

Guidelines on Doctrinal Legal Research

Doctrinal Legal Research is a library-based research and is one of the most common methodology employed by those undertaking research in law. Doctrinal research asks the question, “What is the law” in a particular case. It is concerned with the analysis of the legal doctrine and how it was developed and applied. It is purely theoretical research that consists of either simple research aimed at finding a specific statement of the law, or it is legal analysis with more complex logic and depth. In short, it is library-based research that seeks to find the “one right answer” to certain legal issues or questions. Thus, the aim of Doctrinal Legal Research is to make specific inquiries in order to identify specific pieces of information.

Steps of Doctrinal Legal Research.

1) Introduction

The researcher has to state a brief background and introduce the topic in a few paragraphs or pages. The researcher must also place the problem under investigation and place arguments. The information provided in the introduction should not be directly copied from the original source.

2) Conceptual Context

The researcher has to define the concepts, proposition and doctrines necessary for the purpose of the study. The researcher in this section is expected to introduce and conceptualize the “legal issue”.

3) Review of Literature

The researcher has to review the background material including articles, legislation, cases, reports, books, etc. on the chosen topic. It must highlight the general development in the field, noteworthy contributions in the field as expressed by different authors.

4) Statement of Problem

The researcher has to make clear statements/narratives that highlights the problem to be under taken for the purpose of research.

5) Formulation of Objectives

The researcher has to state the objectives of the research to be under taken. It will include the key areas to be examined.

6) Formulation of Hypothesis

The researcher has to formulate a hypothesis in a Doctrinal research to address the prescribed objectives of the study.

7) Analysis

The researcher after review and collecting necessary data must analyse the same by applying various tools like case study, case law analysis, analytical induction, comparison, content

analysis, etc. to identify certain patterns, adding new data and refining or developing the concept.

8) Conclusion and Suggestion

The researcher has to provide a broad conclusion of the study. Further, also suggest recommendation for the improvement of the situation.