

# FACULTY OF JURIDICAL SCIENCES

COURSE: B.A.LL.B./BBA.LLB/LL.B.

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# Lecture- 07



### **3.1.1.a Steps in the Deductive Method**

**Step 1. The exploration of the problem**—An indispensable preliminary to any investigation is the existence of a definite problem in the mind of the researcher. The problem must be one of significance for the actual world.

**Step 2. Setting up of the hypothesis from assumptions.**—He has to select the assumptions from which the conclusion will be derived. The assumption must be derived from observation. They must be close to reality. On the basis of suitable assumptions, hypothesis may be formulated. A hypothesis is a conjuncture, a hunch, of the possible connection between two phenomena.

**Step 3. Theoretical development of the hypothesis**—The nature and implications of the hypotheses have to be carefully analyzed to formulate a theory. This is purely the deductive part of the process. By logical reasoning we have to deduce the consequences.

Deductive explanations consist of two parts, The explanandum and explanans. The explanandum is the event, problem or thing to be explained and is the conclusion of a deductive argument. It may be an individual event. The explanans (premise) explain the explanandum (conclusion). The explanandum is deduced from the explanans. The deductive explanation has a valid argument because it takes the form of conditional argument, affirming the antecedent which is a valid form of inference.

### **Step 4. Verification of theories**

#### **3.1.1.b Merits and demerits of deductive method**

##### **Merits**

1. Powerful.—Deductive explanation is very powerful because it makes use of a valid form of deductive argument where the explanandum must be true if the explanans are true.
2. Simple method.—From a few basic facts of human nature, a number of inferences can be drawn by logical reasoning.

3. Substitute for experimentation.—It is not possible for the investigator to conduct controlled experiments with the legal phenomena in a laboratory. He can, therefore, fall back upon deductive reasoning.

4. Actual and exact.—The deductive method lends for the generalizations which are accurate and exact.

### **Demerits**

1. Requires high degree of logic and reasoning.—Not everyone can use deductive method successfully and even many experienced researchers have been trapped by faulty reasoning.

2. Danger of building inapplicable models.—If the researcher confines only to abstraction, his model may have the elegance and be logically beautiful but it may be far away from real life.

3. Valid under assumed conditions.—The theories arrived at by deductive reasoning are valid only under assumed conditions. The assumptions must be valid, if the theories are to be hold good.

4. Not applicable to all types of studies.—Deductive method can be applicable to the limited studies only.