



## Legal research in the context of legislative instability in Algeria: What scientific value?

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**ABSTRACT:** Scientific research derives its importance from its value. In this field, legal research—as one of the most prominent areas of social science research—derives its scientific value from its contribution to solving problems impeding the application of laws by highlighting the shortcomings of these laws, with the aim of alerting legislators to address them and assisting relevant parties in their implementation to gain a sound understanding. It also contributes to cognitive aspects by creating legal knowledge through the production of legal research of scientific value, which benefits legislators, students, and researchers in the legal field.

However, legal research faces numerous obstacles that can limit its importance and diminish its scientific value. Among these obstacles is the development witnessed by legislation, embodied in the movement to amend and repeal laws, commonly referred to as "legal instability or legislative instability," whether in branches of public or private law. Legal research in Algeria has faced this obstacle, given the legislative dynamism witnessed by the Algerian legal system and the most important laws that have witnessed this dynamism.

**Keywords:** Legal research, legal uncertainty, scientific value.

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### Introduction

Research in legal sciences is characterized by its study of practical problems arising from social conditions and governed by legal systems, with the goal of finding solutions to the problems facing societies by regulating legal practices within these systems. In fact, this research can gain its scientific value from its contribution to solving many problems. This can be achieved by highlighting shortcomings in existing legal systems, with the goal of encouraging legislators to amend them, on the one hand, and interpreting legal texts to help relevant parties understand them correctly, on the other hand. Furthermore, it can contribute to the creation of sound scientific research that can be utilized as a starting point and/or foundation for numerous research topics, on the third hand.

These are goals that can be achieved within a relatively stable legal system. However, what distinguishes many legal systems—including the Algerian legal system—is **their frequent amendments, which makes them characterized by instability**. This has affected the scientific value of legal research, often rendering it useless. This is because, on the one hand, it loses its scientific value as legal research as soon as new legal texts are issued. On the other hand, such research is characterized by a lack of depth due to the short lifespan of the legal text, which is amended by a new legal text or repealed and replaced by another legal text. This, in turn, prevents sufficient opportunity for in-depth legal research into this text. Based on this, the problem

we can raise in this area revolves around the scientific value of legal research in light of the legislative instability witnessed by some laws in Algeria. This problem can be formulated within the following question: **To what extent does legislative instability in the Algerian legal system affect the scientific value of legal research?** This problem can be answered by addressing the following axes:

#### **First: The conceptual framework of the study:**

Studying the impact of legislative instability on the scientific value of legal research in Algeria requires us to address the definition of each of these concepts: legislative instability, legal scientific research, and the scientific value of legal research. This will be addressed by dividing this section into the following points:

##### **1 - The concept of legislative instability:**

Legislative instability can be defined as a legal phenomenon caused by the increasing number of legal texts issued each year, or the accumulation of texts over time that are not applicable in practice<sup>1</sup>

Legislative instability refers to the legislative movement that continually affects laws and legal texts, through the amendment or repeal of these laws and texts by issuing new laws and legal texts, resulting in an unstable or unstable legal system.

##### **02 - The Concept of Legal Scientific Research:**

The linguistic meaning of scientific research consists of two words: "research," which means to seek, inspect, investigate, and study, and "scientific," which is a word derived from science. Science is the knowledge and perception of things in their true form, and the understanding and comprehension of them. By combining the meanings of the two words, the term "scientific research" linguistically means: investigating and tracking a scientific topic according to specific rules and conditions<sup>2</sup>

In terminology, the term "scientific research" carries many different meanings based on what is being researched or investigated. However, the agreed-upon meaning of scientific research is the activity that aims to conduct research that contributes to the development of science, using methods called scientific research methods<sup>3</sup>

**Accordingly, scientific research, technically,** is the activity that is based on collecting facts and data and communicating them<sup>4</sup>. It is the sum of the efforts made by a person (the researcher) in various fields with the aim of solving problems in society, or with the aim of acquiring knowledge, exploring it, examining it and verifying it through investigation and criticism, then presenting it in a complete manner to contribute to the dissemination of knowledge<sup>5</sup>. It is also the application of thought and exerting effort in matters or issues by searching and investigating the principles or relationships that connect them in order to arrive at the truth upon which the best solutions are built. It is the conscious and organized intellectual study of a particular phenomenon or issue with the aim of arriving at specific knowledge<sup>6</sup>. Legal scientific research is research that focuses on a legal problem in various branches of law, with the aim of arriving at an acceptable and appropriate understanding of it<sup>7</sup>. It is a set of methods and mechanisms for identifying and gathering the information necessary to assist in the legal decision-making process. Legal scientific research encompasses every step or process, beginning with the analysis of facts, events, or a particular issue, arriving at a conclusion, passing through the application and communication of the research results<sup>8</sup>. Scientific research in general, including scientific research in the field of social sciences, and specifically legal scientific research, is characterized by its aim to achieve one of the following objectives: creating something new, clarifying an ambiguous matter, abbreviating a lengthy work, organizing a confusing study, gathering scattered research, correcting an incorrect study, etc.<sup>9</sup>

**Legal scientific research, then, is any research based on scientific methods, with the aim of arriving at solutions to legal problems, assisting law enforcement agencies in understanding legal rules, or contributing to the achievement of scientific – legal – knowledge by studying a legal problem or issue in the legal system in general, a specific legal branch, or a specific legal text (article within a law).**

### **03 - The Concept of the Scientific Value of Legal Research:**

The scientific value of legal research lies in its general aim to comprehend and understand legal rules, in addition to contributing to the development of sound legal thought capable of finding practical solutions to the problems facing the application of legal rules <sup>10</sup>

Therefore, the ultimate value of scientific research is measured by the extent to which subsequent researchers consider it an indispensable part of knowledge in the intensive study and systematic organization of a scientific branch, subject, or issue, or as an important tool for continuing debate. The ultimate test of its value is whether the scientific material (scientific research) serves to support existing theory and knowledge or to establish new theoretical foundations <sup>11</sup>

**The scientific value of legal research is not outside this field, as legal scientific research derives its value from the fact that it contributes to the achievement of scientific knowledge by creating starting points and foundations for legal studies and research from which the student and legal researcher can benefit. However, the scientific value of legal research can also stem from the fact that it contributes to finding solutions to existing legal problems, either by highlighting the shortcomings and weaknesses in legal texts with the aim of assisting the legislator in amending or abolishing those texts, or by interpreting those texts with the aim of assisting the parties concerned with their application to understand them correctly and thus apply them properly.**

#### **Second: The theoretical framework for the impact of legislative instability on the scientific value of legal research:**

Laws are connected to many non-physical and unstable sciences. Law changes with the changing society. The legal rule, which constitutes the solid foundation of legal sciences and research, is subject to change and development according to the temporal and spatial conditions to which human societies are subject <sup>12</sup>

The development of the legal rule linked to unstable sciences and societies has led to the emergence of the phenomenon of legislative instability, which plays an influential role in the scientific value of legal research on many levels, perhaps the most important of which we will explain in the following points:

#### **1 - The impact of legislative instability on the foundation, activation, and operation of legal sciences:**

Scientific research is characterized by being based on three interconnected levels: foundation, activation, and operation. Grounding is a systematic process aimed at either uncovering the origins, principles, and foundations necessary for establishing a structure, or deriving and extracting these origins from a wellspring of cognitive reference and its variations. Thus, grounding is primarily a theoretical process, based on engaging the mind with established cognitive and cultural sources, exploring their potential, and exploring the truths and meanings they can provide, upon which the architecture of understanding, knowledge, and methodology is based. Grounding is based on mental models or belief systems, which some call frameworks, which address the possibility of viewing reality by individuals in different ways.<sup>13</sup>

Grounding in the social and human sciences has proceeded along two lines: critiquing the foreign intruder and searching for an alternative compatible with the cultural self. This has led to comparisons between cognitive systems and methodologies<sup>14</sup>, debates between worldviews and existence, and between the major concepts underlying current systems and others necessary for the desired cultural perspective.<sup>15</sup>

- Accordingly, the impact of legislative instability is evident through the difficulty of criticizing the legal reality and the difficulty of searching for a legal alternative, given that the legal system, which is characterized by constant legislative dynamism or legislative instability, has modern texts. Therefore, it is difficult to search for an alternative to it in light of the lack of sufficient time to study it - they are modern texts that have not yet received adequate study and research. It is also difficult to criticize them, also due to their modernity. In order to criticize them, the period of their application must be extended to reveal the areas of deficiency and shortcomings in them, which cannot be achieved in light of their change shortly after

the beginning of their application and their replacement with new legal texts. Activation is the application of cognitive and methodological foundations and theories in scientific research, and the use of what has been discovered or deduced from approaches, rules, principles, or tools of analysis or interpretation in research processes. Its place is scientific theses and studies, research, books, publications, reports, articles, presentations...etc. It is the work of researchers and scholars engaged in scientific research<sup>16</sup>. Most scientific research tends to be of the interpretive type, where the search is made for possible explanations for phenomena<sup>17</sup>

- Therefore, the impact of legislative instability is evident in the inability to benefit from legal scientific research, given the lack of need to utilize what has been discovered through such research. This is because the latter is linked to legal texts, and what has been interpreted or proven in legal scientific research regarding a law or legal text that has been amended or repealed becomes useless as long as the law or legal text has been repealed. It is not very useful to delve into the results of studying something that no longer exists. Although legal research sometimes relies on historical aspects in terms of examining legal development, it is not a historical study, as it is tangibly linked to current legal texts.

As for operationalization, it provides practical guidance and theses that evaluate reality and direct behavior and performance toward soundness, validity, efficiency, and effectiveness<sup>18</sup>. The goal of scientific research is to discover laws and hypothesize theories that can explain natural or social phenomena<sup>19</sup>

- Accordingly, the effect of legislative instability appears clearly through the inability of legal research to guide the legislator, as the latter has adopted a legislative policy based on the continuous change of some laws and legal texts, which makes the assumption of theories impossible and makes the discovery of solutions extremely difficult, because the discovery of solutions is linked to the practical application of laws, and since these laws are short-lived due to the legislative instability, it is difficult to know the shortcomings and weaknesses in them and thus it is not possible to discover appropriate solutions for them.

## **02 - The Impact of Legislative Instability on the Principle of Value Neutrality in Legal Research:**

Values are the fundamental principles, beliefs, ideals, standards, or patterns characterized by being subjective, personal, relative, empirical, and gradual<sup>20</sup>. Scientific values are the sum of the positive attitudes held by individuals toward a scientific topic or a scientific-related position. They are the sum of scientifically shaped attitudes and experiences expressed by individuals regarding the scientific issues and problems they experience and interact with. Scientific values are a branch of the value matrix: cognitive, affective, and behavioral<sup>21</sup>

Value neutrality is associated with the pioneer of the social sciences, Max Weber, who used it to express a state of advancement in the social sciences by following in the footsteps of the natural sciences, which possess quantitative and experimental standards. Value neutrality does not mean the absence of values or the abandonment of them; rather, it means the liberation of scientific research procedures from preconceived value judgments, while science, in its general, comprehensive sense (work: mental-intellectual), remains a value in and of itself. Legislative instability can have an impact on the principle of value neutrality, as long as the researcher embarks on their research with the belief that the law can change. Consequently, their scientific research could face the same fate as previous scientific research related to expired laws that no longer have sufficient scientific value except within the framework of studying legislative development. Therefore, legal scientific research, at least in this regard, will deviate from the principle of value neutrality.

## **3 - The Impact of Legislative Instability on the Principle of Continuity in Legal Research:**

The results obtained in scientific research—including research in the legal sciences—are neither final nor definitive. Therefore, they must be viewed from the perspective of continuity in scientific production. The results of any research are open conclusions that can be used as starting points for further research. Therefore, legal scientific research is innovative because it is concerned with renewing previously acquired

knowledge<sup>23</sup> . Therefore, legal research, characterized by its connection to legal texts characterized by legislative instability, can only be sustained within the framework of studying legislative development. This diminishes its scientific value, as the principle of continuity is one of the key features of such research.

#### **4 - The Impact of Legislative Instability on the Principle of Confidence in the Value of Scientific Research:**

Scientific legal research requires many years to be completed and published. It is possible that the widespread fame and publicity surrounding legal changes may fade by the time the research is completed and submitted for publication<sup>24</sup>. What also diminishes this research's value is that it may be completed immediately prior to new legal amendments. Consequently, due to legislative instability, legal researchers face a fundamental problem: a lack of confidence in the value of scientific research, leading them to resort to traditional methods of solving problems<sup>25</sup> .

Therefore, legislative instability affects the principle of trust in legal research, as such research may be completed at a time when it becomes useless, or its useful lifespan is very short. This renders the principle of relying on scientific research to address practical problems ineffective, as such research is linked to laws that have been repealed or amended, which diminishes the value of legal research.

#### **Third: The applied framework for the impact of legislative instability on the scientific value of legal research:**

It must be acknowledged first that a completely satisfactory method for assessing scientific production has not yet been devised, and indeed, it is not even expected that a satisfactory method will ever be devised<sup>26</sup>. However, the scientific value—as previously noted—can be linked to the goals and objectives of legal scientific research itself, in terms of its contribution—that is, legal research—to the achievement of knowledge and the finding of solutions to problems.

Given the diversity of legal systems in general, and the diversity of the Algerian legal system as a member of these systems in particular; This prevents us from exploring the extent to which legislative instability affects legal research related to all laws. Therefore, in this section, we will study the impact of legislative instability on both investment law and election law, considering one as a branch of private law and the other as a branch of public law, on the one hand, and considering the dynamics of legislation and the legislative instability that characterize them, on the other hand. This will be achieved through the following two points:

#### **1 - The impact of legislative instability on the scientific value of private law research (Investment Law as a model)**

No one denies the state's right to amend its domestic legislation according to what its interests require in light of economic changes. It is compelled to keep pace with economic development<sup>27</sup>, and thus amend laws related to the regulation of investment. However, this may in fact have numerous repercussions, both for the investor and for the legal student, who may find the scientific value of their research affected by legislative instability. Accordingly, we will highlight in this point the manifestations of the instability of investment law in Algeria, and the impact of this instability on the scientific value of legal research in the field of investment, by addressing the following two points:

##### **A- Manifestations of the instability of investment law in Algeria:**

In implementation of the state's legislative policy, the state issues a set of legislation through which the objectives of that policy are achieved<sup>28</sup>.

The investment laws in Algeria have undergone numerous amendments in response to circumstantial political and economic considerations that coincided with economic change and political orientation. Whenever the regime changed, the investment laws changed with it in response to the adopted economic policies, resulting in the existence of circumstantial laws and successive amendments <sup>29</sup> to the laws regulating investment.

After independence and during the phase of the Algerian state's socialist orientation, Algeria issued the Investment Law of 1963, followed by the Investment Law of 1966, the Investment Law of 1982, and the Investment Laws of 1986 and 1988<sup>30</sup>.

After the adoption of capitalism in Algeria, another set of investment laws was issued, starting with Legislative Decree No. 93/12 dated 10/05/1993, relating to investment promotion, which is based on the state's right to grant, under preferential terms that may reach a symbolic dinar, concessions on lands belonging to national property for the benefit of investments carried out in special zones. Then, Executive Decree No. 94/322 dated 10/17/1994, relating to granting concessions on national property lands located in special zones within the framework of investment promotion, through Order No. 08/04 dated 08/01/2004, specifying the conditions and methods for granting concessions on lands belonging to the state's private property and intended for the implementation of investment projects, which – that is, Order 08/04 – is based on granting concessions through the existence of a specifications book through an open public auction, provided that the applicable urban planning rules are respected, as included in Executive Decree No. 09/152 dated: 02/05/2009, with the mandatory transfer of ownership of the property on which the investment project was completed by a notarized contract to the investor; after the actual inspection of the investment project's launch in activity, then Order No. 11/11 dated 07/18/2011, including the Supplementary Finance Law for the year 2011 and amending Order No. 08/04 pursuant to Article 15 thereof, which made mutual consent the sole method for granting concessions on real estate vessels designated for investment belonging to the state's real estate property with the necessity of only benefiting from these properties without relinquishing them<sup>31</sup>, arriving at Law No. 16/09 dated 08/03/2016 relating to investment promotion, then Law No. 22/18 dated 07/24/2022 relating to investment, which are consistent with what was stated in the Supplementary Finance Law for the year 2011 in terms of the method of granting real estate belonging to state property for investment by adopting the system of granting real estate designated for investment by mutual consent or what is termed It has a non-transferable privilege, with differences regarding the methods of granting and monitoring investment projects, the mechanisms for such monitoring, and the mechanisms responsible for resolving investment disputes.

#### **B - The impact of the instability of the investment law on the value of scientific research in the field of investment:**

The numerous amendments to the investment law have resulted in instability <sup>32</sup> and a lack of clarity regarding the investment policy pursued<sup>33</sup>, which has negatively impacted the scientific value of legal research in the field of investment law. This impact is primarily related to:

**- The impact of legislative instability on the contribution of legal research in the field of investment law to the achievement of knowledge;** While the research presented in the field of investment is not affected in terms of being a legal field of knowledge to a large extent, in terms of its connection to the study and definition of concepts, it is affected in terms of the rest of the cognitive aspects, and from this we point out, as an example, but not limited to, the methods of granting real estate vessels designated for investment, which have developed from: a transferable privilege to granting lands through public auction to granting them through a non-transferable privilege, as this change that affected this important legal issue, has made the legal scientific research that dealt with the subject of granting investment real estate vessels to investors useless.

Or cognitive value for the people to whom the information is directed, including investors. The abolition of a grant procedure and its replacement with another makes it pointless to inform them of the previous procedure, as this will not benefit them. Although it may be of benefit to some students and researchers specializing in the field of law, as these individuals are naturally interested in all matters legal and follow the legislative process, other scholars are not interested in the historical development of investment law. Consequently, their studies are limited to those laws currently in effect. This diminishes the scholarly value of legal research in the field of investment due to the lack of legislative stability.

**- The impact of legislative instability on the contribution of legal research in the field of investment to finding solutions to legal problems;** The legislative development of investment law has rendered legal research that found practical solutions to legal problems related to investment law or interpretations related to a specific text of this law useless, because this research is based on studying a specific law, legal text, or legal principle in investment law. When the law changes, this principle may change with it, and thus the solution or interpretation provided through scientific research becomes useless. Research that addressed, for example, the flaws in the method of granting real estate vessels allocated to investors through concessions or auctions is practically useless, or that which addressed the interpretation of the procedures for granting these real estate vessels does not provide significant benefit because it does not provide solutions to real problems, because the solutions it provided were for previous problems and the interpretation it provided is an interpretation of previous laws and legal texts. Therefore, it cannot be used to solve current problems that are completely different from them, which makes it useless and without legal value in this field.

## **02 - The Impact of Legislative Instability on the Scientific Value of Public Law Research: "The Election Law as a Model:**

Based on the state's right to legislate, many branches of public law are undergoing amendment and repeal within the framework of the legislative movement, a movement that has affected numerous laws, most notably the Election Law.

Accordingly, in this point, we will demonstrate the manifestations of the instability of the Algerian election law and the impact of this instability on the scientific value of legal research in the field of elections, by addressing the following two points:

### **A - Manifestations of the Instability of the Election Law in Algeria:**

After Algeria adopted the principle of multipartyism in the 1989 Constitution, and in line with the content of the latter, the first multiparty election law was issued, under No. 89/13, dated August 7, 1989. Following the holding of the first multiparty presidential elections in Algeria, the legislative system for the election law in Algeria was enacted. A set of laws was thus issued, beginning with the issuance of Order No. 97/07, dated March 6, 1997. Including the Organic Law on the Electoral System, amended by Organic Law No. 04/01 of February 7, 2004. Following the wave of political reforms that Algeria experienced in 2011, Organic Law No. 12/01 of January 12, 2012, on the Electoral System, was issued. In line with the 2016 constitutional amendment, Organic Law No. 16/10 of August 25, 2016, was issued, amended by Organic Law No. 19/08 of September 14, 2019. Following the 2020 constitutional amendment, Order No. 21/01 of March 10, 2021, was issued, including the Organic Law on the Electoral System, which was amended by Order No. 21/10 of August 25, 2021.

### **B - The Impact of the Instability of the Electoral Law on the Value of Scientific Research in the Field of Elections:**

The electoral law in Algeria is one of the most Laws are dynamic, given the numerous amendments they have undergone, whether those amendments affect the organic law relating to elections itself, or the decrees and regulations associated with it. This makes the electoral system one of the most dynamic Algerian legal systems, given its inherent instability. This has negatively impacted the scholarly value of legal research in the field of elections. This impact is primarily related to:

**- The impact of legislative instability on the contribution of legal research in the field of electoral law to knowledge-building.** Legal research in the field of elections is closely linked to the stages and procedures of the electoral process, the disputes related to it, the bodies responsible for supervising it, etc. In reality, all of these points have undergone significant change within the framework of the development of the electoral system in Algeria, which renders the research related to them ineffective from a cognitive standpoint. For example, but not limited to, we note the methods of registration on electoral lists, which, under Law No.

16/10 and the laws that preceded it, were carried out administratively within the framework of municipal or diplomatic electoral administrative committees. Following the issuance of Organic Law No. 19/08, these methods have become carried out. At the level of the Independent National Election Authority, this means that the legal studies that addressed the electoral registration process, which were conducted prior to the issuance of Organic Law No. 19/08, have become useless in terms of their contribution to knowledge of electoral law. This knowledge has become mere historical knowledge that is not useful in studying the current legal reality. Even some academic articles and doctoral dissertations, which were discussed only months before the issuance of Organic Law No. 19/08, regarding the electoral registration process, no longer hold any epistemological significance unless they are intended to be utilized in terms of concepts or the study of the legal development of electoral laws. Consequently, they no longer hold the same scientific value from an epistemological perspective as long as they were related to the analysis and research of a law that no longer exists, and its scientific value was lost with its demise.

**- The impact of legislative instability on the contribution of legal research in the field of elections to finding solutions to legal problems.** The legislative development of electoral law has made legal research that discussed the problems inherent in electoral laws, which were primarily related to questioning the integrity and credibility of the electoral process and its expression of the popular will, on the one hand, and proposed solutions to those problems, on the other. On the other hand, appropriate proposals to address procedural issues that open the door to questioning the results of the electoral process are useless research, as these problems are no longer the same after the issuance of the new law. This includes, but is not limited to, studies that criticized the competence of the President of the Municipal People's Council to announce the opening and completion of the review of electoral lists, as this problem no longer exists in Organic Law No. 18/09 and the Election Law issued by Order No. 21/01, which granted this competence to the President of the Independent National Election Authority. This makes these studies of no current cognitive value, as they explained and demonstrated shortcomings and provided solutions to a problem that does not currently exist, which makes them of no current scientific value, and at best, greatly reduces this value.

### **Conclusion:**

In conclusion, we can say that legislative instability has an undeniable impact on legal research in terms of its scientific value, **and we can record the following results:**

- Legal research is a form of scientific research in general, and a form of social research in particular. One of the most important characteristics of this research is its connection to and impact on legislative instability, given its direct connection to laws. It is a legal study that can only focus on a legal system, a law, a legal text (an article, a group of legal articles, or a paragraph within a legal article), or a specific legal principle.

- The impact of legislative instability on the scientific value of legal research is evident at the level of both public and private law, without distinction. Investment law, as one of the most prominent branches of private law in terms of the legislative dynamics that have rendered it unstable, is affected to almost the same extent as electoral law, as one of the most prominent branches of public law in terms of the legislative dynamics that have rendered it unstable.

- From a theoretical perspective, legislative instability affects legal research in the following ways:

- Difficulty in establishing knowledge, given the novelty of legal research. This is due to the novelty of laws, which are constantly being amended and changed. Legal research that focuses on laws experiencing constant legislative dynamics is extremely difficult to establish knowledge, compared to legal research that focuses on laws characterized by legislative stability. This makes the search for alternatives and realistic critiques in the former type of legal research, unlike the latter type, difficult to achieve. This reduces the scientific value of the research.

- Difficulty in using the principles discovered and derived from legal research in research that focuses on laws or legal texts that have been amended or repealed. This is because legal studies, unlike some studies



such as historical studies, do not focus much on development except as one aspect among several legal aspects. Therefore, legal research affected by legislative instability is considered to be research whose findings cannot be used, which renders it cognitively useless and, consequently, scientifically worthless.

- Failure to take advantage of the principle of continuity inherent in scientific research. Legal research that studies a law that has been repealed or amended will become history, archived, and only useful as a legal development. This is because the new law will be considered a new starting point for research and study, especially if the movement that affected the legislation radically amended it or established new principles and abolished the old ones. Such a move would make it impossible for the latter to serve as a starting point for study relative to the former. This diminishes the scientific value of the former research, and may even be eliminated.

- The scientific value of legal research, as a type of scientific research, can be measured based on its contribution to knowledge. This contribution may not be fully realized, or may be realized in light of the legislative instability experienced by some laws (such as the Investment Law and the Election Law). This is because the knowledge provided under such legislative instability becomes outdated, which diminishes the scientific value of legal research.

- The scientific value of legal research, as a special type of scientific research, can also be measured from the standpoint of its contribution to interpreting laws and legal texts and solving legal problems, by helping the legislator find legal solutions by identifying the weaknesses and shortcomings that hinder the application of the legal texts he has issued, on the one hand, and by helping the parties concerned with implementing the laws to properly understand the latter, on the other hand, etc. This contribution may not be clearly achieved for some legal studies, and may not be achieved at all in light of the legislative instability witnessed by some laws, such as the investment law and the election law in Algeria. This is because the scientific research presented in this field relates to expired laws or legal texts, and thus to problems that no longer exist, which limits or prevents the existence of scientific value for those texts.

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