

Comprehensive Framework and Methodology for Academic Writing in Legal Studies

Second lesson

Part 2: The Structural Framework and Drafting of the Legal Research Paper

Having established a foundation formulated a penetrating question and gathered necessary data the researcher faces the challenge of organizing and articulating findings.

In legal studies particularly within French and Algerian traditions the structural architecture of the presentation is critical.

A brilliant legal theory is useless if presented chaotically.

Section 2.1: The Cartesian Logic and Architecture of the Binary Plan

* A defining hallmark of academic writing in jurisdictions influenced by French civil law is the absolute primacy of the binary plan.

* This strict structural constraint dictates that the body of the research paper must comprise two main parts with each main part subdivided into exactly two sub-parts.

The binary plan serves as a demonstration of the students mastery of organizing legal thought into a balanced framework.

It forces the writer to synthesize arguments eliminate information and present a coherent narrative.

The binary plan can take sophisticated thematic shapes depending on the topic and problématique.

Typology of the Binary Plan

-The Analytical Plan**: Describes a legal regime, institution or procedural mechanism dividing the subject into static and dynamic aspects.

-The Thematic Plan**: Organizes the research paper around two conceptual themes that examine different facets of a central thesis.

-The Chronologico-Analytical Plan**: Divides the analysis into two distinct temporal periods separated by a pivotal event or landmark ruling.

-The Dialectical Plan**: Engages directly with a debated concept or affirmation structured as a thesis and antithesis.

Before deploying the body the Introduction must be meticulously crafted.

In dissertations the introduction is a monumental component.

A sound introduction must follow a strict deductive "funnel" methodology:

1. The Hook: A opening statement that engages the reader and introduces the broad context.

2. Definition of Terms: Every key word must be examined and defined according to its juridical sense.

3. Delimitation and Interest of the Subject: The researcher must state the scope of the study. Demonstrate its inherent interest.

4. The Context: The topic must be situated within its historical doctrinal, legislative or jurisprudential context.

5. The Problématique: The angle of approach usually phrased as a direct question or a strong affirmative statement.

6. Announcement of the Plan: The final sentences must explicitly announce the two parts that will follow.

The structural transition from the introduction to the body and between sections of the body is governed by stylistic rules unique, to legal writing.

-Headings: Titles of Part I, Part II and sub-parts A and B must be phrases nominales, concise, perfectly parallel and clearly indicating substantive legal content.

- Introductory Paragraphs: A brief paragraph is needed after a heading. This paragraph introduces the theme and explains the two sub-parts that follow.

In writing a main heading should not be directly followed by a sub-heading without this brief paragraph.

- Transitions: Logical transition sentences are required between parts and sub-parts.

These sentences summarize the point and introduce the next one ensuring the reader stays on track.

By following this framework the researcher ensures their analysis is clear, persuasive and academically rigorous.

Section 2.2: Drafting Mechanics, Citation Norms and Bibliographic Construction

With an outline in place the researcher starts drafting. The goal is to produce a logical and authoritative narrative.

The work should proceed systematically one section at a time.

Each paragraph should start with a topic sentence that introduces the main idea.

These topic sentences should connect logically driving the thesis forward.

The drafting process requires an academic tone.

The researcher must avoid redundancies, empty phrases and unnecessary legal jargon.

It is vital to acknowledge uncertainties and potential counterarguments.

The initial draft is a starting point; it must be edited and peer-reviewed.

An elite legal research paper requires a analytical voice to bridge the evidence and formulate new insights.

A cornerstone of integrity is the meticulous citation of sources.

Legal research relies on precedent, statutory authority and doctrine.

Claims cannot be made without citation.

The researcher must cite sources directly avoiding intellectual shortcuts.

This properly credits the property of others and allows the reader to verify the claims.

In Algerian academic traditions citation norms vary depending on the document type.

Standard Latin abbreviations are used to maintain the flow of the text.

For instance "idem" (or "id.") refers to the work and page cited previously.

"**Ibidem**" (or "ibid.") refers to the work but a different page.

"**Opere citato**" (. Op. Cit.") refers to a cited work.

The precise formatting of references requires strictness categorizing sources into doctrine, legislation and jurisprudence.

Source Category

Exact Citation Mechanics and Standard Academic Formatting

1-Monographs & Books:

Format: AUTHOR'S SURNAME (All Caps) First Name Initial. Title of the Book (*Italics*) Edition number, City of Publication: Publisher, Year of publication pages.

Example: BENSEDIK, M. A., *Compilation juridique en droit algérien*, Paris: Edilivre-Aparis, 2013 250 p..

2-Journal Articles:

Format: AUTHOR'S SURNAME, First Name Initial. "Title of the Article" (in quotation marks) Title of the Journal (*Italics*) Volume/Number, Year Page range.

Example: KRUGMAN, P. "Increasing returns and economic geography" *Journal of economy* n. 99 1991 P. 483-499.

3-Legislative Texts:

Must strictly include the abbreviated type of text (L. For Loi, Ord. For Ordonnance, D. For Décret) and its precise chronological order number.

In Algeria this must always be followed by its date of publication in the gazette.

Example: Loi n° 08-09 du 25 février 2008 portant code de procédure civile et administrative J.O.R.A. N° 21 du 23 avril 2008.

4-Jurisprudence (Case Law):

Must specify the Court, the Chamber, the exact Date of the ruling and the Dossier/Appeal Number.

Example: Cour Suprême, Chambre Foncière Arrêt du 12 mars 2004, Dossier n° 207918.

5-Electronic/Online Sources:

Format: AUTHOR or ORGANIZATION Title of the page \[online] Date of consultation, URL.

Example: GROUPE D'INFORMATION ET DE SOUTIEN DES IMMIGRÉS, Gisti \[en ligne] \[consulté le 5 octobre 2014] www.gisti.org.

The bibliography is a structured document that reflects the researchers investigative process.

A masters thesis or comprehensive legal research paper typically ranges from 50 to 100 pages.

The text must be printed on A4 paper with 1.5 line spacing and a conventional font such as Times New size 12.

The margins must be set at 3 cm on the left side and 2 cm on the right, top and bottom edges.

Pagination must be continuous starting from the page of the introduction.

The bibliography must be logically categorized, than presented alphabetically.

Standard academic practice dictates classifying references, by document type and alphabetically by authors surname or chronological date.