individual which is called a system, therefore the purpose of interview is to extract the system and all of its elements. Interview is both a skill and an art.

Objectives: researcher has framed following objectives

1. To define various ways of collection of information for interview.
2. To discuss important stages to conduct interview.
3. To highlight on the various kinds of interview.
4. To suggest advantages and disadvantages of interview techniques.

Research Methodology: Researcher has adopted doctrinal method and collect second hand data from books, journal and internet .

Various ways to collect the information:

There are various ways to collect the information like literature searches, talking with people, focus groups, personal interviews, telephone surveys, mail surveys, email surveys, and internet surveys. A literature search means to review the available material. It is costly method to collect the information. Literature web searches require less time but library literature search needs more time. Talking with people means to discuss with the people on certain aspect to collect the information. It is useful to collect initial information. But drawback is that it is subjective and not representative of the population. A focus group means particular idea is given to a group of people and the information on that idea is collected through the discussion of the group with the assistance of the mediator. It extracts people's ideas and attitudes on particular aspect. It needs more time and costs. Its drawback is that a small sample and not representative of the people.

Personal interview means to ask particular questions to collect particular information to particular people in the society. But it is very costly and needs expert's assistance. The major strength of interviewing is that it is more effective in gaining information about a person's perceptions, beliefs, feelings, attitudes, motivations, anticipations, or future plans. It gives insights into individual reactions and attempts at finding out his own reasons for behaving in a particular way rather than merely describing what actually happened.

Telephone survey means to collect the information with the help of telephone calling. It is useful to collect information from the large section of society within short period of time. In this mode of collecting the information the questionnaire is very useful to withdraw necessary information from the respondents. But it is not free from the drawback i.e. costly, bias etc.

Mail survey means to collect the necessary information through post letter responses. Its significant merit is that it is cheap and helpful to collect the information from the large section of society. No doubt it is free from bias but failed to collect the detailed information on any particular aspect. Generally people are not habitual to

answer the questions asked in the letter on time. Hence there is need to send the notices of requests to answer the questions and to post the letters of responses in time to the respondents since they are not under the control of the interviewer.

E-mail and internet surveys means to collect the necessary information through email and internet. It is a new tool to collect the information developed in the latter half of the twenty-first century. It cheap and quick but it does not represent the whole population in the society and most significantly is also not free from the bias.

Important stages to conduct the Interview:

Interview is an interactional situation. The important stages to conduct the interview are listed as below:-

- 1. To establish rapport:** Firstly, introduce yourself and behave friendly with the respondent by discussing on the general things like his name ,profession, weather, etc. Two persons are involved in interview, one asking questions and the other answering them.
- 2. To describe the project:** Secondly, tell the respondent about the project or research, its need and importance and lastly the purpose of the interview and project. After giving all this information prepare him for the interview to collect necessary information.
- 3. Take free consent:-**Thirdly, take the written free consent of the respondent because to collect the information is not a child's play it requires certain skill and legal formalities.
- 4. To conduct the interview:-** Fourthly, conduct the interview according to the plan and requirement of the project or research. During this stage focus must be upon the idea of research and the respondent must be given freedom to express his views, ideas without fear and favor.
- 5. End of interview:-** Fifthly, end the interview within time limit prescribed for that interview. It must be winding up rather than ending process suddenly and say thank you for the cooperation.
- 6. Notes on interview:-**Lastly, after an interview note down the information extracted from the interview so that it will be recorded and used as data to draw necessary conclusions in the research.

Kinds of interview:-

The form of interview may vary widely. Following are important kinds of interview.

- 1. Informal (conversational) interview:** - In this interview there is not restriction on asking questions. Any question relating to the research can be asked. There is not scope to ask pre decided questions. Generally the questions are asked on the basis of nature and interests of the respondent.
- 2. General interview:-** In such interviews same general information is collected from the respondents. It is more focused than the informal interviews but grants freedom at some extent in collecting the information from the respondents.

3. **Open ended (standardized) interview:-** In this kind of interview same open ended questions are asked to all the respondents. Such interview can be conducted speedily and its results can be compared properly.
4. **Closed (fixed) response interview:-** In this category of interview same questions are asked and same alternatives are given to answer the questions to the respondents. To conduct this interview no skill and expert are required. Therefore any person of ordinary prudence can conduct this interview easily.

Structured and unstructured interview:-

The brief interview in which interviewer seeks information on limited number of specific topics by referring to a questionnaire which carries simple yes no type of close ended questions, has been described as the structured interview. The structured interview is characterized on the basis of the list of particular questions the interviewer is required to ask only those questions and collect that much information. But the interviewer is given freedom to take necessary explanation from the respondent and can ask to clear confusion if any in this regard. One thing must be kept in the mind by the interviewer that he must not tell his own statement with the respondent and cannot create effect on the opinion of the respondent. Generally the structured interview is in questions and answer form.

A fairly long encounter in which the interviewer talks to the respondent, aiming to draw out from him a lengthy and detailed articulation of his views and expressions, on the basis of written or unwritten list of open ended questions pertaining to the research theme, is termed as the non structured interview. The unstructured interview is most favored one in the community of researcher in the world. It is more conversational than the former. The significant aspect of this type of interview is that same questions are asked to the respondents but it free rather than rigid. The questions are asked according to the response of the respondent. There is chance to introduce the interviewers ideas to encourage the respondent. Therefore skilled and expert person is required to conduct this complicated interview.

The content and process of the interview:-

The content of interview means what interview says. It focuses upon the idea of research and core of the research. Tape recorder can be used to record the content of the interview. The process of the interview is important and powerful element of the interview. It requires drawing conclusions on the basis of the response of the respondent. Similarly his behavior, style of talking and watching etc. observed minutely. Such observation can make interview effective and useful in the research. In case of the structured interview, the questions asked are the same to all the respondents but everybody gives different answer. Such different views or answers can give different aspects of the same thing to the researcher which is very useful to the researcher in hi research. Thus it explains the process and the different picture of each interview session.

To explore the interview process, following questions are useful.

- When the respondent is confident or confused? Does the interviewee ever contradict himself or herself?

- Whether there is link between the answers given by the respondent?
- When the respondent did shows particular emotion?
- How is the body language of the respondent and when it changes?
- What is the speaking style of the respondent i.e. slow, fast, simple humble etc. Whether the surrounding affects on the insights?

One of the very significant source of information explaining the process of information is how the reaction with the respondent. In other words interviewer is the scale to measure the respondents. In this regard following questions are very useful. Therefore answers to these questions must be in the minds of the interviewer at the time of conducting the interview.

- Which feelings are created? (anger, confusion, inspiration, excitement etc)
- How is the behavior during interview?
- When the emotions, feeling, thoughts, etc. changes?
- Whether different reactions are created for different respondents?

Thus to know the process of interview is difficult. It is developed by experience. In this regard tape recording is useful but proper care must be taken.

Use of information collected through interview in research:-

The information collected through interview is very important and useful in the research. It must be used properly in the research. The collected information must be inserted in the relevant points of the research accurately.

Following questions are useful to decide the usefulness of the information in the research.

- Whether the information collects through interview support or contradicts the research?
- Whether respondent support the theoretical information?
- At what extent the support or contradiction?
- Whether new side of the research is found?
- How the picture of the idea is created?
- Whether the information is meaningful in the light of present conditions to the research?

The information collected through interview can be used by different ways as below.

1. Make summary of the collected information through interview.
2. Use short quotes and short sentences to insert in the research.
3. Use separate paragraph for longer quotes.

Thus the second and third aspect mentioned above is very important it attracts the concentration of the reader hence it must be used properly.

Interview as a qualitative method:-

Qualitative interview means detailed, loosely conducted or semi structured interview. It encourages the respondent to give answer on particular aspect. This makes difference between interview and social survey method with the help of questionnaire. In this type of data collection the social world is presumed independent of the language used to describe it. Interview can be conducted of the members as

representatives of the society. The researcher plays an important role in the collection of the data through the interaction. But researcher is not totally dependent upon the information collected through the interview. At some extent interview is molded according to the Research aims and objectives.

The interview must not be story narration, hence the researcher is required to control, mould and shift it on proper track. In these sense respondents are playing the role similar to the gatekeepers. Sometimes the respondent is from high social status than researcher hence he can take the points of his interests rather than the specific points due to the loose nature of the presentation of a loosely structured agenda. The untrained person cannot ask proper questions to the respondent's hence proper information cannot be collected. The qualitative interview is useful to do research about emotions, or feelings. Some qualitative interviews are lacking the analytical imagination to give the anecdotal information. This problem can be solved by observation with the interview simultaneously and by using qualitative and quantitative methods in research.

Today we are living in the interview society. It means today interviews are common mode of action in the society. The wide spread of individualism is useful to collect information through qualitative interview. The interviewer is not a robot to collect the data but rather a research tool. He must be egalitarian and understanding. In this regard the tape recording is proved to be very useful. Interview can be phone interview, news interview and like. Here interview is treated as a tool to observe the behaviour of the respondents. Therefore interview is a topic of right rather than resource to find out unauthorized things outside the interview. Interviewers are active participants in the interactions with the respondents, they mould and influence the respondents as per the need of the research. Thus interview became the ethnographical interview which presumes that closer to the respondent nearer to the truth in the research.

Advantages and disadvantages of interview method:-

There are both advantages and disadvantages of interview method of data collection. This method of interview technique is useful in pilot study, to check the people's responses. Respondents are given freedom to answer the question but there is somewhat control on the respondent and the interview. It results in certain disadvantages like the amount of time required to take information and analyze it through this method is more. In this method there are various responses of the respondents hence there is need to use content analysis which is the time consuming process. Similarly confusion can be created due to use of the open questions in the unstructured interview. The confusion is created due to failure to understand the question by the respondent or inability to understand the answer given by the respondent. Even though the open ended questions are very important in the research.

Closed or structured interviews are those interviews in which the possible answers is known in advance. Generally the possible answers are written on the form itself so that the respondent can easily chose them and give answer to the question. In this type of interview due to the fixed questions, there is little freedom for flexibility. It is uniform because every person is given the same questions to answer. The collected information can easily compared and quantifiable is the important advantage

of this structured interview. Due to absence of the flexibility, totally unexpected information can be resulted in such interview.

There are two basic types of interview. The first is the Personal interview or the intensive interview. It needs small sample. It consumes more time. It uses the open ended questions and gives freedom to the respondents to answer the questions freely. The questions are not standardized. It is very useful to take interview on sensitive topics. But there needs very good rapport between the parties to the interview. This type of interview is flexible and collects detailed information about particular aspect in the research. Here only the respondents are required to answer the questions. Sometimes the information can be collected without directly asking to the respondent on that aspect of research. It is the significant drawback of this type of interview that it is costly and time consuming. Researcher bias is also dominant here. It becomes difficult to generalize on a large scale due to the non standardization of the questions in this interview.

The second type of interview is the group interview or focus group study. It means a research strategy for understanding audience/ consumer attitudes and behavior. The members of the focus group must be free and proper rapport must be developed before conducting the interview. They must know each other personally. The members must be of same sex and must share same background to avoid confusion in the resultant information from them. Here conversation between focused group can be either structured or unstructured.

It generally needs less time for discussion. The discussion is under control and guided by the respondent. The respondents are required to discuss their ideas among each other. This interview is useful to discuss the preliminary information about the research. It can be used in the pilot study. It is cheaper and quicker. The responses are more complete and less inhibited. Its important drawback is that one respondent can dominate the others in discussion which affects negatively on the outcome of different ideas from the group. The use of an extended focus group method, whereby each respondent fills out a questionnaire prior to the focus group discussion expressing their own personal views. This limits the problem of them being unwilling to express their opinion in front of the rest of the group. Focus group interviews frequently use unrepresentative samples as participants must generally volunteer themselves to do it. It is only a certain type of person that will do this. The quality of the data acquired from a focus group interview is not being very good as with one to one interviews.

In general there are certain advantages and disadvantages for using any interview method. It permit questioning to be guided as you want it and you can clarify points that need to be made clearer much more easily than in something like a mailed questionnaire. The technique somewhat rely on the respondent being willing to give accurate and complete answers. They may generally lie due to feelings of embarrassment, inadequacy, lack of knowledge on the topic, nervousness, memory loss or confusion etc. On the contrary, they may also provide very elaborate answers in an attempt to find out the purpose of the study. Validity and reliability of the interview data may be influenced by it. Thus "Interviewing is a complex and demanding technique"

Conclusion:-

On the basis of above discussion it may be concluded that, interview is the best method to collect the data in the legal research particularly on the aspects relating to emotions, feelings of the respondents. Although there are certain advantages and disadvantages of the interview method, it is most favored one in the realm of legal research. Interview is an art and skill therefore its success depends upon the interviewer's attentiveness during the interview.

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