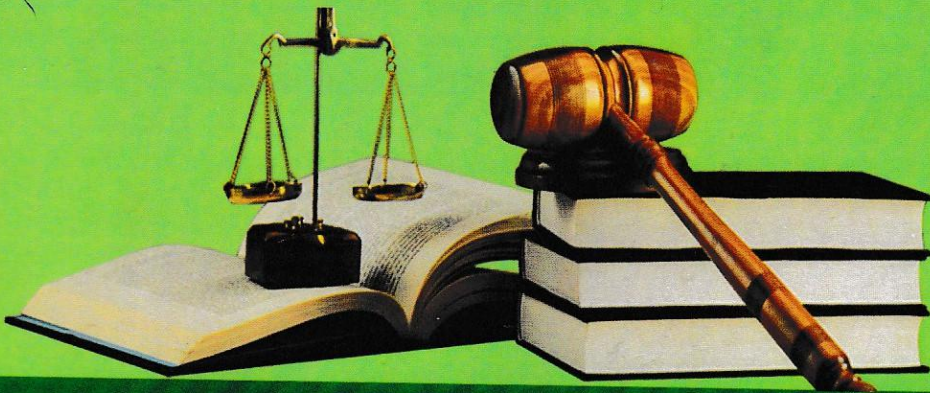




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DEMYSTIFYING THE MYSTIQUE OF LITERATURE REVIEW IN LEGAL RESEARCH

Dr. Amanim Akpabio*

Abstract

It is impracticable to make an intelligent research into any field of study, or subject matter, without first examining what findings or contributions that previous scholars or researchers made in that field of study or subject matter. This is primarily the pith and substance of a literature review. Sometimes, when one slots in a movie, the urge is to watch the movie as advertised. Interestingly, marketers of movies have a way of bringing together all the movies produced by the same company before allowing one to watch the advertised movie. In the same manner, literature review has become an integral and unavoidable component of legal research. Findings reveal that a lot of students and scholars have not been properly equipped with sufficient teaching and materials about what a literature review entails or portends which makes them not to conduct one and this factor affects the total quality of researches undertaken by them. This paper seeks to unmask the subject of literature review in legal research and to provide easy ways of conducting and presenting a literature review. The method employed is largely doctrinal and narrative, although some contextual analysis have been deployed in a bid to bring to fore a sound understanding of the subject matter.

*Amanim Akpabio, Esq. Ph.D is a Notary Public For Nigeria, Head of Department of Public Law and Coordinator, Postgraduate Studies, Faculty of Law, University of Uyo, Akwa Ibom State, Nigeria; Formerly, a researcher, Advocates International, USA and former Chairman, Continuing Legal Education Committee of Nigerian Bar Association, Uyo Branch. He holds several other distinguished professional positions.

Introduction

What is a literature review? Is it necessary to conduct a literature review? How can a literature review be conducted to get the utmost benefit from it? What are practical examples of literature reviews? These and more questions are answered in this paper without necessarily following the headings of the questions. The task of digging deep into intellectual archives, to examine what was already done, so as to know what is undone or to determine the gaps that may need to be filled could be herculean and a lot of budding scholars dread embarking on a literature review, while others are totally lost as to what is expected from a literature review. A literature review²⁴⁹ is partly a journey into history with the aim of creating a future. It is common knowledge that people learn from history, even though societal dynamism suggests that one should sometimes depart from history or create a new history for posterity. Thus, a good literature review provides a veritable foundation for making an informed contribution to knowledge.

²⁴⁹C. Willyard, "Literature Reviews Made Easy," available at www.apa.org accessed on 24 April 2018. Here the author said among others: "After you've selected a topic, one of the first major tasks is writing a literature review – the section some experts say is the most difficult and time consuming."

This paper examines the basics and also reviews the contributions of other scholars to the subject of literature review and goes ahead to provide short examples of how a literature review can be made. It is desirable, at this point, that the key words used in the title of this paper be distinctly defined so to aid comprehension.

According to Hornby, 'Demystifying' means "to make something easier to understand and less complicated by explaining it in a clear and simple way".²⁵⁰ Hornby, goes on to define 'Mystique' as "the quality of being mysterious or secret that makes somebody or something seem interesting or attractive."²⁵¹ When something is said to be mysterious or a secret, it suggests that it is not easy to understand or it is kind of coded and requires extra knowledge and skill to know it. It is like the proverbial "Samson's riddle" whose meaning is not easily available to all. The word 'literature' means "the body of written works produced in a particular language."²⁵² It refers to writings in prose or verse having excellence of form or expression and expressing ideas of permanent or universal interest. "Review" may be defined as "a formal assessment of something with the intention of instituting change if necessary."²⁵³

²⁵⁰A.S. Hornby, *Oxford Advanced Learner's Dictionary of Current English* (Oxford: Oxford University Press, 2000) p.310.

²⁵¹Ibid at p.776.

²⁵²-- 'literature,' *Merriam Webster Dictionary*, available at www.merriam-webster.com accessed on 24 April 2018

²⁵³-- 'Review,' *Oxford Dictionaries* available at ps://en.oxforddictionaries.com accessed on 24 April 2018

From the ancient roots, the word review simply meant, "See again."²⁵⁴ Scholarly writings, also known as academic writings, refer to a style of expression that researchers use to define the intellectual boundaries of their disciplines and their specific areas of expertise.²⁵⁵ A juxtaposition or working summary of all the meanings attached to the key words used in this paper reveal that this paper focuses on explaining, in simple terms, the essence and the intricacies involved in assessing pre-existing writings on a given subject or study. The paper further focuses on making suggestions on how to conduct a literature review properly with the aim of making the exercise more interesting and presentable.

What is a Literature Review?

Like many concepts, literature review has been subjected to a lot of definitions or descriptions all in bid to aid understanding of the concept. It is pertinent to discuss the true meaning of the concept as articulated by scholars or institutions. One institution in a bid to describe the subject stated as follows:

A literature review is simply a summary of what existing scholarship knows about a particular topic. It is always based on secondary sources – that is, what other people have already written on the subject; it is not concerned about discovering new knowledge or information. As such, it is a prelude to further research, a digest of scholarly opinion.²⁵⁶

From the above, it is evident that it is a kind of summary of what has already been done or written by others. Furthermore, it has been said that: "It is an evaluative report of information found in the literature related to your selected area of study. A literature review shows your readers that you have an in-depth grasp of your subject and that you understand where your own research fits into and adds to an existing body of knowledge."²⁵⁷ The above further suggests that there must be some form of evaluation, that is, some measure of analysis of what has been said in the works of others. It is not sufficient to just catalogue writings of various scholars, you need to examine their thesis, and this could be done by commenting on the strengths, weaknesses, limitations, relevance in modern times among others. According to Taylor, "a literature review is an account of what has been published on a topic by accredited scholars and researchers and a piece of **discursive prose**, not a list describing or summarizing one piece of literature after another".²⁵⁸ Put another way, the idea is that "[t]he review should describe, summarize, evaluate and clarify this literature. It should give a theoretical base for the research and help you (the author) determine the nature of your research".²⁵⁹

²⁵⁴ibid

²⁵⁵University of Southern California, "Organizing Your Social Sciences Research Paper: Academic Writing Style," available at www.libguides.usc.edu accessed on 24 April 2018

²⁵⁶University of Kent Student Learning Advisory Service, "Literature Reviews," available at <https://www.kent.ac.uk/learning/resources/studyguides/literaturereviews.pdf> accessed on 9 April 2018.

²⁵⁷Royal Literary Fund, "Literature Review," available at <https://www.rlf.org.uk/resources/what-is-a-literature-review/> accessed on 9 April 2018.

²⁵⁸D. Taylor, "The Literature Review: A Few Tips on Conducting It." Available at <http://advice.writing.utoronto.ca/types-of-writing/literature-review/> accessed at 9 April 2018.

Leslie drives home the point further by stating that:

[a] good literature review is NOT simply a list describing or summarizing several articles; a literature review is discursive prose which proceeds to a conclusion by reason or argument. A good literature review shows signs of synthesis and understanding of the topic. There should be strong evidence of analytical thinking shown through the connections you make between the literature being reviewed.²⁶⁰

It has also been rightly suggested that “[y]our literature review must include enough works to provide evidence of both the breadth and the depth of the research on your topic or, at least, one important angle of it. The number of works necessary to do this will depend on your topic”.

²⁶¹A literature review must, as much as possible, be diversified. It has to explore Views expressed in different forms of publications.

²⁶⁰S. Leslie, “Qualities of a Good Literature Review.” Available at <http://research.library.gsu.edu/c.php?g=115595&p=754162> accessed on 9 April 2018.

²⁶¹University of Mary Washington, “Literature Review Guidelines,” available at <http://cas.umw.edu/historyamericanstudies/history-department-resources/historiography/literature-review-guidelines/> accessed on 9 April 2018.

Thus:

[A] literature review surveys books, scholarly articles, and any other sources relevant to a particular issue, area of research, or theory, and by so doing, provides a description, summary, and critical evaluation of these works in relation to the research problem being investigated. Literature reviews are designed to provide an overview of sources you have explored while researching a particular topic and to demonstrate to your readers how your research fits within a larger field of study.²⁶²

It should be noted that, in some institutions, a literature review is written separately and submitted as a proof of the researcher's familiarity with the subject. It could be a whole chapter of a dissertation or thesis and it could form part of an introduction to the writing or research.²⁶³

²⁶²F. Arlene, “Conducting Research Literature Reviews: From the Internet to the Paper,” available at <http://libguides.usc.edu/writingguide/literaturereview> accessed on 10 April 2018. This view is quite useful because if, for example a scholar relies on books alone, such a book may not have the benefit of critical peer review that an academic journal may have. On the other hand books may have the advantage of quantity of pages where ideas are analyzed, whereas a journal is usually limited by the number of pages that the publishers may require.

²⁶³M. Shuttleworth, “What is Literature Review,” available at <https://explorable.com/what-is-a-literature-review> accessed on 11 April 2018. Among other points, the author stated as follows: “[a] literature review can be a precursor to the introduction of a research paper or it can be an entire paper in itself, acting as the first stage of large research projects and allowing the supervisor to ascertain that the student is on the correct path”.

From the foregoing, it is evident that a literature review is basically a discourse on a condensed summary of previous and existing writings, especially of scholars, on a subject matter or point of research, with the aim of highlighting core views expressed in those writings and identifying points of relevance to the current research and what gaps the current research seeks to fill or the new ideas which the current research seeks to proffer.

Types of Literature Review

Scholars are divided on the types of literature review that are in existence and as such there are many types of literature review in the academic industry.²⁶⁴

It does appear that the classification of literature review depends on the perspective of the respective scholar or institution. According to Dudovskiy,²⁶⁵

The following types of literature review are the most popular:

- a) **Narrative literature review** critiques the literature and summarizes the body of a literature. Narrative review also draws conclusions about the topic and identifies gaps or inconsistencies in a body of knowledge. You need to have a sufficiently focused research question to conduct a narrative literature review.
- b) **Systematic literature review** requires more rigorous and well-defined approach compared to most other types of literature review. Systematic literature review is comprehensive and details the timeframe within which the literature was selected.

Systematic literature review can be divided into two categories: meta-analysis and meta-synthesis. When you conduct meta-analysis you take findings from several studies on the same subject and analyze these using standardized statistical procedures. In meta-analysis patterns and relationships are detected and conclusions are drawn. Meta-analysis is associated with deductive research approach. Meta-synthesis, on the other hand, is based on non-statistical techniques. This technique integrates, evaluates and interprets findings of multiple qualitative research studies. Meta-synthesis literature review is conducted usually when following inductive research approach.

- c) **Argumentative literature review**, as the name implies, examines literature selectively in order to support or refute an argument, deeply imbedded assumption, or philosophical problem already established in the literature. It should be noted that a potential for bias is a major shortcoming associated with argumentative literature review.
- d) **Integrative literature review reviews**, critiques, and synthesizes secondary data about research topic in an integrated way such that new frameworks and perspectives on the topic are generated. If your research does not involve primary data collection and data analysis, then using integrative literature review will be your only option.²⁶⁶
- e) **Theoretical literature review** focuses on a pool of theory that has accumulated in regard to an issue, concept, theory, phenomena. Theoretical literature reviews play an instrumental role in establishing what theories already exist, the relationships between them, to what degree the existing theories have been investigated, and to develop new hypotheses to be tested.

²⁶⁴J. Dudodovskiy, "Types of Literature Review," available at <https://research-methodology.net/research-methodology/types-literature-review/> accessed on 9 April 2018.

²⁶⁵Ibid.

The University of Southern California²⁶⁷ created a summarized list of the various types of literature review as follows:

- a) **Argumentative Review:** This form examines literature selectively in order to support or refute an argument, deeply imbedded assumption, or philosophical problem already established in the literature. The purpose is to develop a body of literature that establishes a contrarian viewpoint. Given the value-laden nature of some social science research [e.g., educational reform; immigration control], argumentative approaches to analyzing the literature can be a legitimate and important form of discourse. However, note that they can also introduce problems of bias when they are used to make summary claims of the sort found in systematic reviews.
- b) **Integrative Review:** This type of review critiques and synthesizes representative literature on a topic in an integrated way such that new frameworks and perspectives on the topic are generated. The body of literature includes all studies that address related or identical hypotheses. A well-done integrative review meets the same standards as primary research in regard to clarity, rigor, and replication.
- c) **Historical Review:** Historical reviews are focused on examining research throughout a period of time, often starting with the first time an issue, concept, theory, and phenomena emerged in the literature, then tracing its evolution within the scholarship of a discipline. The purpose is to place research in a historical context to show familiarity with state-of-the-art developments and to identify the likely directions for future research.
- d) **Methodological Review:** A review does not always focus on **what** someone said [content], but **how** they said it [method of analysis].

²⁶⁷University of Alabama Libraries, "How to Conduct a Literature Review: Types of Literature Review."

Available at <http://guides.lib.ua.edu/c.php?g=39963&p=253698> accessed on 11 April 2018.

This approach provides a framework of understanding at different levels (i.e. those of theory, substantive fields, research approaches and data collection and analysis techniques), enables researchers to draw on a wide variety of knowledge ranging from the conceptual level to practical documents for use in fieldwork in the areas of ontological and epistemological consideration, quantitative and qualitative integration, sampling, interviewing, data collection and data analysis, and helps highlight many ethical issues which we should be aware of and consider as we go through our study.

- e) **Systematic Review:** This form consists of an overview of existing evidence pertinent to a clearly formulated research question, which uses pre-specified and standardized methods to identify and critically appraise relevant research, and to collect, report, and analyse data from the studies that are included in the review. Typically it focuses on a very specific empirical question, often posed in a cause-and-effect form.

Theoretical Review: The purpose of this form is to concretely examine the corpus of theory that has accumulated in regard to an issue, concept, theory, phenomena. The theoretical literature review help establish what theories already exist, the relationships between them, to what degree the existing theories have been investigated, and to develop new hypotheses to be tested. Often this form is used to help establish a lack of appropriate theories or reveal that current theories are inadequate for explaining new or emerging research problems. The unit of analysis can focus on a theoretical concept or a whole theory or framework.

Mike Rucker²⁶⁸ opines that there are three most commonly mentioned types of literature reviews and they are:

- a) **Systematic Review:** This is a synthesis of the existing studies and investigations that focus on a certain research question. It aims to overcome possible biases by following a strict method.
- b) **Meta-analysis:** This is a form of systematic review that combines the findings of multiple studies and statistically analyzes them. This method is based on a premise that similar studies will have a common truth, but that individual studies have a degree of error. The studies in a meta-analysis are usually quantitative in design, with a preference for randomized-controlled trials. This type of literature review potentially provides the best evidence in the hierarchy of reviews.
- c) **Integrative Review:** This is one of the most comprehensive methodological approach of reviews. It involves defining concepts, analyzing problems and reviewing theories. It includes experimental and non-experimental studies as well as data from theoretical literature.

The foregoing perspectives of the scholars and institutions are useful guides in understanding what is expected in a literature review. The inference, or the point to note, is not the name that a review is called, the essential point is for a scholar to adopt a method that best demonstrates his or her review, analysis, examination or scrutiny of the existing literature in the light of his or her research topic or subject matter.

²⁶⁸M. Rucker, "A Brief Overview of Three Types of Literature Review," available at <https://unstick.me/brief-Overview-three-types-literature-review/> accessed on 11 April 2018.

Essence of a Literature Review

Many reasons have been and can be advanced to illustrate the essence of a literature review; some of the strong reasons are:

It helps to avoid incidental plagiarism: When a scholar takes out time to review the works of other authors on the topic or subject in question, the risk of repeating the exact a) words that may have been used by those authors are largely minimized if not eliminated.²⁷⁹

- b) It improves one's research focus: When one discovers the areas that have already been addressed in previous researches, one would then be in a better position to concentrate on challenging, modifying or giving other perspectives to the body of existing knowledge and to justify his thesis statement.²⁷⁰
- c) It expands the writer's knowledge of the current state of research on the subject matter and can serve as a guide in framing his table of contents.²⁷¹
- d) It aids in the identification of key questions, methods of research and recommendations in previous researches about a given topic that needs further research, implementation or exploration.²⁷²

²⁶⁹Y. S. Kim, "The Importance of Literature Review in Research Writing" <<https://owlcation.com/humanities/literaturereview>>accesses 9 April, 2018.

²⁷⁰USA Writers, "Native Essay Writing Service," available at https://usawriters.org/knowledge_base/the_importance_of_literature_reviews_in_academic_writing accessed on 10 April 2018.

²⁷¹G. Heron, "Importance of Literature Reviews," available at www.greenheroninfo.com/uncategorized/importance-of-literature-reviews/ accessed on 10 April 2018.

²⁷²M. Atilano, "Benefits of Conducting a Literature Review" available at <https://libguides.unf.edu/c.php?g=177129&p=1163732> accessed on 10 April 2018.

- e) A good literature review can facilitate the approval of grants or scholarships because it readily reveals possible gaps that exist in the literature and justify further research.²⁷³ Most grant donors are wary of sponsoring researches that are merely repetitive, they are more prone to sponsoring researches that are cutting edge or which solve new problems in society.²⁷⁴
- f) It helps the scholar to identify the experts on a particular topic or subject of research. Thus, the review will reveal, out of several authors, the one that is most published and whose views are celebrated or quoted by other reputable scholars.²⁷⁵

How to Enhance your Literature Review

It has been argued that literature review requires the ability to juggle multiple tasks, from finding and evaluating relevant materials to synthesizing information from various sources, from critical thinking to paraphrasing, evaluating, and citation skills.²⁷⁶ In order to write an articulate literature review, one must take the following steps:

²⁷³R. Labadee, "Organizing Your Social Sciences Research Paper: The Literature Review," available at libguides.usc.edu/writingguide/literaturereview accessed on 10 April 2018.

²⁷⁴K. Rothman, "The Ethics of Research Sponsorship," available at <https://www.ncbi.nlm.nih.gov> Accessed on 11 April 2018.

²⁷⁵M. Atilano "Benefits of Conducting a Literature Review," available at <https://libguides.unf.edu/c.php?g=177129&p=1163732> accessed on 11 April 2018.

²⁷⁶M. Pautasso, "Ten Simple Rules for Writing a Literature Review," available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3715443/> accessed on 10 April 2018.

- a) Define the scope of your work:

It is vital to define your scope of research and focus your research on primary sources, not other reviews. A literature review should not just be a big stack of articles but should incorporate what you've read into your focused analysis to show your understanding of the research. It should be organized around and related directly to the thesis or research question you are developing. It is vital to identify areas of controversy in the literature and formulate questions that need further research.²⁷⁷

- b) Demonstrate command of the material:

It is not about maximizing the quantity of materials reviewed, nor should the objective be to read everything about your proposed topic.²⁷⁸ As rightly advised "your aim should be to correctly balance the use of quotation from the work of others with a critical review and evaluation of your own. It is far too easy to liberally sprinkle references about with little or no consideration as to how these fit into topic under consideration."²⁷⁹

²⁷⁷D. Taylor, University of Toronto: The Literature Review available at <http://advice.writing.utoronto.ca/types-of-writing/literature-review/> accessed at 9 April 2018.

²⁷⁸Enago Academy, How to Write a Good Literature Review available at <https://www.google.com.ng/amp/s/www.enago.com/academy/how-to-write-good-literature-review/amp/> accessed 10 April 2018.

²⁷⁹All Answers Ltd, 'Writing A Law Dissertation Literature Review' (Lawteacher.net, April 2018) <<https://www.lawteacher.net/law-help/dissertation/writing-law-dissertation-literature-review.php?vref=1>> accessed 29 April 2018

c) Focus on the structure, method and style:

It is important to demonstrate understanding of the pattern of what is being published. Focus, on the importance of the material to your proposed topic, and map out a logical framework for analyzing that material. One can learn the organization of his or her work from existing literature and your review can point out the flaws in the structure, method and style adopted in the reviewed literature.²⁸⁰

d) Establish your authority:

The purpose of writing a literature review is to establish your authority in your research. Without that established credibility, your research findings are dismissed as nothing. It is vital to establish your findings and basis for your work so as to distinguish from the existing literature.²⁸¹

e) recently published papers in the area related to your research:

It is essential to source for recent papers connected to your field of research. The essence of getting recently published materials relating to your research is to aid you in discovering the lacuna, development or changes that occurred in past in your given field.²⁸²

²⁸⁰D. Farkas, "Literature Review Tips: 5 Steps to an Outstanding Paper" available at <https://finishyourthesis.com/literature-reviews/> accessed on 10 April 2018.

²⁸¹D. Taylor, *n. 10*

²⁸²D. Moorthy, "Importance of Literature Review in Thesis/Dissertation Writing," available at www.writeneed.com accessed on 11 April 2018.

f) Show difference as much as possible:

Avoid over dependence on the views in the previous literature and try to establish your own ideas.²⁸³ You should be able to analytically distinguish findings from the various authors and create a distinction with yours.

g) Build your thesis:

At the end of every literature review, one important question any researcher must ask himself is if he has indeed built his own views that can be quoted? In the course of reviewing, you must not be lost in the labyrinth, you must create the identity of your research as distinct from those of others and go ahead to make statements that show that you have something in your hand to build out.²⁸⁴

How to Draft a Good Literature Review

Drafting a good literature review can be demystified by following simple instructions or guides. When a literature review has the basic components highlighted above, it is easier to appreciate the direction of the research. It is pertinent to examine a few excerpts from literature reviews from some researches in order to understand how to draft a good literature review. Aston provides a ready example of a short literature review on the "Stigma of the Mentally Ill and Perceptions of Dangerousness."²⁸⁵ According to him, the student wrote the following review:

²⁸³*Ibid.*

²⁸⁴D. Taylor, "The Literature Review," available at <http://advice.writing.utoronto.ca/types-of-writing/literature-review/> accessed at 9 April 2018.

²⁸⁵W. Ashton, "Writing a Short Literature Review," available at https://library.ithaca.edu/sp/assets/users/_lchabot/lit_rev_eg.pdf. Accessed on 11 April 2018.

While, based upon research, the common response to a mentally ill person is to fear violence, diagnosed mental patients commit violence at the same rates as non-diagnosed people (Martin, et al., 2000). Public perceptions may not match reality due to the public's lack of contact with the mentally ill. Alexander and Link (2003) examined contact with the mentally ill and the stigma of mental illness, perceptions of dangerousness and social distance in a telephone survey. They found that, as a participant's own life contact with mentally ill individuals increased, participants were both less likely to perceive a target mentally ill individual in a vignette as physically dangerous and less likely to desire social distance from the target. This relationship remained after controlling for demographic and confound variables, such as gender, ethnicity, education, income and political conservatism. They also found that any type of contact – with a friend, a spouse, a family member, a work contact, or a contact in a public place – with mentally ill individuals reduced perceptions of dangerousness of the target in the vignette...

Alexander and Link (2003), any contact with the mentally ill is associated with reduced fear and rejection. However, since this study was observational in nature, we cannot know if contact reduces fear or having lower fear increased contact. Corrigan, Rowan, Green, Lundin, River, Uphoff-Wasowski, White and Kubiak (2002) conducted two studies examining the causal processes in contact, fear and rejection. Corrigan et al. posited two models to account for stigmatizing reactions.

In the first model, labeled personal responsibility, beliefs about personality responsibility influences both the level of pity and anger displayed toward mental patients. Additionally, the variables of pity and anger influence helping behavior. In the second model, labeled dangerousness, perceived dangerousness influences fear of mental patients, which in turn influences the avoidance of the mentally ill.

In their first study, Corrigan et al. (2002) administered a questionnaire to 216 community college students. This questionnaire contained items which would allow the examination of the two models. The results of a path analysis indicated that while both models fit the data, the results for the dangerousness model seemed far more consistent with the data. Their second study was an attempt to manipulate variables in the models. Participants met with either an educational group or with a mental patient. During the meetings, myths about the personality responsibility or the dangerousness of mental patients were discussed and debunked. While education yielded some positive results regarding fear and rejection, contact with mental patients produced stronger results. Thus, Corrigan et al. demonstrated that contact causes less rejection and fear. Stigmatization of the mentally ill is caused by the public's belief in myths about the dangerousness of the mentally ill and exposing those myths can reduce stigmatization. At least one-third of the people sampled in one study said that they would both reject socially and fear violence from someone displaying behaviors associated with different mental illnesses. Other research discovered that this rejection is associated to lack of contact with the mentally ill and that as contact increased, fear of the mentally ill decreased. The direction of the relationship between fear and rejection seems to be that fear (possibly based upon myths about mental illness) causes rejection.

Taken as a whole, it appears that exposing these myths as myths increases the acceptance of the mentally ill and that staged contact with a mentally person to expose myths has an even more powerful effect. Caution must be advised, though; Martin et al.'s (2002) and Alexander and Link's (2003) studies and the first study of Corrigan et al. (2002) were based upon paper and pencil methodologies. And while Corrigan et al.'s (2002) second study involved staged presentations, it was conducted in a college setting with a college sample. Future research should replicate these findings in more natural settings with different populations.

What can easily be seen above, is that the student clearly showed the progression or improvement of findings in previous researches and discussed or questioned the methods and settings of the research. It is manifest that the student exposed the gaps in the existing literatures as being limited to a given setting and population. It would then be justifiable if the student goes ahead to say that the findings would be different in "more natural settings with different populations" and that his research focuses on another type of setting and population.

Below is a good example of how to evaluate findings in previous literature and to introduce and justify ones current research:

....Yarmey and Morris (1998) suggest that, 'The capricious results among these investigations are probably due to methodological differences and variability in subject matter' (p. 1638).

To appreciate the effects of co-witness information on eyewitness reports, we must examine, in detail, the different methodologies that have been used to investigate this topic.".... "While the above studies provide valuable information regarding the social aspects of memory, caution needs to be exercised before applying these results to the judicial area. One should not assume the results obtained from studies using stories and word lists as stimuli can be generalised to forensic contexts." ... "That is, the differences found between individuals and groups could simply be due to the participants giving their reports for a second time ..." ... "A limitation of this research on collaborative memory is that the memory of groups is compared with that of individuals. ...group performance should not be compared with individual performance but rather with 'nominal groups' comprised of pooled, non-redundant data from the same number of people tested individually.... "Informational influence, biased guessing, and modification of memory may help to explain why memory conformity occurs when participants are tested individually, as they are in the studies presented in this thesis.... The research presented in this thesis compares these alternative explanations to determine which best explains memory conformity in individual recall following co-witness discussion....²⁸⁶

²⁸⁶11. Paterson, *Co-Witnesses and the Effects of Discussion on Eyewitness Memory*. PhD Thesis submitted to UNSW 2004 available at <http://www.uq.edu.au/student-services/learning/lit-review-ex-1> Accessed on 11 April 2018.

In summary, a good literature review must, among others, be able to articulate the main thesis of the author, it should highlight what other authors have said or found about the particular subject. If it is a novel topic, the researcher should review writings that are contiguous to the topic or field and show that his topic, methods, territory or findings have been left out in previous researches. For example the author can say:

There are no previous writings on bringing criminal legal proceedings posthumously against a deceased president; however, James Roberts has done an extensive work on bringing criminal proceedings against a living former president for actions he did while in office. His book, *Taking Criminal Justice beyond Days of Immunity*²⁸⁷ emphasized that the financial benefits accruable to a serving president should be stopped immediately there is prove that he actually did some grave criminal activities while in office.

His work did not address the fact that state funds continue to accrue to a deceased president's family or estate even after his grave criminal activities have been discovered. A person should not continue to enjoy the benefits of state funds after leaving office if he is convicted of crimes done while in office.

This work advocates that state funds should not accrue to the estate of deceased if he is found to have committed grave crimes while in office as the president. The beneficiaries of his estate should not inherit funds that ought to have been stopped in the first place.²⁸⁸

The above example shows the lack of direct precedent on the subject. It, however, shows that there is a book that addresses such issues for living past presidents. A literature review of the book shows the limitations of the work of the old author and what the new author seeks to contribute to the pre-existing body of knowledge.

Thus a good literature review should discuss, where possible, the *methods* adopted by previous authors and state whether the new author endorses those methods or has a different method that would produce a different outcome. The researcher could also review from the standpoint of *time* during which previous researches were undertaken and show that times have changed and that those circumstances that justified previous positions no longer exist and that if a current research is conducted a new thesis will be developed in that field. A researcher may address or highlight the *geographical territory* where a research was conducted and show that given the level of development in such a territory, the position will be different if one were to conduct the research in a less or more developed territory. Another aspect or perspective one could review is the *gender, age, culture sexual orientation or*

²⁸⁷This is a fiction, appropriate citation should be supplied in live situations.

²⁸⁸This is a fiction framed by this writer.

religion. One can show that previous researches were in respect of people of a certain gender, age, culture, sexual orientation, or religion and that those factors may have influenced the results and that the present researcher situates his research with persons of a different gender, age, culture, sexual orientation or religion.

Conclusion and Recommendations

The major task of this paper was to unmask the concept of literature review by saying what it means, what is actually expected from it and how it can be improved upon. The paper has assembled together various meanings attributed to the concept and many types of literature reviews that are often considered. The paper unveiled the secrets to enhancing the art of writing or conducting a good literature review and proceeded to show live examples. In the light of the above, this researcher in addition to the in-text contributions makes the following recommendations:

First, that research methodology should be made a compulsory General Studies (GST) course in all universities and all students should be made to incorporate a brief literature review in all their term papers, short essays, long essays, dissertations and thesis so that it forms an integral part of them in scholarly writings.

Secondly, authors of academic books must demonstrate that the author has done a good literature review, of some sort before the book can be accepted as a recommended text or for career advancement.

This could be integrated in the introduction of the book or it could be added as a preliminary chapter of the book.

Thirdly, all students in tertiary institutions, in particular, the postgraduate students, should be made to read widely in respect of their proposed field(s) of research and departments or faculties should devise a means of testing how wide they have read the works of authors in the field which they will eventually research into. The test will make it easier for them to know the scope of review they may have to undertake. Once poor or limited reading culture is overcome, it is easier to discuss the subject of review.

Fourthly, governments and other relevant institutions should provide for and make available robust research grants to reduce the cost involved in accessing or acquiring materials for an effective literature review.

Finally, supervisors or assessors of projects, dissertations, thesis or academic publications should take the pains to review the works quoted or cited by the researchers to confirm that those works actually say what the researcher claims before certifying the research as meeting the required standards. It is further recommended that the supervisors could also be tested during the defence of such researches to be sure of the effectiveness of the literature review.

It is hoped that this paper has added the volume of knowledge in this field, especially by proposing more accountability on the part of researchers, supervisors and assessors..