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Legal research methodology: The nuts and bolts of research proposal

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Abstract

Research proposal is an important segment of research methodology. It is the first step in writing a thesis or dissertation in a doctorate degree programme in institutions of higher learning. It is also an important requirement for research funding by donor organizations. The aim of this paper is to examine the nuts and bolts of research proposal. It identifies the sources of a research problem and highlights the characteristics of a good research topic. It also identifies the parts of a research proposal and discusses them with practical examples that cut across disciplinary boundaries. It adopts the doctrinal methodology. It relies on secondary sources of data. It found that the art of writing research proposal is almost forgotten in institutions of higher learning apparently due to lack of appropriate manpower and dearth of adequate teaching material on the subject matter. It suggests, amongst other things, that there should be training and retraining in research methodology in every field of study with a view to fixing the loose nuts and bolts of research proposal.

Keywords: Research methodology, research proposal, research problem, research question, research topic

1. Introduction

Research proposal is an important subject matter for institutions of higher learning and research funding organizations. It is an important segment of research methodology especially in postgraduate programmes in institutions of higher learning. It is also an important requirement for research funding by donor organizations. In most institutions of higher learning, however, the art of writing research proposal is almost forgotten. In some institutions, it is no longer required for admission to postgraduate programmes. In other institutions, research methodology is not included in the postgraduate curriculum. Even where it is included, research proposal is not taught as part of research methodology. The reasons may not be unconnected with lack of appropriate manpower and dearth of adequate teaching material on the subject matter.

The aim of this paper is to examine the nuts and bolts of a research proposal. Specifically, it examines the nature and purpose of a research proposal. It also identifies the sources of a research problem and highlights the characteristics of a good research topic. It further identifies the basic parts of a research proposal and discusses them from a legal perspective based on the Nigerian Association of Law Teachers (NALT) Guide ^[1]. The paper adopts the doctrinal research methodology. It relies on secondary sources of data, which include books, articles in journals and internet materials. It is analytical and multidisciplinary. It raises issues of general concern to all researchers and discusses them with practical examples that cut across disciplinary boundaries.

2. Nature and Purpose of Research Proposal

The research proposal is a formal document setting out what a researcher intends to investigate and how and when he intends to execute a proposed research. It sets out the research problem, that is, what he intends to investigate. It also sets out the research methodology he would adopt, that is, how he would carry out the research. It further sets out the timeline of the research, that is, when he would begin and complete the research.

The purpose of a research proposal is to convince the target audience that the problem is worth investigating and to determine the contribution the research would make to the existing body of knowledge in a particular area of study. The target audience may be an institution of higher learning or a research funding organization. Thus, depending on the

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target audience, there are broadly two types of research proposal, namely, academic research proposal and research grant proposal^[2].

In institutions of higher learning, the research proposal further helps to determine the suitability of the research topic, the availability of a supervisor in the subject area and the suitability of the methodology adopted for carrying out the proposed research. In research funding organizations, the research proposal further helps to determine if the research is worthy of funding and if the budget for carrying out the research is realistic^[3]. In such a case, the researcher will assign more emphasis to timelines, financial estimates and other requirements needed to complete the research^[4].

3. Research Topic

Every research begins with the selection of a good research topic^[5]. The research topic is a broad statement of the subject matter of the research. It should be framed in such a way as to define the purpose and scope of the study. It should be concise, precise and interesting enough to attract the attention of the reader^[6]. In other words, it should be intriguing and eye-catching to the reader and at the same time highlighting the subject matter. It must be consistent with the research problem and the overall objective of the study^[7].

The research topic should not be too lengthy and clumsy, so that it will not be difficult for the reader to comprehend. If it is too lengthy, clumsy or difficult to comprehend, it will disinterest the reader and it may detract from the purpose of the proposal itself^[8]. It should reflect the contents of the proposal^[9] and be aptly expressed in less than twenty words, but preferably between ten and fifteen words^[10]. It should not, however, contain any abbreviations^[11], for example, USA for United States of America, UK for United Kingdom, FRN for Federal Republic of Nigeria and DRC for Democratic Republic of Congo.

There are several characteristics of a good research topic. It should be interesting, significant, original, manageable and achievable. Thus, the acronym ISOMA could be used to represent the characteristics of a good research topic.

The topic should be interesting: It should be born out of the researcher's interest or personal experience. It should not be imposed on him by his supervisor or the school authority. It is the researcher's personal interest that can motivate and sustain him throughout the research even in the face of difficulties^[12]. If it is imposed on him, he is likely to abandon it once he encounters difficulties in carrying out any phase of the research. Thus, the topic should not only be interesting to the researcher but also it should meet the career aspirations of the researcher^[13].

The topic should be significant: It should have potential for making contribution to the existing body of knowledge. This could be by way of resolving a difficult issue or reconciling a conflict in existing laws or reforming an area of law. If the topic is not significant, it will not attract any supervisor or grant from sponsors.

The topic should be original: Originality does not mean that the topic should be entirely new or that nobody should have done any work on it. If it were so, it would be difficult to locate the topic within the body of existing knowledge or to discover the gap that it will fill in the existing literature.

In fact, there is no topic or subject matter under the sun that is entirely new in the sense that someone has not written or said something about it. After all, most inventions are mere improvements on previous inventions.

In the same vein, most research works are improvements on previous studies. Certainly, scholarship thrives on the achievements of others. Every researcher depends on what others have achieved. Research affords the researcher an opportunity to delve deeper and expand on what already exists by interpreting it in a different way or by adding something new to it^[14]. In other words, originality does not mean that the researcher must start afresh from the ground. Not at all. Originality can be achieved by expanding what is already known^[15].

Originality is linked to creativity. It involves critical insight. It involves rethinking of what has been done previously^[16]. If you can find one new idea or one new way of looking at the law, this will go a long way. If you can introduce a new perspective into an existing topic, you can achieve originality in your research^[17].

The topic should be manageable: It should not be too broad, so that it will not make the researcher or the reader to lose focus. If it is too broad, the research will be either too long or too superficial. It should be narrowed down to a manageable level so that it can be fully investigated in a timely manner^[18]. It should not also be too narrow, so that the researcher will not find it difficult to source for materials^[19]. If the topic is too narrow, the researcher will also find it difficult to meet the requirements of the institution in terms of the required number of pages or the word limits^[20].

The researcher should not try to solve the problems of the whole world in just one study. He should work on a small part of the topic and leave the rest for his future research or include it in his suggestions for further research. It is, therefore, advisable for the researcher to focus on a specific topic, a specific population, a specific context, a specific set of variables, a specific set of theories and a specific timeframe^[21].

The topic should be achievable: It must be one that can be fully investigated within the stipulated time. If this is not possible, the topic should be adjusted or refined as many times as possible until it becomes achievable^[22]. This is why timelines are important. They help the researcher to determine whether the research is achievable within the stipulated time or not^[23].

4. Parts of a Research Proposal

The research proposal should have some basic components. Whether it is an academic research proposal or a research grant proposal, a good research proposal should have the following basic parts:

1. Background to the study.
2. Statement of the problem.
3. Research questions.
4. Aim and objectives of the study.
5. Significance of the study.
6. Scope of the study.
7. Limitations of the study.
8. Research methodology.
9. Review of related literature.
10. Gap in knowledge.
11. Definition of terms.

12. Synopsis of the chapters.
13. Timeline of the study.
14. Preliminary Bibliography.

4.1 Background to the Study

Background to the Study The background to the study comprises a review of relevant existing studies and latest developments related to the research problem. It should give a glimpse of the problems and the main ideas behind the research topic [24]. It should discuss in some detail the main variables in the research topic and synthesize the most relevant literature to make an argument for the present study. It should lead naturally to the statement of the research problem.

Simply put, variables are the attributes, characteristics, factors or concepts in the research topic that are subject to change according to the circumstances [25]. They are the key ingredients of research and the basis of any research. In empirical research, for example, any researchable topic must have two important types of variables [26]. They are dependent variable and independent variable. The dependent variable, also known as the outcome variable, is the presumed effect or consequence. It is dependent on the input variable. In other words, it is the variable that is affected by the independent variable. The independent variable is also known as the input variable which causes a particular outcome [27].

For example, the topic 'Causes of Examination Malpractice in Secondary Schools in Bayelsa State' has two variables. The dependent variable is "examination malpractice" which is the general phenomenon under investigation while the independent variable is the "causes" of examination malpractice which is the specific aspect of the study. Bayelsa State is the target population of the study. Similarly, the topic 'Scope of the Owner's Right to Recover Goods under Hire Purchase Agreements in Nigeria' has two variables. The dependent variable is "hire purchase agreements" which is the general phenomenon under investigation while the independent variable is "the owner's right to recover goods" which is the specific aspect of the study. Nigeria is the target population of the study.

By phenomenon is meant a fact or situation that the researcher has observed or experienced especially where the cause or explanation of it is in question [28]. In simple terms, the dependent variable may be regarded as the general phenomenon under investigation while the independent variable may be regarded as the specific aspect of the study. In empirical research, the topic usually shows the interrelationships between the dependent variable and the independent variable(s). For example, if the topic is in the form 'Effects of X on Y in Z' then X is the independent variable and Y is the dependent variable. That is, Y is the outcome variable and Z is the type of subjects represented [29].

The above formula may be translated as 'Impact of the Petroleum Industry Act on the Development of Nembe City in Bayelsa State'. In this case, "Impact of the Petroleum Industry Act" is in the X position, so it is the independent variable and the "development of Nembe City" is in the Y position, so it is the dependent variable which is the outcome. Finally, Bayelsa State is the target population from which Nembe City was sampled for this particular study. The point is that, in the background to the study, the researcher should discuss the dependent variable, which is

the general phenomenon under investigation, in some detail before narrowing it down to the independent variable, which is the specific variable, or the specific aspect of the study. A brief introduction of the independent variable will naturally lead to the statement of the problem.

The researcher should cite a few experts who share similar observations or experiences with him. In other words, the researcher should carry out some preliminary reading or mini literature review to become familiar with the subject area and to gain a sense of its scope and complexity [30]. Accordingly, he should include footnotes showing the sources of information, where necessary, and express the ideas in his words to avoid plagiarism. Thus, referencing and paraphrasing of all literature is necessary to avoid plagiarism [31]. However, the background to the study should not be replete with quotations and extensive literature review.

4.2 Research Problem

The word "problem" is derived from the Greek word *proballein* which means 'a question to be considered, solved or answered' [32]. The research problem is the specific issue, problem or controversy which the researcher intends to solve by carrying out the research [33]. The researcher should identify and articulate the research problem or issue that needs to be resolved in the research. It is the identification and formulation of a research problem that narrows down the research topic to something that is reasonable for conducting a research [34]. The researcher should identify a specific problem and demonstrate how it would be investigated. It may be a problem that exists in the literature, the decision of a court or a piece of legislation.

The statement of the problem is central to any research. This is because research is goal-oriented. The primary goal of legal research should be to solve a real problem in the legal system or to suggest a reform of the law [35]. In other words, legal research is really legal problem solving [36]. Therefore, when stating the problem, the researcher should indicate all the characteristics of the problem, including data from previous studies, the deficiency in the current literature about the problem, and why it requires investigation [37].

There are different sources of research problem. These include personal experiences, hunches, books, monographs, journals articles, newspaper articles, radio and television programmes, personal conversations and brainstorming sessions with professional colleagues [38].

4.3 Research Questions

The research questions are the questions that the study aims to answer after collecting, analyzing and interpreting the data. The researcher should describe the questions that will be asked and hopefully resolved by carrying out the research. A research question should interrogate a specific aspect of the study. It should be logical and should progress the research from what is known to what is unknown and requires validation [39].

The research questions determine the focus of the investigation [40]. It is the research questions that will guide the researcher on the type of data to be collected, the method of collection of data and the tools for analyzing the data in order to solve the research problem. In fact, the research questions determine the choice of methodology, methods of data collection and data analysis, objectives, scope and limitations of the study [41].

There are several characteristics of a good research question. It should be clear, researchable, open-ended, specific, simple, ethical and direct. Thus, the acronym CROSSED^[42] could be used to represent the characteristics of a good research question.

1. **It should be clear:** It should be clearly articulated and should not be ambiguous or create any doubt in the mind of the reader. It should not be capable of several interpretations.
2. **It should be researchable:** It should be amenable to solution through the collection and analysis of data^[43]. In other words, it should be formulated in such a way that it can be investigated systematically through the collection and analysis of data^[44].
3. **It should be open-ended:** It should be an open-ended question that will incite the researcher and the reader to become inquisitive. It should not be a closed question as in cross-examination where a question is answerable with “yes” or “no” answer^[45]. In research, the answer can hardly be one hundred percent yes or one hundred percent no. That is why it is advisable to begin with such probing words as “what”, “why”, “how” and “to what extent”^[46].
4. **It should be specific:** It should interrogate a specific aspect of the problem being investigated. It should point the researcher and the reader in only one direction and not in several directions.
5. **It should be simple:** Except in empirical research where a research question is required to show the relationship between two variables, a research question should be cast in a simple sentence. It should not be a complex statement or a set of statements joined together with conjunctions.
6. **It should be ethical:** It should be ethically neutral and free from bias. It should minimize potential harms to the society and maximize potential benefits to the society. If participants are involved, there should be voluntary informed consent. The rights of participants should also be protected. The rights of participants include the right to privacy, the right to fair treatment and the right to protection from discomfort and harm^[47].
7. **It should be direct:** There should be no circumlocution. It should be a direct question and must end with a question mark.

4.4 Aim and Objectives of the Study

The aim of the study is a broad statement that describes the general intention of the researcher. It is what the researcher intends to accomplish by carrying out the research. It consists of a single sentence which is a restatement of the research topic. Usually, a research study will have only one broad aim but it will have several specific objectives. In other words, to realize the aim of the study, specific objectives are formulated^[48].

The objectives are specific statements that define measurable outcomes of the research. The objectives specify what is to be done to achieve the aim of the study. Both the aim and objectives indicate the key issues which will form the focus of the study^[49]. They are expressed with the verbs “to investigate”, “to examine”, “to evaluate”, “to assess”, “to determine”, “to develop”, “to measure”, “to explore” and so on^[50].

The aim of the study states *what* the researcher intends to

investigate and the objectives state *how* he intends to investigate it. The basic rule is that the research objectives must correspond with the research questions in number and content. One way to ensure consistency in number and content is to formulate the research questions and convert each research question into a corresponding objective and vice versa. A standard postgraduate research thesis or dissertation should contain an average of five research questions and five corresponding objectives^[51]. For an undergraduate research project, three or four research questions with three or four corresponding objectives will suffice.

The objectives must be specific, measurable, achievable, realistic and time-bound. In management sciences, they are described as SMART objectives^[52]. Thus, the acronym SMART can be used to represent the characteristics of a good research objective.

1. **It should be specific:** It is specific if it clearly states what, how, when, where or why specific step should be taken to answer the research question.
2. **It should be measurable:** It is measurable if it identifies an observable action or outcome of the research which can be tracked to monitor progress.
3. **It should be achievable:** It is achievable if it is within the control, influence, resources and knowledge of the researcher and participants, if any.
4. **It should be realistic:** It is realistic if it is practical or doable or aligns with the aim of the study.
5. **It should be time-bound:** It is time-bound if it has a specific timeline for completion^[53].

4.5 Significance of the Study

The significance of the study is its importance in the research field. It is the rationale of the study. It gives justification for the study. It should explain why and to whom the study is important. The researcher should clearly state the importance of the study. He should state the beneficiaries and the possible benefits of the study^[54].

In simple terms, the researcher should state *who* will benefit from the research findings and *how*? He should identify specific “publics” or audience, for example, the legislature, judiciary, policy makers, academia, non-governmental organizations, women rights activists, child rights activists, human rights activists or trade union activists and state how each public or audience will benefit from the study.

To justify the need for the study, the researcher should not just identify the various groups or publics that will benefit from the findings of the research. Deliberate effort should be made to describe how each group or public, for example, how policy makers, will benefit from the findings of the research^[55].

4.6 Scope of the Study

The scope of the study refers to the boundaries and focus of the study. It describes the coverage of the study and its dimensions. It specifies the parameters within which the research will be carried out^[56]. Under the NALT Guide, there are four dimensions of the scope of the study. These are subject coverage, content coverage, geographical coverage and periodic coverage. Let us assume that the researcher intends to investigate ‘Abuse of Human Rights by Employers in Nigeria from 2000 to 2020’.

Subject coverage refers to what the study is all about. It refers to the specific issues covered in the study. It describes

the “boundaries” of the subject matter of the research ^[57]. The subject matter of the research could be human beings, special categories of persons, rights, liabilities, statutes, cases, rules of law, societies or law enforcement agencies. It could be office holders, non-governmental organizations, international institutions or institutions of government ^[58]. In the above example, the subject of the research is “human rights”.

The researcher should have a firm grasp of the subject matter of the research otherwise he could easily lose focus especially with pressure from his supervisor. In practice, many supervisors would either give their own topics to their supervisees or adjust the research topic to reflect their interests rather than the interests of their supervisees. Supervisors and experts in the field may help the researchers in the selection of the topics, but it is always preferable for the researchers to choose topics that are tightly related to their favourite research field, intellectual abilities and interests as well as their background knowledge and experiences ^[59]. It is the depth of knowledge the researcher has on the subject matter that will help him to maintain his focus throughout the study.

Content coverage is concerned with the extent of information needed to answer the research questions. In the above example, the content coverage of the research deals with the aspect of the subject matter being investigated by the researcher, which is “abuse” of human rights “by employers” in Nigeria. This invariably excludes from the research abuse of human rights by the military, police and administrative agencies.

The researcher must constantly keep the research questions at the back of his mind while gathering, analyzing and interpreting the research data otherwise he would overload the study with irrelevant information. It is the research questions that will help him to determine what information is relevant and should be included in the study and what information is irrelevant and should be excluded from the study ^[60].

Geographical coverage refers to the geographical area, location or region covered in the research. In the above example, the geographical coverage of the research is “Nigeria”. If the study is limited to Nigeria, as in the above example, the researcher could still restrict his data gathering to a particular state of the federation or a particular geopolitical zone and clearly state so in the scope of the study.

If the study is comparative, the researcher should state clearly the countries covered in his study. He should also state clearly the aspects of the legal systems of the countries covered in his study. For example, he could compare the laws in a specific subject area or the institutions responsible for implementing the laws in each of the countries ^[61].

Periodic coverage refers to the period of time covered in the research. Thus, if the study is historical, the researcher should state the period of time covered in the research. In the above example, the periodic coverage is “from 2000 to 2020”. This means that the researcher should limit his data gathering to the period under investigation, that is, from 2000 to 2020.

4.7 Limitations of the Study

The limitations of the study are the challenges, constraints, short comings, conditions or circumstances that cannot be controlled by the researcher, which place restrictions on the

research findings and conclusions ^[62]. Generally, time is not an acceptable limitation on higher degree research. For example, all the students in a class have equal time for their research. The fact that some of them finished within the stipulated time meant that everyone could manage the same time effectively to achieve the same goal of finishing in time. Besides, most universities extend the duration of any programme for students to complete their research.

In the same vein, lack of finance is not an acceptable limitation on research findings. Most universities allow students to suspend their studies, so they could attend to their financial needs. However, health challenges, paucity of data on the subject matter, scarcity of literature due to fluctuations in exchange rates and difficulties in accessing materials, especially in a comparative study, could constitute valid limitations.

4.8 Research Methodology

The word methodology is a combination of two words: method and logy. Method refers to all the processes, tools and techniques utilized for conducting a research while logy, which is derived from logos, means study. Therefore, research methodology is simply the study of research methods. It refers to the nuts and bolts of how a research study is undertaken. It includes the research design and the methods of data collection and analysis ^[63]. It is the way the entire research is designed and conducted ^[64].

Research methodology has also been comprehensively defined as a study of the various steps and methods that a researcher needs generally to adopt in his investigation of a research problem along with the logic behind them ^[65]. Thus, research methodology has many dimensions and research methods constitute part of the research methodology ^[66]. Simply put, research methodology is the science of conducting research in any field.

The researcher should describe the methodology he adopted in conducting the research. This should include a brief description of the methodology adopted in carrying out the research, the methods used in collecting data, the type of data collected and the techniques used for analyzing the data ^[67].

In social science research, there are three research methodologies. These are qualitative research methodology, also known as constructivist, naturalistic, interpretive, post positivist or postmodern research approach; quantitative research methodology, also known as traditional, positivist, experimental or empirical research approach; and mixed methodology, also known as multi-methodology or pragmatic approach, which is a combination of qualitative and quantitative methodologies ^[68].

In legal research, these three types of research methodology are respectively known as doctrinal methodology, non-doctrinal (or empirical) methodology and mixed methodology otherwise called triangulation, which is a combination of both doctrinal methodology and empirical methodology ^[69].

The doctrinal methodology involves the analysis and interpretation of legal documents especially statutes and cases ^[70]. It focuses on the “black letter” of the law, that is, “the law in the books” rather than “the law in action” ^[71]. It involves the use of primary and secondary sources of data. The primary data are mainly statutes, customs and cases. Statutes include treaties, conventions and protocols. The secondary data are materials used in interpreting and

analyzing the primary data. The secondary data include textbooks, journal articles, newspaper articles, internet materials and unpublished materials. Unpublished materials include seminar papers, conference papers and projects, theses and dissertations [72].

Within the doctrinal methodology, the researcher may adopt the historical, comparative or international perspective. Introducing historical, comparative or international perspective enhances the researcher's creativity and contributes significantly to the originality of the research.

In non-doctrinal (or empirical) methodology, the researcher collects quantitative data through experiments, questionnaires or surveys and uses statistical tools to analyze the data. In other words, the researcher generates firsthand data from experiments or field work and from questionnaires, surveys or interviews or any combination of them [73].

Under the NALT Guide, if empirical methodology is adopted, chapter three is devoted to research methodology. It will address the research design, area of the study, population of the study, sample and sampling technique, instrument for the study, validation of the instrument, reliability of the instrument, description of the instrument, administration of the instrument, method of data collection and methods of data analysis. Chapter four is then devoted to presentation and analysis of data, test of hypothesis and discussion of results [74].

4.9 Review of Related Literature

The term "literature" is derived from the Latin word *Littera* which means "letters" or "written work" or the study of such written works [75]. Thus, in the context of literature review, the term "literature" simply refers to both published and unpublished materials on the research topic. It consists of all written sources relevant to the topic or the phenomenon under investigation [76]. It refers to scholarly sources such as books, journal articles, theses and dissertations related to the research topic. A review of such related literature is central to any research. It is the foundation of any research and accomplishes several important objectives. It sets the broad context of the study, clearly demarcates what is and what is not within the scope of the investigation, and justifies those decisions [77]. It also places the research topic in a historical perspective [78], showing that the researcher is familiar with the current research in the field [79].

The literature review enables the researcher to distinguish between what has been learned and accomplished in the area of study and what still needs to be learned and accomplished. It allows the researcher to synthesize the existing literature in a way that permits a new perspective. Thus, a good literature review is the basis of both conceptual and theoretical frameworks and methodological choices [80].

There are several characteristics of a good literature review. It should be balanced, relevant, referenced, current, concise, clear, critical, convincing and contributive. Thus, the characteristics of a good literature review could be represented with the formula "B2R6C" [81].

1. It should be balanced: It should be a combination of scholarly articles, books, trade journal articles, newspapers, magazines [82], government reports, company reports, seminar papers, conference papers, theses and dissertations [83] and should strike a balance

between sources supporting and opposing a particular argument.

- 2. It should be relevant:** It should focus on the most relevant, reliable and authoritative sources of data. It should not, for any reason, include any literature unrelated to the research topic.
- 3. It should be referenced:** It should be fully referenced with a consistent citation style that allows the reader to follow the sources to validate the conclusions [84].
- 4. It should be current:** It should be current and up-to-date literature on the research topic. If possible, it should include a brief discussion of ongoing or emerging research. It should not include archaic or outdated literature beyond five years except in areas where there is a lack of research or where an old piece of work is still relevant or where it has some historical significance [85].
- 5. It should be clear:** It should be well-written and should present the information in a clear, logical and coherent manner.
- 6. It should be critical:** It should critically analyze and synthesize previous studies. This includes comparing the existing literature, highlighting key findings, evaluating the strengths and weaknesses, identifying areas of agreement and disagreement or debate, and synthesizing the findings [86].
- 7. It should be concise:** It should be a concise synthesis of the key themes and ideas in the existing literature on the research topic.
- 8. It should be convincing:** It should present the synthesis of the findings from different sources in a convincing manner that supports the research.
- 9. It should be contributive:** It should contribute to knowledge by revealing gaps in the existing literature, or areas needing further research, and setting out to fill the gaps [87].

There are three main literature review contexts. Literature review may be an end in itself, that is, as a stand-alone review such as a review article in a journal. It may be a part of a research proposal such as an academic research proposal or a research grant proposal. It may be a separate section in a research report such as a thesis or dissertation [88]. In whatever context it may be required, the literature review should not be a mere report of what every scholar has said about the subject matter of the research. The researcher should present the most significant and relevant studies on the subject matter in a logical and systematic manner, their methods and major findings and demonstrate how his research will resolve these issues [89].

There are four main stages in literature review. The first stage is literature searching. The researcher should gather relevant literature on the topic or issue to be investigated. The literature comprises a combination of textbooks (including chapter contributions in reference books), journal articles, grey literature (e.g. government reports, company reports, theses and dissertations, conference papers, newspapers, magazines, trade journals, monographs, diaries, letters, patents and other legal documents) and internet materials [90].

The relevant literature could be sourced from the traditional law libraries, for example, Judiciary Libraries, University Law Libraries and Law Chambers Libraries. The relevant literature could also be sourced from online legal research

websites and electronic databases, for example, NexisLexis, Westlaw, Hein Online, Thompson Reuters, Justia, Findlaw, Legalpaedia and Law Pavilion ^[91]. However, it should be noted that Wikipedia is not a reliable source of materials for legal research as materials on Wikipedia could be edited by anyone and they are not validated through peer review ^[92].

The second stage is literature classification. The researcher should classify and group the relevant literature into different segments or variables ^[93]. For example, in a research on 'Abuse of Fundamental Rights in Nigeria', the researcher could classify the literature into right to life, right to fair trial, right to dignity, etc. Alternatively, he may classify the literature into abuse of fundamental rights by police, abuse of fundamental rights by employers, abuse of fundamental rights by administrative agencies, etc.

The researcher could also classify the literature according to the different frameworks for literature review under the NALT Guide into concepts, theories and previous studies on different aspects of the research topic. This will help the researcher to review the literature under conceptual framework, theoretical framework and empirical framework, or review of previous studies, or review of related literature on the research topic.

The third stage is critiquing the literature. The researcher should critically analyze, evaluate and synthesize the literature with the research objectives in mind ^[94]. The researcher should pay attention to the methods and procedures adopted by each author in analyzing data and the scope of the study. This will enable the researcher to determine similarities, differences and weaknesses in the literature and how his research is different from the previous works ^[95].

The final stage is analyzing gap in knowledge. The researcher should summarize the salient points in the literature and then state the gap which he intends to fill with his study. In fact, identifying a gap in knowledge and setting out to fill the gap are the most crucial steps in a scientific research. It is the identification of a gap in knowledge that presents the researcher with the opportunity for new research ^[96]. It is what justifies the research or makes it worthwhile. It is also the identification of a gap in knowledge that will help the researcher to formulate the research problem ^[97]. Furthermore, it is the gap in knowledge the researcher fills that makes original contribution to existing knowledge. What, then, is the gap in knowledge?

The gap in knowledge is the missing link in the body of knowledge in a particular field, which the researcher sets out to supply or fill with his study ^[98]. It is simply the lack of knowledge or understanding of an issue. To put it in simple arithmetic, the gap in knowledge is the difference between the existing body of knowledge and what is still required to reach any conclusion or make any decision on any issue.

The gap in knowledge could be unresolved conflicting decisions of the appellate courts or unresolved conflicting pieces of legislation. It could be paucity of literature on an issue. It could be an unresolved problem in the implementation of any law or decision of a court. It could be outdated explanation on an issue which is no longer relevant and needs to be updated. It could be aspects of a topic that have not yet been fully examined in the existing literature, or a question that has not been answered, or a perspective that has not been considered, or a piece of information that

no one has tried to collect or analyze ^[99].

The instances of gap in knowledge are limitless as there are limitless opportunities for research. Literature review is a continuum. As the researcher continues to search, analyze and evaluate relevant literature on the research topic, he will be able to spot more gaps in knowledge. Each gap in knowledge presents an opportunity for further research. Admittedly, however, some gaps may be beyond the capacity of the researcher to fill due to limits in expertise, time or resources ^[100]. Under the NALT Guide, the gap in knowledge is stated immediately after the review of related literature.

4.11 Definition of Terms

The importance of definitions cannot be overemphasized. **Definitions** help the researcher to conceptualize ideas ^[101]. It is, therefore, necessary for the researcher to define the basic concepts that underpin his research under definition of terms or conceptual clarifications. In academic research proposal, the researcher would elaborate on these concepts under conceptual framework in the chapter on literature review.

For example, in a research on 'Compensation for Land Compulsorily Acquired for Petroleum Operations in Nigeria: Implications of the Land Use Act 1978', the researcher would need to clarify the concept of land, the concept of compensation, the concept of land, the concept of compulsory acquisition, and the concept of petroleum operations. These terms would form the basis of his conceptual framework. Under the NALT Guide, chapter two is devoted to literature review.

4.12 Synopsis of the Chapters

The synopsis of the chapters is a summary of the structure of the research study. It is the division of the research into chapters with titles and appropriate sub-titles. The researcher should give a concise description of what is examined in each chapter. It should not be an elaborate description of the entire contents of the research study or look like the table of contents itself.

Under the NALT Guide, chapter one examines introductory matters such as the background to the study, the statement of the problem, the research questions, the aim and objectives of the study, the significance of the study, the scope of the study, the limitations of the study, the research methodology and the synopsis of the chapters ^[102]. Chapter two reviews the existing literature on the subject matter under conceptual framework, theoretical framework and empirical framework or review of related literature. It also examines the historical development of the subject matter and identifies the gap in knowledge ^[103].

Chapter three examines the legal and institutional framework of the study. It examines the various international, regional and national laws regulating the subject matter and the institutions established for implementing the laws ^[104]. Chapter four discusses and analyzes the various legal issues surrounding the research problem. In postgraduate diploma and masters' degree programmes, chapter five contains the summary of findings, recommendations and conclusion ^[105].

In a doctorate degree programme, chapter five continues with the discussion and analysis of the issues that have been raised in the preceding chapters especially from comparative and international perspectives. Chapter six contains the

summary of findings, recommendations, contributions to knowledge, suggested areas for further study, and conclusion ^[106].

4.13 Timeline of the study

Both in academic research proposal and research grant proposal, the timeline of the study forms part of the research proposal ^[107]. Simply put, the timeline of the study is a tentative timetable for carrying out the proposed research. It sets targets for completing different segments or stages of the research.

In academic research proposal, the timeline of the study reminds the researcher of his commitments and the expected submissions to his supervisor during the process ^[108]. Therefore, the timeline of the study should spell out the time frame for carrying out each chapter or segment of the proposed research.

4.14 Preliminary Bibliography

The preliminary bibliography is a tentative list of the books, journal articles, internet sources and unpublished works that will be consulted in the course of the research ^[109]. It indicates to the supervisor the depth of research undertaken by the researcher prior to the proposal. However, only sources actually cited in the study should be listed ^[110].

The researcher should comply with the rules for the citation of legal authorities relating to cases, statutes, treaties, textbooks, journal articles, newspapers, unpublished works and internet materials in footnotes and bibliography. The NALT Guide contains uniform Citation Guidelines for all law faculties and legal research institutes in Nigerian ^[111].

The researcher should be familiar with the latest edition of at least three styles of referencing including the Oxford Standard for the Citation of Legal Authorities (OSCOLA) ^[112] and the Nigerian Association of Law Teachers (NALT) Guide. In practice, the method of citation differs from one country to another. However, the NALT Guide is based on OSCOLA and can be regarded as the adaptation of OSCOLA to Nigerian circumstances ^[113]. Therefore, where there are real ambiguities or inconsistencies in the NALT Guide, OSCOLA could be used to resolve them.

The following are the legal research citation guides for writing theses, dissertations, projects, journal articles and other types of scholarly writing:

1. Association of Legal Writing Directors, ALWD Citation Manual: A Professional System of Citation (4th edn, Association of Legal Writing Directors 2010) ^[114];
2. Melbourne University Law Review Association, Australian Guide to Legal Citation (3rd edn, Melbourne University Law Review Association Inc 2010) ^[115];
3. McGill Law Journal, Canadian Guide to Uniform Legal Citation (6th edn, Carswell 2006) ^[116];
4. University of Oxford, Oxford Standard for the Citation of Legal Authorities (4th edn, Hart Publishing 2012) ^[117];
5. Nigerian Association of Law Teachers, NALT Uniform Format and Citation Guide (Nigerian Association of Law Teachers 2021) ^[118];
6. Harvard Law Review Association, The Bluebook: A Uniform System of Citation (14th edn, Harvard Law Review Association 2010) ^[119].

5. Conclusion and Suggestions for Reform

The research proposal is an important requirement for

admission to doctorate degree programmes in institutions of higher learning. It helps to determine the suitability of the research topic. It also helps to determine the availability of a supervisor in the subject area and the suitability of the methodology adopted for carrying out the proposed research. It is also an important requirement for research grants ^[120]. It helps research funding organizations to determine whether the research is worthy of funding or not. It also helps them to determine whether the financial estimates or budget is realistic or not.

The research proposal is an important aspect of research methodology. However, there is apparent lack of appropriate manpower for teaching research methodology in institutions of higher learning in Nigeria. There is also dearth of adequate teaching material on the subject matter. The result is that research proposal is no longer taught as part of research methodology in most institutions of higher learning. Many of them are fast dispensing with the submission of research proposal as a requirement for admission into postgraduate programmes especially doctorate degree programmes.

It is, therefore, suggested that all institutions of higher learning should encourage the submission of a research proposal as a fundamental requirement for admission into postgraduate programmes or, at least, as a requirement for registration in a doctorate degree programme. It is also suggested that all research funding organizations should encourage the submission of a research proposal as a fundamental requirement for postgraduate sponsorship and research funding.

Without research, there will be no progress in the world. In the words of Chedza Barwabatsile ^[121], 'a world without research experiences no progress.' Therefore, there is need for government, institutions of higher learning, trade unions in the education sector and research funding organizations to collaborate for continuous training and retraining in research methodology in every field of study with emphasis on the forgotten art of writing research proposals. This will acquaint researchers in the broad sense with well-defined research methods to employ in collecting, analyzing and interpreting data in their respective fields of study and the research methodology to adopt in carrying out research. This will ultimately equip all categories of researchers with the skills required to fix the loose nuts and bolts of research proposal and to keep the wheels of progress turning in society.

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