

HOW TO READ, ASSESS AND WRITE A RESEARCH ARTICLE

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Abstract

Research is a process which *prima facie* includes reading and writing. Reading and writing make a perfect man. One has to master the overall process of research, as research is a continuous process for successful professional existence. All research begins from reading and understanding the ‘authorities on the subject’; survey of literature is thus the starting point of research. Secondary sources are equally important in legal research as are primary sources. They not only lead to relevant primary sources but also enable the researcher to understand the primary sources in a proper way. ‘Articles’ have a great place in legal research as secondary sources. Hence, it is important *firstly*, to learn the art of ‘reading and assessing’ research articles and *secondly*, to acquire the proper skill of ‘writing’ research articles.

I Introduction

RESEARCH IS *sine quo non* in education, in all professions and for societal development. To a common man, research ¹ is nothing more than reading, observing and writing. Reading and writing are quintessential for exchanging and evolving the knowledge of humankind.²

Though there are many classifications of writing,³ in this paper the authors are dealing only with research and academic writing which is a culmination of extensive

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1 Research is a careful study of a subject especially to discover new facts or information, The Oxford Advanced Learners Dictionary, *available at*: http://www.oxfordlearnersdictionaries.com/definition/english/research_1 (last visited on Apr. 10, 2017).

2 Research institutes play crucial role in shaping the research culture of the country. See S. Sivakumar, “To Mould Millennium Law Researchers and Teachers: The Role of Indian Law Institute” 50 (4) *Journal of Indian Law Institute* 699-206 (2008).

3 There can be general writing, business writing, personal writing and academic writing. This paper concerned with only academic writing. Academic writing can further be classified as: Research writing (assignment, research paper, project, dissertation, thesis *etc.*); book writing: text book, reference book *etc.*; essay writing; article/journal writing; report/project writing;

‘research’, done with an aim to advance human understanding of the simple as well as the complex. Although, the result of any academic inquiry or research can be published in different forms,⁴ the usual form of research publication for academic purpose is ‘research article’. Research articles form an important medium to exchange, argue and encourage ideas. Most articles of original scholarship have some sort of claim which the authors are making to the rest of the world. This could be an evocative claim about the world as it is, for instance, a historical assertion, or a fictional assertion or a political, social, cultural, legal assertion, or anything that the subject matter pertains to. It could also be a narrow claim, for instance, any analysis of current political or social structure or critical analysis of any present state of affairs or any law section elaborated with case judgments or a comparative study. There can also be an instance where the article could be a combination of both a descriptive claim and a prescriptive one.

This paper throws light on how to approach a legal research⁵ article.⁶ It is divided into five broad parts apart from the introduction and conclusion. The first part deals with the definitional aspect. Before understanding how to approach a legal article, a researcher must know what exactly a ‘legal research article’ is. This segment, therefore, exhaustively deals with the meaning of article, research article and a legal research article and how they are different from other forms of writings. The next part discusses in detail the pedagogy to be adopted while reading an article. A three phase approach has been developed that allows the researcher to understand the true import of the article. This approach not only helps the reader in understanding the significance of the article but also helps to determine its credibility as an authority to base one’s own research inquiry. The paper further discusses how to rate research articles. It also narrates the purpose, relevance and scope of a research article and discusses the ingredients that must be necessarily present in all research work so that it can cater to the expectations of the readers and the academic community at large. Finally, the paper examines matters to be taken care of while authoring a research article. Thus, this

review writing including book and article reviews; review of literature/literature survey writing and synthesis paper writing. The distinguishing factors for academic writing are its purpose, audience, tone, and content. See Lisa P. Lukose, “Copyright Issues in Legal Research and Writing” 21 *Journal of Intellectual Property Rights* 275-282 (2016).

4 Such as essay, general article, research article, report, book *etc.*

5 To know more about legal research, see Rattan Singh, *Legal Research Methodology* (Lexis Nexis, Gurgaon, 2013); T. Padma, *Legal Research Methodology* (Bharat Law House Pvt. Ltd, New Delhi, 2014) and S.K. Verma and M. Afzal Wani (eds.), *Legal Research Methodology* (Indian Law Institute, New Delhi, 2010).

6 See S. Sivakumar, “Judgment or Judicial Opinion: How to Read and Analyse” 58(3) *Journal of Indian Law Institute* 273-312 (2016) to understand how to approach, read and analyse judgments.

paper tries to comprehensively analyse the meaning, role and purpose of a research article and lays down the standards to be adopted while approaching a research article. It is quintessential for a good researcher to justify every word in his research work. This is possible only when quality of research is maintained since the very beginning. Selecting important and relevant literature is one of the key aspects in maintaining and controlling that quality.

II Definitions

As mentioned above, the purpose of this paper is to provide a pedagogical framework to approach a research article and not all forms of articles. However, before initiating a discussion on the approach to be adopted while reading an article it is important to understand the difference between an article and a research article and also between a research article and other forms of writings.

Article

Article is a piece of writing on a given/chosen topic. Article can be defined as a written composition in prose on a specific topic. Generally, articles are published as independent part of a book or a newspaper or a magazine. An article is a creative and original work that conveys information or idea in a structured form. It is a general term used to describe a non-fictional write-up imparting knowledge on any subject. Article need not adhere to any length requirement and can run in one paragraph or several pages. However, every published material imparting information does not qualify as an article. For example, a user guide to products or a directory of address does not qualify as an article. Similarly, an article has to be distinguished from published work of fiction. Only a write up that conveys real information or an idea or opinion based on reality can fall within the definition of an article. An article does not create a parallel world like in fiction writing.

In order to ascertain whether a piece of writing falls in this category or not we need to identify the following features: (i) published work (ii) narrates information or an idea or an opinion and (iii) non-fiction writing (*i.e.*, the information provided or idea/opinion expressed is based on reality).

Research article

Research article is the result of original study conducted by the author which can be referred as a primary source. It may have scholar's analysis of both the primary and secondary data on a specific area. It is an original work that contributes to the expansion and development of knowledge on the subject. It is "scholarly investigation in search

for truths, for facts and for certainties.⁷⁷ A research article provides new/original analysis and ideas based on comprehensive research within the conceptual framework of the subject. It is an authoritative text that explains an idea by thoroughly examining the available literature.

It is a creative endeavour to make original contributions in developing the existing knowledge. A research article is important for maintaining the dynamics of a subject. It provides a means to the scholars to debate the theories propounded in the subject and examine their relevance in real life situation. The purpose of the research article is to question the present literature and suggest the merits, demerits, advantages and loopholes so that the subject can evolve. The scholars engage in continuous discussion through them by continuously accepting and rejecting theories on the basis of their practical feasibility. In the absence of research work the subject will become dogmatic and will lose its objective approach. Thus, research article is an important tool to maintain the rationality of knowledge.

A research article is not only a technically rigid document, but also a subjective intellectual product that unavoidably reflects personal opinions and beliefs.⁸ However, these opinions are substantiated by citing authorities.

A research article contains following segments:

- i. Title - The title of a research article signifies the focus of enquiry.⁹ It helps the reader to ascertain the area of research.
- ii. Abstract - An abstract is a brief overview of the whole research paper. It enables the reader to understand the broad arguments advanced by the author.
- iii. Introduction - In the introduction, the author introduces the topic and provides the background of the issues raised in the article.
- iv. Issues and Analysis - The research article raises certain issues that are analysed.
- v. Methodology - A research article describes the methodology used by the author to analyse and arrive at a conclusion.
- vi. Conclusion - This part provides the findings of the author and suggestions made to address the issues discussed in the article.

7 Rattan Singh, *Supra* note 5 at 5.

8 T. Hengl and M. Gould, "Rules of Thumb for Writing Research Articles", *available at*: http://www.itc.nl/library/papers/hengl_rules.pdf (last visited on Jan.10, 2017).

9 *Supra* note 7 at 58.

A research article is written with a specific aim to comprehensively examine an issue or a hypothesis. It is written for an academic purpose and is well researched. Every word in a good research article is used with careful deliberation. This signifies the intellectual gravity of a research paper. It is not a casual expression of opinion but a seriously deliberated reflection on the issue.

The following parameters can be used to differentiate research article from different forms of writings such as blog, newspaper article, essay, report, book review, case comment *etc.*: purpose, nature and format.

Blog and research article

Blog writing is used to share and express one's opinion on a platform that allows easy interaction from people across the globe (*i.e.*, online medium). Whereas, research article is mainly a contribution to the existing knowledge in a subject. Blog is a casual online writing format in which the writer expresses his/her opinion. It is not a carefully researched, analysed and conclusive idea on a specific field of enquiry. Also, they are firsthand or impromptu ideas without comprehensive research. They are not edited like research articles. There is also no accepted or fixed format for blogs and it varies from person to person. It is generally written in first person but many blogs also use second and third person. They are not scholarly writings and are therefore not considered as authentic or comprehensive account of the topic. They are generally short write-ups ranging from 200-1000 words.

Newspaper article and research article

The purpose of a newspaper article is to inform about the current national and international developments. A research article aims to analyse the status of the chosen field of enquiry and critically analyse and expand it. It is grounded in a specific subject and analyses a proposition on the basis of theories and concepts of the subject. Thus, newspaper articles are general, brief and do not use footnotes and citation methods to support their arguments. While research articles are particularistic as they are written on the foundation of a specific subject and use citation to support arguments and idea expressed. An article cannot qualify as a research article until it uses authorities to support the views presented. This is not a requirement for newspaper articles.

Essay and research article

An article is written with the purpose of providing a “comprehensive analysis of the given subject”¹⁰ by providing a contextual background and also suggestions. An

10 The difference between essay and article has been provided by *Columbia Law Review* in their submission guidelines, *available at*: <https://submissions.scholasticahq.com/columbia-law-review-articles> (last visited on Apr. 23, 2017).

essay unlike article does not necessarily have to locate itself within the existing research and thereafter develop on it.¹¹ Essays can be on diverse topics and can be written to develop a completely novel idea not necessarily discussed in the existing research.¹² Hence, articles are more elaborate than essays as they not only develop an idea but also analyse the existing literature and provide a link between the literature available and the idea proposed. It is generally in continuum. Essays too propose an idea and develop it but it need not necessarily provide a contextual background in the existing literature. They are narrower in scope and “the subject matter is of general scholarly interest.”¹³ Since articles are supposed to be comprehensive analysis, they generally follow an accepted structural format consisting of introduction, contextual background, analysis and conclusion. Essays do not have a traditional pattern to adhere to and can experiment with format and style of writing. Also articles are generally (but not necessarily) longer than essays.¹⁴

Report and research article

Purpose of the report is to provide an account of ideas or already existing information. Unlike research articles, it is not an original research but lays down the already present idea/information in a taxonomical and systematic format. The difference between a report and a research article is that a report does not add to the existing literature but merely gives accounts and sometimes also analyses the existing literature. For example, the Law Commission Reports do not suggest original ideas but only analyse the current legal framework and analyse them to make recommendations. They are an account of the existing laws in country and do not advance the legal knowledge through original ideas. The format of report is in the form of systematic documentation. Reports are also well researched and use citations to provide authority to the text. They can be short as well as long. The difference between report and research article is that a report is not considered to be an addition to the knowledge in a particular field but a research article is a creative and original addition.

11 *Ibid.*

12 *Ibid.*

13 This difference has been mentioned by *Yale Law Journal* in their submission guidelines, available at: <http://www.yalelawjournal.org/submissions> (last visited on Apr. 23, 2017).

14 The submission guidelines of *Michigan Law Review* locate the length of essays to 30 published pages and length of articles to more than 30. See *Michigan Law Review* submission guidelines, available at: <http://michiganlawreview.org/articles-essays/> (last visited Apr. 20, 2017).

Books and research article

The purpose of a book¹⁵ is to provide complete information on a particular topic from the basic to advanced level. A book is intended to serve as a guiding text on a subject. Its scope is broad as compared to a research article. It deals with different topics within a broader theme. A research article does provide comprehensive information, however, its focus is narrower as compared to a book as it deals with specific topics. It can be said that the focus of an article is similar to focus of a chapter in a book. A research article moves from a general account to specifics of the topic under study. Thus, a research article confines the area of study to a niche topic within a broader theme. A book, however, analyses various specific topics on a broader theme and therefore, provides a more comprehensive account of a topic.

Books are divided into chapters and each chapter is complete in itself. A research article may be comparable to a chapter in a book and may be divided into sections.

Book review and research article

Book review is a critical analysis of a book to determine how it contributes to the existing literature in the specified subject. A book review is not a summary of the book but a scholarly writing that critically reviews the arguments advanced in a book and tests its relevance and importance with respect to the existing literature. A review summarises the content of the book, critically analyses it and concludes by determining its relevance and contribution. The scope of a book review is confined to concepts and issues addressed in a book while research article deals with concepts and issues related to the topic under consideration. It contains the name and designation of the author, the title of the book being reviewed, the contribution of the author in general, a summary of the book, the main line of argument or principle idea suggested throughout the book and one's analysis of the book. A review article reviews other articles or books instead of reporting original research of its own. They are useful as they provide great overview of the existing literature on a topic.

Case comment and research article

Case comment is the objective analysis of a judgment in the context of legal technicalities and spirit of law. It ascertains whether a judgment has been successful in resolving the legal conundrum and evolving the law. It determines whether the judgment completely resolves the issue in question and settles the dilemma regarding interpretation

15 The term book refers to academic books. There is no requirement to differentiate between books of fiction and research article as the difference between them is explicit.

of law. It also considers whether the judgment is in consonance with the legal and social requirement and has advanced the cause of justice.

Case comment generally contains introduction, history, analysis and conclusion.¹⁶ Introduction explains in brief the facts of the case, the issues under consideration and the *ratio decidendi*. History deals with the legal developments on the issues considered in the judgment. In this part of the comment the author should cite all of the sources that will be discussed later in the comment.¹⁷ Analysis part analyses the court's majority and minority opinions and examines the merit of the judgment and conclusion discusses the impact of decision on law.

Legal research article

A legal research article deals with study of the relationship between the world of law and the world that law purports to govern.¹⁸ A legal research article primarily examines the gap between the theory and the practice of law. It can be both doctrinal and empirical. A doctrinal legal research article analyses the theories and concepts of law and feasibility of applying legal rules in a given situation. A doctrinal legal research article is "concerned with the discovery and development of legal doctrines and its research questions take the form of asking 'what is the law?' in particular contexts."¹⁹

A doctrinal legal research article is, therefore, different from a scientific research because it does not deal with collection of data and defining the relationship between different variables. Doctrinal legal articles are normative as they examine what laws ought to be. Thus, to develop what law is, there must be a consensus in legal academia.²⁰ A scientific research article on the other hand elucidates what the fact is through scientific enquiry and construing relationship between different variables. A legal research article that uses empirical methodology is similar to scientific research article as it also analyses the relationship between different variables. However, all legal research articles have a normative element and they not only inform as to what law is but also what it ought to be.

16 This format of case comment has been provided by *Washington Law Review*. A comparison of various journals shows that this is the accepted format followed for writing case comment available at: <http://law.wustl.edu/publications/pages.aspx?id=840> (last visited on May 21, 2017).

17 *Ibid.*

18 G.D. Braden, "Legal Research: A Variation from an Old Lament" in S.K. Verma and M. Afzal Wani (eds.), *Legal Research and Methodology* 17 (Indian Law Institute, New Delhi, 2001).

19 See P. Chyowneth, "Legal research in the built environment: a methodological framework", available at: http://usir.salford.ac.uk/12467/1/legal_research.pdf (last visited on Apr. 25, 2017).

20 *Ibid.*

Law is a melting pot of different subjects; therefore, a legal research article is interdisciplinary in nature. Consequently, a legal research article must have a predominant legal angle. It should analyse the issue from a legal perspective and thereafter test it in interdisciplinary platform. The difference between legal research article and research articles of other subject is that they are normative, interdisciplinary and test the feasibility of black letter law in real time situation.

Importance

All law students should be aware of the legal developments. Law is an evolving discipline. Therefore, it is important for students to be aware of all legal developments. Also, in order to proceed with research, the legal scholar has to necessarily read the works of other scholars in his/her field of enquiry.

In this age of internet there is no dearth of information on any field. The positive aspect of this free flow of information is that it is comparatively easier to access and collect facts and information for a researcher. It has been opined by Robert Bigelow,²¹

[T]he computer captures the imagination of many researchers. It offers an opportunity to store vast quantities of data in a comparatively small space, the ability to search this data very rapidly and make selections there from and the ability to manipulate or “massage” the data to produce a result in a format particularly useful to the individual researcher. One of the advantages of frequently touted for computerised legal research is the possibility of placing into computer’s storage area or memory banks the full text of whatever document is someday to be retrieved.

However, use of computers and internet also results in ‘literature overload’. There are different forms of writings available on the internet that project themselves as academic work. Online journals allow scholars to upload their work without any process of editing. These writings need not necessarily be well researched and authoritative. Hence, a researcher should not assume that all works that are available are quality writings that can be referred for academic purposes. Reliance on poor quality articles necessarily undermines the quality of one’s own research. Thus, a scholar should take great caution in choosing literature for studying. A good article has the capability of widening the horizon of one’s understanding and providing conceptual clarity.

21 See R.P. Bigelow, “The Use of Computers in the Law” 24 *The Hastings Law Journal* 714-15 (1973) cited in G. Singh “Role of Computers in the field of Legal Education and Research” in S.K. Verma and M. Afzal Wani (eds.), *Legal Research and Methodology* 715-716 (Indian Law Institute, New Delhi, 2001).

However, a study of poor article leads to unnecessary confusions and conceptual ambiguity.

It is therefore important for a researcher to be able to sort the relevant content from the irrelevant and the veracious from the dishonest. This is a cumbersome and time taking process. Therefore, it is pertinent for a researcher to adopt the right approach and methodology while reading research articles.

III How to read

By reading one can learn anything about everything and everything about anything. Although researchers are constantly engaged in reading a number of articles, most of them just give a very cursory reading to the same, without understanding the intricacies involved in reading an article. Stephen White points out that most of the students are 'surface' rather than 'depth' processors of the text.²² The approach one adopts while reading an article contributes a lot to how one processes and analyses the substance of the written work. A wrong approach to reading is time consuming and futile as it fails to give one a clear perspective on the arguments put forth by the author. Therefore, it is imperative to address the question as to what should be the approach to read a research article. An attempt has been made to elucidate the approach that a researcher must adopt while reading a research article. The approach can be divided into three broad categories or three phases.²³ The three phases indicate the three approaches that have to be necessarily adopted while reading an article. The first phase consists of scanning title and abstract and preliminary reading. The second phase is for determining the quality of the article and the third phase is for critical and creative reading.

Thus, the article has to be read in three different ways by the reader for understanding its true import. Reading a research article is different from reading a work of fiction or a newspaper or blog article. It requires concentration, patience, critical approach and the desire to attain complete clarity on the subject matter. Without these qualities a researcher cannot truly proceed with research.

The first phase

Scanning title and abstract

The title of the article gives an indication about the content of the paper. Title informs the reader what the article is about. It allows the researcher to select it for

22 S. White, "Teaching Novices How to Read Law Reports" 23 *The Law Teacher* 142 (1989).

23 S. Keshav, "How to Read a Paper", available at: <http://ccr.sigcomm.org/online/files/p83-keshavA.pdf> (last visited on Apr. 25, 2017).

further reading. The title of the research article indicates whether it should be further read or not. However, it is possible that the title does not actually justify the content and *vice-versa*. A preliminary reading of the title and abstract will give an indication whether it is related (even if remotely) to the researcher's area of study. In order to preclude the probability of rejecting articles that do not have a well drafted title but relevant content, researcher must search on broader themes of his research area and not specific issues.

A well drafted abstract helps in determining the scope of the article. An abstract is a short summary of around 200-300 words of the article that appears just below the title and before the start of the main text. All good journals publish articles with abstracts as they allow the reader to decide whether the reader should engage further with the article. It helps the reader to understand the issues discussed in the article and the main findings of the paper. A reader gets first impression of the article from the abstract. A good abstract highlights the purpose of the article and the approach of the writer.

It is difficult for an abstract to completely summarise the comprehensive discussion of the article. Therefore, an abstract should be understood more as an extension of the title instead of the summary of an article. The title provides a hint to the reader about the content of the article and the abstract elucidates it a bit more. It should not be considered a complete summary of the article. Hence, after scanning the title and the abstract, the reader should be able to broadly guess the issues being discussed in the article. Since title and abstract are mere hints, the researcher should proceed with the preliminary reading even if the issues discussed appear to be distantly relevant for one's own enquiry.

Preliminary reading

Preliminary reading is a 'quick scan to get a bird's eye view'²⁴ of the article. After ascertaining the relevance of paper from the title and abstract, a preliminary reading allows the reader to decide whether the article requires a detailed reading. In the preliminary reading the reader need not mull on the issues raised in the article but only ascertain whether the article is of any relevance to the field of enquiry.

Only those articles that are relevant for further study should be read in a detailed manner. The preliminary reading throws further light on the content of the article. Many times a reader after reading the title and the abstract feels that the article is not very relevant for his/her research purpose. But a preliminary reading allows him to

24 *Ibid.* The author writes that a three phase approach involving three readings of the paper moving from a quick scan to analytical reading must be undertaken by the reader.

discover whether the article does discuss issues pertinent to one's own research area and is relevant. For example, if the researcher is trying to find material on rights of tribals in India, he/she may not feel the need to read an article with the title 'Ideology of human rights in a liberalised world' as it does not specifically deal with tribal rights. But a preliminary reading indicates that as part of the concept of rights, the writer in this article has discussed rights of tribals as an example to underline the nexus between rights, economy and environment in liberalised world. Thus, an article that appeared to be broadly connected to one's research enquiry turned out to be a helpful account.

Hence, it has to be borne in mind that the first reading/pass should not be done with an aim to strictly filter the articles. Rather, key words of one's own research should be recognised and if the article being read contains any of those key words, the reader should proceed to the second phase of reading the article. The first phase is the most important phase as it allows the researcher to select an article for further reading. This is the first step of literature survey or to be precise a literature survey of research articles.

The second phase

Determining the quality of the article

After the preliminary scan, a detailed reading helps in determining whether the article is a quality article or not. The quality of the article can be adjudged by posing the following question to oneself while reading.

- i. Whether the article provides a background of the topic?
- ii. Whether the article has cited proper authorities in support of the arguments raised and facts quoted?
- iii. Whether the article has been coherently structured?
- iv. Whether the subject matter has been approached with a neutral mindset?
- v. Whether the article is an original piece of writing or it merely reiterates the position taken by other scholars without analysing it?
- vi. Whether the article disseminates relevant information?
- vii. Whether the article adds to the existing knowledge pool?

If the answers to the above questions are positive, then the reader can proceed with the next step. This phase involves reading the text but without going into depths or detailed analysis of the same. The second phase reading is more of a plain reading where the reader understands the issues raised by the author, the arguments advanced and the conclusion arrived at. After this phase the reader will be in a position to

summarise the article. While reading, the researcher may note down some key points which he can identify. This exercise is helpful for the researcher and after reading the paper in the second phase, the researcher should summarise briefly the content of the article. The summarising will help the reader in the next step where the main issues raised in the article can be critically analysed.

After this reading, the researcher should be able to understand the content of the paper in a broad manner. Although refinement is not required at this stage, nevertheless, the researcher must be in a position to clearly state what the author has tried to communicate through the course of the research paper.

This stage is essential to determine whether the article is fit to qualify for the last round of scrutiny. This phase determines the relevance of the article for the researcher. However, whether or not the article is fit to be refereed in the research process is conclusively determined in the last phase.

The third phase

*Critical reading*²⁵

After completing the aforementioned steps, the reader would be well versed with the content of the article. The next reading of the article must be done with a critical approach. The analytical reading of the article in the previous step allows the reader to decide whether the article is a quality research article and worthy of being referred to in the research work. However, this step allows the researcher to conclusively establish the credibility of the article.

In this phase, the researcher must be able to identify and challenge every assumption that the author has made. The reader should critically evaluate the issues raised, the arguments constructed, the suggestions put forward and the conclusion arrived at by the author. Every argument put forth by the writer should be challenged from all perspectives and thereafter the reader should decide whether there is logical sequence and coherence in the research article. This lends a strong insight into the presentation techniques adopted by the author. This exercise empowers the researcher to identify all the strong and weak points in the article. In order to really understand an article, a researcher must always adopt a critical approach, questioning all the

25 M. Mitzenmacher, "How to Read a Research Paper", *available at*: <http://www.eecs.harvard.edu/~michaelm/postscripts/ReadPaper.pdf> (last visited on Apr. 22, 2017). The author has suggested that a paper must be read critically and creatively. Critical reading means reading with a suspicion and asking appropriate questions. Creative reading means applying the issues raised in the paper to one's area of research and finding lacunas in research or extensions of research.

assumptions and suppositions raised by the author, and to truly identify the weak links, it is imperative that the researcher has had a thorough reading of the research article. Therefore, this phase is of utmost important to fully comprehend the article.

The inquisitive power of the researcher is tested in this phase. This phase does not merely test the logic in the research article but also the logical reasoning adopted by the researcher to ascertain the credibility of the arguments put forth by the writer. This step is most difficult and time consuming and may take maximum time among all the three steps. This step involves reading with an open and attentive mind so that the nuances of the article can be understood.

Creative reading

Phase three requires both critical and creative reading. In this reading the reader should creatively apply the arguments to one's own enquiry and accept or reject them. This critical and creative reading will help the researcher in constructing issues and arguments in his/her research work, finding the status of available literature and pointing out lacunas in the research work.

Creative reading requires the reader to draw nexus between the one's own research and the issues raised and ideas expressed in the article being read. The researcher should be able to compartmentalise the ideas expressed in the article into relevant and not relevant and also be able to identify the ideological tenor of the article. This compartmentalisation and grouping helps in identifying prominent viewpoints and in identifying the scholars who belong to same ideological clique. For example, after reading the literature on the concept of rights, the reader should be able to distinguish between theorists who propound will theory of right and interest theory of right.

After the third phase not only does the reader understand the article completely but is also able to determine its quality, relevance and credibility. Also, this phase helps the reader in identifying those portions of the article that are directly and indirectly connected to reader's research. After reading the relevant articles in this manner, the researcher can proceed with the literature review and determine the areas and issues that have not been addressed or sufficiently researched upon. The summary of the article made while reading it in phases helps in providing a short gist in the literature review. The grouping of scholars and compartmentalisation of ideas helps in giving a logical sequence to the literature review. The process of reading an article therefore, aids researcher in not only collecting data but also contributes in formulating literature survey and thesis.

The researchers must avoid citing irrelevant article in the thesis which generally they do to give an impression of extensive research. An irrelevant or shoddy article can prove detrimental to the findings of one's research. Therefore, it is necessary to

approach an article with a critical and suspicious mind. Only those articles that pass the scrutiny of the tests discussed above must be referred to in the thesis/ research work by the researcher.

These three phase approach should be adopted by every researcher while reading an article. Besides the three phase approach, it is essential for a researcher to follow the enumerated seven steps while reading an article. This would greatly help in understanding the true import of the study. In this way, both the approaches must go hand in hand. The seven important steps to be followed while reading are as follows:

i. The source

The first point that should be taken into account in the course of reading an article is to pay attention to the source from which an article is taken. Now-a-days, people just believe in the axiom – ‘publish or perish’. Less importance is attached to quality writing. A researcher should be vigilant in locating quality article from reliable publishers/source. The researcher should ascertain the source so as to ensure the veracity of the article. Peer reviewed articles are usually considered to be of better quality. Therefore, the source of the article or in other words, the journal in which it is published can speak volumes about the quality of the research article.

ii. Literature review

A good research article begins by enumerating the works that have been consulted in the course of the research paper. The researcher must go through this literature review to understand what the previous work in this field has been. In this manner, the researcher will also be in a better position to ascertain in which direction the author has proceeded and whether or not something new has been attempted in the course of the article or whether the piece is an assimilation of the previous works.

iii. The research questions

After providing an outline of the literature review, the author often approaches the study in a particular manner by raising his own research questions. It is not necessary that the reader would find a clearly worded research question in the course of studying the paper; however, the same can be identified by understanding the underlying theme of the article. Nevertheless, some authors specifically mention the research questions either in abstract or in the introduction. Research questions forms the basic foundation of the article. In the course of reading the article, the reader must be able to identify the specific grey area or concern in the research arena that the author seeks to address. This would help the reader in grasping the article in a much better way.

iv. Data

The next important aspect while reading a research article is to keep in mind the data which had been collected and analyzed in the course of the study. Research data which validates research findings can be broadly explained as the evidence used in the research to draw certain conclusions.²⁶ Research data is as diverse as the disciplines in academic research.²⁷ Accurate and appropriate data collection is extremely crucial for the success of research. A good research article would clearly enumerate the sample size of the data and other related concerns. The reader must pay careful attention to this aspect. This would help the reader to understand whether the data exudes representativeness. The reader should fully try to comprehend as to how the data was obtained, who constituted the sample *etc.*

v. Measures

The author should clearly discuss as to how he used each variable in his analysis and how were the same measured and defined. This would help the reader to grasp the complexity in an easy manner. Therefore, while reading the article, the researcher should make an attempt to comprehend these cruxes of the matter.

vi. Methods and results

The researcher after a thorough reading of the article should be able to grasp as to what methods were employed by the author in the course of the research and how were the results arrived at. The real test of understanding is when the researcher is able to describe the methodology adopted by the author.

vii. Conclusion

The conclusion is an important part of the article. The researcher should read the same thoroughly as it restates the main arguments in the articles. The conclusion to any piece of research work gives the final opinion of the author after a thorough research of the topic, joining all the bits and pieces of the puzzle so as to determine the fate of his hypothesis, and after critically analyzing the plethora of information available to him on various platforms. An effective conclusion travels beyond summary and reveals arguments

26 See William J. Goode and Paul K. Hatt, *Methods in Social Research* 341-358 (Mc-Graw Hill, New York, 1952).

27 Data and its Importance, *available at*: https://www.purdue.edu/research/Ugrad/docs/scripts/Data_and_its_Importance.pdf (lasted visited on May 12, 2017).

strengths and significance. Therefore, a conclusion portrays the research findings which serve as a platform for further research.

IV Purpose, relevance and scope

The purpose of every scholarly legal work should be to inform the readers on the legal developments. It can be descriptive, historical, analytical, evaluative or critical. A research article serves its purpose only if after reading it the readers feel that it has contributed to their understanding of the subject and enhanced their knowledge.

A research article should be:²⁸

i. Specific

It should not be scattered and it should be able to deal with the specific issue in a coherent manner. The purpose of a research article should be to instruct the reader on the specific legal developments.

ii. Measurable

The research article must be able to provide relevant authorities so that the reader can further expand his/her research. Thus, not only should the research article successfully communicate the content discussed in it but should also guide the reader on where to locate further information on the topics deliberated upon. Thus, a quality research article should be able to pave way for further research.

iii. Attainable

The research article must be able to provide a practical and attainable solution to the research problem. It should not be a vague and abstract solution but one that can be implemented.

iv. Realistic

The research article should study the proposition in an objective and realistic manner. Law is intricately linked to society. Hence, a legal research article must reflect link between law and society.

v. Clear about limitations

The research paper must clearly lay out the limitations of its study and expressly point out the scope of the article. This allows the reader to analyse the content of the text in the correct context.

28 See "Elements of a Successful Research Paper", *available at*: <http://www.gradesaver.com/writing-help/elements-of-a-successful-research-paper> (last visited on May 15, 2017).

A research article should not be merely a comparative or historical account of law. It should engage in a critical analysis and challenge or question the premise of law. If all scholarly works resorted to a historical account, the development and evolution of law would be strictly compromised. Any discipline would become redundant if it stops questioning its own principles.

Undertaking a research is like investigating a case where all data has to be collected, analysed and a conclusion has to be drawn. The credibility of the research is primarily based on how well it analyses the legal situation and uses the current literature to identify the legal lacunas. The relevance of research depends on the extent to which it has been able to address the lacuna in law and suggest measures to fill those gaps. A legal research article should be original and creative in treatment of the proposition. It should not be reiterative and vague. It must specify the exact issue and thereafter logically and critically examine it. The relevance of legal research can be summarised in the following points:

- i. provide information to the reader;
- ii. provide a critical analysis of the theoretical premise of the issue being discussed;
- iii. inform about the latest legal development on the proposition discussed;
- iv. instruct the reader on the merits and demerits of the existing legal framework;
- v. guide the reader to other literature available on the same proposition;
- vi. add to the development of the existing literature;
- vii. provide a scope for further research;
- viii. identify the areas of conflict in law;
- ix. suggest measures to overcome legal redundancy.

V How to assess and rate an article

Articles are of different qualities and accordingly articles can be graded differently. There are high quality articles and poor quality articles. It is also possible that articles written by same scholar may vary in terms of quality research. Similarly, in a same journal or a same issue, there can be good articles and weak articles. All articles need not necessarily be quality articles. Assessment/evaluation/ generally takes place at two points: (i) by the peer reviewers in order to assess whether the article is worth publication as per the journal standards. Different methodologies have been formulated to ascertain the quality of a research article. Every journal adopts its own criteria/parameters to assess the quality of the journals. In order to maintain the quality of articles most of the journals follow peer reviewing process. Under this process the submitted articles are reviewed by experts so that the quality of an article is ensured. Usually blind review

or double peer review method is followed so that the selection of articles is based solely on merit. In blind peer review process, the author's identity is concealed from the reviewer and *vice versa*. This anonymity ensures impartial decision. In order to maintain high quality publications, some journals adopt the policy of review of same article by more than one reviewer, the publication decision depends on the unanimous approval by both/all reviewers; (ii) by the readers/scholars as per its utility to their research.

Every researcher has to read quality articles by scholars in order to understand and appreciate the extent of research in the concerned area. As research articles provide overview of the existing research and also enable the researchers to determine the lacuna in the research, it is pertinent for a researcher to rely on quality articles to develop the research. To determine the quality of the article and ascertain whether it is credible and relevant to research, one must carefully read and assess the article. Therefore, certain parameters must be recognised to ascertain the quality of the article.

A good research study answers research questions in a scientific manner. Research in itself is scientific. Quality research most commonly refers to the scientific process encompassing all aspects of study design²⁹ wherein data collection, analysis and interpretation are done in a scientific and systematic way.

Every research can be validated in three areas.³⁰ *Internal validity* determines whether the modified outcome of research can be explained through alternative explanations that haven't been pursued in the study. Research that rules out alternative explanations or logically explains why they are not relevant to the subject matter can be said to have internal validity.

Similarly, the finding of an article must be applicable across the spectrum, meaning that the outcome must have the capacity to be generalized. It should comprehensively deal with the issue. This comprehensiveness and generality of an article establishes its *external validity*. It determines the applicability of the outcome on the world at large.

29 A. Boaz and D. Ashby, *Fit for Purpose? Assessing Research Quality for Evidence Based Policy and Practice* (ESRC UK Centre for Evidence Based Policy and Practice, London, 2003). See also, C.C Ragin, J. Nagel, *et. al.*, *Workshop on scientific foundations of qualitative research* (National Science Foundation, Arlington, Virginia, July, 2003) and *What Are the Standards for Quality Research?* Technical Brief No. 9 available at: http://ktdrr.org/ktlibrary/articles_pubs/ncddrwork/focus/focus9/ (last visited on Apr.1 25, 2017).

30 Assessing Research Quality, available at: <http://www.researchconnections.org/content/childcare/understand/research-quality.html> (last visited on Apr.15, 2017).

Also an article must be conceptually sound and should logically use the concepts to arrive at a conclusion. This establishes the *construct validity* of an article.

Consensus among scholars is another method of assessing quality of research. This consensus can be achieved through rigorous discussion and review. Conferences, workshops, position statements *etc.* assist in formulating consensus in the academia.³¹

These methods are employed to maintain a quality control and indicate to the readers the standard of the journal. However, these are not the sole criteria for determining the quality of articles. A researcher while adjudging the quality and standard of an article has to keep many things in mind like the relevance of the topic, presence of originality, approach adopted by the author, research methodology *etc.* All these factors along with many more that will be discussed hereafter determine the quality of an article.

There is a tendency among scholars in India to refer to articles and books without carefully analysing them. This leads to the use of irrelevant authorities in their research works. Citing irrelevant or non-credible authorities in the research work undermines the quality of one's own research as well as misleads the readers. This eventually lowers the standard of research in academia.

Also, the journals are allotted international standard serial number (ISSN). ISSN is assigned to:³²

[A] continuing resource in any medium, issued in a succession of discrete parts [and having a common title], usually bearing numbering, that has no predetermined conclusion. Examples of serials include journals, magazines, electronic journals, ongoing directories, annual reports, newspapers, and monographic series.

ISSN is thus assigned to all serial publications whether daily, weekly, monthly, bimonthly, quarterly, half yearly or annually. API³³ Guidelines as per UGC regulation³⁴ mandate articles in journals with ISSN for consideration for career advancements and promotions.

31 *Ibid.*

32 See ISSN, *available at*: <http://www.bl.uk/bibliographic/issn.html> (last visited on May 20, 2017).

33 Academic Performance Indicators.

34 See University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education) Regulations with all its amendments.

How reader should approach³⁵

It is extremely important that law students should understand how to grade a research article. There is hardly any literature to guide the students on this aspect of legal study. The next part of this paper attempts to provide direction to law students generally and to researchers specifically as to how they should approach a research article. The following parameters have been suggested to grade an article.

The topic must be well introduced

The article must provide a background of the topic and explain key concepts. The introduction of the article must be written in a manner that enables the reader to understand what the author intends to discuss.³⁶ It should lucidly explain the key concepts that are used throughout the article and also a brief overview of the research available in the topic.

What prompted it

The author must make an earnest effort to identify the situations and circumstances revolving around the issue which led him to undertake the study on that topic. Every research article must necessarily contain a segment outlining the present position in that research arena so that the reader can clearly identify the same which would in turn enable him to better understand what the author wishes to study. Every research article identifies certain issues and thereafter analyses it. Therefore, it is important that the article highlights the circumstances that raised the issues in question and the relevance of discussing them.

Objectivity/Neutrality

This is the quintessential element of a quality article. The article should not appear to be parochial in its discussion and should discuss the different perspectives on the issue under discussion. It should analyse all points of view before coming to a conclusion.

35 It is not necessary to follow all steps/components in every article. For example an article focusing only on national laws may not contain any discussion on international law and *vice versa*.

36 See P. B. Pankaja, "Writing for Academic Excellence: How to Start and Finish a Legal Research Paper - A Few Guidelines" in Manoj Kumar Sinha and Deepa Kharb (eds.), *Legal Research Methodology* 233-244 (Lexis Nexis, Indian Law Institute, New Delhi, 2017).

Analysis of the legal framework

The article should exhaustively examine the legal framework (national and/or international) related to the field of inquiry. It should not merely state the laws by quoting them but critically analyse their feasibility and appropriateness.

Comparative approach

The article must reflect a comparative approach towards discussion. A comparative approach prevents myopic analysis of the topic and enables the author to identify the positive and negative aspects of the existing legal system.

Social, economic and political context

Law is not an isolated discipline and it works in tandem with the socio-economic and political developments. The article must underline the relation between law and society, economics and politics *vis-à-vis* the field of enquiry.³⁷ This allows the reader to understand the issue from all perspectives.

Logical

The article must be structured in a logical fashion and provide a coherent analysis of the topic. It should not appear to abruptly switch from one line of thought to another. The arguments and analysis must be structured properly and should not appear confusing to the reader.

Draft conclusion must be tested

A research that cannot be implemented is not a good research. Therefore, the draft conclusion of the article must be tested in a sample. This is applicable with regard to non-doctrinal/empirical researches.

Conclusion/Way forward

The conclusion should not just summarise the findings but also propose the appropriate course of action that must be taken to resolve the issues that are discussed in the article.

Citation of evidences

The article must authenticate the issues, viewpoints, facts discussed throughout the article by citing authorities. This lends credibility to the article. The citations also provide further reading to the researchers. A good article contains accurate and complete

37 Khushal Vibhute and Filipos Aynalem, *Legal Research Methods: Teaching Materials 3-4* (Justice and Legal System Research Institute, Ethiopia, 2009).

citation. Citation must not be misleading or confusing. It is also important to maintain uniformity in citation and adhere to the journal policy or rules of citation. Proper citation and acknowledgement is an essential part of academic integrity and ethical writing. It also prevents the danger of plagiarism and copyright infringement issues.³⁸

Conceptual clarity

The conceptual clarity is one essential aspect which should be evident in every piece of research writing. The author should make a conscious effort to first understand what the issue is. Before proceeding with the writing, the clarity in the mind of the researcher is imperative. Only then the thoughts can be conveyed succinctly. A well researched article speaks for itself.

Language

The language of the article must be simple and easy to understand. The article must not appear to be circumlocutory and verbose. It should be written in a comprehensible manner.

Article must justify the title and vice-versa

The title of the article must reflect the content of the article and content of the article must be in sync with the title. This is important because a researcher while selecting an article relevant for research identifies important article by first looking at the title. Many times we find that the title of an article is extremely vague or the title is specific but the article has indulged more in general discussion on the topic rather than the specific area indicated in the title. This misleads the reader by providing a false indication about the content of the article. Hence, it is important that the article has an appropriate title.

Context to concept and facts

The article must attempt to provide the context of the authorities used and explain terms and concepts either in footnote or in the main text. This is necessary to make the reader aware of the context in which the terminology is used.

Identifying the focus and scope

The article must clearly indicate its focus and scope along with its limitations. Many a times, an author is tempted to dwell into certain other areas which have a bearing on the topic. It is important to understand that such reference is not incorrect

38 See Lisa P. Lukose, "Ethics in Legal Research: Plagiarism and Copyright Infringement" in Manoj Kumar Sinha and Deepa Kharb (eds.), *Legal Research Methodology* 163-180 (Lexis Nexis-Indian Law Institute, New Delhi, 2017).

but at the same time, the author must not lose focus of the original area of research. Therefore, he should not be carried away in the course of the research and must keep the focus throughout on the core issues.

These elements are essential in determining the quality of an article. A work of credible scholarship not only provides a clearer perspective on concerned issue, it also gives new insights to the reader to commence one's own research.

Journal publishing process

Apart from these criteria certain other journal standards aid in assessing the quality of article. For example, articles published in peer reviewed/refereed journals can be considered to be of better quality than those which are published in journals that do not follow this procedure. Peer reviewed journals employ a selection criteria wherein eminent scholars (or authors peers) in the concerned field review the submissions and selects the best among them. Contrary to this practice, non peer reviewed journals rely solely on the decision of the editors of the journals. This is especially helpful in case of student edited journals as it is unreasonable to expect students to have the knowledge and the skill to accurately appreciate the merit of the submissions on the basis of their limited training.³⁹ Traditional selection process may lead to publication of sub standard articles and also rely more on the author's standing in the academic circuit instead of the merit of the article. This is discouraging for those who are new to the field or are arguing a stance contrary to the popular opinion on an issue.⁴⁰

It has been suggested that peer reviewed articles result in publication of better articles and also increase the quality of the articles as it inspires the authors to raise the standards of writing and research instead of relying solely on their credentials.⁴¹

Journals following these methods are in a better position to ensure quality legal scholarship. The race to increase API scores (ISSN journals) often leads to production of sub standard scholarship. This problem is not unique to India as in several other countries too central regulating standards create a market for superfluous scholarship

39 J. P. Zimmer and J.P. Luther, "Peer Review as an Aid to Article Selection in Student-Edited Legal Journals" 60 *South Carolina Law Review* 959- 961 (2008-09). See also, P. Bryden and K. Ireton, "Law Review: Scholarship and Pedagogy in Canadian Law Journals" 36 *Queen's Law Journal* 396-97 (2010-11).

40 *Id.* at 963-64.

41 *Id.* at 963-65.

and dubious journals.⁴² UGC's recent attempt of listing journals⁴³ and emphasis on referred journals⁴⁴ and impact factor journals,⁴⁵ to certain extent, may ensure publication of quality papers in reputed journals.

VI How to write an article

“Either write something worth reading or do something worth writing.”

- Benjamin Franklin

Writing an article is about translating “complex scientific ideas, methodological details, and statistical analyses into a tight manuscript.”⁴⁶ Every research starts with an idea, however, converting that idea into an article requires skill. Reading maketh a full man and writing an exact man.⁴⁷ Writing an article is not only about writing but also about discipline, systematic approach and consistent approach. One needs to have a genuine interest in the subject and also the desire to share his idea with others. The following seven steps provide a guideline as to things to be remembered while writing an article.

Avoiding procrastination

Before starting the writing process, it is essential that the writer is free of certain common ‘specious barriers’⁴⁸ that obstruct the process of writing. These roadblocks are the commonly cited justifications for not writing an article, like, inability to find time, inability to access literature on the research topic, insufficient resources, waiting for an inspiration *etc.*⁴⁹ It is important to overcome these roadblock as they are nothing

42 See discussion on Russian legal scholarship in T. Kruessmann, “What’s Wrong? Publishing in International Peer-Reviewed Journals on Russian Law” 4 *Russian Law Journal* 51 (2016).

43 See The UGC-approved list of journals, *available at*: <http://ugc.ac.in/journallist/> (last visited on May 15, 2017).

44 Which are covered by national or international secondary or tertiary bibliographic databases. Referred journals are considered to be qualitatively better and more reliable than the journals in the same disciplines which are not included in such databases.

45 Impact factor (IF) is a measure of the frequency with which the average article in a journal is cited in a particular period, annually or biennially. It is measured by dividing the number of citations by the total number of articles published during that particular period under consideration.

46 See generally, P. J. Silvia, *How to Write a Lot: A Practical Guide to Productive Academic Writing* (American Psychological Association, London, 2007).

47 Francis Bacon, “Of Studies” in Richard Whately (ed.) *Bacon’s Essays* 442- 447 (J.W. Parker Publishers, London, 1857).

48 *Ibid.*

49 *Ibid.*

but justifications for procrastinating writing. Determination to start writing is the starting point and perhaps the most important step of writing.

Identifying area of research

An article expresses an idea in an analytical and logical manner. Therefore, before proceeding with writing an article, one has to necessarily identify the area on which one wants to write. While choosing a topic, the researcher must ask oneself the following questions:

- i. Why do you want to choose this topic? Interest and relevance are two important aspects of choosing a topic. It is futile to pursue a topic that does not spark interest as the researcher will find it immensely difficult to conclude writing on such a topic. Also, the relevance of the topic should be ascertained before proceeding on it.
- ii. What is the relevance of this topic? The topic chosen by the researcher must have contemporary relevance. Writing on an over-researched topic or an issue that requires no further discussion serves no purpose as the objective of academic writing is to evolve the corpus of knowledge and not just reiterate what is already known.
- iii. Where can you get information on this topic? Researcher must have access to information on the chosen topic.
- iv. Who can you consult as the information providers on this topic?
- v. Why is your topic important?

The topic should be significant in contemporary times and space. Attempt should be made to “find a new insight or a claim and organise entire article around that claim.”⁵⁰

Brainstorming ⁵¹

Planning what to write is the foundation of any research. Choosing a topic and defining an area is the preliminary step of writing an article. This process requires exploring the possibilities and narrowing it down to a specific topic.

50 R. Delgado, “How to Write a Law Review Article” 20 *University of San Francisco Law Review* 448 (1985-86).

51 University of North Carolina Writing Centre, Handout-Brainstorming, available at: <http://writingcenter.unc.edu/handouts/brainstorming/> (last visited on Apr. 27, 2017).

The first phase of brainstorming is writing whatever comes to one's mind. This allows the writer to piece together the scattered ideas and consequently give them specificity. After writing briefly about 'what one wants to write on', the research idea can be broken into the following levels:⁵²

- i. The general topic - This step involves writing briefly about the chosen topic and its relevance. This brief outline is helpful in organising scattered ideas and thoughts.
- ii. Identifying issues - Once the topic has been decided, it is essential to identify the relevant issues that will be dealt in the article. This step allows one to understand the relevance of the topic. If the issues that are identified have been extensively dealt with by other scholars, one should refrain from proceeding on the topic, until and unless it is felt that there is scope for answering or analysing one or more issues.
- iii. Identifying contrary perspective - The writer should give time to understand an idea contrary to the one proposed by him/her. This allows the researcher to take into account different viewpoints from the beginning of the writing process. Following this step will help the researcher in maintaining objectivity during the course of writing.

Choosing a claim

Once the second step is completed, the researcher shall be better equipped to explain what he/she wants to write about. This step has been called 'choosing a claim' by Volokh.⁵³ This step involves "capturing your point in a single sentence to enable you to focus your discussion and communicate your core point to the readers."⁵⁴

Completion of this step indicates that the researcher has succeeded in pinpointing the topic on which he/she wants to write.

Reviewing the literature

Literature review is the backbone of any research paper. The existing literature provides the building blocks to the researcher in his/her attempt to author an article. By reviewing literature the researcher gets a holistic picture of the topic, the different perspectives and the lacunas in the research on the chosen area. The researcher must

52 *Ibid.*

53 E. Volokh, *Writing: Law Review Articles, Student Notes, Seminar Papers and Getting on Law Review* 226, 282-284 (Foundation Press, New York, 2007).

54 *Ibid.*

go through this literature review to understand what the previous work in this field has been. In this manner, the researcher will also be in a better position to ascertain in which direction the author has proceeded and whether or not something new has been attempted in the course of the article or whether the piece is an assimilation of the previous works. It allows the researcher to streamline the research and provides clarity on the topic of research. Once the researcher has reviewed the available but relevant work, the task of writing is simplified.

Strengthening the structure

In order to get across an idea, it is essential that the article is well structured and cohesive. Structuring an article requires arranging information and ideas in a manner that allows the reader to contextualise the idea presented. Wendy Laura Belcher has suggested the following ways of structuring the article. These are:⁵⁵

- i. go from what the reader knows to what they don't;
- ii. go from simple to complex;
- iii. go from the uncontested to the more contested;
- iv. go from the general to the particular;
- v. go chronologically;
- vi. go spatially through a succession of linked objects as if on a guided tour.

Introducing and concluding the article

The introduction of the article, as stated elsewhere, lays the groundwork for the idea being presented later. The introduction should, therefore, be well written, coherent and precise. It should provide an idea about the arguments and ideas being discussed in the article.

The introduction section lays the foundation for the paper. Some authors write long, heavily referenced introductions, but most authors save the heavy detail and description of previous related research for the discussion section. It should also deal with the purpose and the whole objective. It should describe the significance of the study, state the reason of writing the paper and the approach towards the topic.

Similarly, conclusion should sum up the entire article in a lucid manner. The conclusion is an important part of the article. The researcher should read the same thoroughly. The conclusion to any piece of research work gives the final opinion of

55 See generally W.L. Belcher, *Writing Your Journal Article in 12 Weeks: A Guide to Academic Publishing Success* (Sage Publications, California, 2009).

the author after a thorough research of the topic, joining all the bits and pieces of the puzzle so as to determine the fate of his hypothesis, and after critically analyzing the plethora of information available to him on various platforms. Therefore, a conclusion portrays the research findings that serve as a platform for further research. It should provide answers to the questions posed in the article. Also, one should refrain from being repetitive and vague in the conclusion.

Feedback

Once the first draft of the article is completed, it should be re-read to make it more coherent. It is also helpful to get feedback from others on the article. An outside perspective allows the researcher to recognise flaws (if present) and rectify them. Feedback can be sought from peers, teachers, mentor, subject experts *etc.*

Final editing and proofing

The good researcher also should be a good editor and proof reader. Poorly edited pieces will face the wrath of out-right rejection. Hence, the researcher after preparing the initial draft should read and re-read the article to ensure that there are no grammatical errors, improper citations and unedited language. He/she has to ensure that it is well structured, unambiguous and properly cited.

Selection of journal

Once the research paper is ready the next step is to get it published.⁵⁶ It is always desirable to prefer an international peer reviewed referred journal with good impact factor for the purpose of publication of articles. However, it is to be remembered at every stage of preparation of the article that such journals publish only high quality research work. Writing for such journals not only ensures original research works but also excellence in research.

VII Conclusion

The real purpose of research, writing and publication is search for and dissemination of true knowledge. A research thus should be able to expand the knowledge and contribute for development. Only a research that strives to maintain quality throughout the process can advance the knowledge in true spirit. Every research article must try to address the gaps in law and also pave way for further research. It should not only generate new ideas but also provide platform for new ideas to develop. A good researcher would need vibrant thoughts; envision as to what and how data

56 This article does not focus on publication of article. Hence it affords only passive reference to publication.

must be used. Hence, a researcher by adopting the three phase test can ascertain whether the article is worthy of being used in research or not. The researcher should try to refer only those articles in research which can be considered quality work. Use of relevant materials and avoidance of unnecessary reference to poor quality research increases the quality, credibility and authenticity of research.

Hence, a quality research article should not only serve the purpose of the writer but should also be capable of informing the reader on the relevant legal areas. After reading an article the reader must feel that he has gained 'something'. If a research article is able to provide satisfaction to the reader, it serves its purpose.

Legal reading is both an art and a skill. A good researcher should possess the art of approaching legal literature. By adopting the correct approach to read a research article, the scholar enables oneself to comprehensively examine and analyse the law. This capability will automatically result in a good research work. While collecting material, if he restricts himself to the high quality, reliable and authentic material, the success of his research is guaranteed.