

Strategies for Choosing a Research Topic and Analyzing Previous Studies: Towards an Effective Research Problem

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Abstract

The research methodology holds significant importance in the humanities, particularly in legal research, as it establishes a scientific framework for collecting, analyzing, and interpreting knowledge. A thorough understanding of research methods allows legal researchers to design sound studies, enhancing the theoretical and practical aspects of their work. The concept of scientific research lacks a single definition due to its diverse cultural and historical roots, making its study a necessary academic endeavor. Although the steps of scientific research are generally sequential, their application may vary depending on the context.

Key words : methodology, research, theme, problem, previous, studies

Introduction

The research methodology plays an important role in the humanities, especially for researchers in law. Understanding the

importance of research methodology is essential for conducting comprehensive and effective research in the field of legal sciences, as methodology provides a principle for research and a scientific framework for collecting, analyzing, and interpreting knowledge. This is fundamental for making correct research decisions and drawing accurate conclusions.

A deep understanding of research methodologies enables researchers in the field of law to design methodologically sound studies, thereby enhancing the theoretical framework of their research. By integrating proper research methods and various scientific approaches, legal researchers can achieve a comprehensive understanding of legal phenomena and apply this knowledge effectively in practical settings.

There is no all-encompassing definition of scientific research; rather, there are multiple and diverse definitions that may sometimes

contradict each other, due to the idea's roots in the cultural, religious, and civilizational fabric of different nations throughout history. Researching the concept of scientific research is not an intellectual luxury but an academic and scientific necessity because of the significant impact of the concept, thus it must be conceptually reviewed and semantically scrutinized.

The steps of scientific research, although sequential in terms of formulation, vary in order from one study to another and from one researcher to another, provided that they are finalized according to the recognized methodological principles. Often, the first step in the scientific research methodology is selecting the study topic and defining its title based on the sense of the research problem, which gains special importance in legal research where the problem must be formulated according to precise and controlled criteria by identifying the main legal issues involved, understanding the relevant facts and circumstances, and acknowledging the specific objectives of the research.

Therefore, the study's problem will revolve around the practical ways to accomplish a research plan and how researchers can use effective strategies to choose the research topic and analyze previous studies in order to formulate a strong and effective research problem ?

1/ Strategies for choosing a research topic

The topic selection stage The first crucial step in research and the biggest problem facing the researcher, as he cannot directly conduct successful research of theoretical importance. It is a practical and effective contribution to the development of knowledge, without specifying its subject and formulating its title precisely and effectively. Choosing one subject over another means the researcher's desire. In depth, it is explored to solve theoretical and applied research problems. The topic is chosen based on: Living experiences serve as a source of inspiration for defining a research topic, which is the culmination of a range of experiences and skills. Consulting relevant literature and studies is also essential for an effective topic selection process.¹

1/1/ Criteria for selecting a research topic

It is assumed that the researcher has reached a level of knowledge that allows them to form an opinion when choosing a topic. The process of selecting a topic for scientific research involves identifying the scientific issue or problem that requires a scientific solution. This problem often has several scientific hypotheses, which are developed through study, research, and analysis to discover the scientific truth or truths related to the problem, interpret them, and utilize them in

addressing the problem under investigation. Several factors influence the selection of a research topic, some subjective and others objective..²

Subjective psychological desire is a valid and essential standard and measure in choosing a scientific research topic, because it achieves the process of integration and psychological and emotional connection between the scientific researcher and the scientific research topic, which leads to providing and achieving many psychological factors and capabilities that serve the process of preparing scientific research in a strong, vivid, serious and creative way.

However, on the other hand, one should not exaggerate the availability of desire at the expense of other achievement criteria, lest the subject lose its balance. Undoubtedly, if a choice is made between the researcher's desire and other conditions for achievement, such as the availability of scientific material, material resources, previous studies, and specialization, the researcher will inevitably lean towards prioritizing all the other conditions. But this should not neglect the work of the researcher or the institutions that commissioned the research to cultivate and develop the researcher's desire, so that the necessary motivations for the work and the success of the subject matter are fully realized..³

Scientific and professional specialization plays a major role as a criterion in choosing a scientific research topic. The researcher

himself, the supervising professor, and the training and scientific research bodies must take this consideration into account with all care and seriousness. Muhammad Sabri Fouad Al-Nimr said about specialization: "It is considered the primary source for choosing research problems. The more in-depth the researcher is in his field of specialization, the easier it is for him to limit topics that have not been studied before or that are still in need of further research and investigation."⁴

The availability of diverse scientific documents related to a research topic often dictates the selection of that topic. The subjects, issues, and problems presented vary to varying degrees in terms of the quantity of relevant scientific documents and sources covering all their accurate scientific aspects. Some topics have few sources and documents that reveal the scientific truth about them, while others have few documents pertaining to their facts and scientific secrets. Still others are rich in original scientific documents and sources, enticing researchers to choose, study, and develop innovative scientific research by utilizing, examining, critiquing, and analyzing all relevant scientific documents..⁵

This means that when choosing a topic, you don't simply rely on its accuracy and originality, but also consider its sources, ensuring that the number and strength of these sources are sufficient to provide you with the necessary material for your research. A topic with significantly few sources, or one

discussed at length in only one or two sources, is unsuitable, as the work will amount to little more than summarization, and it will not provide the student with experience in using sources, nor will it offer any guidance for review and investigation.⁶

1/2/ Sources for choosing a scientific research topic

Research is worthless unless it reveals scientific facts that can be utilized in both theoretical and applied scientific research. Not all problems encountered in research are suitable for scientific study; there are individual situations, special cases, and personal problems that, if researched, cannot be used to construct results or as a scientific basis. Omar bin Gharama Al-Omari points to the scientific value, saying: "The researcher should make sure that this topic has scientific value, is worth the effort he will put into it, and benefits people."⁷

How is a research topic chosen? This is a highly sensitive step because the prerequisites are numerous: knowledge in the research field, the researcher's personal interests, the researcher's competence and social standing, and control over the essential material resources needed to conduct the research. The specific characteristics of the topic under study can be seen on four levels: the scope of the topic, its context, its social significance, and the inherent difficulties associated with studying it. Therefore, the topic must be formulated in clear and precise language to

ensure effective research and to demonstrate its worthiness of study and attention.⁸

The research topic is the general question that the research seeks to satisfy, and the goal that the researcher aims to achieve. It is like answering the question: "What am I looking for?" Choosing a topic is a fundamental element in the research process: it reflects and embodies the researcher's knowledge project and goal. Through the topic, the researcher examines aspects of reality that he wishes to discover, and tries to understand this reality, or build a new reality in the desire to solve problems and offer solutions that are applicable in reality. This is considered the true endeavor and goal of every scientific research that respects methodological rules.⁹

The subject of scientific research revolves around a research problem or a set of research questions that are answered through a series of research steps, starting with setting the title, until reaching scientific results that provide solutions to the research problem. Choosing a topic in scientific research is not an easy process because the researcher is required to cover it comprehensively and demonstrate his writing skills and reach results supported by reliable facts and data, which express the researcher's sense and feeling of objectivity and sobriety of the topic. The researcher finds an interesting topic that agrees with his inclinations and desires. The researcher's lack of stability in his opinion on a particular topic results in the researcher's

lack of familiarity with the specialization and his lack of enthusiasm to carry out the research.¹⁰

The topic of scientific research must also be original: avoid choosing a subject that has been overexposed in research. Instead, select a topic that can be studied from a fresh perspective, allowing for the formulation of new questions and the proposal of new solutions that contribute to the advancement of knowledge. Another important criterion for choosing a good topic is the feasibility of the study. If a student chooses a topic with limited academic references, they will face difficulties in writing their paper. It is also essential to consider accessing the relevant field from the outset of the research to determine whether the topic is applicable or not. Is the study feasible? In other words, is it possible to access the various sources of information? These are questions every researcher should ask themselves to choose a sound topic.¹¹

1/3/ How to narrow down the scope of the research topic

The title of a research paper is the main gateway and the primary entry point to scientific research. It is like a signpost introducing the paper and its content, and it is the first thing the reader sees. Perhaps the best description of a title is that it is like a sign with an arrow placed at the beginning of a road, to guide those passing by so that they do not lose their way. The quality of the title saves time and effort and speeds up the implementation of the

research process for the researcher, as it draws a clear path in front of him, and forms a disciplined mechanism consistent with the research plan, with its branches and steps arranged. A good title is the first step to good research and to success in preparing it, because whoever makes a good start will make a good finish. And in the tight formulation of the title, there is a preemptive avoidance of many problems that researchers are exposed to, which can be avoided if the title is well-formulated.¹²

Once the research topic has been defined, the research title must be formulated. To ensure a well-formulated title, it must clearly convey the scope and dimensions of the topic, be scientific in nature, and avoid promotional or journalistic language. It should not be excessively long or tedious, ideally no more than fifteen words. If the researcher requires additional words or phrases to clarify the research's content, a shorter, explanatory subtitle can be added. The title should not be short and incomplete, but rather clear and concise, avoiding ambiguity that could lead to confusion and questions. Ideally, the title should be formulated as a declarative sentence, not a question, although the latter is permissible in certain cases. A subtitle is necessary to clarify the researcher's purpose and the content of the research.¹³ There are many problems that seem exciting and interesting, but are difficult to research because the researcher in that field cannot access the

relevant facts or information. Therefore, a conscious researcher does not chase fleeting desires or temporary enthusiasm for a problem unless he is certain that all obstacles to the research are within his grasp.¹⁴

A researcher cannot choose topics that require addressing multiple elements simultaneously, such as attempting to grasp everything that happens within a specific timeframe. Furthermore, some topics demand complex methodologies that require extensive practice and training before implementation, such as clinical observation. Therefore, researchers should avoid such topics that demand greater skill in their study. The more complex the topic, the more difficult it becomes for the researcher to control it. Thus, the best approach is to avoid or exclude these topics from consideration. Good topics for study are those that are easily identifiable and simple. However, simplicity does not mean compromising the approach; rather, the researcher can choose these simple topics, but can, in turn, study them in depth in some aspect of that topic.¹⁵

2/ The role of previous studies in selecting the topic and defining the problem

Research is the effort a researcher exerts in searching, investigating, verifying, analyzing, critiquing, and comparing a subject in order to discover and arrive at the truth, not to prove anything, establish anything, or support an opinion that aligns with their own vision or inclination. Therefore, it is the

objective, complete, comprehensive, and thorough report, supported by evidence and documentation, and free from any bias or prejudice, presented by the researcher, especially the academic or university researcher, on a particular topic or problem.¹⁶

2/1/ The relationship of the problem to previous studies

There may be studies and research conducted before on the same topic or identifying the same problem, but the problem statement reveals the difference through the researcher's specific perspective and the theoretical framework they wish to pursue. This is because the problem statement is an individual product that can vary according to the researcher's opinion and viewpoint. Formulating a research problem is, first and foremost, about identifying the most relevant or effective information or knowledge that will serve the research objective. In order to construct a strong problem statement, a set of elements must be adhered to when processing the scientific material. Focus on the main research ideas and avoid digressions; emphasize a scientific approach by using essential scientific terminology and vocabulary that serve the research objectives; and demonstrate the importance of the problem under study by exploring the relationships between variables. In style Scientifically, which enables the reader to reach the heart of the matter, as the presentation must always rely on scientific methods with a sound and clear

methodology. Quotations must appear in the study, and the researcher must utilize scientific references to support the arguments. His arguments are explained in the text.¹⁷

There are a number of rules that define the research problem, and they mainly consist of collecting the available data and information about the problem. In this stage, the researcher collects the available data and information about the problem or about the aspect of it that he will research, its elements and causes, through the sources that can be accessed. Two sources can be distinguished:

A - Sources of primary data:

This is the data that the researcher collects for the first time from the field using known field research tools and methods such as various surveys, personal observation, case studies, personal interviews, etc.

b) Secondary data sources:

Secondary data refers to data that has been published or actually collected from the field in previous cases, and its most important sources are scientific references related to the topic, scientific research conducted on the topic, and articles published in scientific journals.

At this stage, the researcher must carefully distinguish between data related to the research topic and data that is not related to this topic, so as not to waste valuable time and effort on something pointless or unnecessary.

The researcher must organize the data in a way that makes it easy to interpret or refer to when needed, and to link it with other data to form a coherent whole or to find the interrelationships between its various elements.¹⁸

Scientific sources play a role A decisive role in achieving condition Feasibility Research and verification of the problem, as well as choosing topics that have not been addressed in any previous research context, are not grounded in the research, as the researcher will later be unable to link them scientifically. Hence, the topic must have been addressed by previous literature in terms of its theoretical aspect in order to understand the topic and sense the problems associated with it.

In the absence of theoretical models that define the relationship between the various elements of the study, the work will be incomplete or will require greater effort, knowledge, and experience to deduce the conclusions, which is not available to everyone. The availability of sources and references establishes an informed reading that contributes to formulating a real problem that is worthy of study.¹⁹

Examination of scientific material This is coupled with resolving the situations that the researcher faces in a scientific field through scientific analysis, and this is achieved through systematic reading. There are two methods of reading: horizontal reading, which involves moving from one topic to the next, connecting the issue to the problem, thus achieving

comprehensive knowledge; and vertical reading, which involves reading one aspect of the research topic from one source to another. Therefore, science requires acquisition and the ability to connect issues within the research field. This necessitates reviewing existing knowledge in the field so that the researcher can think scientifically about a research problem. A research problem for a thesis or dissertation cannot be chosen without prior reading in the same field.²⁰

Thus, the problem emerges as a stance, a structured, supported, and coherent discourse framed as a central question, simultaneously allowing for the clarification of the question's terminology and the presentation of elements for its answer. It is a specific way of viewing and expressing the phenomenon under study. This construction rests on explicit theoretical and practical foundations. The problem in the humanities, which constitutes a radical theoretical position relative to existing specialized knowledge, is distinguished from the compilation of information gathered from various sources—the diverse knowledge that the researcher captures and finds meaningful.²¹

From a precise analytical perspective, previous studies, information sources, and data play a significant role in constructing the problem statement. The problem statement can be generated based on:

1) Lack or scarcity of knowledge about a particular subject;

2) The absence of a new and different point of view;

3) Some researchers may view their epistemological problem as a problem of contradiction between two theories, between possible solutions that exclude each other.

4) The desire to move from describing phenomena to interpreting them.

5) Theoretical shortcomings;

6) Methodological shortcomings;

7) Cognitive deficiencies

8) Practical shortcomings²².

2/2/Criteria for editing the problem statement in scientific research

Identifying the problem Defining the research problem is one of the most important stages in conducting scientific research. Identifying it precisely and clearly, in a way that makes it amenable to research and study, is the first step that guides the researcher to subsequent steps. Choosing a research topic and selecting a problem that possesses the necessary characteristics for conducting the study is not easy, especially for a novice researcher. It requires strenuous scientific effort and may take a long time, intensifying mental and intellectual effort and employing logical scientific thinking of all kinds and levels. Often, the researcher arrives at a problem that may be broad in scope and difficult to study and research in order to address it. The problem consists of the research topics, areas, and ideas—that is, the fundamental components that define,

crystallize, and clarify the main features of the research plan. There is no single way to formulate the problem, but it is best to formulate it as a question, preferably one that includes a relationship between two elements. It must be formulated clearly and precisely so that it can be tested.²³

The problem statement is the approach or method we decide to adopt to address the problem posed by the fundamental question. It is the angle from which phenomena will be studied, and the method by which we investigate their nature. The theoretical paths that define it must be precisely identified in the next stage of constructing the analytical model. In this respect, the problem statement represents a crucial stage between division and construction. It often leads to a reformulation of the fundamental question, which, after being reformulated during the process, gradually becomes the actual research question.²⁴

The problem statement is a text containing a logical sequence of ideas. The researcher begins by presenting the topic in general terms and then gradually develops the discussion until reaching the core issue, which encompasses the problem around which the study revolves. This is based on a review of the relevant literature. The text contains sufficient information about the problem, which is often presented as a question that attempts to reveal the relationship between two or more variables. This question must allow for further

research and investigation to arrive at concrete results.²⁵

This means that the main question must be "crucial, central, and fundamental to the chosen topic." Furthermore, it should not be "off-topic, irrelevant, or far removed from the subject." The function of the research problem is not limited to clarifying or defining the research topic; it is much more than that. It is considered "the guiding principle of the research because it clarifies and defines the research topic and increases the efficiency of subsequent steps." Some have compared it to a navigator's platform, considering it as essential for a thesis writer as the knowledge of the platform to follow is for a navigator. The main question allows for maintaining this platform and "prevents going astray." Given its crucial role in research work, "without a main question, there is no good thesis. All the good theses I have seen were simultaneously "armed," guided, and motivated by a main problem."²⁶

The selection of a research problem is subject to two sets of factors: internal or personal factors, which include the researcher's interests, competence, and resources (money and time); and external factors, which include the problem's researchability, feasibility, importance and urgency, originality, available resources, and the individuals involved in the research. Furthermore, the problem itself... It develops and matures as the research progresses, where the problem can be

considered The first is merely a preliminary issue; it gains clarity and precision to contribute to finalizing the study plan and avoiding getting caught in vicious cycles and unproductive approaches.²⁷ The researcher is restricted to reaching results through the triad of the title, the problem, and the study plan, and therefore he is obliged to maintain the thread that connects this triad, otherwise he will not reach the desired goal of the research.

There is no justification for studying a problem that has already been studied, and this does not mean that repetition is not necessary, as repetition in the social sciences is sometimes necessary in order to confirm the truth in different situations.

It is one of the basic components of research, and it is embodied in the numerous contributions in the fields of human knowledge, and in the independence of the ideas on which the research is built. Original research is based on new ideas and innovative opinions, and not merely on narrating the ideas of other researchers in new forms or summarizing them. However, it is permissible for the researcher to rely on the opinions, ideas, and summaries of others, as well as studies and comments related to a specific topic and the conclusions arising from them in forming his own ideas, formulating scientific assumptions, and bringing forth the proofs, evidence, and data that support his ideas, solutions, and viewpoints on the issue raised for research. The originality of research also depends on the

research topic itself; the newer, more innovative, and scientifically valuable it is, and the more it relates to the interests of society in its sciences, the more original it is.²⁸

2/3/ The importance of previous studies in guiding scientific research

The primary goal of research is to arrive at innovative solutions and results. Certainly, an individual's knowledge base increases with their exposure to previous studies. Consequently, they investigate the shortcomings of those studies, the unresolved problems, and the need to present unprecedented results and solutions. Otherwise, their work and research will merely be a repetition of what their predecessors have already presented.²⁹ This, of course, does not achieve the desired scientific goal behind the research, and many research projects are merely a repetition of what came before with a slight change in style or method of presentation, which does not add the desired knowledge.

Previous studies provide the researcher with a comprehensive historical research perspective, allowing them to understand the origins of the topic under investigation and its various developments. Many studies also reveal areas and fields that still require in-depth research. The serious researcher finds what they are looking for in these previous studies, enabling them to directly address the most difficult questions or explore new horizons in a particular field. This imbues their

research with the novelty and originality required in scientific inquiry, and avoids the traditional research that inevitably leads to the repetition mentioned in the previous point.³⁰

In addition to Therefore, if a researcher chooses a good topic, he will necessarily arrive at the correct choice of his problem, which will lead to an improvement in scientific knowledge and originality in the chosen research.³¹ Furthermore, and within the same framework, previous studies are very helpful in determining the appropriate research methodology. This is achieved by learning from the experiences of previous researchers in this field, whether they were successful or unsuccessful in choosing the appropriate methodology, scales, and research methods.³²

Anyone who seriously examines previous studies will find clear answers to many of the questions that preoccupied them when drawn to a particular field of research. As we have already explained, previous studies are only those rigorous studies in a given field, which saves time and effort.³³ They are large for the researcher and for him, and he may delve into them in researching details, branches, theories, or solutions that are actually applied or have been previously proposed, as previous studies undoubtedly show an advanced starting point for the researcher, thus bypassing many stages and saving his effort and time to research in advanced centers in his field of research.

In addition, this serious review of previous studies prevents the researcher from entering dead ends, or what is called dead ends.³⁴ Knowing the mistake is part of knowing the truth, so the researcher benefits from the mistakes made by those who came before him, and this saves effort and time as well.

Leveraging the experience of pioneering researchers in the field of research: This is achieved by acquiring their research skills, either by building research hypotheses based on the findings of other researchers, or by completing aspects that previous studies have left unfinished.³⁵ The researcher also avoided falling into the same mistakes as his predecessors.³⁶ As we mentioned earlier, in addition, the researcher becomes familiar with the names of distinguished researchers in his field of research, and then follows their scientific path to gain a broader understanding of the subject under study. Moreover, the idea of the scientific community and the communications revolution that we are experiencing today has facilitated the issue of direct contact with specialists, and thus the possibility of asking for help from them directly in order to address the original points in the research or the horizons that need to deepen understanding in order to embody research that is characterized as scientific.

Identifying research shortcomings and gaps: Previous studies are crucial in identifying shortcomings in addressing a specific research issue, whether in terms of

methodology, information, underlying theories, or other deficiencies. This is what the researcher should identify as a summary of previous studies, termed the research gap. It is beneficial for the researcher to delve into this gap in their research rather than other related areas, given that this gap represents an area of study overlooked by previous researchers. Hence, the importance of previous studies lies in achieving a primary objective: confirming that the research problem is novel and has not been addressed before.³⁷ This is where the researcher's role comes in, conducting research with the intention of addressing this deficiency. Identifying research gaps can only be achieved by reviewing previous studies and presenting them scientifically to clarify these shortcomings. Consequently, research in this neglected area constitutes a new scientific contribution, which is the distinguishing factor between the researcher's work and that of their predecessors in this field, thus constituting significant moral value for the research.³⁸

Conclusion

The methodology of scientific research plays a crucial role in ensuring the validity of scientific studies. By adhering to a clearly defined conceptual framework and following the necessary research steps, researchers can contribute to the advancement of knowledge in
ces and references related to their subject.

their fields. Researchers must employ systematic methods, critically analyze their data, and draw meaningful conclusions to make valuable contributions to the scientific community. A strong understanding of the conceptual framework and the research process enables researchers to tackle complex questions, solve practical problems, and positively impact various disciplines.

One of the most important characteristics of scientific research is its cumulative and continuous nature, given that knowledge is constantly evolving in connection with research processes. Research is based, in one way or another, on previous research, either to complement it or to refute it. No research, whatever its nature, can be carried out on the principle of breaking with previous studies.

The researcher's primary task is to process scientific material, regardless of its source. This involves a continuous search for information and the enrichment of their thinking, especially since there is no such thing as perfect research. When conducting their own research, the researcher utilizes a set of research characteristics derived from the literature relevant to their topic. They will determine the extent of information contained in the database on the research topic and identify research gaps and areas of deficiency by scrutinizing sour

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