

RESEARCH HYPOTHESIS

A research hypothesis is a statement of expectation or prediction that will be tested by research.

Before formulating your research hypothesis, **read about the topic of interest to you.** From your reading, which may include articles, books and/or cases, you should gain sufficient information about your topic that will enable you to **narrow or limit it and express it as a research question.** The research question flows from the topic that you are considering. The research question, when stated as **one** sentence, is your Research Hypothesis.

In some disciplines, the hypothesis is called a “thesis statement.” Other words for “hypothesized” are “posited,” “theorized” or “proposed”. **Remember, your hypothesis must REQUIRE two or more disciplines, one of which is law.** This is essential, since your paper is interdisciplinary and a demonstration of the interdisciplinary process.

In your hypothesis, you are predicting the relationship between variables. Through the disciplinary insights gained in the research process throughout the year, you “prove” your hypothesis. This is a process of discovery to create greater understandings or conclusions. It is not a strict proof as in logic or mathematics.

Following are some hints for the formulation of your hypothesis:

- 1. Be sure to read on the topic to familiarize yourself with it before making a final decision. You need to make certain that the topic is researchable in an interdisciplinary sense, meaning that there is sufficient published material on the topic in the legal literature and in the literature of a second or possibly a third discipline to write a 35-page paper.
- 2. As noted, a research hypothesis is more than just a topic. It has two elements (variables) that are in relation to each other. Remember that, within the word "hypothesis" is the word "thesis." Your hypothesis is what you propose to “prove” by your research. As a result of your research, you will arrive at a conclusion, a theory, or understanding that will be useful or applicable beyond the research itself.
- 3. Avoid judgmental words in your hypothesis. Value judgments are subjective and are not appropriate for a hypothesis. You should strive to be objective. Therefore the use of personal opinion is to be avoided.
- 4. Your hypothesis must involve an issue or question that cannot be answered exclusively by the discipline of law. You should try to limit your inquiry to the literatures of 2 or 3 disciplines. **It is best to choose a hypothesis where you already have some level of familiarity with the disciplines that are most relevant to the topic.**

- 5. Be sure that each term in your hypothesis is clearly understood and defined; do not deal in generalities or assume that the reader knows the meaning of a technical term.
- 6. Specify, if appropriate, whether you will be dealing with state or federal law or both on a comparative basis if appropriate.
- 7. Know that your hypothesis may change over time as your research progresses.

You must obtain the professor's approval of your hypothesis, **as well as any modifications to your hypothesis**, before proceeding with any work on the topic.

You will be expressing your hypothesis in 3 ways:

- As a one-sentence hypothesis
- As a research question
- As a title for your paper

Your hypothesis will become part of your research proposal.

Sample Student Hypotheses 2008-2009 Senior Seminar

Note how each student, in the samples below, began with a general topic or area of interest, which evolved into a hypothesis. Look for the variables that each student subsequently explored in his/her paper. The examples below are final form hypotheses, which have been revised throughout the research process. You will find that your hypothesis may undergo changes too, as your research progresses.

Ali Abiden

Research Hypothesis: It is hypothesized that the recognition of the right to physician-assisted suicide is a protection of individual civil liberties.

Discipline and Sub-Disciplines:

Law (Civil Liberties / Constitutional Law); Political Science (American Government)

Hypothesis as Question: Would the recognition of the right to physician-assisted suicide be a protection of individual civil liberties?

Paper Title: The Right to Physician-Assisted Suicide and Individual Civil Liberties

Christine Aramini

Research Hypothesis: It is hypothesized that current law regarding eminent domain transfers property rights to private enterprise without consideration of “the public good.”

Disciplines and Sub-Disciplines:

Law (Eminent Domain-focusing on Supreme Court Ruling/ Current NJ State Law);
Political Science (Constitutional Law/American Government and Politics/State and Local Government); Sociology (Political Sociology)

Hypothesis as Question: Does the current law regarding eminent domain transfer property rights to private enterprises without consideration of the “public good”?

Paper Title: Transfer of Property Rights: Finding the “Public Good” in Eminent Domain

Dorothy Kenney

Research Hypothesis: It is hypothesized that, subsequent to *District of Columbia v. Heller*, the United States Supreme Court has laid the foundation to uphold an individual's Second Amendment "right to bear arms" under state law.

Disciplines and Sub-Disciplines:

Law (Constitutional Law) ; Political Science (American Government, Political Theory)

Hypothesis as Question: According to *District of Columbia v. Heller* should states have the power to uphold and regulate individual "Right to Bear Arms"?

Paper Title: *District of Columbia v. Heller* and the Second Amendment "Right to Bear Arms"

Andrea Khan

Research Hypothesis: It is hypothesized that Harriet Beecher Stowe's novel *Uncle Tom's Cabin* influenced changes in the law of slavery in pre- and post- Civil War America.

Disciplines and Sub-Disciplines:

Law (Slave Law); Literature (Nineteenth-Century Novel)

Hypothesis as Question: Did Harriet Beecher Stowe's novel *Uncle Tom's Cabin* influence changes in the law of slavery in pre- and post- Civil War America?

Paper Title: Literary Confrontation: *Uncle Tom's Cabin* as a Challenge to Slavery

Laura Marchini

Research Hypothesis: It is hypothesized that, over the past two decades, Battered Woman Syndrome has become increasingly accepted as a justification for self-defense in homicide cases

Disciplines and Sub-Disciplines:

Law(Domestic Violence Law and Criminal Law) Psychology (Behavioral Psychology)

Hypothesis as Question: Should Battered Woman Syndrome become more accepted as a justification for self-defense in homicide cases?

Paper Title: Battered Woman Syndrome: A Defense of Justification

Alex Taub

Research Hypothesis: It is hypothesized that law school courses in "Law and Literature" provide non-traditional perspectives that enrich a law school education.

Disciplines and Sub-Disciplines:

Law(Education); Literature (Education)

Hypothesis as Question: What can be gained from the non-traditional interdisciplinary study of law and literature in a law school curriculum?

Paper Title: Law and Literature: A Paradigm for Non-Traditional Interdisciplinary Law School