

The Methodology of Preparing a Master Dissertation in Legal Sciences

منهجية إعداد مذكرة ماستر في مجال العلوم القانونية

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Legal research is the foundation of any scholarly work in legal sciences. Legal research seeks to examine the law critically, identify gaps, and propose solutions or improvements. The aim is to contribute to the academic and practical understanding of legal issues.

The stages of Preparing a Master Dissertation in Legal Sciences, are :

1. Choosing a Research Topic :

A good research topic should address a significant legal issue. For instance, a dissertation could explore “The Effectiveness of Environmental Laws in Algeria.” The selection process should be guided by interest, feasibility, and academic contribution.

2. Formulating a Research Problem and Hypothesis:

The research problem frames the focus of the study, while the hypothesis provides a tentative answer to the problem. For example, “Does Algeria’s electoral system adequately reflect democratic principles?”

3. Choosing the Research Methodology: _

The most widely used approaches in the field of legal sciences are:

*** Analytical Approach : (المنهج التحليلي)**

The researcher divides the legal system or situation under study into multiple elements, examines the components that make up each element, and determines the status of those components. Analyzing the internal elements of the system or legal situation is insufficient; the analysis must also encompass the external elements surrounding it that influence it.

The purpose of this approach can sometimes be to provide a documented description of the system or a specific legal situation. At other times, the goal is to uncover the strengths and weaknesses of that system or situation.

*** Comparative Approach: (المنهج المقارن)**

The researcher examines a legal system or situation in a specific country using the analytical method while simultaneously conducting a similar study on the corresponding legal system or situation in another country or countries.

This method aims to provide a clearer understanding of the legal system or situation in the first country by presenting contrasting cases from other countries. Additionally, the goal may be to highlight the strengths, weaknesses, or legal solutions present in the first country or missing from it.

*** Historical Approach: (المنهج التاريخي)**

The researcher traces the historical development of a legal theory, principle, or system in one or more countries.

Sometimes, the purpose of this approach is to document the evolution of a legal theory or system. Other times, the objective is to identify the reasons behind the positive or negative development of a specific legal system or situation in one or multiple countries.

*** Inductive Approach: (المنهج الاستقرائي)**

The researcher begins with a legal question they seek to answer. They then analyze cases or consult multiple legal references to deduce an answer to the question.

The purpose of adopting this approach is to assess the success or failure of a specific legal system and uncover the reasons behind its outcomes.

*** Deductive Approach: (المنهج الاستدلالي أو الاستنباطي)**

The researcher starts with a specific hypothesis, such as confidence in a particular legal idea or regulation. They then study cases or consult legal references to gather evidence supporting the validity of that idea or regulation.

The aim is to produce a comprehensive legal study that identifies the underlying cause of a specific legal problem.

*** Case Study Approach: (منهج دراسة حالة)**

The researcher focuses on studying a specific legal system or situation in one country, region, or institution.

The goal of using this method is to advocate for adopting a new system or to highlight novel factors that result in positive or negative exceptions to the general rule.

4. Structuring the Dissertation:

The standard structure includes:

- **Abstract:** A summary of the research.
- **Introduction:** Sets out the problem and objectives.
- **Main Chapters:** Logical development of arguments.
- **Conclusion:** Summarizes findings and offers recommendations.

5. Legal Writing and Citation Standards:

Accurate citation is essential. Always cite judgments, statutes, and scholarly articles appropriately.

6. Final Steps and Submission:

Editing ensures clarity and coherence. Adhere to your university's guidelines for formatting and submission.

Preparing a Master dissertation in legal sciences requires diligence, critical analysis, and strict adherence to academic standards.

Remark: (المذكرة / الأطروحة)

In British English:

A dissertation is written to get a bachelor's or master's degree

A thesis is written to complete a PhD

In American English:

A thesis is written to get a bachelor's or master's degree

A dissertation is written to complete a PhD