

Research Methodology: Understanding of Fundamentals

Prepared by:

Dr. Qazi Ataullah
Senior Director Research & Publication KPJA
&
Syed Mansoor Shah Bukhari
Research & Publication Officer KPJA

Research & Publication Wing Khyber Pakhtunkhwa Judicial Academy Peshawar

Foreword

It is with great pleasure and a strong commitment to knowledge that I foreword ‘*Research Methodology: Understanding of Fundamentals*’ by the Senior Director (Research & Publication) Dr. Qazi Ataullah and Research & Publication Officer Syed Mansoor Shah Bukhari. In today’s world, where facts and evidence drive progress, the ability to conduct and understand research is crucial—not just for academics but for professionals in all fields, especially in law, justice, and legal reform. This work skillfully connects theory with real-world application, making it a valuable guide for both beginners and experienced researchers.

The authors begin by exploring the meaning of the word "research" across different languages—French, Urdu, Arabic, and Pashto—showing how the search for knowledge is a shared human endeavor. They then take us through the history of research, from Aristotle’s early ideas to the scientific methods developed by Muslim scholars, proving that research is a living, evolving discipline. This historical view helps us see research as a powerful tool for improving society, aligning perfectly with the Khyber Pakhtunkhwa Judicial Academy’s (KPJA) mission to promote critical thinking and evidence-based decision-making in the judiciary.

One of the work’s greatest strengths is its clear, step-by-step approach. It explains research goals, breaks down seven key types of research—from innovation to reform—and explores qualitative, quantitative, and mixed-method approaches in a simple yet insightful way. This structured framework helps readers tackle complex problems with confidence. The section on writing research proposals is especially useful, turning abstract ideas into practical steps—from choosing a topic to proper referencing—making it an essential resource for legal professionals working on policy and reform.

At KPJA, we believe research is the foundation of a strong and forward-thinking judiciary. This work, with its perfect balance of theory and practical advice, will enhance the research skills of judges, qazis, faculty, and lawyers, and all other stakeholders of the justice sector, helping them

produce knowledge that solves real-world problems. It encourages curiosity, critical thinking, and innovation in the legal field.

On behalf of the Khyber Pakhtunkhwa Judicial Academy, I sincerely appreciate Dr. Qazi Ataullah and Syed Mansoor Shah Bukhari for their hard work, dedication, and outstanding contribution to research. Their efforts not only honor the tradition of learning but also inspire future generations to seek truth and knowledge. We are confident this guidebook will lead to meaningful research, strengthen justice, and contribute to a better society.

(Jehanzeb Shinwari)

Director General
KPJA, Peshawar

Preface

The pursuit of justice is an ever-evolving discipline that demands continuous learning, adaptation, and refinement. In this dynamic landscape, the role of research cannot be overstated—it serves as the foundation upon which fair judgments, sound legal policies, and effective judicial reforms are built. Recognizing this imperative, the Research Wing of the Khyber Pakhtunkhwa Judicial Academy (KPJA) has undertaken a critical initiative: a comprehensive study on research methodology tailored specifically for the legal and judicial domain.

This document emerges from the pressing need to standardize and strengthen research practices within the judiciary. Judges, legal practitioners, and judicial researchers frequently engage with complex cases, legislative developments, and evolving jurisprudential trends. However, without a systematic and rigorous approach to research, even the most well-intentioned efforts may fall short of their potential. Inconsistent methodologies, a lack of access to reliable resources, or gaps in analytical frameworks can inadvertently compromise the quality of judicial decisions and policy recommendations. It was thus essential for the KPJA's Research Wing to critically examine how research is conducted—not just what is being researched—to ensure that every study, report, or legal analysis produced under its auspices meets the highest standards of accuracy, relevance, and credibility.

The impetus for this project stems from several key observations. First, while judicial officers and legal scholars routinely engage in research, there remains a disparity in the understanding and application of methodological principles. Some rely heavily on traditional doctrinal approaches, while others may lack exposure to empirical or comparative techniques. Second, the rapid digitization of legal resources and the increasing complexity of cases necessitate updated research protocols that align with modern demands. Third, the KPJA, as a premier institution for judicial training and reform, has a responsibility to equip its stakeholders—judges, lawyers, and researchers—with the tools to navigate these challenges effectively.

This document is designed to serve as both a guide and a benchmark. It outlines fundamental research methodologies—doctrinal, empirical, qualitative, and quantitative—while contextualizing them within the judicial framework. It also addresses practical hurdles, such as accessing legal databases, verifying sources, and synthesizing case law, with an emphasis on upholding ethical standards. By doing so, it aims to foster a culture of precision and intellectual

rigor within the judiciary, ensuring that research outputs are not only academically robust but also actionable in real-world legal scenarios.

The KPJA's commitment to excellence in judicial education and reform is at the heart of this endeavor. We hope this work will empower legal researchers, enhance the quality of judicial decision-making, and ultimately contribute to a more informed and equitable justice system. As the judicial landscape continues to evolve, so too must our approaches to understanding it. This document is a step toward that evolution—a testament to the belief that better research leads to better justice.

We extend our gratitude to the researchers, legal experts, and judicial officers whose insights shaped this project. We are extremely grateful to the worthy Director General Mr. Jehanzeb Shinwari for his support, assistance, guidance and encouragement. The Research & Publication Wing invites feedback to further refine this living document in service of the judiciary's noble mission.

Dr. Qazi Ataullah
Senior Director (Research & Publication)
KPJA

Abbreviations & Acronyms

1. ADR – Alternative Dispute Resolution
2. AI – Artificial Intelligence
3. APA – American Psychological Association
4. ARBMED – Arbitration followed by Mediation
5. AS – *Alayhi al-Salām*
6. BATNA – Best Alternative to a Negotiated Agreement
7. BC – Before Christ
8. CE – Common Era
9. Cr.PC– Code of Criminal Procedure
10. DNA – Deoxyribonucleic Acid
11. DOI – Digital Object Identifier
12. DRC – Dispute Resolution Council
13. H₂SO₄ – Sulfuric Acid
14. IEEE – Institute of Electrical and Electronics Engineers
15. KPJA – Khyber Pakhtunkhwa Judicial Academy
16. MEDARB – Mediation followed by Arbitration
17. MEDOLA – Mediation On Last Offer Arbitration
18. MLA – Modern Language Association
19. ODR – Online Dispute Resolution
20. QSO– Qanun-e-Shahadat Order
21. SAW – *Sallallahu Alayhi Wasallam*
22. URL – Uniform Resource Locator
23. USCS – United States Conciliation Service
24. WATNA – Worst Alternative to a Negotiated Agreement
25. ECG –Electrocardiogram

1. Research Meaning:

The word "Research" comes from the French word "Recherché," which means "discovering, seeking¹." In Urdu, this is translated as '*Talash, Taftesh*²' and in Arabic, the word is '*Bahth*,'³ which means 'scratching, digging' or "digging out", and in Pushto the proper related words are '*Latawana, Latawal*⁴'. So, research means:

- a) **Literally:** Investigating, questioning, and examining something or a fact.
- b) **Technically:** A systematic process of finding facts, solving problems, or answering questions through collecting, analyzing, and interpreting data to reach evidence-based conclusions.

Further, the phrase 'research' should not be confused with the word search. The latter is a purely linguistic term which means mere seeking, short of critical thinking . On the other hand, the phrase research is a technical term referring to systematic analysis of data and conclusion thereof.

2. History of Research:

Research is rooted in human thinking. The history of research is, therefore, as old as the creation of the human being. Nevertheless, Aristotle [384 BC - 322 BC], one of history's most influential philosophers, laid the foundation of research and systematic inquiry. For this purpose, he emphasised on observation, logic, and empirical evidence. Aristotle believed in studying the natural world through observation, data collection and analysis that ends on pragmatic conclusions. For example, he classified plants and animals based on their characteristics, pioneering the early foundations of taxonomy. Similarly, he observed and recorded various aspects of animal behavior and anatomy. Besides, he developed the discipline of formal logic

¹ *Oxford Advanced Learner's Dictionary*, A S Hornby, P.1299

² *Oxford English Urdu Dictionary*, Shan ul Haq Haqqi, P. 1428. Also see *Oxford Urdu Angrezi Lughat*, SM Saleem Udin and Sohail Anjum, P. 365.

³ The phrase in this meaning has been used in the following verse of the Holy Quran.

Then Allah sent a raven scratching up the ground, to show him how to hide his brother's naked corpse. He said: Woe unto me! Am I not able to be as this raven and so hide my brother's naked corpse ? And he became repentant.[Surah no.5, verse no.31]

⁴ See *Pakhto Academy Lughat*, by Dr. Kheyal Bukhari and others (Fast Tracking Communication (PVT) LTD, 2019) P. 1537.

(*Mantiq*), a mechanism which regulates human thinking and protects it from mistakes. This logical approach (reasoning mechanism), known as syllogism⁵, was a way to derive conclusions from given premises. This logical framework became fundamental to scientific inquiry and research. Utilizing logical methods and systematic approach, Aristotle wrote extensively on diverse subjects like physics, biology, ethics, metaphysics, and politics.⁶

In the early emergence of Islam, the syllogism (*Mantiq*) of Aristotle reached the Muslims. Some of the scholars accepted it as a methodology of research, whereas some other scholars refused it. The latter included muslim scientists like Jabir bin Hayyan (the founder of chemistry), scholars of Islamic Jurisprudence (*Usuliyyun*), scholars of Islamic Law / *fiqh* like Imam Shafa'ee and Ibni Teemiyah. Nonetheless, these scholars did not stop on mere refusal, they invented a new methodology of inductive-experimental system. They emphasized more on experiments instead of reliance on philosophical and logical reasoning. In this regard, names of renowned Muslim scientists such as Al-khwarzami (the founder of algebra), Al-Beruni (father of modern geodesy and founder of indology), Ibn Al-Haitham (founder of optics), Ibni Khuldun, Al-Asfahani, Al-Zahrawi, Ibni Seena and Ali bin Esa, are worth mentioning.⁷

3. Significance of Research in the Contemporary Context:

3.1 Research stands as the cornerstone of human progress in each and every sphere of modern life. In medicine, it has brought transformative breakthroughs in the shape of life-saving innovations. The discovery of vaccines for eradicating deadly diseases, advanced antibiotics, successful utilization of medical physics in diagnosing procedures (X-ray, ultrasound, ECG, Echo Scan, C T Scan, Blood Pressure Monitors, Glucose Level Monitors and many more), all Biochemical and Pathological techniques, are few examples. All these advancements have ensured accurate diagnosis and revolutionized treatment for previously incurable diseases. Besides, the research has given birth to world-changing inventions from computers and the internet to artificial intelligence systems and space exploration capabilities that were once

⁵ A deductive scheme of a formal argument consisting of a major and a minor premise (*sughra & Kubra*) and a conclusion (*natijah*). For instance, "Every man has a thinking capability (major premise or *kubra*); Mansoor Bukhari is a man (minor premise or *sughra*); Therefore mansoor bukhari has the capability of thinking (conclusion or *natijah*").

All birds have feathers. Ostrich has feathers. Ostrich is, therefore, a bird.

⁶ See for further details, [Aristotle \(Stanford Encyclopedia of Philosophy\)](#), last accessed on 25.03.2025. Also see Jevons: Principles of Science (London 1879) P.114.

⁷ See for further details *Manahij al-Bahth wa al-Masadir*, Muhammad Saeed Jamal uddin, Pp 3-7.

confined to science fiction. Agriculture has been similarly transformed through research, with high-yield crop varieties preventing mass starvation, genetically modified organisms enhancing food security, and sustainable farming techniques addressing environmental challenges. The energy sector has seen remarkable advancements through research into renewable sources like solar and wind power, while battery technology innovations have made electric vehicles a viable alternative to fossil fuels (petrol, diesel, coal, natural gas and the like). Beyond the physical sciences, research in economics and social development has shaped more effective poverty reduction strategies and evidence-based policymaking, while archaeological and cultural studies have preserved invaluable historical knowledge for future generations. These numerous successes demonstrate research's unparalleled role as humanity's most powerful tool for solving complex problems, improving quality of life, and pushing the boundaries of what's possible - a testament to the enduring value of systematic inquiry and intellectual curiosity in shaping our world.

3.2 Significance of Research under Islamic Jurisprudence:

Research holds great significance in the Quran and Sunnah as both emphasize the pursuit of knowledge, critical thinking, and understanding. The Quran frequently encourages contemplation, observation of the universe, and seeking the truth, while the Sunnah provides practical guidance and application of these principles. Together, they inspire individuals to explore, learn, and apply knowledge for the betterment of society. Now, see the following verses;

“Indeed, in the creation of the heavens and the earth (the Universe) and the alternation of the day and night there are signs for people of reason (enquirers). They are` those who remember Allah while standing, sitting, and lying on their sides, and reflect on the creation of the heavens and the earth `and pray`, “Our Lord! You have not created `all of` this without purpose. Glory be to You! Protect us from the torment of the Fire”. (*Ali Imran: 190,191*)

"And do not pursue that of which you have no knowledge. Indeed, the hearing, the sight, and the heart—all of these will be questioned." (*Banu Israeel: 36*)

"Those who listen to all views and follow the best. These are the ones God has guided, and they are the people of understanding." (*Al-Zumur: 18*)

"The worst of creatures in God's sight are the deaf and dumb who do not reason." (*Al-Anfal: 22*)

"They have hearts with which they do not understand, eyes with which they do not see, and ears with which they do not hear. They are like cattle—no, even more astray." (*Al-Araf: 179*)

"Produce your proof if you are truthful." (*Al-Baqarah: 111*)

"Had there been other gods besides God, both [heavens and earth] would have been ruined." (*Al-Anbiya: 22*)

"Most of them follow nothing but conjecture. Indeed, conjecture avails nothing against truth." (*Yunus: 36*)

"O believers! If a wicked person brings you news, verify it, lest you harm people in ignorance and regret your actions." (*Al-Hujurat: 6*)

"We will show them Our signs in the universe and within themselves until it becomes clear that this [Quran] is the truth." (*Hamim Al-Sijdah: 53*)

"Do they not look at the camels—how they are created? And at the sky—how it is raised? And at the mountains—how are they erected? And on the earth—how is it spread out?" (*Al-Ghashiyah: 17, 18, 19 and 20*)

O believers! Be mindful of Allah and let every soul look to what deeds it has sent forth for tomorrow. And fear Allah, for certainly Allah is All-Aware of what you do. (*Al-Hashar: 18*)

Yusuf replied, "You will plant grain for seven consecutive years, leaving in the ear whatever you will harvest, except for the little you will eat. Then after that will come seven years of great hardship which will consume whatever you have saved, except the little you will store for seed. Then after that will come a year in which people will receive abundant rain and they will press oil and wine." (*Yusuf: 47, 48 & 49*)

All the above verses place great emphasis on avoidance of blind following, need and scope of verification, avoidance of irrationality, encouragement of observation and reflection, rational and informed enquiry, rejection of conjecture and belief on knowledge, scientific inquiry to all natural phenomena, inductive reasoning and holistic study and future planning (Futurology). Besides, so many verses of the holy Quran begin with the phrases 'They ask you', 'They enquire about' [*Yasalunaka, Yastaftunaka*]. It would clearly mean that shariah encourages purposeful questioning

and reasoning. And above all, *Ijtihad* is the best and recommended mode of research in Islamic jurisprudence, which means striving for evidence-based research and systematic informed inquiry.

The Sunnah of the Prophet Muhammad (*SAW*) also places emphasis on research, reasoning, critical thinking, pursuit of knowledge, debate and dialogue, sincere sharing of the outcomes of research, and future planning complementing the quranic injunctions on these matters. Here are some key *Hadith* that highlight these principles.

"Seeking knowledge is an obligation upon every Muslim." (*Ibn Majah, Al-Bayhaqi*)

"The believer is never satisfied with gaining good knowledge until he reaches Paradise." (*Muslim*)

"The superiority of a scholar over a worshipper is like the superiority of the moon over all other stars." (*Al-Tirmizi*)

"Do not be a blind follower (of anyone) saying, 'If the people do good, we will do good, and if they do wrong, we will do wrong.' Rather, condition yourselves that if people do good, you do good, and if they do evil, you avoid it." (*Abu Dawood, verified by Al-Albani*)

"A man should not be led by his desires to confirm what he has no knowledge of." (*Al-Bukhari*)

"It is enough for a man to prove himself a liar when he goes on narrating whatever he hears." (*Al-Bukhari, Muslim*)

"Whoever is asked about knowledge he knows and conceals it will be bridled with a rein of fire on the Day of Judgment." (*Ahmad*)

"Wisdom is the lost property of the believer; wherever he finds it, he has the most right to it." (*Al-Bukhari*)

"The strong believer is better and more beloved to Allah than the weak believer, but in both is good. Be eager for what benefits you, seek help from Allah, and do not give up." (*Muslim*)

"Allah has not sent down any disease except that He has also sent its cure. Some know it, and some do not." (*Muslim*)

"If the Final Hour comes while one of you is holding a palm shoot (to plant), let him plant it if he can." (*Al-Bukhari*)

"The best jihad is a word of truth spoken before a tyrannical ruler." (*Al-Tirmizi*)

"Make things easy and do not make them difficult, give glad tidings and do not repel people."
(*Abu Dawood*)

Besides, the migration of the Holy Prophet (*SAW*), all his covenants, peace accords and arrangements of necessary and unavoidable wars are the best examples of future examples of future planning. One of his sayings flows as under:

The one who becomes the ruler of the Muslims, and then he fails to plan for their betterment and prosperity, will never enter into paradise. (*Muslim*)

What has been stated above would collectively mean that Shariah ordains the believers and followers to:

- Observe nature
- Reflect on creation
- Seek proof and evidence
- Use logic and reasoning
- Verify information
- Engage in constructive debate
- Conduct empirical investigation And
- Future Planning⁸

4. Objective of Research:

Briefly speaking, the sole objective of research is 'arriving at the reality / truth. Nonetheless, for further explanation, the aims and objectives of the research could be summarized as follows;

- i. To contribute to the understanding of a subject or field by uncovering new facts, principles or relationships.

⁸ See for further details, *Al- Estishraf wa Al- takhtit Al- Mustaqbali fi Al- Sunnah Al- Nabwiyah*, published by Faculty of Islamic and Arabic Studies Dubai (UAE), Pp 169 - 220.

- ii. To validate or refute existing theories, hypotheses, or assumptions through empirical evidence.
- iii. To address real-world challenges by providing evidence-based solutions or recommendations.
- iv. To enhance methods, technologies, or processes in various fields, such as science, medicine, education, or business.
- v. To provide reliable data and insights to support informed decisions in policy, industry, or academia.

5. Outcome and Purpose:

The primary purpose of the research is benefiting the society at large. In other words, research efforts are mainly directed towards improving human well-being. For example, medical research aims to develop cures for diseases, while social research seeks to enhance community welfare and address societal issues.

6. Various Divisions of Research:

Keeping in view the nature and substance of the investigation, research could be divided into seven kinds. They are as under:

- i. Research ending on conclusions / findings to which no one has already arrived. It is known as an invention, e.g. Theory of relativity by Einstein, invention of Sulfuric Acid H_2SO_4 by Jabir bin Hayyan, discovery of law of gravitation by Isaac Newton.
- ii. Research complementing an already incomplete work, e.g. commentary on the Holy Quran by Jalal-ud-Din Al-Mahalli (1459) completed by his disciple Jalal-ud-Din Al-Suyuti (1505), work on *Seerat* of the Prophet Muhammad (SAW) by Allamah Shibli Naumani completed by Sayyed Sulaiman Nadvi. Another example is how Dmitri Mendeleev, a Russian chemist, built on the incomplete work of John Newlands. Newlands, an English chemist, had started organizing elements but couldn't finish his work before his death. Mendeleev took this further in 1869 by arranging elements based on their atomic weights and creating a periodic table. He even left gaps for elements that hadn't been

discovered yet. Mendeleev's version was more detailed and widely accepted, eventually forming the basis of the modern periodic table we use today.

- iii. When a successor researcher simplifies and clarifies an excessively complicated research work. It often involves breaking down the original study into more digestible parts, using plain language, and focusing on the core ideas. Such as interpretation of *Mukhtasarat / Mutun* / Texts wherein the authors have used equivocal words, jargons, unintelligible language known as gobbledygook [Example: *Mukhtasar Al-Quduri* interpreted as *Bidayat ul Muhtadi* which was further interpreted as *Al-Hidayah*, which was further elaborated as *Fthul Qadeer*]. By following these steps, the successor researcher makes the original, complicated work accessible to a wider audience, including students, professionals in other fields, and the general public. This not only democratizes knowledge but also fosters further discussion and application of the research findings.

Another good example of a complicated research work made plain and easy by a successor scientist is the development of the theory of evolution. Charles Darwin's original work, *On the Origin of Species* (1859), was groundbreaking but dense and difficult for many to understand. Darwin meticulously compiled evidence for natural selection, but his writing was technical and aimed at a scientific audience.

Later on, Ernst Mayr, a 20th-century evolutionary biologist, clarified Darwin's ideas in his book *What Evolution Is*. He distilled Darwin's complex arguments into more accessible language and organized the concepts in a way that was easier for the general public and students to grasp. Mayr emphasized key points, such as the role of genetic variation and the mechanisms of natural selection, making the theory of evolution more approachable without losing its scientific rigor.

- iv. When an excessively lengthy research work is made concise and precise. It is the opposite of No. 3 above. Such as *Mutawwal* was made concise by the same author Al-Taftazani as *Mukhtasar al Ma'ani*. Similarly, in the 14th century, renowned scholar Ibn Kathir authored the exhaustive exegesis of the Holy

Quran '*Tafseer al-Qur'an al-Azeem*'. In the twentieth century, a Saudi scholar Muhammad Ali Al-Sabuni summarized the work of Ibn Kathir. His work is a concise and simplified compilation of the original work. The aim was to expurgate the original work and to meet the needs of a wider range of audience, who may not have the time or expertise to study the complete work.⁹

In the 20th century, Richard Feynman further simplified and clarified classical mechanics in his *Feynman Lectures on Physics*. He used intuitive explanations and concise mathematical formulations to convey the same principles Newton originally described, but in a way that was far more accessible to students and researchers.

This process of refining and condensing complex ideas is a hallmark of scientific progress, where later researchers build on the foundational work of their predecessors to make it more precise, concise, and usable.

v. Sequencing and cohering of an already scattered and non-sequenced work.¹⁰

Here, the researcher compiles, expends, and orders a fragmented work of earlier researchers. The following examples are worth mentioning;

Prior to Ibn al-Haytham (Latinized as *Al-Hazen*, and known as the Father of Modern Optics), knowledge about light and vision was scattered among Greek, Roman, and Indian sources. In his treatise '*Kitab al-Manazir*', he ordered and combined these fragmented ideas, corrected misconceptions, and presented a coherent theory of optics, laying the foundation for modern optics.

In the 19th-century, Ottoman civil code cohered scattered principles of Islamic legal maxims into an organized legal framework '*Al-Majallah al-Ahkam al-Adliyyah*'. It included maxims such as "Harm is to be eliminated" (*al-ḍarar yuzāl*) and "Matters are judged by their objectives" (*al-umūr bi-maqāṣidihā*), "Necessity permits the prohibited" (*al-ḍarūrāt tubīḥ al-maḥẓūrāt*) was scattered among early juristic discourses. Similar is the case with all books

⁹ [JarirBooks-Arabic Books & More: Mukhtasir Tafsir Ibn Kathir li-Sabuni \(3 vol.\)](#) [مختصر تفسير ابن كثير لصابوني \(3 vol.\)](#), last accessed on 07.04.2025.

¹⁰ See for further details *Manahij al-Baḥth wa al-Masadir*, Muhammad Saeed Jamal uddin, P.14

written on legal maxims. Certainly, these maxims were lying scattered in the work of classical jurists. Scholars later gathered and cohered such maxims into structured categories of rulings, structuring them systematically for practical application. For instance, Al-Qurafi (d. 1285 CE), in his work *Al-Furuq*, gathered and sequenced fragmented legal principles into a structured format. His work organizes maxims under major themes, distinguishing nuanced differences between similar principles. Imam Al-Suyuti (d. 1505 CE) authored *Al-Ashbah wa Al-Naza'ir*, where he compiled and sequenced scattered legal maxims from earlier juristic writings.

Before the discovery of insulin, knowledge about diabetes was fragmented across clinical observations and experiments. Frederick Banting (Canadian medical scientist) and Charles Best (American-Canadian medical scientist) sequenced and cohered these scattered pieces, leading to the discovery and therapeutic application of insulin in 1921.

- vii. Reformation / improvement of a previous research work by removing the mistakes of the author. For example, the theory of Indivisibility of Atoms by John Dalton rectified by JJ Thomson and Ernst Rutherford. The theory of stationary status of the Universe / Sun, as nullified later on, is also a good example.
- vii. Research on a contemporary burning issue e.g. issue of leasing of womb of a woman, option of the gender of the child by parents, and the issue of cloning, the effect of artificial intelligence on human life and activities.

7. Kinds of Research

Qualitative: It deals in non-numerical data, such as text, opinions, behaviors, or experiences, to gain deeper insights. It answers 'why' and 'how'.

Quantitative: It involves numerical data and statistical analysis to identify patterns or relationships. It answers 'what' and 'how much'.

8. Methods of Research

It refers to the tool and way of investigation. It could be divided into deductive and inductive.

(i) Deductive Method: It is the process of confirmation of an already existing theory. Therefore, it involves a journey from top to bottom i-e coming down from General to specific. This is usually used in Quantitative Research¹¹.

Example 1:

Theory: All humans have two eyes.

Hypothesis: If a woman is a human, then she has two eyes.

Observation: Ms. Yasmeen is to be examined.

Conclusion: Since Ms. Yasmeen is a human, and has two eyes.

Example 2:

Theory: In contract law, an offer must be accepted unambiguously to form a binding agreement.

Hypothesis: A farmer offers to sell wheat to a shopkeeper for Rs.5000/- per 50kg, and the shopkeeper responds, "I will purchase it if you will grind it and turn it into flour."

Observation: Determine whether the shopkeeper's response constitutes an unambiguous acceptance.

Conclusion: Since the shopkeeper added a condition, there is no binding contract under the general rule of contract law.

(ii) Inductive Method: It refers to developing or discovering of a theory. It involves a journey from bottom to top, an up- going from specific to general. This is usually used in Qualitative Research.¹²

Example 1:

Observation: Judges / Qazis grammatical mistakes in writing of judgments.

Pattern: Most of the judges / qazis mistakes are related to the use of prepositions.

Hypothesis: Such mistakes are due to the different use of prepositions in native language (Urdu) and official language (English).

Theory: A comprehensive language training focusing on the right use of prepositions is a

¹¹ <https://www.scribbr.com/methodology/inductive-deductive-reasoning/>, last accessed on 17.03.2025

¹² See for further details *Manahij al-Bahth wa al-Masadir*, Muhammad Saeed Jamal uddin, Pp.61,62,63

must.

Example 2:

Observation: Speaking capacity of animals.

Pattern: Human beings are speaking animals.

Hypothesis: Every animal is not a human being.

Theory: All animals do not have the capacity of speaking.

Example 3:

Observation: Study cases involving failure of reconciliation efforts of family court judges / qazis.

Pattern: Notice that judges / qazis are not taking the required interest in the process of reconciliation.

Hypothesis: Awareness of the judges / qazis about ADR techniques is insufficient to address the problem.

Theory: A comprehensive training on the significance of Alternative Dispute Resolution is highly expedient.

(iii) Mixed-Methods Approach and Integration of Results

Here, it is necessary to mention that, sometimes, both the above methods could be simultaneously utilized, in appropriate types of research. This approach is called mixed-methods approach. Combining deductive and inductive methods allows researchers to take advantage of both approaches. Deductive reasoning provides structure and rigor, while inductive reasoning fosters creativity and discovery. By this way, they create a more holistic and robust understanding of research problems¹³.

The above mixed-methods approach could be illustrated in the following way:

- a. Quantitative research question: Does online (virtual) trainings significantly increase the impact of training?

¹³ <https://www.drkenyanwong.com/blog/>, last accessed on 18.03.2025. Visit also <https://chat.deepseek.com/a/chat/s/e6ac7d30-1b82-454e-b6cd-8de6620c58b6>, last accessed on 18.03.2025

- b. Qualitative research question: How do trainees describe their learning with online (virtual) trainings, and what factors contribute to the increase in impact of trainings?

Now, the result of both questions could be integrated in a proper way. If the quantitative results show an increase in the impact of online / virtual trainings, the qualitative data could explain what factors caused the increase (e.g., trainees feel more focused and less stressed due to local environment and exemption from travelling fatigue). If, on the other hand, qualitative data reveals unexpected challenges (e.g., feelings of non-concentration due to remoteness of the trainer or due to poor quality of network), the researcher can refine the initial hypotheses or suggest areas for future research. This process is technically known as integration of results.

9. Research Methodology:

What has been stated in the above paragraph, constitute methodology for research? Hence, research methodology means systematic outlining of techniques used for, collection of data, analysis of data and interpretation of data.¹⁴

10. Proposal Writing:

Research proposal is a document that outlines objectives of the topic under research, methodology of conducting the research, and the need and significance of a research topic. It is necessary because, through it, the researcher seeks the approval of the authority, seeks support in funds/grants, and convinces the reader on the value, feasibility, need and significance of the research.

11. Components of Research Proposal:

A research proposal must bear the following components:

- A. **Title:** Title indicates the subject of research. Therefore, it should be precise [clearly defining the scope of the study], concise [avoiding unnecessary words or complexity], plain [using simple and understandable language], encompassing [covering the core aspects of the research] and visually engaging [attracting attention and conveying the essence of the study]. This will keep the researcher confined to the subject, protecting him from roaming hither and thither during writing.

¹⁴<https://gradcoach.com/what-is-research-methodology/>, last accessed on 17.03.2025

In selection of subject, the researcher should consider the following questions;

- i. Whether the subject is suitable for conducting research?
- ii. Whether research on the subject is possible?
- iii. Whether the researcher has the capacity to write on the subject?
- iv. Whether the researcher has an inclination towards the subject?

Question No. i would help the researcher not to select a subject that has no nexus with human life and society, and which could not produce results benefiting the society at large. Question No. ii would help the researcher not to select a subject on which the available material is highly insufficient and incapable for conducting a research, despite the fact that the subject may be beneficial to the society. Question No.iii would ensure the capacity and ability of the researcher. For example, whether the researcher possesses the proficiency in the languages in which research material is available? Whether the researcher has sufficient duration and can complete the research in the prescribed time, if any? Whether the researcher has the financial capability to meet research expenses that might be incurred for visiting remote areas, accessing local or international libraries, consulting foreign experts, purchasing books, and, significantly, acquiring access to paid online sites. Question No. iv will ensure the interest of the researcher and its continuity till the completion of research. If a researcher has no natural inclination towards the subject, he will be losing interest day by day, which may result in the end of the process. For example, a researcher must possess an inclination towards Statistics, arithmetic, and digital processes, if he chooses quantitative research.

If the answer to any of the above questions is negative, the researcher should consider another subject with another title.

- B. **Title page:** It is the first page that includes essential information such as the title, author's name, name of the institution, monogram of the institution, if any. For a thesis writer, information about course, class, registration or enrollment no., and name of the professor or supervisor are also necessary. The title should be centered and bolded, placed three or four lines down from the top of the page.¹⁵

¹⁵ See for more details guidelines set by the American Psychological Association (APA), available at https://owl.purdue.edu/owl/research_and_citation/apa_style/apa_formatting, last accessed on 18.03.2025

C. Introduction: It contains discussion on the subject/issue of research, relevance, need and significance of the subject, causes that led the researcher to investigate the issue, purpose and objectives of the research. Briefly, in an introduction, sufficient informative background is given. For example, in an ADR dissertation, definition of Alternative Dispute Resolution, human nature about disputes, causes leading to dispute, history of the mechanisms of dispute resolution, need and significance of the amicable dispute resolution, formal and informal methods of dispute resolution, and the like, should be discussed. This introduction would inform the reader about the subject under research.

D. Problem Statement: It means contextualizing and describing the exact issue your research will address. For example, in a research on the poor performance of family court judges/qazis in reconciliation process, problem statement could be given as follows;

“Identifying the challenges faced by the judges / qazis of family courts in the process of reconciliation and specifying measures for improvement”

E. Research Questions: Research questions are clear, focused, and concise queries that guide a study or investigation. Actually, these questions and the forthcoming answers contribute to the solution of the problem mentioned in the Problem Statement. For example, research questions for the problem stated in No. 4 above, could be formulated as below:

- i. Whether the knowledge, skills of the judges / qazis of the family courts are inadequate?
- ii. Whether the litigant spouses are usually not interested in reconciliation?
- iii. Whether the attorneys (lawyers) of the parties are usually not cooperative?
- iv. Whether the law on the subject suffers from flaws and needs amendments?
- v. Whether all or some of the above contribute to the problem?
- vi. whether conflicting judgments put the judges/qazis in dilemma?
- vii. How can the conflicting judgments be interpreted harmoniously?

- viii. Is the non-consideration of verse no. 35 of *Surat Al-Nisa*, while complying with sections 10 and 12 of the Family Court Act, creates hardships?
- ix. Is there any role of the gender of the judge/qazi in the efforts of reconciliation?
- x. could the marital status or age of the judge/qazi affect the process of reconciliation.
- xi. What steps could be taken to meet the problem?

F. Literature Review: There is hardly a subject on which no one has embarked. This means that a significant amount of literature on the research topic is usually available. A researcher should begin by summarizing the earliest works on the subject, introducing the authors, describing the main content of their work, their methodology, significance, and results. Importantly, the researcher should identify gaps left by earlier scholars and point out deficiencies in their work. Additionally, the researcher must explain how his study will address these gaps, rectify the deficiencies, and contribute new insights. Ultimately, the literature review serves to justify the researcher's work by demonstrating how his thesis will offer a novel contribution to the field. In this connection, the following example is quite suitable;

Topic: 'Alternative Dispute Resolution in Shariah and Pakistani Law: A Comparative Study'

After discussing and acknowledging the work of earlier scholars like Muhammad bin Farhun, Ali bin Khalil Al-tarablasī, Mujahid ul Islam Qasmi, Fatima Muhammad al-Awwa, Ali bin Muhammad Al-Sawaji, Prof Wabah Al-Zuhaili, Prof Mahmud Ahmed Ghazi, Mr. Madabhushi Sridhar, Mr. Fali S Naiman, Mr. Herb Cohen, Mr. Howard Raiffa, Mr. Richard A. Lucke and James G Peterson, one may comment as under:

"Previous studies have not adequately addressed the Pakistani legal system, nor have they provided a comprehensive comparison between statutory law and Shariah. While some works omit any discussion of Shariah, others fail to examine contemporary legal frameworks on the subject. The present study aims to bridge these gaps and offer new insights into the intersection of law and Shariah within the Pakistani context." ¹⁶

G. Objectives and Outcomes of the Research: Research objectives are the main goals of study. It defines the scope and direction of the research. It helps in maintaining focus of the scholar.

¹⁶ See for full details 'Alternative Dispute Resolution in Shariah and Pakistani Law: A Comparative Study', Ph.D dissertation by Dr. Qazi Ataullah submitted to Faculty of Shariah & Law IIUI, 2015.

While writing a research proposal, the researcher shall discuss the objectives and outcomes of his study. It's important to clearly articulate what he aims to achieve and what the expected results would be. Therefore, it should be clear, measurable, and achievable.

H. Chapterization: Organizing research work is essential for clear and effective communication in academic research. The way it's structured depends on the subject being studied, so there aren't strict rules to follow. However, the structure should be logical, well-organized, complete, and flow naturally. Just like a play is divided into acts, research should be divided into chapters.¹⁷

The chapters should align with the research questions and the title of the work. Proper structuring brings clarity, focus, consistency, and professionalism to the research, making it easier to understand and more efficient. For instance, here's an example:

“Alternative Dispute Resolution in Shariah and Pakistani Legal System ; A Comparative Study”

Chapter 1 Introduction

Chapter 2 Arbitration

2.1 Arbitration in Statutory Laws

2.2 Arbitration/*Tahkeem* in Shariah

2.3 Comparison

Chapter 3 Mediation

3.1 Mediation in Statutory Laws

3.2 Mediation/*wasatah* in Shariah

3.3 Comparison

Chapter 4 Conciliation

4.1 Conciliation in Statutory laws

4.2 Conciliation/*sulh* in Shariah

4.3 Comparison

Chapter 5 Negotiation

¹⁷ Shawqi Dhaif, *Al-bahth Al-adabi*, Egypt 1972, Pp. 35,36, as referenced by Muhammad Saeed Jamaluddin in *Manahij al-Bahth wa al-Masadir*, P.36

5.1 Negotiation in Statutory Laws

5.2 Negotiation/*mufawadat* in Shariah

5.3 Comparison

Chapter 6 Conclusion

6.1 Summary

6.2 Results and Recommendations

6.3 Bibliography/ references

Note: All the above details pertain to the writing of master, doctoral and postdoctoral thesis. As for as, research article is concerned, it could be structured as below:

1. Title: It should be short, clear, and descriptive.

Example: "The Impact of AI on the Performance and Productivity of Researchers"

2. Abstract (Summary): A 150–250 word overview of the study. It covers purpose, methods, key results and conclusion.

3. Introduction: It explains the research topic and why it matters. It identifies what has remained undiscovered, and what has not been examined in the previous studies. It also contains the research question/hypothesis. For example, we examine whether excessive and unnecessary use of AI damages the capabilities and productivity of researchers?

4. Methods: It explains step-by-step how the study was conducted, who was studied, what tools were utilized, and what procedure was followed?

5. Results / Findings: It presents data. In quantitative research, it contains numbers / digits, graphs, and tables. It is usually followed by recommendations. It discusses what do results mean? Besides, in this portion, findings are linked with the research questions. Further, it points to the space for further research.

7. Conclusion: A few paragraphs summarizing key ideas / points.

Example: "Unnecessary and excessive use of AI reduces the productivity of the researchers and damages their capacity of critical thinking."

8. References: It contains the list of all books (Bibliography), Electronic sources (Webliography), articles, or data sources cited.

I. Methodology: Research proposal must mention methodology the researcher used, whether it is deductive or inductive or a mixed approach. In academic research, the mechanism of analysis should also be explained. For example, in case of legality of *talaq-e-tafweez*, the mechanism of analysis could be as under:

- a. The phrase should be defined literally and technically.
- b. Various opinions about the legality of the concept should be described.
- c. After mentioning an opinion, the arguments for the opinion should be recorded.
- d. The arguments should be recorded in the required sequence. For instance, arguments from direct revelation (the Holy *Quran*), arguments from indirect revelations (*Sunnah*), Consensus of opinion (*Ijma'a*; Express and Tacit), Analogy (*Qiyas*), Juristic Opinions (*Fatawa*), Legislation, judgments, and so on.
- e. The accuracy, authenticity, relevance, and force of each argument shall be discussed. Objections on each argument and explanation thereto, if any, shall be described.
- f. A meaningful, impartial and unbiased comparison of the arguments shall be made.
- g. In the light of the comparison, the preferred opinion shall be declared.

J. References: A proposal should contain details of references (books, reports of workshops/seminars/conferences, dissertations, research papers, historical documents, websites, reported judgments and the like). Mentioning of references is necessary because it earns credibility to the study, helps avoiding plagiarism, and provides opportunity to readers for verification. It also maintains and ensures the honesty of the scholar. References basically refer to the evidence supporting the claims of the researcher.

References are categorized as follows

- Primary Sources: Original materials like parent books, research articles, historical documents, or raw data. In Arabic language, they are called *masadir* like *Tafsir al-tabari*, *Sahih Al-Bukhari*, *Al-kamil (History)*, *Al-bayan wa al-tabyin (Arabic literature)*, *Constitutions*, *Statues*, *Case Law*, *A Brief History of Time*, *The Origin of Species*, *Hamlet*, *Macbeth*, *Romeo and Juliet*, and much more.

- Secondary Sources: Interpretations or analyses of primary sources, such as review articles or books whose authors relied on the primary sources, in Arabic language, they are known as *maraji'a*. Examples are, *Al-Tafsir al-Munir*, *Tadabbur-e-Quran*, *Riyadh Al-Salihin*, *Federal Law Journal*, *Punjab judicial Academy Law Journal*, *Harvard Law Review*, *Yale Law Journal*, *Oxford Journal of Legal Studie*, and many more.
- Tertiary Sources: Summaries or compilations of primary and secondary sources, like encyclopedias or textbooks.

The researcher is supposed to give information about the style he would choose for referencing. Once he chooses a style, he will adhere to that style throughout his work. For correction of citations, help could be taken from Reference Management Softwares (Zotero, EndNote, Mendeley, and RefWorks), and Citation Generators (Cite This For Me or EasyBib).

Some of the most common styles are mentioned below:

- American Psychological Association (APA): followed in social sciences, education, law, and psychology.
- Modern Language Association (MLA): Commonly followed in humanities, especially literature and linguistics.
- Chicago/Turabian: Used in history, arts, and some social sciences. Many Law colleges, law Faculties, Shariah Faculties, Judicial Academies, and Shariah Academies follow this style.
- Institute of Electrical and Electronics Engineers (IEEE): Common in engineering and computer science.
- Harvard: Widely followed in business and natural sciences.
- Vancouver: Often used in medical and scientific research.
- Al-azhar University style or Egyptian style: This style appears in most Arabic research works, particularly the classic studies and Islamic Jurisprudence. It begins with ame of the book the author, then volume number, then page number, then publisher, then year of Publication.

All the above styles have specific rules for formatting in-text citations and reference lists. Nevertheless, almost each style has the following components though with a different sequence.

- Author(s): The name(s) of the person(s) or organization responsible for the work.

- Title: The title of the article, book, or document.
- Publication Date: The year (and sometimes month or day) the work was published.
- Source: The journal name, book title, or website where the work appears.
- Volume/Issue: For journal articles, the volume and issue number.
- Page Numbers: The specific pages referenced.
- DOI (Digital Object Identifier): A unique identifier for online sources, especially journal articles.
- URL: For online sources, the web address where the source can be accessed.

In bibliography part shall basically include the references cited in the text. it may also include additional sources consulted but not directly cited. Bibliography may be arranged in any proper sequence, nonetheless, most of the researchers arrange it alphabetically. Some scholars arrange it subject-wise, such as Al-Quran, Hadith, dictionaries, lexicons, and thesauri, jurisprudence, history, books on the sequence of school of thoughts, general law books, statutes, reports, and so on¹⁸. Here it is utmost necessary to mention that incomplete and inaccurate references, inconsistent formatting, over-reliance on secondary sources, decrease in reliance on primary sources, mentioning of outdated sources, and the like should be strictly avoided¹⁹.

12. Selection of Topic:

We have given some details above. For further clarity, the following is added;

- a. The topic is the index of a research work. It must, therefore, be concise and precise in such a way that it could indicate / reflect the issues of the subject and solutions thereof. For this significance, it would need full consideration.
- b. It is the sole responsibility of the scholar [supervisor is only to help and guide him]
- c. The topic should not be so highly generic [focus should be on specification]. For example Islamic Jurisprudence, Pakistani laws and the like. Here, some specific subject of Islamic jurisprudence and some specific statute should be selected.
- d. It should not be extremely narrow and rigid because such topics are incapable of research in master and doctoral dissertations [though these topics might be suitable for research articles]. For

¹⁸ The best examples are *Al-Yameen Fil Al-Qaza Al-Islami* by Dr. Ekramah Saeed Sabri, *Wasail Al-Ithbat* by Dr. Muhammad Al-Zuhaili, and *Nazarriyyah Al-Dawa* by Prof. Dr. Muhammad Naeem Yasin.

¹⁹ It's important to note that much of the content from the "proposal" is repeated in the first chapter of the research work, but with added details and further explanations.

example legal status of cloning, legal status of leasing of womb, Sheltering: A part of maintenance of the wife.

e. If the topic is too generic and the available material is too much, then narrow down the topic. For example Alternative Dispute Resolution could be narrowed down to Mediation, Inheritance could be narrowed down to inheritance of women only.

f. If material is too less, then broaden the topic. For example ‘Negotiation’ could be broadened to amicable settlements.

g. The topic must be from the area of the researcher’s interest i.e. his inclination and aptitude towards the topic. A scholar of non-digital approach should not select a topic of mathematics, physics, statistics, econometrics, computer sciences, and the like. Similarly, a scholar with a digital approach should refrain from the topics related to social sciences and literature.

h. The topic must relate to some issue of benefit to society. For example, ‘Sky is above and the Earth is beneath’ or ‘Summer is hot and Winter is cold’ must be avoided.

i. Language: The scholar should be proficient in the language in which the research material is available. Therefore, he should avoid a topic whose material’s language is beyond his command. For example, a scholar while researching on ‘The modes of judicial separation between spouses’ should have the required command on Arabic language. Similarly, a researcher on the work of John Keats should have the required proficiency in English language. A researcher working on ‘*Iqbaliyyat*’ should be well versed in Urdu and Persian languages.

j. The material for the topic must be accessible to the scholar. At times, this would need to travel abroad, and he might not have the sources. Similar would be the case of material of paid websites.

k. Finally and significantly, the topic should have the following characteristics:

- i. It should not be too lengthy to be monotonous.
- ii. It should not contain injurious brevity.
- iii. It should not be of a nature rendering the reader astonishing. It should be unequivocal, not putting the reader into a state of dilemma²⁰.

13. Collection of Material/Data:

- a- A researcher should, first, collect the data and material. Data could be collected in different ways, such as collection of books, references,

²⁰ See for further details *Manahij al-Bahth wa al-Masadir*, Muhammad Saeed Jamal uddin, Pp. 29,30,31

reports of seminars, conferences and workshops, interviews, various research reports, commission's reports, specialized training reports, reports of the focused group discussions, material available on different websites and many more.

b- The data and material shall be deeply studied, with full zeal, perfect concentration, fresh mind and sufficient mental peace. For this purpose, a researcher shall always wait for suitable timings, conducive circumstances, and comfortable place.

c- The researcher shall take down the necessary notes with full details of the source, name of the source, volume number, page number and the like.

14. Procedure for quotation/*Iqtibas*:

At times, the researcher is compelled to write a few lines from the work of a previous scholar. Nevertheless, in doing so, he shall observe the following principles;

- a. Quotation should reflect its mother / primary reference. If a portion of a judgment of the Supreme Court has been reproduced in some subsequent judgment of a High Court, the scholar, instead of reliance on the later judgment, should make recourse to the judgment of the Supreme Court and should give reference thereof.
- b. No addition or subtraction/deletion should be made, because it will amount to academic and professional dishonesty.
- c. It must be copied within parenthesis () []
- d. Frequent quoting shall be avoided.
- e. If the quotation is less than six lines then it should be reproduced as it is.
- f. If the quotation is lengthy enough then a précis should be written.
- g. If some portion of the quotation is not needed or it does not serve the purpose, it should be obliterated by putting continuous dots -----.
- h. If the researcher deem some explanation necessary then it would be by this way []

15. Consultation with the experts of the subject (hearing process):

An ignorant person is not merely one who lacks knowledge, but rather one who is unaware of their own ignorance. As Allah the Almighty commands: So ask the people of knowledge if you do not know. (*Surah Al-Anbiya*, 21:7). For this purpose, at times, the researcher is compelled to do the following:

- a. Visiting the expert if accessible by distance
- b. If inaccessible by distance, then by any means of communication/correspondence
- c. If affordable then travelling to the places/ cities of experts
- d. Noting the details of the visits

16. Necessary Explanations.

At times, a researcher has to use some exceptional phrases, technical expressions, and specific jargon which are difficult for readers to understand. In such situations, brief explanations should be given in the footnotes. For example, in a research on amicable resolution of disputes, the scholar is required to explain the expressions like *Panchayat*, *jargah*, *Nanawatai*, *swarah*, *sharuntiyah*, *tigah*, *hakam*, *tahkim*, *salis*, *sulh*, *musalihat*, *rogah*, *razinama*, and the like. Similarly, *he shall* have to explain necessary distinctions between seemingly words such as difference between 'alternative and alternate', 'arbiter and arbitrator', 'mediator and conciliator', 'resolution and determination', 'award and decree', and many more. Further, at the first time use, perfect form of abbreviations and acronyms should be given. For example, ODR (Online Dispute Resolution), USCS (United States Conciliation Service), DRC (Dispute Resolution Council), WATNA (Worst Alternative to a Negotiated Agreement), BATNA (Best Alternative to a Negotiated Agreement) (BATNA), MEDARB (Mediation followed by Arbitration), ARBMED (Arbitration followed by Mediation), MEDOLA (Mediation On Last Offer Arbitration), and the like. Furthermore, while first time use, a brief introduction to the name of a previous or contemporary expert/scholar should also be attached in the footnotes. In research on ADR, such names shall include Jerome T. Barrett, Joseph T. Barrett, Sriram Panchu, Dr Wahbah Al-Zuhaili, Dr Mahmood Ahmad Ghazi, Mr Madabnushi Sridhar, ibn Farhun Maliki, Ali bin Khalil Al-tarablas, Fatimah Muhammad Al-awwa, Ali bin Muhammad Al-Sawaji, Qahtan Abdur Rahman Al-Duri, and many more.

17. Qualities of a Researcher:

Research requires a particular attitude. A good academician might not be a good researcher. For conducting research, some in-built qualities and capabilities are necessary. this phenomenon may be summed up as below;

- a) Ambition for Knowledge (it creates extreme inclination towards getting of information/data e.g. concessive questioning of Khizar AS by Prophet Musa AS).
- b) Geniusness and good and critical thinking faculty (thinking how this happens, as Newton discovered the gravitational force of the Earth by falling down on an apple on its surface).
- c) Patience and Non-disappointment. A researcher must possess a high degree of patience. At times, he has to face continuous failures, so, he would need to carry on, and should not lose his temper and courage. Research always needs the heart of a lion and curiosity of an eagle, as it requires persistence like a tortoise. Despite these qualities, and above all, a researcher must possess the patience of a camel. A researcher should believe on “*Pewasta Reh Shajar Se Ummid-e-Bahar Rakh*”²¹. Louis Pasteur, the renowned French chemist and microbiologist, is a perfect example of how failures can pave the way to groundbreaking success. Despite facing numerous setbacks, his persistence and scientific curiosity led to discoveries that revolutionized medicine and biology. Second example is that of Jabir Bin Hayyan, known as the "Father of Chemistry" , an 8th-century Muslim chemist and scientist whose experiments—many of which failed—laid the groundwork for modern chemistry. His struggles and persistence transformed alchemy into a systematic science.
- d) Ability of placing the facts in a proper sequence, maintaining the coherence.
- e) Hard of satisfaction: a researcher does not easily accept every received data/information. He always asks for reason and rationale. Imam Ghazali (1058–1111 CE), the great Islamic theologian, philosopher, and mystic, emphasized critical thinking, skepticism, and intellectual humility in the pursuit of knowledge. One of his key principles, particularly in his famous work "Deliverance from Error" (*Al-Munqidh min al-Dalal*), is that a true researcher must doubt and question before accepting any claim. He explained further that *the one, who does not doubt, does not bother. The one*

²¹ Hold fast to a tree, and you shall witness Spring.

who does not bother, does not think over, and the one who does not possess thinking faculty, would remain in ignorance]

Shariah prohibits accepting and believing of each and every information received. Islam emphasizes verifying news before sharing it as mentioned in the Quran. Allah the Al-mighty directs as under;

you who have believed, if there comes to you a disobedient one with information, investigate, lest you harm a people out of ignorance and become, over what you have done, regretful. (Al-Hujurat 49,verse No. 6)

Besides, A researcher is bound to share a well-based opinion. For this purpose, he is supposed to satisfy himself about the accuracy of the data received. in this regard, the following saying of the Holy Prophet Muhammad (SAW) is worth mentioning;

"It is enough for a man to prove himself a liar when he goes on narrating whatever he hears." (sahih Muslim, Introduction, hadith no. 5)

The above hadith encourages critical thinking and responsibility in speech, aligning with Imam Ghazali's principle of doubt before acceptance.

18. Research ethics:

Like any other dicipline, Research requires proper conduct. Research ethics are fundamental across all disciplines and are often guided by international frameworks, such as the Belmont Report and the Declaration of Helsinki. A researcher must have the following virtues and must avoid the mentioned evils;

- a) **Integrity and honesty:** A researcher must give credit to other writers for their work. He should report truly, and should give the reference of the maker of the opinion. He must avoid misappropriation and plagiarism. By this way, he would earn credibility to his work.
- b) **Justness:** A researcher shall describe the opinions of the opposite side in a proper way i-e stating the opinion holistically, giving the whole arguments for the opinion, rejection of the arguments in a just, unbiased and impartial manner, without any prejudice.
- c) **Respectfulness:** A researcher shall regard the work of the previous writers, He must appreciate their efforts and their contributions. He shall avoid unnecessary and wanton critique, avoid observations degrading the value of the previous writers. He shall be very careful in the choice of words during critique.
- d) **Beneficence:** The researcher is supposed to be beneficial and gentle. He should avoid harming and hurting others. If some harm or hurt is collateral, the researcher is bound to minimize it to each and every possible extent.
- e) **Rectification of mistakes/inadvertencies:** The researcher should not hesitate in making up for his deficiencies and correcting his mistakes, as soon as they are found.
- f) **Avoiding self exposure:** The researcher should avoid the use of first person singular and first person plural i.e. the pronouns I and We. Similarly, he shall refrain from writing ‘This opinion is wrong’, instead he should write ‘This opinion seems to be incorrect for the reasons so and so’.
- g) **Informed Consent:** Ensuring that participants are fully informed about the purpose, methods, risks, and benefits of the research and voluntarily agree to participate.
- h) **Confidentiality and Privacy:** Protecting the personal information of participants and maintaining their privacy throughout the research process.
- j) **Justice and fairness:** The researcher should share the reasons and conclusions in a fair manner. The fruit of the research should be published holistically, and no part thereof should be kept concealed.

19. Why Research Matters in Legal and Judicial Performance?

The primary duty of a judge or qazi is to administer justice by resolving disputes—whether criminal or civil. This judicial process involves several key stages: identifying the issues at hand, analyzing the evidence, interpreting the law, and finally, delivering a reasoned judgment. Each of these stages demands rigorous research skills. A judge who neglects thorough legal research risks rendering flawed decisions, thereby undermining the very foundation of justice. Without proper research, the judiciary may inadvertently perpetuate injustice rather than dispense it.

Similarly, lawyers must possess strong research capabilities to represent their clients effectively. A competent lawyer examines relevant case laws, statutes, and legal principles to construct persuasive arguments. Failure to conduct comprehensive research may result in overlooking critical precedents or misapplying the law, weakening the case and potentially leading to unjust outcomes. Moreover, laws and judicial interpretations evolve continuously; lawyers must remain updated through consistent research to provide accurate advice and assist the court in reaching a fair decision. Whether in criminal defense, corporate litigation, or human rights advocacy, diligent research is indispensable for ensuring justice.

For lawmakers, policymakers, and law commissions, research is equally vital. Laws must adapt to societal changes, and research helps identify deficiencies—such as ambiguities, contradictions, or outdated provisions—that necessitate reform. For instance, empirical studies on domestic violence might reveal gaps in legal protections, prompting legislative amendments. Likewise, research on reconciliation mechanisms in family law, alternative dispute resolution (ADR), procedural laws like Section 164 CrPC (recording defense evidence), recording and considering the statement of parties (civil causes) as evidence, misinterpretations of Article 163 of the *Qanoon-e-Shahadat Order*, misapplications of Section 340(2) CrPC, and *Khula* proceedings / resolutions can lead to more informed legal reforms. Governments and law commissions rely on data-driven research, comparative legal analyses, and expert consultations to draft effective legislation. Without such research, legal reforms risk being based on conjecture rather than evidence, resulting in ineffective or even detrimental laws.

From the above, it could be concluded that research serves as the backbone of a functional and fair legal system. It equips legal professionals with the knowledge to make sound decisions, drives meaningful legislative reforms, and enhances judicial efficiency—ultimately fostering a just and equitable society. Continuous investment in legal research is indispensable for the progressive development of the justice system. Here’s why research matters in the legal profession, legal reforms, and judicial performance.

20. Sample Articles:

Structuring of a research article has been discussed above under the heading of ‘Chapterization’. Nevertheless, for further assistance, samples of the Research Articles could be downloaded from the website of KPJA under the heading “Published Articles”. From there, one could get the idea about the topic of the Article, Abstract of the Research work, Introduction to the subject, Analysis / investigation of the issue, referencing manner and conclusions / recommendations / suggestions. Recourse could be made to the following:

S.N	Title	Author	Link
0			
1	'War on Terror' and Rights-Based Approach to Development	Dr. Khurshid Iqbal	http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2322224
2	Re-Conceptualising the Right to Development in Islamic Law	Dr. Khurshid Iqbal	http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2310198
3	Tracing the concept of ADR in Shariah and Law; A comparative Study, Published in Hamdard Islamicus, Vol. XXXIX, No. 3, Hamdard Foundation, Pakistan (HEC approved Journal)	Dr. Qazi Attaullah	Link to Article

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|---|--|--------------------|---------------------------------|
| 4 | <p>What Goes Wrong with the Meaning, Legislation, and Functioning of Mediation in Pakistan? (Pointation and solutions) (Published in Pakistan Vision, Vol 18, Issue No. 2, December 2017, (HEC approved Journal)</p> | Dr. Qazi Attaullah | Link to Article |
| 5 | <p>The Role of Informal Agricultural Finance in the Development of Local Farming in Khyber Pakhtunkhwa (Pakistan): A Critical Analysis, PAKISTAN JOURNAL OF SOCIAL SCIENCES [PJSS, Vol. 37, No. 2 (2017), pp.420-434, (HEC approved Journal)], Bahauddin Zakariya University, Multan</p> | Dr. Qazi Attaullah | Link to Article |
| 6 | <p>Arbitration; Legislation, Scope, and Functioning in Pakistani Legal System [A pragmatic Approach in Law and Sharī‘ah, [Published in Al-Idah 36 June, 2018 (HEC approved Journal) Shaykh Zayed Islamic Center - University Of Peshawar]</p> | Dr. Qazi Attaullah | Link to Article |
| 7 | <p><i>The Concept of Alternative Dispute Resolution (ADR) & it's Evolution in the Legal Systems of the World and Shariah: A Historical Analysis</i>, [Published in Journal of Islamic Research (HEC approved Journal), Bahauddin Zakariya University, Multan]</p> | Dr. Qazi Attaullah | Link to Article |

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| 8 | TRACING THE CONCEPT OF NEGOTIATION IN LAW, PAKISTANI LEGAL SYSTEM AND SHARĪ‘AH (ISLAMIC LAW) (A Comparative Study), (Published in Jihāt al-Islām Vol.11 (July – December 2017) No.1, Punjab University, Lahore) | Dr. Qazi Attaullah | Link to Article |
| 9 | Comparative Analysis of Alternative Dispute Resolution Laws in Pakistan: its Adaptation, Procedure and Compatibility | Hamaish Khan | https://ojs.ahss.org.pk/journal/article/view/10 |
| 10 | Legal Framework for Promoting Environmental Justice in the Context of Climate Change: Highlighting Proactive Role of the Supreme Court of Pakistan | Riaz Aslam Daavi | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4900735 |
| 11 | Changing Paradigms: Criminal Responsibility in Mental Health Laws of Pakistan and UN Conventions on the Rights of Persons with Disabilities | Hamaish Khan | https://ojs.jdss.org.pk/journal/article/view/295 |

Dr. Qazi Attaullah
Senior Director (Research Publication)
KPJA

Syed Mansoor Shah Bukhari
Research & Publication Officer

