

ARTICLE PUBLICATION FOR LAW SUBJECTS: OVERVIEW AND EXPERIENCES



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(COMPILED FROM VARIOUS SOURCES)

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Outline

2

- Overview
- Some Basic Rules of Academic Writing
- Common Mistakes
- Reviewers' Guideline Samples

Overview

3

- **The motivation to publish**
 - Service to God and Community
 - Professional Requirements (KPI, Networking, Credentials, etc)
 - Monetary Profits
 - Others
- **Types of Law Articles**
 - Predictive Legal Analysis (e.g. Statutory analysis, Problem-based Analysis)
 - Commentaries/Critique (e.g. Case analysis, Judgment reviews)
- **Choosing Publications**
 - Identify the scope of topics (specific, general, inter-disciplinary)
 - Identify the readership spread (jurisdiction)
 - Identify the philosophy and objectives of the publishers
 - Elaborative analytical vs Summarised 5 pages (IMRAD)

Some Basic Rules of Academic Legal Writing

4

- **Employ some methodologies:**
 - Social empirical
 - Doctrinal analysis
 - Comparative, etc.
- **Legal Authorities**
 - Cite case law or legislation for all propositions of law.
 - Acknowledge all the references you use.
- **Language & Form**
 - Do not use informal language or slang.
 - Use a more formal tone.
 - Write words in full and avoid contractions.
 - Do not use abbreviations that have not been introduced in full first.
 - Do not use offensive or strong emotional language.

IRAC for Problem Solving Writing

5

- Identify the legal Issue based on the given facts (I)
- Recall the correct and proper Rules (R)
- Apply rules on the current and respective facts (A)
- Conclude clearly and concisely (C)

Originality & Novelty

6

- **Originality can be looked at from different perspectives:**
 - Original ideas
 - Original expression of ideas
 - Original method of research
 - Original perspective of old ideas
- **Novelty deals with:**
 - New knowledge
 - New perspective of the knowledge
 - New population, object or cultural setting
 - New technologies or surroundings

Novelty + Significance

7

“This study has never been studied before”

- This is not good enough; the study needs to be placed in a broader context.
- Authors should give specific reasons why the research is important, e.g.
 - The research could affect a particular policy-making process
 - The research may introduce a different regulatory approach
 - The study can provide alternatives to the existing dispute resolution procedures
 - The study could challenge a long-established theory of punitive sanction

Why is my paper rejected by Journal?

8

- **Mismatch with the journal?**
 - Findings only interest a very narrow or specialized audience that the journal does not specifically cater.
 - Manuscripts that lie outside the stated aims and scope of the journal
 - Topics not of interest to the journal's readership
 - Papers that do not follow the format specified by the journal
- For this kind of situation, many manuscripts are rejected outright by journals, before they even undergo peer review, because the manuscript is not appropriate for the journal's readership or does not fit into the journal's aims and scope.
- *To avoid this, spend some time creating a list of journals and reviewing your options before deciding which journal to submit your manuscript to.*

Why is my paper rejected by Journal?

9

- **Flaws in study design**

- Poorly formulated research question
- Poor conceptualization of the approach to answering the research question
- Choice of a unreliable or unsuitable method
- Incorrect method or model not suitable for the problem
- Unreliable or incomplete data
- Inappropriate instrumentation or sample chosen

- Even a well-written paper will not hide flaws in study design. This is a fundamental problem that must be resolved in the initial stages of the study, while conceptualizing the study, or before writing your paper.

- **To avoid this problem, conduct a thorough literature review to determine the best methodologies and practices for your research.**

Why is my paper rejected by Journal?

10

- **Poor Writing and Organization**
 - Inadequate description of methods
 - Discussion that only repeats the results but does not interpret them
 - Insufficient explanation of the rationale for the study
 - Insufficient literature review
 - Conclusions are not supported by the data (disconnect)
 - Failure to place the study in a broad context
 - Introduction that does not establish the background of the problem studied
- Literature review is especially important for a doctrinal research.
- A comprehensive, recent and decent list of bibliography can be a factor that attracts interest!

Why is my paper rejected by Journal?

11

- **Inadequate preparation of the manuscript**
 - Failure to follow the journal's Instructions for Authors
 - Sentences that are not clear and concise
 - Title, abstract, and/or cover letter that are not clear or not persuasive
 - Wordiness and excessive use of jargon
 - Large number of careless errors like poor grammar or spelling mistakes
 - Poorly designed tables or figures
- **Non-English-speaking authors: Mistakes in the grammar, writing style and structure.**
 - Help of a proof-reader
 - Use of tools such as Grammarly

Why is my paper rejected by Journal?

12

- **Reasons not related to manuscript quality**
 - Space constraints (less relevant for online & open access journals)
 - Experience of journal reviewers
 - Volume of submissions (too many submissions)
 - Journal's decision-making policy (accepting only from writers of certain geographic or demographic groups; or excluding some others)
 - The journal editor is looking for something specific at a given time (thematic edition)
 - The journal receives more than one submission on the same topic
- **For the above reason, writers may consider sending the paper to other journals in their list of preference.**

Why is my paper rejected by Journal?

13

- **Ethical Issues**

- Non-conformity to ethics policies (Racism, Universal values, Religious values, etc.)
- Plagiarism concerns

IIUM Law Journal Review Kit

14

Section 2: Rating

1=poor; 2=fair; 3=good;4=very good; 5=excellent [Select by placing X in the relevant column]

No	Criteria	1	2	3	4	5
1	Title: Suitability to the contents					
2	Abstract: Effectively indicates the problem, the methods and proposed solutions or findings.					
3	Methodology: sufficient and appropriate					
4	Results/findings: supported by sound legal analysis					
5	Originality: Containing new and significant information adequate to justify publication					
6	Relationship to literature: Adequate understanding of and reference to relevant literature in the field; not ignoring any significant work					
7	Quality of communication: Clarity in expressing the case; clarity of language and readability					
Overall Rating (35). Only manuscripts that rates 25 and above may be suggested for publication.						

IIUM Law Journal Review Guideline

15

- **1. Do you think this manuscript provides an original and meaningful contribution to the scholarly discourse?**

Redundant researches which do not provide anything new would surely not have any merit to be published.

- **2. Does the manuscript follow a clear research method?**

Any academic researches should follow a good research method, and it should be indicated in the manuscript.

- **3. Does the manuscript utilize sufficient literature and legal basis which are relevant and up to date?**

We hope that authors provide strong basis for their analysis, covering the significant works and arguments in the field. However, this is also bearing in mind that some fields may require heavy reference to old literature, such as works on the Sharī'ah (may require plenty references to the *turath*) or legal history.

- **4. Are the arguments sound? Did the author miss anything crucial?**

Good academic researches would provide arguments which are sound and accurately leads to the conclusion.

IIUM Law Journal Review Guideline

16

- **5. Are the references referenced properly?**

By this we do not mean formatting but substance. Occasionally we find certain mistakes in referencing. Examples are: mistranslating quotes of scholars/Qur'an/legal document, the quoted passage is given an inaccurate reference, providing incomplete information in the citation (e.g. forgetting page number), *etc.*

- **6. Do you find the manuscript easy to follow?**

While we do not expect all authors to be masters of the English language, we would surely appreciate manuscripts to be written with proper English and a good flow. After all, there is little benefit from articles which is difficult (or impossible) to understand because of the lack of language proficiency.

- **7. Do you find traces of plagiarism?**

The Editorial Board checks all manuscripts with our anti-plagiarism software, and only those with a similarity rate of under 25% will be sent to reviewers. However, there are various techniques to cheat anti-plagiarism softwares. If you happen to notice any possible traces of plagiarism, please let us know.

PERTANIKA Journal Review Kit

17

SECTION II: Rating

(*Referee to rate the article*) 1=poor; 2=fair; 3=good; 4=excellent; W=Weight

♦ Multiply your rating by the corresponding **W** value to get the **total score** for each criterion.
e.g. if you have rated 3 for item 1, your total would be $3 \times 2 = 6$ or if you have rated 3 for item 2, your total would be $3 \times 1 = 3$.

No	CRITERIA	1	2	3	4	W	TOTAL♦
1.	Clarity of formal structure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2	0
2.	Suitability of title to the contents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	0
3.	Abstract sufficiently informative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	0
4.	Originality / Novelty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	0
5.	Methodology sufficiently described	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	0
6.	Methodology appropriate to study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	0
7.	Results / Conclusions supported by data analysis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2	0
8.	Clarity in the presentation of findings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2	0
9.	Scientific soundness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2	0
10.	Bibliography adequate and relevant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	0
OVERALL MERIT							0

REVIEWER'S GUIDELINE PERTANIKA

18

1. Theoretical/Conceptual Soundness:

- The article should make reference to previous research or theories in the reported study.
- The theory, if any, behind the research should be logically applied and thoroughly justified.
- It should correctly interpret and appropriately synthesize relevant prior research.
- And finally, are the hypotheses, if any, derived from the theory to be tested, clearly stated, and are they actually tested?

REVIEWER'S GUIDELINE PERTANIKA

2. Methodological Soundness:

- Qualitative or quantitative empirical studies reported on should have a systematic and coherent method of study.
- The article should include a clear account of the study's project background, objectives, subjects, methodology (methods should be the most recent, if not, the relevancy/ appropriateness should be questioned), data analysis, and conclusions.
- The reviewer should comment accurately and constructively upon the quality of the author's interpretation of the data, including acknowledgment of its limitations.
- Are the appropriate analytical techniques applied to the data collected, and the results correctly interpreted?
- Are the conclusions and/or implications correctly derived from the research findings?

REVIEWER'S GUIDELINE PERTANIKA

20

3. Contribution:

- Does the article advance knowledge in/of the discipline?
- Are the findings and their implications noteworthy?
- Is the paper of interest to many people in the field or at least one segment of it (e.g., academics, practitioners, public policy makers, consumers etc.)?
- The article should also discuss the implications of the reported project, and/or report on any conclusions or products which may be of relevance to future research, development or practice.

REVIEWER'S GUIDELINE PERTANIKA

4. Communication:

- The article should be of an acceptable quality in terms of linguistic accuracy, clarity and coherence.
- Is the article clearly written and the major points easily grasped?
- Is the article laid out in a logical format?
- Data presentation/ tabulation: Any irrelevant tables/ figures should be checked.
- The reviewer should comment on major strengths and weaknesses of the manuscript as a written communication, independent of the design, methodology, results, and interpretation of the study.

CONCLUSION

22

- Publish or Perish
- Read to Write
- No one-size-fit-all publication
- Write and edit

REFERENCES

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- IEREK: “How to Publish Your Paper in an Academic Journal?”
- A’zam Shams Slideshare: “Basics of Research Paper Publishing.”
- UTS Law, “Guide to Written Communications.”
- IIUM Law Journal:
<https://journals.iium.edu.my/iiumlj/index.php/iiumlj>
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THANK YOU



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