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Legal Research: Use of Techniques, Tools and Evolving Technology

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ABSTRACT

Research is a process of collecting information about a subject and then analysing it for enhanced knowledge using different methods or techniques. These strategies or techniques construe what is known as 'Research Techniques'. Generally, the law follows the techniques of social sciences research as the base. However, the sources referred while undertaking the research increase due to complex laws and legislations. The most popular legal research method is Doctrinal Research, where the researcher, without stepping out in the real world, analyses the laws, legislations, case laws, amendments and other documentary pieces of evidence to conclude on a research problem. Legal research sources can be categorised into three divisions, and the evolving technology has given them a digital shape. The availability of these sources at multiple domains and collating information is a major challenge for a legal researcher. Academic institutions play a vital role in providing access to these resources and training their students. Bar Council of India mandates the institutions for the inculcation of Information Technology in providing legal education as per the Legal Education Rules of 2008 later revised in 2020. The majority of the resources are available digitally and thus require accessibility. However, does a researcher subscribe to these resources individually, burning a hole in the pocket? Looking into these considerations, intellectuals of the world came up with different initiatives to promote open access to scholarly literature. The legal fraternity also took on the open-access initiative but was a bit delayed compared to other disciplines. The open-access initiative has taken over by storm, and many intellectuals and legal scholars are contributing.

Keywords: Legal Research, Techniques, IT Tools, BCI Rules, Open Access in Law, Covid and Research.

I. INTRODUCTION

Research is a process of collecting information about a subject and then analysing it for enhanced knowledge using different methods or techniques. These strategies or techniques construe what is known as 'Research Techniques'. The different types of research are

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conducted based on information, utility, approach, using different methods etc. Each of these types uses different methods for undertaking the process of research and zero down to a particular conclusion. The process includes various steps which the researcher undergoes while researching a particular topic which is mentioned below:

1. Formulation of a Research problem
2. Review of Literature
3. Preparing a Research Hypothesis/Research Questions
4. Preparing a Research Design
5. Data Collection
6. Data Analysis
7. Testing the Hypothesis/Answering Research Questions
8. Inference/Conclusion
9. Documentation /Report Writing

All these steps, when done in chronological order, formulate the entire process of research. The same process is undertaken when the researcher is doing legal research. Since law regulates the functioning of society, legal research becomes intrinsic, and the researcher has to dwell more to understand the nuances. Generally, the law follows the techniques of social sciences research as the base. However, the sources referred while undertaking the research increase due to complex laws and legislations. The most popular method of legal research is Doctrinal Research, where the researcher, without stepping out in the real world, analyses the laws, legislations, case laws, amendments and other documentary pieces of evidence to conclude on a research problem. These resources analysed for legal research are varied and divided into different categories. World Legal Information Institute categorises it as Legislations, Case Laws, Journals for Law, Law Reform Reports and Treaties.² These divisions are further placed under the broader categorisation of primary, secondary and tertiary sources.

- The **primary source** of law covers the Constitution of India and different nations of the world, all the legislations, statutes, acts, codes, the judgments of Supreme Court and High Courts of India and the world, publications of the reputed research journals etc.
- The **secondary source** constitutes various commentaries on the law, different treaties, encyclopaedias for law, legal dictionaries, various digests etc.
- The **tertiary sources** cover the case indexes and directories etc.

² Priya Rai, *Use of Law Library in Legal Research*, EPATSHALA MODULE, MHRD, GOI (Nov. 20, 2021) http://epgp.inflibnet.ac.in/epgpdata/uploads/epgp_content/law/09._research_methodology/15._use_of_law_library_in_legal_research_/et/5799_et_15_et.pdf

There may be additional sources as well, which can be placed under these three broader categorisations. The researchers undertaking research rely on these sources to fulfil the criteria of research. However, the question arises that how to get access to these resources? The answer lies that the researcher has to resort to the **‘mecca of sources’ called the library**. While undertaking pure legal research, i.e. Doctrinal Research, the path chosen by the researcher depends on the nature of the issue or the research problem.

The doctrinal research on a legal issue is completed by following the mentioned steps:

- (i) **Identification of the scope of the research problem:** The researcher needs to identify the scope of the problem/issue and ask relevant research questions which are supposed to be answered during the process of the research.
- (ii) **Refer to a secondary source:** While undertaking doctrinal legal research, the source of reference for a researcher are the secondary sources available on a particular topic. This exercise is also commonly known as literature review and leads a researcher towards the primary source in research. In the case of legal research, secondary sources like commentaries on the law, legal encyclopaedias, legal digests etc., help the researcher to understand the problem undertaken for research and help the researcher to locate the primary sources. For example, search of a legal article using legal journal indexes on West Law or Google scholar help the researcher to find out various relevant articles which act as the primary source of research.
- (iii) **Find the relevant statutes:** This can be done by exploring the analysis documents on various statutes. Different statutes located from the secondary sources can be studied to find out relevant sections applicable to the particular issue a researcher is analysing in research.
- (iv) **Find the relevant case laws:** Case laws are very important sources for legal research. The relevant case laws are identified using various digests. The located judgments should be read thoroughly to locate the relevant part of the judgment useful for the research by a researcher.
- (v) **Find more relevant authorities:** The researcher needs to locate more relevant updated judgments using different resources to understand the veracity and standing of the relevant judgment to be used in particular research. This is also to be done to understand if a particular judgment holds the ground and is not overruled.

- (vi) **Collate the research:** The last and final step of undertaking legal research is to analyse and collate the findings from various primary and secondary sources, compile the findings, prepare the report and produce them before the relevant authorities.

The entire process narrated above is important and cannot be completed without the use of a law library. For the learning process of the students, every educational institution has the mandate to develop a rich library with relevant reading material for the students. But with the changing times, the library cannot be restricted to walled structure and has taken the shape of both online and offline channels. There are print and digital resources which a researcher can resort to while undertaking the research. Thus, a good library with proper resources plays a very vital role in undertaking the process of research. The above-discussed resources need to be readily available for the use of the researcher with the support system of the librarian and other staff for doing quality work and developing a better understanding.

II. INTRODUCTION TO THE INSTITUTION'S LIBRARY

Once a candidate enrolls in an institution, the one area which is remarkable for him/her in the academic journey is the library. The worth of an institution is measured by the resources its library possesses and the availability of access to its students. For law students, the use and value of the library increase ten-fold for the learning process. When law students enter the institution, they are given proper orientation in the use of the law library. The practice has evolved with the changing times. In the earlier era, the library staff and teachers used to take the classroom approach and make students understand the use of the library to do legal research using the tangible form of various resources. But with the changing times and enhanced use of information technology, the approach has changed. Though still the training begins with learning the use of hardcopy resources, students are also trained to use computers and other IT techniques to explore the online legal resources. The majority of law libraries are equipped with computers and online access. They give access to these databases and train the students for enhancing learning using digital mode. This access of information through the online mode is commonly known as an Online Information Retrieval System.³

III. INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) IN HIGHER EDUCATION

Information and Communication Technology (ICT) is prominent in higher education. It helps

³ *Id*

in developing online courses and helps the researchers to undertake research using online resources. It is also relevant for the researchers to identify the area of research, identify the relevant literature through a literature survey, undertake a review of literature, plan a research design, collection of data from the field, and analyse the collected data. ICT also helps the researchers in referencing the resources they are using online. The availability of different resources online also helps the researcher in accessing varied information without many expenses and geographical distances. The dissemination of the accumulated information can also happen without any hassle and at a click of a button. Multiple software has also been developed to analyse the accumulated information and draw a relevant inference. The presence of e-books, e-journals, newsletters, different databases, different software etc. has made the life of a researcher simpler and the ambit of the research wider.

The use of ICT in research and education can be divided into four broader categories;

1. **Communication:** The ICT has made communication across the planet a simpler affair. Where just at the click of a button, one can reach another end of the world. The communication of researcher with various academic and research institutions have become simple and useful in terms of conducting the research.
2. **Sharing of information:** The presence of the ICT has led to sharing of the information from one corner of the world to another available through a click. The researchers do not have to struggle for sharing their research with the world. This can be easily done using the ICT tools, and this also helps in owning the information which a researcher discovers.
3. **Testing the information:** Another important aspect in the process of the research is the testing of the information which a researcher claims to be his/her findings. There can be chances where researchers get involved in unethical practices and produce fake data and fake research. But the availability of different software helps to test this information to verify the authenticity of the same.
4. **Evaluation:** The information available online from the research also needs evaluation. There are various tools and techniques available online which can help in evaluating the information available online. The evaluation of information or research gives authenticity and validity to it and can be further used and presented by the researchers in the public domain.

IV. USE OF INFORMATION AND COMMUNICATION TECHNOLOGY IN RESEARCH

The use of Information and Communication Technology in Research has become a new norm.

With the changing time, the mode of research has also evolved and has taken the technology recourse. The facilities help the researcher to be autonomous, creative and authentic. A wide variety of tools, techniques, software etc have been developed and depends on the skills of the researcher to utilise and be innovative.

Three main categories include the use of ICT in Research⁴:

(i) **Pre-Data Analysis:** This stage includes the identification of the problem, literature survey, review of the surveyed literature, formulation of research tools and data collection. Finding the literature and reviewing it can be difficult for a researcher if only has to be done in a traditional way of a manual survey of books and resources. The use of ICT helps to access various sources through a single click and is beneficial for a researcher. A few of the commonly used sources are Google Scholar, Google Books, Shodhganga, various E-Journals and the list goes on.

Similarly, in the process of formulation of Research tools, ICT plays a very vital role. The facilities like Google Forms and other Survey software helps the researcher to reach many audiences without facing the hassle of travel and logistics. It has made the life of a researcher easier with a wide reach to the audience and ease of data collection.

(ii) **Data Analysis:** There are different types of research and two of its prominent types are Quantitative Research and Qualitative Research. The use of ICT for the data analysis of these two types of research varies. For Quantitative data analysis, a researcher uses different types of tests like t-test, multiple regression test, chi-square test etc. With the changing times, different software has developed for undertaking these tests and data analysis, like, SPSS, MATLAB, Microsoft Excel etc. These different software helps the researcher to easily analyse the data collected for the Quantitative Research. For Qualitative data analysis, the collected data by the researcher using various techniques like in-depth interviews, focus group discussion etc., different software are available for this analysis as well, like ATLAS. Ti, NVivo etc.

(iii) **Post data Analysis:** After the completion of the data analysis, the next step is report writing. While doing this process, the use of ICT comes into play. From referencing, bibliography, plagiarism check and submission of manuscripts for various journals, different tools of ICT play a vital role.

There are several other aspects where the use of ICT tools and techniques play a very important role in the process of research, and the availability of such tools and techniques make the

⁴ *Application of ICT in Research*, SCHOLARIFY (Nov 21, 2021), <https://www.scholarify.in/application-of-ict-in-research/>

researcher undertake the process of research with more ease where he/she can explore and use their skills without indulging in unfruitful labour.

V. MINIMUM STANDARDS AND EDUCATION RULES FOR LAW LIBRARY

Legal education in India is regulated by the Advocates Act of 1961. It established the Bar Council of India (BCI) and State Bar Councils and gave the power to the Bar Councils to fix the standards of legal education in India.⁵ The minimum standards recognise the law universities and criteria to get a law degree. BCI came out with the Legal Education Rules of 2008 and the same were revised in the year 2020. The 2008 rules prescribed the application of ICT in legal education and made it mandatory for the universities providing legal education to provide desktop and internet facilities and a minimum of one online database for the law library.⁶ The need for a good law library and use of ICT in legal education was reiterated in the BCI Education Rules of 2020 where it was mentioned that the set up of a law library will be mandatory for the universities providing legal education and a particular amount of money to be spent on the update of the library as per the affiliation of the university.⁷ It also mandates the library to get the e-resources of the AIRs, Criminal Law Journals, Law Manuals etc regularly and submit the purchase receipts with the BCI at the time of application of renewal of affiliations.⁸

Thus, the need for an updated and well-equipped library is strongly reflected by the BCI rules of legal education in India. With the changing times, the regulations of legal education have updated and promoted the use of ICT in the law libraries to keep the students and the budding researchers at pace with the changing scenarios. These equipped and updated libraries are the key sources provided to the students which help them in getting the legal education and also developing the research acumen.

Different e-resources available for the legal researchers are mentioned below:

1. **E-Books:** E-books mean electronic books. The digital version of the print books is called the e-books. It can read on a computer, laptop, phone screen etc. These can be downloaded or are available online. These are handy as a single computer can store numerous books without taking much space as required to manage the print books. This becomes easy for a researcher to access the e-books sitting at any place without visiting any particular place.

⁵ Akashdeep Singh, *Role of Information and Communication Technologies in Transforming Legal Education*, 5 IJRAR (2018), (Nov 21, 2021) http://ijrar.com/upload_issue/ijrar_issue_1390.pdf

⁶ *Id*

⁷ Bar Council of India Circular, No. 01/2020, (Nov 22, 2021) <http://www.barcouncilofindia.org/wp-content/uploads/2010/05/BCI-158-2020-CirNo.-1-All-VC-Registrar-Sub-Circular-for-compliance-of-all-the-Rules-of-Legal-Education.pdf>

⁸ *Id*

2. **E-Journals:** E-journals are similar to e-books. The digital version of printed journals is e-journals. The advantages are similar to that of e-books as a researcher can access numerous journals sitting at any place just with one click of the laptop. The other advantage is that there are a huge number of journals that are published every year and it becomes difficult for the one library to bring in all because of the paucity of space and resources. But the online access to these journals solve the purpose and the researchers can access several e-journals without any hassle.

3. **E-Legal Databases:** With the development of ICT, legal databases have also been developed electronically for the ease of legal research for lawyers and academic researchers. A few of them are discussed below:

(i) **Manupatra⁹:** Manupatra is the Indian e-legal database used widely by the legal fraternity and professionals to get access to all the Indian cases, legislations, acts, statutes, commentaries, digests, articles etc. It mostly covers legal, taxation and business databases and is a paid database. The service is provided as per the subscription policy of the user. The researchers use it for research and getting information related to the areas mentioned above.

(ii) **SCC Online¹⁰:** It is a comprehensive web legal database that provides in-depth information about Indian and Foreign Law. It has a total of 400 databases at present and extensively covers the information relevant for legal researchers. From judgements of high courts and apex courts to tribunals, various committee reports, notifications etc., SCC online has it all. It is an online branch of Eastern Book Company (EBC).

(iii) **Lexis Nexis¹¹:** Lexis Nexis is a platform that sells information online for the professionals seeking solutions in business risk management, legal, corporate, law enforcement, governments etc. It is a huge network with a global reach to almost 175 countries and the availability of more than 45,000 legal resources. For the use of Indian researchers, it has included more than 90 e-books and other articles and commentaries. The platform has a global outreach as well.

(iv) **Westlaw:** Westlaw is another online platform for legal research and legal information used by legal professionals and lawyers. It is a product of Thompson Reuters and provides access to case laws, commentaries, legislations, statutes, law journals, latest legal current affairs etc for the user. It is available and used across the world but for India, Westlaw Asia is the useful one. The reach and ambit are very broad and provide a pool of information to the researcher.

⁹ MANUPATRA (Nov 23, 2021) <https://www.manupatrafast.com/Defaults/CompanyInfo.aspx>

¹⁰ SCCONLINE (Nov 24, 2021) <https://www.sconline.com/about-us>

¹¹ LEXISNEXIS (Nov 24, 2021) <http://www.lexisnexis.co.in/en-in/about-us/about-us.page>

(v) **JUDIS (Judgment Information System):** It is a platform created and maintained by the National Informatics Centre, Government of India. As the name suggests it is an online platform that gives access to all the judgments passed by Supreme Court since 1950 and other High Courts in the country to date.

4. Other e-sources: Several other e-sources are relevant and useful for a researcher, student and professional. These may be e-journals, e-magazines, e-newsletters, etc. All of this information available online is very important and a few of them which are frequently used are discussed below:

- (i) **JSTOR-** Journal store or commonly known as Jstor is the online platform available for researchers and acts as a library with numerous journals, books and other resources. Since the e-source covers multiple sources, there is a facility of accessing the articles by subject, with a title, publisher etc. It acts as a very vital source and is used frequently by researchers.
- (ii) **Hein Online:** It is an e-platform providing access to multi-disciplinary documents. It specialises in the availability of legal material but also covers interdisciplinary publications. The platform is helpful when the researcher is looking for information related to law of the land of foreign nations and other international legal matters.
- (iii) **Economic and Political Weekly (EPW):** EPW publishes various articles on issues covering the ambit of social sciences and provides food for thought for the intellectuals. It is an academic peer-reviewed journal. It also covers the social aspects vis a vis current scenario and is a usual choice of the intellectuals to gather information.
- (iv) **E-thesis and dissertations:** An initiative was taken by the Government of India to avoid duplication and plagiarism among the researchers and place their work in the public domain. Two platforms are created which are discussed below.
 - a) **Shodhganga:** It is a digital repository of Indian dissertations and thesis set up by the INFLIBNET Centre. Once a student is awarded the degree after the completion of the MPhil or PhD, it is mandatory for the institution to upload his/her work on this platform as a part of the UGC guidelines. This is an initiative to promote open access and provide easy access to the thesis and dissertation of students to the public along with maintaining the quality of research.
 - b) **EThOS:** It is a similar platform as that of Shodhganga, a digital repository of an online thesis of UK Doctoral students. It is created on the principle of open

access with an idea that all public-funded research should be available in the public domain.

Several other sources are mandatory for legal research and a majority of the libraries have access to the same. A few of them are discussed below:

(i) Reporting Journals: The law libraries maintain several periodic reporting journals where judgments from various High Courts and Supreme Court are reported. These national and international journals are needed for the law research as while doing a comparative analysis the latest development in other nations helps in the enhanced horizon of the researcher. With the changing scenarios along with the hard copies, the subscriptions of these reporting journals are available. A few of the famous foreign reporters are;

- All England Law Reports
- English Reports
- Canadian Law Reports
- US Supreme Court Reports
- Australian Law Reports
- Canadian Supreme Court Law Reports
- Law Reports: English and Irish Appeal Cases etc.

Similarly, the Indian Law Reporters are very important for legal research and mandatory for the libraries to subscribe and make them available for the students. The legal professionals do have regular access to these resources but mandatory for the law institutions to provide regular access to the students and researchers to develop the legal and research acumen. The important reporting journals in India are mentioned below

- Supreme Court Cases commonly known as SCC
- Supreme Court Reports commonly known as SCR
- All India Reporters (AIR)
- Indian Law Reports (ILR)
- Criminal Law Journal (Cr LJ)
- Service Law Reporter (SLR)
- SCALE
- Weekly Law Reports etc

(ii) Digests and Commentaries: To locate these cases in the various journals and reporters, digests and commentaries play a very vital role. These digests, commentaries and indexes are

the beginning tool to locate a particular case. A few of them are Supreme Court Digest, All India Reporter Manual, Labour Law Digest, Criminal Law Digest etc.

With the changing era, the search is also turning online and searching a judgment has become comparatively easier and remains a click away. The digital era has led us to many online databases which help us find relevant authorities using different combinations and such platforms are like Manupatra, LexisNexis, etc.

(iii) Constitution Finder: The constitution of any nation reflects its governance and may hold a matter of importance for a law researcher. To locate the constitution of a particular nation becomes a difficult job and to ease that exercise a digital platform is created where at just a click one can read the constitution of any nation. It is known as 'Constitution Finder' and by just clicking on this link one can reach different constitutions in the world.

(iv) Legislations across the world: The ambit of a legal researcher is not restricted to domestic legislation but also covers the legislation of different countries. When a researcher has to look into different legislations across the world then it becomes difficult to locate such legislations. But a well-equipped library helps the researcher in overcoming this difficulty. All these bills, acts, legislations and various statutes of different nations like the US SC Code, General Public Acts (UK), Australia Consolidated Act etc are available through online sources.

The domestic legislations available through Gazette of India, India Code, AIR Manuals, Central and State legislation, statutes, acts etc can be accessed through online mode. Digital access is made available in law libraries to ease the process of the research.

(v) Various Committees and Commissions: Different Commissions like Law Commission of India, National Human Rights Commission, National Commission for protection of Child Rights, Commission for Scheduled Caste and Scheduled Tribe etc publish various reports which remain an important source of research. Hence the law library either maintains these reports or provides digital access to these reports on the website of these particular commissions. Similarly, the parliamentary committee debates and reports or the different government department reports and also available on particular websites and easily accessible through online sources. The job of the law library is to provide digital access and also make students aware of the web addresses of these reports.

(vi) Parliamentary Proceedings: Parliamentary debates are available in the Parliament of India. It is an archive for the debates from 1996 onwards. Also, various parliamentary committees are constituted and they come out with different reports which are important for the legal research. Hence its availability and access are necessary.

(vii) International Treaties and Agreements: There are several international agreements, treaties, memorandums which the state abides and becomes mandatory for the knowledge of a researcher. Hence the law library must have access to these resources to provide holistic knowledge. This is done through digital access and online resources.

The majority of the discussed resources are available digitally and thus require accessibility. But does a researcher go on subscribing to these resources individually burning a hole in the pocket? Looking into these considerations intellectuals of the world came up with different initiatives to promote open access to scholarly literature.

VI. INITIATIVES TO PROMOTE OPEN ACCESS TO SCHOLARLY LITERATURE

Universal Declaration of Human Rights (UDHR) under Article 27(1) promotes the accessibility of scientific works and sharing of its benefits.¹² The intellectuals and scholars of the world came together to come up with an initiative to provide free online access to academic information. This came to be known as ‘Open Access’ which can be accessed without any economic, legal or other constraints.¹³ This initiative keeps on evolving and there have been landmark events to strengthen the open-access initiative. A few of them are mentioned below

- **Budapest Open Access Initiative (BOAI), 2002:** The Open Access initiative was strengthened and it was stated that free access to the literature provided by the scholars should be without any expectation of payment.¹⁴
- **Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities, 2003:** The American and European Research organisations committed to promoting the use of open access and promote the researchers to go for open publishing.¹⁵
- **UNESCO’s Initiative towards Governmental Public Domain Information, 2004:** UNESCO played an important role in the promotion of this open access movement by promoting the availability of government information in the public domain, free and easily accessible. The policy guidelines were prepared and accepted as a part of other initiatives taken at the world forum for the promotion of the open-access initiative.¹⁶

¹² Universal Declaration of Human Rights 1948, art 27(1): ‘Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits’

¹³ What is open access? (Nov 24, 2021), [https://www.openaccess.nl/en/what-is-open-access#:~:text=Open%20access%20is%20a%20publishing,subscription%20\(usually%20via%20libraries\).](https://www.openaccess.nl/en/what-is-open-access#:~:text=Open%20access%20is%20a%20publishing,subscription%20(usually%20via%20libraries).)

¹⁴ History of the Open Access Movement, (Nov 24, 2021), <https://open-access.net/en/information-on-open-access/history-of-the-open-access-movement>

¹⁵ Id

¹⁶ Paul F. Uhler, *Policy Guidelines for the development and promotion of governmental public domain information*, UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION, (2004), (Nov 25, 2021), https://fas.org/sgp/library/unesco_govinfo.pdf

VII. OPEN ACCESS IN LAW

The legal fraternity also took on the initiative of open access initiative but was a bit delayed compared to other disciplines. The reason is the technicality in the information to be shared and varied opinions of the legal scholars of the world. However, the initiative has taken over by storm and many intellectuals and legal scholars are contributing to the same. It was reported that the Directory of Open Access Journals (DOAJ) has 600 plus entries under 'law' as of May 2021.¹⁷ The other landmark initiatives in the same regard are discussed below.

VIII. FREE ACCESS TO LAW MOVEMENT (FALM)

With the initiative of the Cornell Law School, Legal Information Institute (LII) was founded in the year 1992 by Thomas Bruce and Peter Martin.¹⁸ It was a non-profit initiative by the Cornell Law School to provide open access to law online worldwide. LII was the first website to be developed online and provided free access to several reporting journals, US codes, statutes, international material etc. With the foundation of LII emerged the Free Access to Law Movement (FALM) which aimed at providing free online access to information related to law.

The LII of the world held the **4th Law Conference virtual meeting at Montreal** in October 2002 and made a declaration about the 'access to law'.¹⁹ The declarations were further modified in the Sydney meeting in 2003 and the Paris meeting in 2004 and the philosophy reflected was as follows:

- Public Legal information from various countries and international organisations is a common property of the common public and should be easily accessible for enhancing their knowledge.
- Increasing the access of this public information promotes rule of law and access to justice
- This information should be accessible to the public on a digital platform and free of cost
- Organisations taking initiatives to promote open access like LII should be given access to the public legal information by various governments and international organisations and should be allowed to publish this information for free open access.

This initiative was a revolutionary step for providing free open access to public legal

¹⁷ *Open Access in Law*, (Nov 25, 2021), <https://open-access.net/en/open-access-in-individual-disciplines/law>

¹⁸ Legal Information Institute, *Who we are?* CORNELL LAW SCHOOL, (Nov 25, 2021), https://www.law.cornell.edu/lii/about/who_we_are

¹⁹ FALM, *Declaration on Free Access to Law*, (Nov 26, 2021), <http://www.falm.info/declaration/>

information and created a level playing field for all the students, researchers and learners of the legal fraternity with equal access to resources.

Durham Statement on Open Access to Legal Scholarship, 2008²⁰: A group of Directors of Law libraries in the USA issues a statement on the open access to legal information and scholarly work. It called for no paper printing of the US Law School Journals and only electronic publishing on a stable platform with open access to all. Several similar initiatives promoted the Free Legal Access Movement like,

World Legal Information Institute (WLII): It is a free online research facility for the legal information of the world. The website provides access to all the legal information and is a non-profit endeavour. The organisations like Australian Legal Information Institute (AustLII), Canadian legal Information Institute (CanLII), Hon Kong Legal Information Institute (HKLII) etc have come together to establish this platform for promoting the free legal access movement.

The initiative got trickled down to the domestic front and India also supported the open access movement and came up with the **Legal Information Institute of India in 2011**. It is a web platform that provides free of cost access to more than 300,000 cases decided in various courts and tribunals. More than 600 plus legal articles, law reform reports, statutes etc. Along with these various private initiatives are also there like, **Indian Kanoon** which is a go-to for many students for case law research, **PRS Legislative, Legal Services of India** etc. Also, the government has taken initiative in promoting free access to scholarly work and came up with the regulation of creating a digital repository for the thesis of scholars. With the Digital India campaign, the majority of the Government work is reflected through their official websites and data is available through easy access. From parliamentary debates to central and state legislation, the information is just a click away.

IX. COVID ERA AND LEGAL RESEARCH

With the changing times, the education fraternity at both the international and national front has changed its discourse. The inculcation of ICT in research and education led to more improved research options with enhanced opportunities for researchers. The law schools and law libraries came up at par, educated students about the new developments and provided access to the resources which they could, at particular institutes. The physical and digital access of the libraries led to improved research outcomes and access to scholarly works to the students.

²⁰ Richard A. Danner, *The Durham Statement on Open Access One Year later: Preservation and Access to Legal Scholarship*, DUKE LAW SCHOOL, (2010), (Nov 27, 2021) https://scholarship.law.duke.edu/faculty_scholarship/2145/

But the current scenario of the Covid 19 pandemic led to a change in the education systems of the world. The Government of India imposed strict lockdowns with all the schools and colleges closed in the country. Two years have passed but still, the majority of schools remain operative at 50% capacity. Similarly, limited access to the college and university facilities for the scholars. The aftermath of lockdown and the horrors of the pandemic disturbed the usual lives of people but had a huge impact on the research studies undertaken by several scholars in the nation. There are very few institutions like IITs that have given access to the students to be present on the campus physically and access its resources. However, the majority of the law institutions and universities are closed, with no physical access to the university and are operating online. In the current scenario, the digital access of the library and other resources has played a key role. Not all but a majority of the students in the law institutions are provided access to their digital libraries which they can access remotely and use for learning and research purpose. Few institutes have taken the initiative of organising training and workshops for the students to learn to operate online databases and resources. This has been an aid for academic scholars in these appalling times. The need of the hour is to promote the use of technology and techniques in legal research so that the journey of academic learning never come to a halt.
