

QIKJS-Part.III.D

Qualitative Inquiry of Korean Judicial System

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Hello Shandrecka,

Thank you for the informative post. As the research comes on progress, I realized it challenging to efficiently and persuasively work to deal with the various points of view within the literature. That is particularly because my research is fairly on the method of hermeneutics and heuristics employed to address the Korean texts and doxical discourse. I entirely agree that the writing style, logic and metaphor from the post-modern writers are friendly with the researchers on such advanced qualitative method. I also would be good with the advice from Ornstein, who stresses the importance of social and policy making circumstances more than the inchoate research requirements, such as truth claims as accompanied with the value of academic freedom or methodological creed. In the writing stage, it seems that the dissertator likely would make a mental shift for construction, in which the social and policy making circumstances grapple himself with his chapters' organization and write up on the field data, public documentation and texts. That is especially true that we study within the discipline of PPA. How do you think if the authors' viewpoint will be much implicated to write through the whole chapters beyond the part of literature review?

Respectfully.

Author: Shandrecka McKenzie **Date:** Wednesday, December 9, 2015 7:49:14 PM EST

Subject: RE: Discussion - Week 2

Hi Class,

Multiple Viewpoints in literature involves a story told by only one character at a time, but the viewpoint character switches between two or more characters throughout the course of the novel. This can be a very effective tool when used for the right reasons. Remember, it has to add something to your story to have it told from different points of view because you lose intimacy and sometimes momentum by switching from one character to the next therefore increasing the danger of losing readers unless the transitions are well done. This type of writing can be carried out by switching viewpoints with alternating chapters or scenes. It can also be done in more relaxed manners where the author slips from one mind to

the next. Creswell (2013) suggests, “he prefers the methodologist standards of evaluation, but can also support the postmodern and interpretive perspectives”(p. 257). Point of view is one of the most important tools for any writer and choosing the most effective pov can help you find the right voice for your novel. Once a perspective is chosen and the pov, consistency is the key point. Understanding the workings of these creative devices will help you avoid annoying or confusing your reader. Literature provides a lens through which various readers look at the world. Point of view is the ways in which authors allow readers to “see and or “hear” what’ going on. Skillful authors can fix their readers attention on exactly the detail, opinion, or emotion the author want to emphasize by manipulating the point of view of the story. Recommended strategies for reconciling point of view through the use of multiple authors would be to identify which author will be used for the which point of view throughout the literature and ensuring the literary context sticks with that view point when relating to that author. This clearly identifies each authors point of view and outlines which angle their literary work will be used.

Multiple Points of View Relating to My Dissertation Topic

There are various strategies each author may opt to use when reconciling point of view from various authors. To keep it simple there is a way to keep a neutral point of view meaning providing a fair representation without editorial bias of all significant views that are published. Value Neutrality, as described by Max Weber, is the duty of sociologists to identify and acknowledge their own values and overcome their personal biases when conducting sociological research. Ornstein. (1975) states, “social and policy-making circumstances have altered social scientist’s freedom of inquiry and right to pursue research without political interference” (p.511). My play is to incorporate various authors point of view without incorporating my own biasness. The best way to accomplish this is to ensure true comprehensions of said authors literature and literary points of views.

References

- Creswell, J. W. (2013). *Qualitative inquiry and research design: Choosing among five approaches* (3rd ed.). Thousand Oaks, CA: Sage Publications, Inc.
- Laureate Education, Inc. (Executive Producer). (2010d). *Doctoral research: Why critique research?* Baltimore, MD: Author
- Zuckerman, J. (2009). Commentary on a literature review. Retrieved from <http://writingcenter.waldenu.edu/Documents/Scholarly-Writing/LiteratureReviewCommentary.pdf>
- Ornstein, A. C. (1975). The limitations of research: A viewpoint. *American Psychologist*, 30(4), 511.

Hello Rarkimm,

Thank you for the good post. Since my topic is a new area of interest that the prior research is lacking, Patton's tip of advice seems more applicable in my case. It is hardly deniable that I may come to be the ancient ethnographers on deserted field of interest, who should be the kind of synagogue's rabbi on the PAKJS. The ethos, language, nuances, and mentality are not captured same with the western cases, but as imperfect or discrepant because the culture, communal background and players are made not common, especially given the sociological and psychological understanding of PAKJS other than the legal or economic analysis. Therefore, it might be a quandary since Korean source may bias the researcher's thinking and reduces openness to whatever emerges in the field. Literature review will come better that it is conducted simultaneously with the fieldwork. I often feel that the literature comes likely a data partly because it is a non-English version, and also because hermeneutics or heuristics are vast ways of finding a breakthrough to unravel the concepts, terms, stories or themes that will be constructed to address my topic. Extending the prior research or gap filling might occur as Creswell or Maxwell teaches, but expectedly less in my case. How do you find the quality assurance protocol will help to refine your problem statement in your current stage of doctoral studies? Respectfully.

Author: Rarkimm Fields **Date:** Wednesday, December 9, 2015 11:08:50 PM EST **Subject:** Rarkimm Fields - Initial Discussion Post

Post by day 3 - 2 to 3 paragraph recommendation of strategies for working with various author's point of view in the literature. Provide an example of different points of view with relation to your topic and describe how you plan to work with these discrepancies.

Review of literature is a vital step when conducting a qualitative study of inquiry. In fact, the review of literature helps with determining whether a research topic is viable and worthwhile for the researcher to proceed with. Therefore, ascertaining the skills to manage differing perspectives in the literature is critical for a researcher to assist in the narrowing the focus to be studied. Case in point, Patton (2002), Creswell (2009) and Maxwell (2013) provide varying opinions on the literature review process depending on the qualitative approach selected. Patton (2002) suggests that a researcher may want to conduct literature review simultaneously with fieldwork to enhance the data collection process (Patton, 2002, p. 226). Whereas, Creswell (2009) and Maxwell (2013) highlights the important conceptual framework that is the literature review and its role in gap filling and/or extending previously conducted studies (Creswell, 2009 and Maxwell, 2013).

Although, the authors opinions varied synthesizing the key arguments within the literature will be an essential component throughout the literature review. A recommended strategy for working with various authors points of views would be to conduct a meta-synthesis exercise to assist with the critiquing of literature. With this in mind, it has been a challenge locating

current peer-reviewed literature on my preferred dissertation topic of choice. Consequently, I may have to focus on introducing new literature or refining my problem statement but I plan on implementing a quality assurance protocol within my literature review to combat personal bias. According to Patton (2002) "reviewing literature can present a quandary in qualitative inquiry because it may bias the researcher's thinking and reduces openness to whatever emerges in the field" (Patton, 2002, p.226).

References

Creswell, J. W. (2009). *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches (3rd ed.)*. Thousand Oaks, CA: Sage Publications.

Maxwell, J. A. (2005). *Applied Social Research Methods Series: Vol. 41. Qualitative research design: An interactive approach (2nd ed.)*. Thousand Oaks, CA: Sage Publications.

Patton, M. Q. (2002). *Qualitative research and Evaluation Methods (3rd.ed.)*. Thousand Oaks, CA: Sage Publications.

Author: CURT BROWN **Date:** Wednesday, December 9, 2015 11:09:16 AM EST **Subject:** Response to Kiyong Kim from Curt Brown

Hello Kim thanks for your post. It includes a valuable point which is "researchers should possess good craftsmanship when working with different points of views". Palgrave McMillan (2014) indicates that critical and analytical skills are required of writers whenever they attempt to write from different authors' point of view in relation to the same topic/subject. Palgrave McMillan recommends that students in tertiary institutions should try and adapt these skills due to the reason that they will have to do written assignments as one of their programmes' requirements. When I was a student at the undergraduate level these skills were taught to me.

Palgrave McMillan. (2014). Critical Analysis. Retrieved from <https://www.palgrave.com/studentstudyskills/resources/images/critical%20analysis%20.pdf>

Author: Ian Birdsall **Date:** Thursday, December 10, 2015 12:25:47 AM EST **Subject:** RE: Discussion - Week 2

Hi Kim,

A very thorough and entertaining post! You also made some good points.

1. I like the analogy of the lit review "instilling the water of life" for data collection and analysis.

2. I also like the idea of the research student needing creative reading.
3. As you say, always a good idea to provide background and context. Some concepts are impenetrable without context.
4. Why do you say, "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." Why is the lit review not significant in that case?
5. I liked your use of the examples of punctuated equilibrium and policy diffusion.

Hello Curt and Dr. Ian,

Thank you for reading my post, especially for the comments valuable to revisit the thought of literature review. Collectively from the responses, I have to admit that I gradually realized that the literature review and its incorporation into the dissertation chapters are neither trivial nor complementary, but very important to relate with the themes or arguments through a theory generation on PAKJS. Often, the ground theory approach envisages stripping himself from the attitude of known analysts, which places an importance on the participatory research and for the verbatim reality or sociological truth. Along the progress, I came to know that this does never mean that the researcher is entirely hand off from literature review or churning on the books or articles, but working solely on the field data. It may, of course, , depend on the context of each researcher, but in my case, the complements from other two approaches are considerable to complete the dissertation, meaning an importance of texts, articles, and public documents drawn from the Korean source. The statement on 4 is just a focus made to stress the trait of grounded theory research. Respectfully.

Hello Wissam,

I have enjoyed reading your post. I agree that the theory is more consequential thorough the qualitative method (Kim, 2015a,b,c,d,e). It is likely felt a kind of exterior source within the quantitative design, but interconnected through the thematic partnership to construct and argue on the qualitative piece. It is interesting that ethnography theory has been applied to a gender based violence and violations of woman's human rights. You simply illustrated in the name of ethnography theory, which I suppose of many divergent explications. Given a wide explanation for behavior and attitudes as a character of theory, it seems a best practice to simplify many candidates of theories into any unitary cohesive name as ethnography theory. How is your strategy to apply possibly many theories that may pertain to your research topic? In other words, have you devised any cohesive title of theory from a scope of literature given an exhaustiveness of literature search is typical to increase the validity and credibility? Respectfully.

Author: Wissam El-Haybi **Date:** Wednesday, December 16, 2015 5:55:10 PM EST **Subject:**
RE: Discussion - Week 3 Main Post Question

Main Post Question

The Theory-Approach Linkage

Wissam A. El-Haybi

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A theory is used as a wide explanation for behavior and attitudes (Creswell, 2009). Creswell (2009) states that a theory is a set of interconnected constructs, definitions, it presents a systematic view of the case under study. Miles, Huberman, and Saldana (2014) indicate that as qualitative researchers gather information they reconsider their framework in order to make it more clear and precise. Theory supplies clarifications and explanations. Thus, it directs the researcher to major explanatory components within the world, their interconnection and the things that bring those interrelations (Patton, 2015). The role of theory in a qualitative research is basic, central, and fundamental. It influences the way the researcher approaches the study and pervades almost all aspects of the study (Anfara, 2006).

Nnadi (2014) in the article “Early marriage: A gender-based violence and a violation of women's human rights in Nigeria” the researcher bases his analysis on culture. Ethnography theory is revealed within this article. It provides a theoretical framework to perceive the role of culture in shaping the relationship among people within Nigeria. It is based on a case study that discusses the detrimental practices of early marriage as a violation of human rights and its effects on women. Patton (2015) refers to ethnographic analysis as a major and directing hypothesis that any group of people interacting together for a period of time will result in a particular culture. The theoretical framework with the article directs and clarifies the main structure of the study it stresses on the role of culture in shaping the Nigerian community and violating women human rights especially the right of pursuing their life according to their consent and will. The importance of this article to my dissertation topic is that it stresses on the consequence of culture on women and children human rights especially in the countries under study: Lebanon, Jordan, and Saudi Arabia.

References

Anfara, V. (2006). *Theoretical frameworks in qualitative research*. Thousand Oaks, CA: Sage Publications.

Creswell, J. W. (2009). *Research design: Qualitative, quantitative, and mixed methods approaches*. (3rd ed.). Thousand Oaks, CA: Sage Publications, Inc.

Patton, M. Q. (2015). *Qualitative research & evaluation methods* (4th ed.). Thousand Oaks, CA: Sage Publications.

Miles, M. B., Huberman, A. M., & Saldana, J. (2014). *Qualitative data analysis: A Methods sourcebook* (3rd ed.). Thousand Oaks, CA: Sage Publications.

Nnadi, I. (2014). Early marriage: A gender-based violence and a violation of women's human rights in Nigeria. *Journal of Politics and Law*, 7(3), 35-40. Retrieved from <http://search.proquest.com/docview/1561080429?accountid=14872>

Hello Roberta

Thank you for the informative post. In terms of theory, we can share the class of qualitative method by revisiting the comments of Creswell. I really feel it true if I practice a journal writing on my topic. Through the writing exercise, the ideas are constantly emerging to make propositions or hypotheses, which is corresponding with my GT approach. My fear is that the writing of facts or field information can possibly merely be a story telling of neighbors, for which the theory can play a role to a scholarly tone and presentation. It is also echoing that the theory can help to specify the relationships among variables. The magnitude of terms and concepts to deal with the variables could be balanced as indebted to the theory used. The directions can be made sensible by the use of theory properly. The NVivo experience on word frequency and key words to define the articles generally support this role of theory. If you are working on the topic of gender inequality, how do you suppose if several constructs are to be treated in most magnitude so as to touch on your research purpose? Respectfully.

Author: Roberta Richardson **Date:** Wednesday, December 16, 2015 9:54:47 PM EST

Subject: Main Post: Discussion - Week 3

The Relationship between Theory and Qualitative Approach

Theory can be misunderstood in qualitative research because the term theory has various connotations in social science research. For instance, in qualitative research the acknowledgement that a theory exists suggest that a study may be vague and also lack supporting data. Even so, the relationship between theory and a qualitative approach is not always clearly identified in some studies. Confusion as to what theory actually is not uncommon. As an illustration, Blaikie, 2004 suggests "Theory consists of universal

generalizations about connections between phenomena” (p.3). In turn, Creswell (2009) notes, “theory is an interrelated set of constructs (or variables) formed into propositions or hypotheses, that specify the relationship among variables (typically in terms of magnitude or direction” (p. 51). Thus, there is more than a single meaning that describes theory. In the most simplistic term theory explains why things are the way that they are. “As you engage in theory, what you’re engaging in is a system for explaining how the world is the way that it is.” (Laureate Education, Inc., (2009, p. 1).

The Alignment of Theory and the use of a Qualitative Approach

The alignment of theory and the use of a qualitative approach is robust concerning the article “The impact of mass incarceration on the lives of African American women” (Cox, 2012). The research questions, design, and methodology seamlessly align. The author explains how women are often pulled into a life of crime through oppression and numerous disadvantages based on the “gender inequality theory” (p. 206). Additionally, the author argues that if it were not for certain societal problems, women would not necessarily engage in some criminal behaviors. Creswell, 2009 asserts “A theory might appear in a in a research study as an argument, rationale, etc.” (p. 51). The theoretical framework used to guide the study is therefore appropriate for the qualitative study.

References:

- Blaikie, N. (2004b). Induction. In M. Lewis-Beck, A. Bryman, & T. Liao (Eds.), *Encyclopedia of social science research methods*. (pp. 487-488). Thousand Oaks, CA: SAGE Publications, Inc.
doi:<http://dx.doi.org/10.4135/9781412950589.n422>
- Cox, R. J., & A. (2012). The impact of mass incarceration on the lives of african american women. *Review of Black Political Economy*, 39(2), 203-212.
doi:<http://dx.doi.org/10.1007/s12114-011-9114-2>
- Creswell, J. (2009). *Research design: Qualitative, quantitative, and mixed methods approaches* (Laureate Education, Inc., custom ed.). Thousand Oaks, CA: Sage Publications.
- Kim, Kiyong, An Attempt on the Methodological Composure: Between the Number and Understanding, Nature and Construction (December 12, 2015a). K. Kim, An Attempt on the Methodological Composure: Between the Number and Understanding, Nature and Construction, Chosun University, 2015. Available at SSRN: <https://ssrn.com/abstract=2702701>
- Kim, Kiyong and Ju, Hyun-Meong and Khatun, Marium, A Reflection on the Research

Method and Exemplary Application to the College and University Rankings (October 23, 2015b). Kiyoung Kim, Hyun-Meong Ju, Marium Khatun. A Reflection on the Research Method and Exemplary Application to the College and University Rankings. *Education Journal*. Vol. 4, No. 5, 2015, pp. 250-262. doi: 10.11648/j.edu.20150405.23. Available at SSRN: <https://ssrn.com/abstract=2686045>

Kim, Kiyoung, Concerning the Research and Science (April 10, 2015c). Available at SSRN: <https://ssrn.com/abstract=2592858> or <http://dx.doi.org/10.2139/ssrn.2592858>

Kim, Kiyoung, On the Method: Quantitative Reasoning and Social Science (April 17, 2015d). Available at SSRN: <https://ssrn.com/abstract=2595633> or <http://dx.doi.org/10.2139/ssrn.2595633>

Kim, Kiyoung, The Research Design and Methodological Deliberation (December 23, 2015e). Available at SSRN: <https://ssrn.com/abstract=3305760>

Laureate Education, Inc. (Executive Producer). (2009). *Theory*. Baltimore, MD: Author.