

# QIKJS-Part.II.C

## Qualitative Inquiry of Korean Judicial System

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### Introductory Words

As we see, the doctoral capstone students are required to work on the dissertation track. They are working under the supervision of method and content advisors, and virtually will be an independent researcher immersed into his topic. The production of dissertation, perhaps, would be a first kind of ceremony by one who is going to be baptized with the Holy Spirit. The dissertator would be a dove and resting on him, who, of course, envisages to become a successful scholar. As he graces himself into the holy arms, the dissertator now enters the world of academia that he would become a part of it. In this interchange, he or she is needed to locate his research piece, first but never least for his professional career, at somewhere in the sea of works that his predecessors had contributed and established, what we know academia in his or her field. It, therefore, would be the kind of ritual or carnival that other sectors of human groups would rarely practice, in which his pages of dissertation will be graced as the meat and flesh for other peers. Some firms of international prestige, such as *Sam Sung*, may have a fraternity to consolidate its employees. The president elect or newly admitted attorneys will take an oath for inauguration. Those may have a similar meaning in terms of group ritual, but the new born researcher would not be such simple, who will be challenged much from professional standard of commitment. They have to practice due citations to respect the work of other peers, and the formality checkmate requires a due shroud of written piece as the Catholic priest or nun might be dressed up (American Psychological Association, 2010).<sup>[1]</sup> The kind of practice would never be such austere in general writings, such as newspaper or novels and internet blogging, etc. At the center of this interchange lies the literature review, in which we have to duly position our dissertation -- generated through the empirical work on data collection and analysis -- within the existing academic authorities. As we see, mereology occurs in the philosophy and mathematics to attain a logical persuasion, in which a part and whole will be explicated by revealing their

connection and composition. The literature review will help to facilitate this intellectual process of audience that they can know the correct identification of dissertation within the whole or disciplinary seas of academia. Therefore, it would be a vital process as a scholarly attitude and tradition which also likely instills the water of life for the community engagement for data collection and analysis.[2]

### **Strategies**

From this nature of literature review, the strategies would naturally arise.

First, appeal to the scholarly authority would be constantly minded and strategy requires to make the scholarly sources more intimate and friendly (Zuckerman, 2009). We need to receive them likely as the uncles and aunts thinking we could be a protégé with the sedulous works through life years of research career. In this sense, some enthusiastic students might take them as the kind of Godfathers in breeding their intellectual path-throughs. In countries, the imagery of scholars would wear a glass and often be dramatized with shelves of books and written materials. The admonition, “read books” by a tiger mom, would not be impertinent to ascribe the future doctors. Of course, creative reading is needed for the research students, perhaps little different from undergraduate experience of reading, who is responsible to produce their own work as an independent scholar.

Second, the last sentence above yields another strategy for productive mindedness and attitude who work on the literature review (2009). That is, he or she needs to be indulged in establishing academic authority for any effective writing of literature review. The citation salad is common errors that man can commit. Most of all, it is necessary to establish his or her own academic authority that the dissertation is never merely a product of junior researchers, but can be any most brilliant work through his total lifetime work, if seldom. Juniors never merely mean a novice man, but can be bought since they are enthusiastic and vigorous. For this reason, the dissertators need to be ambitious and have a projected eye to develop his domain of academic authority, which is beginning with the work of dissertation. The awareness and mindset of this requirement would be a best strategy for effective writing of literature review. For them known to this, for example, it will be a natural flow that the cited literature will softly be merged into the kind of episode, not the kind of citation salads. A thematic priority than that of source literature in writing the literature review will not be disregarded since he or she is haunted with establishing such own academic authority.

Although the ways of working with various authors’ point of view in the literature basically falls within the craftsmanship of researchers, it is recommended to use format or template that requires some actions to keep in mind when constructing our review. Since the paragraphs can act as bookends to our material, it is strategic to include an introduction and conclusion and to organize by topic or theme rather than by author (Walden Research Center,

2015). Especially for the reason of various points of view author by author, it can make our text appealing to the audience that we use transitions and comparative terms. By doing so, you can demonstrate where authors agree or disagree on a topic and highlight your interpretation of the literature. Given the interdisciplinary nature of social science research as well as the end destination of humanity and universe, various points of authors will be dealt to address broad audience, and it is also wise to provide the background and context. Furthermore, the researchers keep in mind that the authors' viewpoint will be consistently used to verify and justify assertions. Since the nature of work is seen, in some aspect, to socialize into the academia and assumed with professional communication in the field, it is good practice to "cite early and cite often." In this process, it is important to use our own words since (i) that attitude needs to be tightly on person of scholar through his lifetime career, (ii) it is premised to establish his or her own academic authority, and (iii) enables to comply with the standard of anti-plagiarism.

In the literature review, it is generally pursued by the researcher that he or she (i) surveys the scholarly landscape, (ii) provides a synthesis of the issues, trends, and concepts, and (iii) possibly provides some historical background (2015). In dealing with different or opposing views of sources, this general consideration came to allow any effective manner between the different points of view. In other words, the citations need to be balanced, and the contrast needs to be duly highlighted to alert the readership, and finally the historical influence can possibly be illuminated for the authors to grasp more easily the nature of topic and issues. To respond with this kind of challenges, the strategy is necessary to search comprehensively to include all of the relevant resources dealing with our topic. Therefore, the researcher needs (i) to identify the databases that will cover the topic, (ii) to search in more than one database, and (iii) to explore resources outside of the databases, such as government websites, professional organization, research groups, and Think tanks (2015).[\[3\]](#)

Lastly, but most importantly perhaps, the various points of authors must be incorporated into the well written synthesis. In organizing the sources into the synthesis, it will be a best practice (i) to present clear relationships among sources (ii) establish logical connections among sources (iii) to use paraphrases and clear analysis to hold ideas together (2015).

### **Ways on the Different Point of Literature**

Since my method is grounded theory research and complemented with hermeneutics or heuristics, the literature review generally is not a significant process to complete the project (Kim, 2015a,b,c,d). However, the texts and theories already in influence can guide on the focus, views, ideas and concepts, logic and thought process as well as affects the styles, tones and assertions.

In this consideration, I may exemplify two different points of view in terms of basic policy theories and contents dealing with the input of new attorneys. The articles from the punctuated equilibrium theory generally provide the points of view that the revolutionary change in the policy process will occur at certain period of time (Gersick, 1991). It argues similarly on the deterministic metaphor and understanding with a prolonged observation of policy change process. The models distinguish between the organizational adaptability and organizational rigidity, which has its own truth at different times, depending on whether system is in a period of transition or equilibrium (1991). Therefore, it disputes the ideas of usual generalization on the studies of individual systems or forward directions tendency of organizational change. In other words, the theory finds it possible that same individual systems may develop to change or may not be successful to attain a policy change. The hypothesis of forward directions also could not be true depending on the time the system faces with. This theory differs from the theory of policy diffusion, in which the learning or mimicking is an essential element to bring an organizational change (Wejnert, 2014; Wood, 2006). Although the theory of policy diffusion acknowledged various elements to affect the policy diffusion, for example, environmental system, it did not argue that any significance had been given to the staged importance of policy or organizational change. Therefore, learning can constantly factor to develop the policy change for public goodness. These two models can differ, but does not exactly conflict with the other propositions or argument.

They both provide the lenses to investigate the phenotype of PAKJS over the history of Korea. The equilibrium theory can provide and test to explicate the staged transformation of Korean judicial system. The theory of policy diffusion also can help to make the discussion and argument rich and dense in explicating the actions, processes, and interactions of policy makers.

In other case, we can see the different and directly opposing position for the issue of PAKJS. Yang, a law professor of Young-Nam law school, argues that the current law school system should replace the NJE denying its prolongation, but with the improvement of system (Yang, C.S., 2013). His proposition illuminated various points of contention covering the failure of Japanese experience, weakness of student financial support, transparency issue of admission process, inadequacy of law school curriculum, parallel pre-law college, and equal protection of law on the bar exam. Other views would point out the various ill-side policy effect of new system, and argue to restore the previous mode of education and NJE. The views counter the points of contention that Yang argued to support the current system. These different and opposing views would typify the policy disagreement of attorney qualification that Faucaudian approach, through hermeneutics and heuristics, will be palatable to explore the politics, idealism and value entrenched within the PAKJS.



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[1] We are well trained to respect such nerve killing APA requirements through the method classes, for example.

[2] For some ethnographers, the community engagement may be projected years of field work in African deserts or area of northern poles as we see.

[3] To enhancing comprehensiveness, we need to know that Google Scholar provides a good way to take your search beyond the databases. It searches very broadly and will pull in resources you may not have discovered before. In utilizing the resources, it is needed to know the nature of written materials, i.e., peer reviewed, non-peer reviewed, or dissertations and so. Unfortunately, there is no way to limit the Google Scholar, which requires your extra time to evaluate the resources.