

## LEGAL RESEARCH PAPER

**Disclaimer:** *For the purpose for Law Students and Legal Researcher. It is not binding to anyone. One can vary in its own views.*

### RESEARCH:

- **Re** – Fresh/New
- **Search** – Look Through
- Research is an organised and systematic way of finding answers to questions.
- It is systematic investigation/ analysis of Legal Rules, Doctrines, Principles and Concept.

### LEGAL RESEARCH:

- It is generally the process of finding an answer to the legal questions.
- A process to finding the authority that will aid in finding solutions to legal problem.

### CATEGORY OF SOURCES

- **Primary:** Case Laws, Statutes
- **Secondary:** Commentaries, Digest, Journals.

### TYPES OF RESEARCH

- **Doctrinal:** Formulation of Legal Doctrines through analysis of legal rules.
- **Non-Doctrinal:** Data based research conducted by gathering data from surveys, interviews or questionnaires

### DIFFERENT APPROACHES IN LEGAL RESEARCH

- **Analytical:** To find out the existing laws.
- **Historical:** To find out previous laws in order to understand the reason for existing laws.
- **Comparative:** To find what laws are there in other countries.
- **Statistical:** To collect statistics and data to show the working of the existing laws.
- **Critical:** To find out defects in the existing law and suggesting reforms and changes.

### SOURCES

- **Books** – Library
- **Case laws of a specific law** – Digest or Commentaries. [[HeinOnline](#), [Westlaw](#), [JStor](#)]
- **Any particular case law** – Law Reporters [[SCC Online](#), [Manupatra](#)]
- **Legislative Intent and the history of any act** – Object and Reasons of the Act, i.e. published in the bill, Parliamentary debates and Law Commission Reports.

### CLICK ON THE BELOW OPTIONS TO GET LINKS

- [Parliamentary Debates](#)
- [Indian Courts](#)
- [Cause Lists](#)
- [HeinOnline](#)
- [Westlaw](#)
- [JStor](#)
- [SCC Online](#)
- [Manupatra](#)

## **GENERAL POINTS TO BE NOTED**

### **WHO CAN PARTICIPATE/ WRITE PAPER**

- Students, Academicians, Researchers.

### **TOPICS**

- Generally the Call for research paper is based on a Theme or certain Themes.
- Accordingly, these are divided into Themes and Sub-Themes.
- One can choose any one of the given themes.

### **CO-AUTHORSHIP**

- It depends on Conference to Conference.
- Generally Co-authorship is allowed upto 2 Authors, but some Journals like IJLIA may allow upto 5.
- It depends on the Conference to Conference that either one person will be the speaker or co-authors can also speak.

### **FEES**

- Every Research paper have its own criteria for the Fees.
- In Maximum times, Both Author as well as Co-authors has to submit the fees.
- Fee Range depends on your position. It increases from Students to Researchers to Academicians.

### **SUBMISSION GUIDELINES**

- The word limit for abstracts is 200 – 250 words.
- The submissions should be original and unpublished.
- Full name(s) of the author(s), along with their designations must be given.
- The *Harvard Bluebook (19th edition) citation* style should strictly be followed in the submissions, non-compliance to which will lead to it being summarily rejected.
- The word limit for research papers is 3000-5000 words (maximum, excluding footnotes).
- The body of the paper should be in Times New Roman, with font size 12 and 1.5 line spacing.
- Footnotes should be in Times New Roman, size 10 with single line spacing.
- A margin of four centimeters should be left on all sides.
- Page borders should not be used.
- The paper should be submitted in MS Word Format.

### **FORMAT OF RESEARCH PAPERS**

- **NATIONAL**
- **INTERNATIONAL**

## **STRUCTURE OF RESEARCH PAPERS/ RESEARCH DESIGN**

### **NATIONAL**

#### **+ Introduction.**

- ⇒ Statement of Problem.
- ⇒ Objective of Study.
- ⇒ Review of Literature.
  - HC and SC Judgments.
  - Reference Books.
  - Acts by Parliament and Legislatures.
- ⇒ Hypothesis.
  - Assumptions and Presumptions.
  - Thinking of the author.
- ⇒ Research Methodology.
- ⇒ Chapterisation.
  - Describe the part one by one in a line. *eg.* Part A will broadly discuss the history and evolution of XYZ.

#### **+ Historic Growth.**

- ⇒ Position in Ancient period.
- ⇒ Position in Medieval period.
- ⇒ Position in British Period
- ⇒ Position after post-independence.

#### **+ Legal Regimes/Existing Provisions.**

- ⇒ Laws in National Legal System.
- ⇒ International Instruments, i.e. Treaties, Conventions, Resolutions

#### **+ Role of Judiciary.**

- ⇒ Divide the role of Judiciary in Phases, *eg.* 1950-1970, 1970-1980, 1980-2000, 2001-2009, 2009-2015.

#### **+ Special Reference to your research topic.**

- ⇒ Give specific reference to the study point of your paper.

#### **+ Comparative Study.**

- ⇒ Comparing the laws and execution with respect to the laws of foreign countries.
- ⇒ Comparing the situations with USA, UK, China, Russia, Japan.

#### **+ Conclusion and Suggestions.**

- ⇒ Write your views and suggestions.
- ⇒ Recommendations.
- ⇒ Solutions.

**Note:** *Add your own Chapters or Remove any of the above points as per the requirements.*

## **STRUCTURE OF RESEARCH PAPERS/ RESEARCH DESIGN**

### **INTERNATIONAL**

#### **+ Introduction.**

- ⇒ Meaning.
- ⇒ Statement of Problem.
- ⇒ Objective of Study.
- ⇒ Review of Literature.
  - ICJ, ICC Judgments.
  - Reference Books.
  - Treaties, Conventions.
- ⇒ Hypothesis.
  - Assumptions and Presumptions.
  - Thinking of the author.
- ⇒ Research Methodology.
- ⇒ Chapterisation.
  - Describe the part one by one in a line. *eg.* Part A will broadly discuss the history and evolution of XYZ.

#### **+ Historic Growth.**

- ⇒ History.
- ⇒ Concept and Theories
- ⇒ Central Codification.
- ⇒ Position in Medieval period.

#### **+ Legal Regimes/Existing Provisions.**

- ⇒ Treaties and Conventions.
- ⇒ UN Resolutions, ILC Reports.

#### **+ Role of Judiciary.**

- ⇒ Jurisdiction of ICJ/ ICC/ Tribunals.
- ⇒ View of ICJ/ ICC/ Other International Organisations.

#### **+ Special Reference to your research topic.**

- ⇒ Give specific reference to the study point of your paper.

#### **+ Comparative Study.**

- ⇒ Comparing the situations *w.r.t.* USA, UK, Japan, India or other countries.
- ⇒ Role of Judiciary in these states.
- ⇒ Effectiveness of the concerned Treaties.
- ⇒ Comparing current situations.

#### **+ Conclusion and Suggestions.**

- ⇒ Write your views and suggestions.
- ⇒ Recommendations.
- ⇒ Solutions.

**Note:** Add your own Chapters or Remove any of the above points as per the requirements.