

QIKJS-Part.IV.B

Qualitative Inquiry of Korean Judicial System

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Sampling Size and Research Strategy

Introducing Remarks

As known, a variety of ways to conduct the qualitative research actually would be our reality that we generally see there is no cookbook about the use of qualitative method. Therefore, it is not odd that the qualitative researchers respond, “it depends,” when asked of how to proceed his or her research (Kim, 2015a,b,c,d,e). The debate in this week between the less structured or more structured approach in the qualitative studies, therefore, is a helpful point of consideration to appreciate the specific research design. This trait also implies that some excellent decision in one study can be a serious mistake for another study, which gives a lesson for the qualitative researcher to be not only autonomous, but also responsible to align the components of research into being suited to his specific research questions and goals. The position paper can be brief to make it clear what sample size is appropriate and how the researcher can be strategic to complete his aims on his particular topic.

To Defend My Position: Size and Strategy

I can defend my position with respect to informing the design of a qualitative sampling strategy. The qualitative researcher can be prepared by asking themselves at the outset, for example, “what are the research objectives?” or “what is the target population?” and on. Let me brief on the points of relevance through my qualitative research.

More clearly defined the research objectives, more strategic it will be to complete the research project as a meaningful contribution to the field (Marczyk, DeMatteo & Festinger, 2005; Wilmot, 2015). Even within the less structured interview, this point is crucial to perform successfully on his purpose. This does not mean that a clarification at the beginning shall not be changed, rather may be refined with the progress of research and new insights emerged through the research operation. My research on PAKJS is aimed in several ways (i) new insight of policy side analysis of phenomenology on PAKJS (ii) better

understanding of PAKJS in terms of elements and characteristic as well as its phenotype in view of social science perspectives (iii) social change within the policy or legal circles as well as exploration of actionable alternatives. This research objective allows to implement several types of sampling strategies. A theoretical sampling will be employed given the GT approach is my ways to deal with the topic. The experts and career professionals, most knowledgeable to my inquiries and themes, would identify the manifestations of a theoretical construct of PAKJS. The lawyers, law professors, civic activists and journalists will be the group of samples, who are considered as an expert and provide the views or opinions most thoroughly and intelligibly through the points of investigation. In terms of probative value as evidence, their view may be more likely of opinion or expert viewpoints, and Ponty's depersonalization may occur due to their alienation between the dimension of expertise and pure personality (Trigg, 2015).¹ This dimension can be handled duly through the analytical and interpretive process of data, and also can be corroborated with the approach of hermeneutics and heuristics. While we may be skeptic about the extent between the fact and opinion within the interview data, selection of samples from the professional circle is indispensable since the area of interest is an inquiry of system operating based on the expertise and professional qualification. Once again the qualitative method including sampling strategy is versatile and can well be particularized to the nature and quality of research topic, yet to be needless of adhering with any typical forms. My sampling strategy also can be imparted with the stratified purposeful sampling between the civic activists or journalists and policy officers of judicial qualification. It also can be so between the senior and junior attorneys (Creswell, 2007). By selecting this attribute of sampling strategy, I could facilitate comparison by focusing on the characteristics of particular subgroups and basically be intended to capture major variations despite the common themes. Hence, the lawyers drawn as a sample upon the organization of civic activism may highly be probable so as to be critical or opposed. The journalists and practitioners other than prosecution officers or judges would be more likely objective, but democratic than professional in terms of judicial system. The senior attorneys may have different views with the attitude of conservatism while the juniors would be more progressive or have a civilized notion disposed to the kind of concepts, say, meta-capital or class consciousness and globalized expertise or so.² My sampling strategy also can be termed as "sampling politically important cases" given the subgroups are more tended on the theme of their relevance although they are designed to participate through the whole of issues or questions of my research. For example, legal historians will be asked to appreciate an appointing practice of key judicial posts, although his main devotion may be on the historical assessment of major

¹ For example, some lawyers may suffer or don't have a moment of comfort. The bodily ownership may be lost closely to a loss of agency, in which their perception may feel a different agency would be present, largely mechanical or anonymous presence and between "one" and "me."

² This type of purposeful sampling will be working to saturate the data collection through interviews, and represents distinctiveness of qualitative method. It can increase the strengths of qualitative studies by collecting the information that cannot be gleaned from surveys or tests. The data not quantifiable or hardly of closed questioning can be begun to be elicited, reinforced and even transmuted with comparison by implementing this sampling strategy.

periodic transformation. In this sense, the sampling politically important cases will occur.

The resources, such as time, budgetary and other resource constraints are a factor that impact on the sample design of qualitative studies. In our circumstances, the final project will be due in time frame, which needs to be wisely handled by peer students. The dissertation track may not have a definite time requirement, and some doctoral students may seek a permission of extension beyond eight years of academic regulations. Therefore, time constraint for the doctoral students may not be severe, which, however, practically would range one or two years of completion rate in normal cases. As a guide, the sampling should not be unnecessarily extensive requiring much time for their collection and analysis. The research project may be funded which, I consider, would be significant to make it ordinate and budget-compliant. In my current progress, time of completion on the dissertation project will be expected around one year that the interview schedule and other data collection activities had been specified on the calendar days, place and time of duration.

In determining the sample size, various factors need to be considered, for example, the intensity and length of qualitative interview (hence, a large number of shorter interviews and small number of longer interviews), heterogeneous or homogeneous nature of the sample population, number of selection criterion, intensive nature of the study, need of multiple samples, inclusion of a control sample, and resources available (Wilmot, 2015). Primarily, the qualitative research prefers a small sample size since a phenomenon only need appear once to be of value, no need for scale, no need for estimates for statistical significance, quality of depth and breadth, and manageability of data (Rubin & Rubin, 2005). It does not mean that a small scale approach is unconditionally acceptable, but only with a strong sampling strategy. In view of my research components, the group is largely homogenous with same professional qualification besides journalists. The resources available are modest without any financial impediment and one year plan of completion. The intensive nature of study also is medium in my appreciation that generally is expected to meet the standard and quality as required of doctoral students. The control sample might be identified if I was special to select two journalists and selection was made between the junior and senior attorneys. Given the Walden guide of sample size, I would do a good practice to select 20-30 people in the GT approach, which typically is enough to reach saturation (Creswell, 2007; Maxwell, 2005). Since my interview hours are fairly longer, I decided to draw 24 people for total of each expert category. It could be an idealistic size not to burden on the resources constraint, to prevent unnecessary redundancy of data, concepts or themes, and to be suited to make the research manageable. The researcher also has to be strategic in terms of respondent recruitment, recruitment specification and documenting outcomes.

Table

Sample Size and Duration of Interview

Sample Size	Interview Hours
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Total: 24	Two to three hours
<ul style="list-style-type: none"> ● Legal Historians : 2 ● Senior Attorneys : 6 ● Junior Attorneys : 5 ● Law Professors : 8 ● Civil Activists : 2 ● Journalist : 1 	
Two Focus Group Interviews	
<ul style="list-style-type: none"> ● Group Discussion 1- Legal Historian and Senior Attorneys : 2-Junior Attorneys/Law Professors/Civil Activists/Journalists ● All 30 interviewees 	
	Three to four hours

A Concluding Insight

A most striking element for the scientists would be the data, whose form and existence generally are omnipresent and unlimited in scope and types in the qualitative method.³ Around the relationships and conditions of research operation underlies a core philosophical reflexivity about the ambiguity and phenomenology of perceptions in the contemporary understanding of egos. This issue was long contended surrounding Ponty's discourse on the role of depersonalization (Trigg, 2015). Another important strand involved with the qualitative method impels the role difference between the participants and researcher. As known, the qualitative inquirers are often desired to play as one kind of participant to excavate a deep truth, but not essentially at some dimension. In other words, the researcher is not only a participant, but the research instrument, who is sensory to work on data collection, such as hanging out and casual or incidental observation, and also stands on the kind of craftsmanship that is responsible to collect and analyze the data into a meaning and theme or stories. A crude distinction, therefore, can be posited that the vast of qualitative data are such less formally collected sorts of data, in which the reflexivity of researcher by taking memos or entering a field journal can be an important avenue to address the challenges of Ponty's ambiguity and depersonalization into a meaningful piece of qualitative studies.⁴ Of course, the perception of researcher or author also can be challenged that the particular interpretations of data may come in different ways and so-called validity threats may arise. Nevertheless, the researcher can stand better given his direction and goal in comparison with the participants as dominantly one form of evidence.

³ Virtually whatever sources or a variety forms of data, such as interview, observations, documents and their combinations, can be eligible to enter as an admissible evidence although the citing in may be prohibited from ethical ground.

⁴ In this context, Maxwell cautioned that the researchers should not ease himself in advance by relying on the interviews for data as panacea in perfecting their qualitative studies.

This notion may be related with the ethics of research method whether the participants have to be included as a co-author or if the kind of Wikipedia way could be effective to unearth the truths with anonymous writers and collective contribution. Nevertheless, I believe that the best strategy to valid and economical qualitative research is presumed on this aspect of understanding surrounding the relationships between the samples or participants and conditions of research operation through a deep understanding on the phenomenology of perception.

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