CITATION, WRITING TECHNIQUES AND PROOF READING IN LEGAL RESEARCH

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EXPECTATIONS FROM THE PRESENTATION

This discussion is meant for researchers in law by lawyers and anyone interested in legal research and scholarship. We expect that at the end of the presentation participants will be reminded of:

* The meaning and value of legal research and its peculiarities.
* The why, how and role of citation in research
* The available writing techniques, when and how to take advantage of each.
* The value of proof reading and skills for proof reading.
* How to identify, understand and resolve the challenges for each of these skill set.
* How to conduct effective research, review/supervise research and complete a research report
* Identify available AI and ICT Tools and how to leverage them in research

1. INTRODUCTION

This presentation is an attempt to remind us of what we may actually be doing, what we may have forgotten how to do or what we do but may have forgotten how important it is to effective communication of legal opinions, positions, expectations, proposals or report. Unlike most other subject areas or disciplines, law requires consistency and coherence in communication of any of legal opinions, positions, expectations, proposals or reports. Another element required is the necessity to support positions with valuable and compelling evidence. It helps to shore up the validity of our positions, proposals and reports. It elevates a writing from the level of mediocrity or average opinion to the level of expertise or authority. This is very important because of the potential for legal writings to be the basis for ascription of legal duty, right, function, sanction or ignominy. To sustain the value and validity of a legal writing, it is also necessary to proof read. Proof reading helps to enhance and sustain an achieved expertise level. The value of these three skills to effective writing turns an otherwise good work of fiction to an effective legal research capable of impacting the law and society.

This presentation therefore explores the three key tools that assist in conveying effectively and efficiently legal documents containing proposal, positions, opinions and statements of law. These are citation, writing techniques and proof reading. Accordingly, to address these tools the remaining parts of this paper is structured as follows. The next section introduces the concept of legal research, its uniqueness and general purpose. This is followed by the section exploring the citation, its value to legal research, when it is necessary, import of its absence and options available in Nigeria. This is followed by examination of writing techniques in legal writing. This will examines issues like processes for writing, sentence structuring in legal research, logical sequence or different legal writing documents- briefs, reports, law review etc., Next is an examination of proof reading, starting with meaning of proof reading, how it is done, who may carry out proof reading and value to legal research. This is followed by the challenges that might obstruct or impede effective fulfillment of citation requirements, effective legal writing and proof reading and recommendations for resolving those challenges. The paper ends with a conclusion and call for comments, observations and questions from the audience.

1. MEANING OF LEGAL RESEARCH

The major difference between researches in other disciplines, e.g., History, Economics and Medicine, etc. and law is the consideration of the legal system under which the research is conducted. Research in other disciplines deal with universal codes or doctrines that may not be affected by legal systems wherein the research is conducted. This is because legal research deals mainly with the ascertainment of the nature of law of a particular subject or how it impacts on relationships within an identified legal system, research in other disciplines deal generally with the same principles irrespective on the location of the research. To articulate this peculiarity with legal research properly, it is necessary to understand some of the reasons for a research in law. These reasons include finding out any or combination of:

1. The rule for a particular set of facts;
2. The principle guiding a particular conduct or relationship;
3. Why a particular rule is applied to certain scenarios;
4. What led to the adoption of a particular rule;
5. What and how the rule affects the dispensation of justice;
6. Whether the rule is suited to the certain condition(s);
7. How the rule can be improved;
8. Whether the rule needs to be replaced entirely by a new rule.[[1]](#footnote-1)

Each of these questions can only be effectively answered by contextualizing the answer to the legal system. This is a key feature of legal research. For example, a question on whether a Legislature should terminate at the end of the tenure of a government and how that could be achieved would elicit different conclusions when applied to a presidential system, a parliamentary system, or mixed system, or a unitary system or federal system or confederal system. These scenarios differ and accordingly the legal context of each research also differs. It is in taking of these factors into consideration and the peculiarity of research in law or about law that the unique definition of legal research is proffered as a *systematic finding or ascertaining of the law on an identified issue within an identified legal system with a view to arriving at a justifiable legal solution or towards making advancement in the understanding of the law.[[2]](#footnote-2)*  This definition requires certainty in the source of the law, an objective resolved by citation, reflexivity in the presentation of the research, an objective resolved by writing techniques and consistency and coherence in the presentation, an objective resolved by proof reading.

These key objectives and tools for achieving them are discussed below.

1. CITATION

Citation is the process and method of referring to authorities used in support of argument or proposals in a legal research. These authorities, for doctrinal research include primary sources of law and secondary sources which seek to explain, direct or reflect on the law. For non-doctrinal research, these include primary sources of respondents’ experience, reflections, opinions and statements about the law and secondary sources which are reported or indirect sources.[[3]](#footnote-3) Citation in legal research also includes reference to extant literature, report or any documentary evidence relied upon for analysis in a research in such a way that a reader may search for and identify the source.

***Value of Citation in Legal Research***

Irrespective of whether the research is doctrinal or non-doctrinal, citation fulfills some basic value additions. Citation is a means of acknowledging sources cited or consulted in a scholarly work. This is very important and invokes issues of validity, authenticity, reliability and credibility. This is especially the case with research within the common law traditions where great premium is attributed to judicial precedence. To ensure that arguments made on the strength of judicial precedence is accurate, it is necessary to supply the details of the authority. Based on these background, the value additions of citation in legal research include:[[4]](#footnote-4)

(1) *Clear identification of the referenced authority*.

Citation provides the researcher an opportunity to clearly present the identity of an authority for a legal position, proposal or opinion. Such clear identification assists in confirmation of the source and its evaluation to check fit with the proffered argument.

(2) *Assure authors and readers of the veracity and validity of a proposal or position*

Citation is provided to the reader to assure the reader of the veracity and validity of a legal proposal and interpretation of a legal provision or opinion. It also reassures the author. It confirms that a position is taken based on evidence based analysis and not arbitrary interpretation of facts. This is because objectivity, evidentiary support and accuracy is very important for legal research.

(3) *Provide a guide or pathway for further research*.

Given that legal research is usually confined within a legal system, it is necessary to identify the source of the legal principles adduced to support a research. This identification of the legal system and legal principles applicable to the research provides subsequent researchers the pathway for further research or similar studies.

(4) *Provide information for evaluation of the research contribution.*

Research contributions are supported and based on the veracity, authenticity and validity of sources. Accordingly, to be able to evaluate a research it is important and necessary to identify the sources relied upon.

(5) *Avoid plagiarism.*

Plagiarism is capable of derobing a professor! Research is a systematic presentation of research report. In the course of a study, every scholar is expected to have considered or benefited from extant scholarship in order to justify a study. Accordingly, to show that the arrangement and presentation of analysis in a study are entirely a scholar’s idea and avoid the claim of repeating extant knowledge or appropriating someone’s ideas, citation is required for non- original thoughts.

***When Citation is Necessary***

From the value addition that citation contributes to research it is obvious that citation has specific times and points in research when it is necessary. In other words, not every statement or expression in a scholarly work require a citation. Citation are only required when it is called upon to play any of the roles identified above. The circumstance for playing any of these roles depends on what the researcher seeks to achieve. Such times and points include the following:

1. Whenever a categorical statement is made
2. To support a conclusion based on logical/legal analysis of extant knowledge
3. To counter a stated position or proposition with an evidence-based conclusion
4. To acknowledge the thought and ideas of others
5. To demonstrate an established legal position

***Import of Absence of Citation***

In addition to the benefits and roles of citation in legal research, it is important to also understand the impression created by the absence of citation for non-original ideas, concepts or categorical statements that require empirical evidence or source identification. These impressions include:

1. *Plagiarism*: Presence of proper citation removes the toga of plagiarism from a scholarly work. Citation is a confirmation that the research is based on original thought supported by direct evidence or extant scholarship on the same or related subject matter.
2. *Questions Validity of Conclusions:* Categorical statements without citations to support the claims made in the work or conclusions suggests arbitrary and unsupported conclusions. It suggests that the conclusions are unreliable. Although this may not necessarily be the case, absence of citation means incomplete communication of a finding. It fails the research requirement of showing and justifying a research work.
3. *Suggests Disregard to legal system/legal principles:* In legal research there must always be the requirement to pay homage to extant positions including when you intend to distinguish them or differ from them. A legal argument in a legal research without proper citation of the position being countered or the support for its counter suggests absence of established legal principles or system. This questions the validity of the research.
4. *Derogates research and scholarship to journalism:* Unlike journalism where the author can get away with not disclosing the source, this is not an escape available in scholarly research. Even in journalism, the author is required to state that there are sources. They only exemption is that the journalist may decide not to name the source. This privilege does not avail legal researchers, except in cases where ethical standard demands otherwise*.*

***Citation Styles***

Citation in legal research involves the referencing of two major groups of sources:

1. *Data Sources* – Constitutions, Acts, other primary and secondary law sources, interviews, Questionnaires, Observations etc.

2. *Literature Sources*: This covers scholarly works and reports consulted and or cited in the work and listed in the *References* and or *Bibliography*. While *References* are list of materials cited, *Bibliography* may contain materials consulted but not cited in the work.

There are several citation styles available for research in law or legal research. In fact most jurisdictions have specialised citation styles for scholarly and doctrinal primary source referencing. There are the Harvard style, MLA, Indian Blue Book Reference Style, Oxford University Standard for Citation of Legal Authorities (OSCOLA), Chicago Style, Modern Language Association (MLA), American Psychological Association (APA), etc. For Nigeria however, only two are recognised for legal research: NALT and OSCOLA. While Nigerian Association of Law Teachers (NALT) is the recommended and compulsory citation and reference style for legal research in Faculties of Law in Nigerian universities and legal research institutes, OSCOLA although gradually been replaced by NALT, may at times be accepted. Perhaps this is because of the kinship between the two. NALT is an indigenized version of OSCOLA. Unlike non-law reference guidelines, NALT and OSCOLA have specialised format for citing primary legal sources. NALT Guidelines goes further to provide for structures and contents of legal research.

**ICT Tools and Citation**

There are several ICT tools, digital algorithm or artificial intelligence powered tools for citation. Their role is to assist the researcher in either sourcing for materials (literature, case laws, laws etc) or properly citing identified materials. They are not meant to take the place of the researcher but to assist. For citation, examples include: law pavilion, lexis nexis, Westlaw, **Connected Papers** — Simple but powerful one-shot visualisation tool using one seed paper; **Inciteful** — Customizable tool, use multiple seed papers in an iterative process; **Litmaps** —Use multiple seed papers and overlapping maps, combining search with citation relationships and visualisation - [https://www.litmaps.com/#environment](NULL) ; Google scholar - [https://scholar.google.com/](NULL) ; **Sci-Hub** [https://sci-hub.se/](NULL);

**Legal Databases** [https://www.eui.eu/Research/Library/ResearchGuides/Law/Legal-Databases](NULL); [https://bristol.libguides.com/law/databases](NULL); [http://www.legislativeconsulting.com/useful-links/](NULL)

[https://n-lex.europa.eu/n-lex/related\_links/related\_links](NULL)

1. WRITING TECHNIQUES

In the writing of legal research reports, varied writing styles and techniques are open to a researcher. Choice of techniques are influenced by the purpose of the legal writing and the research methodology adopted. Each methodology or research purpose highlights specific aspects of the scholarly output. For example, while doctrinal research highlights the law and legal arguments in support of a position, empirical research highlights the lived experiences or opinions of individuals as they are affected by law or they affect the law.[[5]](#footnote-5) These approaches could be grouped into two main approaches of writing up research reports. The doctrinal approach and the non-doctrinal.

* *Doctrinal Research in Law*: *Primary Data/Sources*: The Constitution, Statute, Acts and Laws, Regulation, Delegated Legislation, Case Laws, Government Circulars, Government Gazettes etc. *Secondary Data/Sources*: Literature, Journal papers, Peoples opinion, law digest, law index, reference materials etc.
* *Non-Doctrinal/Empirical***:** *Primary Sources*arepeoples’ direct opinions on an issue, their account of an experience or observation or interpretation of an issue in question. *Secondary Sources are* information sourced indirectly. Reported information or analysis on the issues in question. These include literature, peoples report or account of observations not made by them, opinions expressed on the subject, provisions of the law etc. Tools for collecting these include primary and secondary sources like: 1. Interviews, 2. focus groups, 3. Surveys, 4. Questionnaires, 5. Content Analysis of Written reports. 6. Observation.

*Logic Structure of Legal Research*

The logical presentation of legal research depends on the methodology adopted. There are generally two structures following the two general classification of legal research. These are what I refer to as the doctrinal logic structure and the non-doctrinal logic structure. Doctrinal logical structure seeks to present a logical approach that provides opportunity for the presentation and analysis of doctrinal data. Similarly the non-doctrinal logic structure seeks to incorporate the various non-doctrinal research methods in the presentation and analysis of data. These logic approaches are presented below:

**Legal Reasoning in Doctrinal Research**

In doctrinal research, the logical structure is often referred to as the IRAC or IFAC method. Legal (doctrinal) reasoning (as against empirical reasoning) are so called because of their reliance on the logical presentation of issues and conclusions guided by applicable legal principles (including constitutional and statutory position) and the relationship of the legal principles with the facts that lead to the need for resolution of any specific legal question.[[6]](#footnote-6) These method require that all legal arguments logically and chronologically follow the following path:

1. Issue – Restatement of legal problem in question;
2. Rule – Statement of the legal provision, constitution, case law or statute applicable to the legal problem;
3. Facts – Presentation of the facts within which the legal question arose;
4. Analysis – Application of the rule to the facts;
5. Conclusion – The finding based on the fit or otherwise of the facts to the rule.[[7]](#footnote-7)

**Legal Reasoning in Empirical Research**

Empirical Legal research writing seeks either to test extant theory or to develop new theory in the course of the research and subject it to validity or credibility test. Where a theory already exists and is being tested, then the logical approach is deductive approach wherein the researcher identifies a theory (and or hypothesis) and proceeds to test its validity. Where a new theory is sought to be developed, then an inductive approach wherein a researcher first collects data, analyses the data result and based on it propose a theory[[8]](#footnote-8). In either of the above methods, the reasoning approach is deductive or inductive depending on the logical movement between known facts, analysis and theory. These are explained below.

**Deductive Approach**

Deductive approach moves from the known to the unknown. Deductive approach is essentially laying down laws that could help in making predictions, control or explain events.9 Deductive reasoning follows these stages:

* Statement of theory
* Statement of question/hypothesis
* Data collection
* Findings
* Question/Hypothesis confirmed or rejected/answered

**Inductive Approach**

This research approach involves the development of a theory as a result of the observation/analysis of empirical data. In inductive logical argument there is not predisposed conclusion. The findings and development of theory is dependent on available data and its analysis. The researcher only seeks to arrive at a reliable theory based on a set of facts.[[9]](#footnote-9)

Inductive approach may sometimes be described as an alternative to deductive approach. In reality, both complement each other. For a theory to be deemed to be reliable, it means that a degree of theory testing approaches has to be used. This is deductive approach. Same goes for inductive approach; a theory has to be developed first before it is tested.

Inductive approach follows the following paths:

* Hypothesis/Research question;
* Data collection;
* Findings;
* Analysis of findings to answer the question;
* Conclusion as to resolution of the particular question;
* Abstraction/Generalisation of the conclusion to formulate a theory;
* Applying deductive approach to confirm or reject the theory.[[10]](#footnote-10)

*Writing Process*

Writing up a research report requires a lot of care. It is not something you should rush to complete and submit at once. It is a process that requires slow and steady approach with each stage carefully completed, reviewed and revised. For clarity in communication, the following are suggested:

***Sentence Structure:*** In completing a research report, authors should as much as possible avoid complicating the report with too much words and technicality. Amongst many guides, the following would be helpful.

* **Use short sentences for complicated thoughts.** Put one idea in one sentence. E.g. the use of phones in offices is prohibited. NOT- The use of phones in the office is prohibited because it may lead to waste of time that will impact on the resources of the institute.
* **Use active voice verbs.** Active voice convey better meanings and require short sentences.  
  **Passive:** The timetable was developed by the principal for use by the students.   
  **Active:** The Principal developed the time for use by students.
* **Remove unnecessary or extra words.** Use single words instead of phrases and avoid too many adjectives.
* **Avoid foreign words-** Use English alternatives
* **Avoid jargon:** Use clear and simple words.
* **Use conventional punctuation marks properly.** Example:

1. Use commas only when necessary.
2. Use semicolons to separate two independent clauses (unless joined by "and," "or," "but," etc.)

***Structure of Research Output/Report***

* *Introduction:* Purpose of the paper, significance, specific objectives, structure.
* *Background:* empirical, philosophical, jurisprudential foundation
* *Literature Review:* extant scholarly discourse indicating gaps, justification, support, logic etc.
* *Methodology:* Research approach, data collection and analysis methods and justification
* *Presentation of Principles/Doctrines/ Frameworks:* Explanation/examination of the key legal principles, doctrines, frameworks or proposals.
* *Findings/Analysis:* Position of the law, principles, framework, doctrine on the objectives
* *Recommendations:* Resolutions to observed gaps*.*
* *Conclusion:* Restatement of research, contribution and areas for further studies (if any).

***ICT, AI and writing up research report***

There are also ICT tools and digital algorithm which can assist researchers in writing up research reports. They could develop the first sentences, the outline of the study and potential logical argument for the research. These include: ChatGPT, Research Rabbit - ResearchRabbit [https://www.researchrabbit.ai/](NULL) ; Rayyan - [https://www.rayyan.ai/](NULL); Scholarcy - [https://www.scholarcy.com/](NULL); Lateral - [https://www.lateral.io/](NULL); Scite - [https://scite.ai/](NULL); Consensus - [https://consensus.app/](NULL) ; Semantic Scholar - [https://www.semanticscholar.org/](NULL); RAx - [https://www.semanticscholar.org/](NULL); Iris AI - [https://iris.ai/](NULL); EXPLAINPAPER [https://www.explainpaper.com/](NULL)

1. PROOF READING

Proof reading has been defined as the final check for and formatting of problems and other small mistakes that may detract from the quality of the writing or confuse the reader.[[11]](#footnote-11) The Cambridge Dictionary defines proof reading as “the process of finding and correcting mistakes in the text before it is printed or put online”. Proof reading does not emphasize substantive argument or coherence. Proof reading is more interested in those little mistakes that may impact on effective communication.

Generally, you do not need expertise in the subject area of the manuscript to proof read a research output. However, expertise or some basic knowledge may be of help. This is especially helpful case for differentiating grammar mistakes from technical terminologies.

*Basics of Proof Reading*

These basics are especially good for persons proof reading their own work. These include the following:

1. *Proof Read awhile after completion*: It is recommended that proof reading should be done some time after the work has been completed. This is important because immediate proof reading may mean reading intentions instead of what is written.
2. *Find a place and time* *to concentrate:* Proof reading is meant to check for mistakes. So to effectively carryout a proof reading exercise, you should be ready for it by finding a conducive place and time devoid of distractions.
3. *Develop a Routine or series of Routines.* Routines helps to put your brain in the state for proof reading. For instance, people may choose to proof read work while in a taxi back from work, in the garden etc.
4. *Identify your best document format:* Do you proof read better with hardcopies or soft copies. Find out your best format and maintain it. Consistency helps you develop an effective routine.
5. *Establish a Purpose for each Session:* You may not want to proof read the entire document at the same time for the same purpose. This may be distracting. For instance, you can concentrate on checking spelling mistakes, data accuracy, repetitions or illogical arguments. Concentrate on any of these, one at a time.
6. *Read out loud as much as you can:* This will help highlight some errors in logic, spelling errors and use of words of similar sound but different spellings and meanings.
7. *Develop a checklist of what to check for:* This will assist in giving the proof reading exercise a purpose. The reader will then tick off each completed exercise. The checklist will help the reader identify common mistakes and therefore target same for immediate correction.

*Persons who may Proof Read*

Generally, anyone with a good grasp of the language of the document can proof read the document. This means someone with a good mastery of English Language or the language of the document. In legal research however, a little familiarity with the writings of lawyers or legal scholars will be very helpful. This will help avoid misidentifying a technical word, phrase, abbreviation etc. as a mistake and wrongly correcting it.

An author may also proof read own research output. This is however less efficient than having a second person proof read a work. This is because there is the tendency for the author not to identify established or habitual mistakes. Or fail to identify errors which the author may not even be aware of as a mistake. This is where the basic principles of proof reading may be most useful. For professional proof readers, they already have the skills. They also see every new paper with fresh eyes unlike the author. Thus where possible get someone else to proof read. If not possible, try and strictly follow the basic principles above.

***ICT, AI and Proof Reading research report***

These tools are also helpful in proof reading. In fact, proof reading tools appear to be the oldest upon introduction of word processors. Examples include MS Word, GRAMMARLY [https://www.grammarly.com/](NULL); GMAIL; QUILLBOT. Also important for proof reading are plagiarism check software. They assist to reduce plagiarism, help find citation for sources and generally improve the quality of the paper when properly deployed. These include [https://www.turnitin.com/](NULL); [https://unicheck.com/](NULL); [https://plagiarismdetector.net/](NULL); [https://www.duplichecker.com/](NULL) . New ones are developed and introduced every day.

1. CHALLENGES AND RECOMMENDATIONS TO EFFECTIVE CITATION, WRITING AND PROOF READING

Each of these tools of effective research have their challenges. They can also be resolved or at least there impact on the work reduced. The key guide is to identify them and seek ways to resolve them or reduce their impact on the work as much as possible. These are identified and discussed under each tool.

**Citation:** The challenges and resolutions include:

*Citation of foreign legal sources*: Poor understanding of the abbreviations in the citation of foreign legal sources may impact on the accuracy of the citation. To resolve this, authors should only cite foreign sources when absolutely necessary. They are usually most necessary in comparative studies. In other cases, they are only persuasive. If domestic authority exists then use those. However, where you must, then understand the citation formula first and also provide keys for readers.

*Citation of unpublished work/unreported cases*: Unpublished sources often times contain ground breaking information but being unpublished or in the case of case laws, unreported cases, deprives authors the opportunity to confidently cite them or even have access. For unpublished work or unreported cases, the trick is to provide as much information as possible that may assist in the location of the source. In the ICT age, this may include materials independently uploaded on the internet. Clearly state the status of the person or court issuing the proposal or position being cited.

**Writing:** The challenges and resolutions include:

*Writers block:*Writing is not as easy as one may think. Some may find it very easy to process a full paper or its outline or logic in thoughts but transferring the thoughts on paper becomes difficult.In other cases, a writers mind goes blank and unable to process new thoughts or ideas. To resolve these challenges, in the case of difficulty with transferring thoughts and ideas, the author should only concentrate in putting pen to paper. Do not mind about the logic or validity of the argument. Whatever is put down becomes building blocks for later. In the second instances a writers mind going blank, it is best to forget about writing for a while. Read as much as possible on the subject matter without necessarily concentrating. At this time read or scan through documents both related and unrelated documents. This will help trigger new thoughts and ideas on how to address the work. This works because in life most knowledge are related, more so with research in law.

*Errors in Logic or flow of argument***:** There is the tendency to assume that your audience knows what you want to write about. This is because writers unconsciously assume that they are writing to themselves. This results in skipping some words, failure to explain some concepts and skipping of some key steps in the argument. There is also the flip side of over-compensating in attempt to ensure that the reader understands you. This may lead to repetitions, redundant statements and overemphasize on tangential concepts.[[12]](#footnote-12) The trick is to revise and revise. Using the proof readers basic principles, make a checklist and cross check your work against them. Do not stop writing because you do not want to make mistake. Also do not overanalyze your work. Once you are able to communicate your idea, let the reviewer or proof readers do their work.

**Proof Reading**: The challenges and resolutions include:

*Time management*: This is the first challenge for every proof reader. Whether it is the author or a professional. This is the case because most often the author completes the work quite late and therefore the proof reader has less time to complete the proof reading. The first resolution therefore starts with the reader. Set a timeline and try to stick to it as much as possible. A timeline or schedule of activity will remind the scholar of what needed to be done before the paper is publishable or set for submission.

Other tools that a proof reader can introduce include checking for consistency. For instance, is Constitution spelt with a capital C or small c when referenced is made to a country’s constitution. Cross check headings, especially ones written in capital letters. This is because spellcheck may not find them out. This include words that may be unknown to the spell check. This may include foreign words or words from a local language.[[13]](#footnote-13)

**Use of ICT tools, AI and digital algorithm in Research**: Despite the great benefits of ICT, AI or digital algorithm as tools to effective research. They also pose a lot of danger. First the transfer research bias to the research. For example, issues like gender bias, racial bias etc may unwittingly be transferred to the research. This is because AI or ICT work based on data fed to it. If the data was already biased, the result will definitely replicate the bias. Second, it may impact on the validity of the research if context, circumstance and political rationale for the research is not properly captured. This is possible for AI powered research. With particular reference to legal research, this may manifest itself as disregard for the legal system of the location of the research. This is very important as changes in legal system may change the result finding to an opposite meaning that is inapplicable to the research jurisdiction. For instance a research written for unitary system about the role of government in electricity regulation may give the false impression that only the central government can regulate electricity.

To resolve the challenges posed by ICT, AI or digital algorithm, research must first understand that in many cases ICT, AI or digital algorithm is operating based on data supplied by another person. In other words, it words on secondary data and requires direct intervention of the researcher to update the data. Second, is that these tools are meant to assist, not to take the wheel. Finally, amongst many other tips, there output must always be reviewed, revised and updated. The interpretation of the data is the role of the researcher not the ICT tool or artificial intelligence. The most they can do is to present the findings in a smart way.

1. CONCLUSION

This paper and discussion is an attempt to remind us of the potentials in effective use of citation, writing skills and proof reading. It is also a reminder that they are not devoid of challenges, some of which are serious but are always resolvable. Resolution starts with writing. Get something out first and let us find out how to resolve any identified gaps. You cannot cite or proof read a nonexistent document. Writing is a very important skill which you cannot avoid in any aspect of legal practice- whether litigation, advocacy or academic including in government establishment as a public servant or administrator. The fact of writing is inevitable. Appreciating this then means one must do all within ones power to ensure that written documents are comprehensive and effective. These can be achieved through proper citation and effective proof reading. There are also several ICT tools, AI and digital algorithms available to assist. Just remember they are neither human nor you. They operate on data supplied by another person and this may result in the transfer of wrong interpretation to your work. Review and revise any such work. We have attempted to instil the zeal to write in this paper and have provided guides to resolve any observable gaps. This may be in exhaustive, however, it is a reassurance that every problem has a solution.

1. See also Khushal Vibhute and Filipos Aynalem, 2009 (n5),22, citing S N Jain, ‘Legal Research and Methodology’, 14 Jr of Ind. L. Inst. 487 (1972), at 490 [↑](#footnote-ref-1)
2. Ihugba B. U. ‘*Introduction to legal research Method and legal writing’* (Malthouse 2020) 4 [↑](#footnote-ref-2)
3. Ibid 57 [↑](#footnote-ref-3)
4. See generally, Richard A. Posner, "The Theory and Practice of Citations Analysis, with Special Reference to Law and Economics" (John M. Olin Program in Law and Economics Working Paper No. 83, 1999). [↑](#footnote-ref-4)
5. Ihugba B. U. (Malthouse 2020) note 2, 80 [↑](#footnote-ref-5)
6. James A Holland and Julian S. Webb “Learning Legal Rules: A students Guide to Legal Method and Reasoning” (5th edition. Oxford University Press) 321-320. [↑](#footnote-ref-6)
7. This is deductive reasoning. A logical movement of analysis from known facts to conclusions. [↑](#footnote-ref-7)
8. Mark Saunders, Phillip Lewis and Andrian Thornhill (Eds) ‘Research Methods for Business Schools’ 4th Edition. (Prentice Hall, 2007) 117 [↑](#footnote-ref-8)
9. Alan Bryman, ‘Social Research Methods’ (Oxford University Press New York, 2001), 10. [↑](#footnote-ref-9)
10. See deductive approach above for the process of deductive reasoning. [↑](#footnote-ref-10)
11. See *Nermin PUNAR ÖZÇELİK,* A Comparative Analysis of Proofreading Capabilities: Language Experts Vs. ChatGPT 149 in Bulent Pekdag (ed) International Studies in Educational Sciences June 2023 [↑](#footnote-ref-11)
12. See Suzanne E. Rowe ‘Legal Research, Legal Writing, and Legal Analysis: Putting Law School Into Practice’ Electronic copy available at: [http://ssrn.com/abstract=1223682](NULL) < > accessed 20th May 2024 [↑](#footnote-ref-12)
13. James Beslity ‘Best Proofreading Practices for the Developing Legal Writer’ Legal Writing Center, School of Law, University of Baltimore, USA < [http://law.ubalt.edu/academics/academic-support/legal\_writing\_center/duediligenceguides/Due%20Diligence%20Guide%20Mastering%20the%20Proofreading%20Process.pdf](NULL) > accessed 20th May 2024 [↑](#footnote-ref-13)