



Introduction to Foreign, Comparative and International Legal Research

INTRODUCTION

Public international law governs interactions between states, between states and international bodies and between international bodies themselves. The sources of public international law are international agreements, customary law, judicial decisions and academic writings.

Private international law deal with relations between individuals over state boundaries and it is regulated by treaty and domestic law.

Foreign law is the domestic law of any country other than the one within which you are working.

Before you begin your research, first ascertain that type of legal system that you have been asked to research (e.g., common law, civil law or mixed jurisdiction). This is important because it will have an impact on the legal information that you can expect to find. Also, consider the languages used in the jurisdiction that you are researching and establish whether you will be able to find enough information on your topic / jurisdiction in the languages that you can read. For some jurisdictions, not much will be available in English or in any other language than the vernacular.

WHERE TO BEGIN

It is always best to begin your research with secondary sources. If you want to research how different foreign jurisdictions treat a particular topic, you will also want to consult country specific legal research guides. These will provide you with an understanding of the structure of the legal system and the resources available for researching a country's laws. By using indexes of periodical literature, you may find that someone has written on a similar issue and their footnotes and bibliography could be useful in identifying other relevant sources.

FINDING A BOOK USING AN ONLINE CATALOG

Using UW Law Library Catalog
<http://lib.law.washington.edu/>

Using UW Libraries Catalog
<http://catalog.lib.washington.edu/search/X>

Using WorldCat Local
<http://uwlaw.worldcat.org/advancedsearch>

Sample keyword search:
"public health" AND laws
(pluralism OR multiculturalism) AND "constitutional law"

Use subject headings to find items in the catalog:
Dispute resolution (law) International criminal court -- rules and practice

Also browse Series titles:
International environmental law and policy series
Cambridge studies in law and society

***Inter-Library Loan Services**
<http://lib.law.washington.edu/ill/ill.html>

This is a free service provided by the library to the UW Law School community. It allows you to borrow journal articles and books that are not held by our library. It can take up to 2 or 3 weeks to obtain books through this service – so be sure to make your requests well in advance!

RESEARCH GUIDES AND ENCYCLOPEDIAS

Research Guides

Foreign Law Guide
<http://www.foreignlawguide.com/ip/>

This database provides a concise guide to the major primary and secondary legal resources of individual countries. You can use MARIAN or WorldCat to find many of the titles that are referred to here.

Globalex
<http://www.nyulawglobal.org/globalex/index.html>

Various countries guides are available here in addition to guides on international and comparative legal research topics.

FLARE: Foreign Law Research Guides
http://ials.sas.ac.uk/library/guides/research_guides.htm#flare

FLARE is a collaboration between the major libraries collecting law in the United Kingdom: Institute of Advanced Legal Studies, Bodleian Law Library, Squire Law Library, British

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Any further questions? Contact us: <http://lib.law.washington.edu/questions.html>

Library, and School of Oriental and African Studies. It produces research guides on various foreign jurisdictions.

LLRX Comparative and Foreign Law Resources Center

<http://www.llrx.com/category/1050>

This site includes research guides and links to other legal resources.

Gallagher Library Research Guides

<http://lib.law.washington.edu/ref/fcil.html>

Don't forget to consult the library's many research guides on foreign, comparative and international law topics!

Encyclopedias

Smits, Jan M. **Elgar Encyclopedia of Comparative Law**. 2006

<http://marian.law.washington.edu/record=b1207098~S0>

World Jurist Association. **Law and Judicial Systems of Nations**. 4th rev. ed., 2002.

<http://marian.law.washington.edu/record=b1153342~S0>

Kritzer, Herbert M. **Legal Systems of the World: a political, social and cultural encyclopedia**. ABC-CLIO, 2002.

<http://marian.law.washington.edu/record=b1151032~S0>

Martindale-Hubbell International Law Digest. Martindale-Hubbell. 1993

Published annually. Most up-to-date edition available from Lexis.

<http://marian.law.washington.edu/record=b1065055~S0>

Redden, Kenneth. **Modern Legal Systems Cyclopedia**. W.S. Hein.

Kept up-to-date by loose-leaf supplements.

<http://marian.law.washington.edu/record=b1029395~S0>

Reiman, M. and Zimmerman, R. **Oxford Handbook of Comparative Law**. Oxford University Press, 2006.

<http://marian.law.washington.edu/record=b1209228~S0>

Scholarly Articles (i.e., Journals and Indexes)

The only way to ensure that you have carried out a thorough literature review of any topic is to use indexes of periodical literature. This is because indexes include information about journal articles that may not be available from online full-text database providers, such as Lexis or Westlaw.

Once you have identified a relevant article in the index, you can track down the full-text by searching for the journal in your library catalog or by making an interlibrary loan request:

<http://lib.law.washington.edu/ill/ill.html>

Useful Indexes to Get Started

LegalTrac

<http://marian.law.washington.edu/record=b1041051~S0>

LegalTrac indexes the contents of nearly 1000 legal periodicals, including academic law journals, bar association publications, and legal newspapers. It covers English-language publications from the U.S., Canada, Australia, New Zealand, Ireland, and the U.K. LegalTrac is also known as **Legal Resource Index** and can be search through Westlaw and Lexis. The advantage of searching from Westlaw is that you will find links to the full-text where available.

Index to Foreign Legal Periodicals

<http://marian.law.washington.edu/record=b1040264~S0>

This is the best index available for finding law journal articles in foreign languages, including French, Spanish, German, Russian and Chinese. This database works best using the *Internet Explorer* browser.

PAIS (Public Affairs Information Service)

<http://uwashington.worldcat.org/title/pais-international/oclc/47724604>

Indexes topics including public and social policy, political science, economics, international relations and law. The database is comprised of abstracts of journal articles, books, directories, conference proceedings, government documents and statistical yearbooks published in English, French, German, Italian, Portuguese and Spanish.

Academic Search Complete

<http://search.ebscohost.com/login.aspx?authtype=ip.uid&profile=ehost&defaultdb=a9h>

Academic Search Complete is a multi-disciplinary database that includes citations and abstracts from over 11,000 scholarly publications, including journals, magazines and newspapers.

Researching Specific Regions/Topics

Bibliography of Asian Studies

<http://uwashington.worldcat.org/title/bibliography-of-asian-studies/oclc/39699361>

The online Bibliography of Asian Studies (BAS) holds more than 545,000 records on all subjects related to East, Southeast, and South Asia from 1971 to the present (primary disciplines covered are in the humanities and social sciences). Monographs published since 1992 have not been added to the database. The most important 100+ periodicals in Asian Studies have been indexed on a priority basis to make their coverage as up-to-date as possible.

Handbook of Latin American Studies

<http://lcweb2.loc.gov/hlas/hlashome.html>

This database contains records describing books, book chapters, articles, and conference papers published in the field of Latin American studies.

GreenFILE

<http://search.ebscohost.com/login.aspx?authtype=ip,uid&profile=ehost&defaultdb=8gh>

This database indexes scholarly and general interest titles, as well as government documents and reports related to the environment and disciplines such as agriculture, education, law, health and technology.

Index Islamicus

<http://uwashington.worldcat.org/title/index-islamicus/oclc/52431288>

Produced by the Islamic Bibliography Unit at Cambridge University Library, this is a bibliography of publications in European languages on all aspects of Islam and the Muslim world. It provides access to over 2,000 journals and series and also includes conference proceedings, monographs, multi-authored works and book reviews.

FINDING FOREIGN AND INTERNATIONAL LEGAL MATERIALS – Primary Resources

Finding Foreign Laws and Legislation

COMPILATIONS OF LAWS – Loose-leaf Services

Many library collects the laws of foreign countries both individually, by country, and also by themes, such as “The Constitutions of the Countries of the World”. These are usually loose-leaf services (i.e., they are updated regularly).

These types of resources can be difficult to identify just using a library catalog, so it may be helpful to consult the Multinational Collections Database (<http://www.loc.gov/mulp/>), which is from the Library of Congress.

This website lists the title of publications, which reprint the laws and regulations of international jurisdictions on a particular legal topic, comparative in nature. The purpose of the database is to provide additional identifying information about titles, which you can then use this information to locate these items in your own catalog or to make an ILL request.

In addition to the subscription databases available to you through your institutional affiliation, don't forget that you can also find a lot of authoritative legal resources on the web.

The websites of international organizations are often great sources of the domestic laws of their member states. Below are some examples of legal databases available online, but there are many more - it's just a matter of identifying the relevant organization that might compile such information and exploring their website.

PRIMARY SOURCES: Laws, Legislation and Jurisprudence

BY JURISDICTION

GLIN - Global Legal Information Network

<http://www.glin.gov/search.action>

Free, online database of official texts of laws, regulations, judicial decisions, and other complementary legal sources contributed by governmental agencies and international

organizations. May include full texts of published documents in their original languages. Also accompanied by a summary in English and subject terms selected from the multilingual index to GLIN.

World Legal Information Institute

<http://www.worldlii.org/>

This is a website that compiles the domestic laws of foreign countries around the world. It is committed to public access to legal information. It also often provides links to official government websites.

Lexadin – World Law Guide

<http://www.lexadin.nl/wlg/>

Although this website has not been updated for a while, it still very useful for links to legislation, courts and decisions and other legal information from various jurisdictions around the world.

East Asian Databases available at Gallagher Law Library

<http://lib.law.washington.edu/eald/OnlineDBsList.htm>

This page includes all the subscription databases available for researching law in China, Japan, Taiwan and Korea.

BY THEME

OSCE – Legislationline

<http://www.legislationline.org/>

This site provides access to international norms and standards relating to specific human dimension issues (e.g., freedom of assembly, hate crime) as well as to domestic legislation and other documents of relevance to these issues related to member-states.

World Bank - Doing Business

<http://www.doingbusiness.org/lawlibrary/>

This site is a compilation of business laws and regulations from almost every member jurisdiction.

ECOLEX: Gateway to Environmental Law

<http://www.ecolex.org/start.php>

This database, operated jointly by FAO, IUCN and UNEP, includes treaties, international soft-law and other non-binding policy and technical guidance documents, national legislation, judicial decisions, and law and policy literature.

International Labor Organization Databases

<http://www.ilo.org/public/english/support/lib/dblist.htm>

Includes a link to the NATLEX database of national labor, social security and related human rights legislation. Provides abstracts of legislation and relevant citation information. Indexed by keywords and by subject classifications. Where possible, the full text of the law

or a relevant electronic source is linked to the record. Another database, e.quality@work, surveys legislation regarding EEO around the world.

Annual Review of Population Law

http://www.hsph.harvard.edu/population/annual_review.htm

This is a database of summaries and excerpts of legislation, constitutions, court decisions, and other official government documents from every country in the world relating to population policies, reproductive rights and health, women's status and rights, children and adolescents, HIV/AIDS and related topics. Also contains files on specific topics, such as abortion laws, population policies, domestic violence, children and adolescents, HIV/AIDS, women's human rights, and female genital mutilation. The period covered by the database is 1974 through the present.

Institute of Transnational Law at the University of Texas at Austin School of Law – Foreign Law Translation

http://www.utexas.edu/law/academics/centers/transnational/work_new/

Though it hasn't been updated recently, it is a resource for translations of French, German, Italian, Austrian and Israeli legal materials in the fields of constitutional, administrative, contract and tort law.

Migration Law Database - International Organization for Migration

<http://www.imldb.iom.int/section.do>

Created and maintained by the IOM, this website includes links to research on migration law and a migration law database that compiles relevant norms and instruments regulating migration at the international, regional and national levels.

Military Law Resources – Library of Congress

http://www.loc.gov/rr/frd/Military_Law/military-legal-resources-home.html

This website includes an extensive collection of primary source materials and publications in the field of military law, including links to war crimes trials and Geneva Convention materials.

CASE-LAW BY COURT / TOPIC

African Commission on Human and Peoples' Rights

http://www.achpr.org/english/_info/news_en.html

European Court of Human Rights

<http://www.echr.coe.int/echr/>

European Court of Human Rights HUDOC Portal

<http://cmiskp.echr.coe.int/tkp197/search.asp?skin=hudoc-en>

Online access to the case-law of the European Court of Human Rights, the European Commission of Human Rights and the Committee of Ministers, includes judgments, decisions, resolutions and reports.

i.lex: The Legal Research System for International Law in U.S. Courts.

<http://ilex.asil.org/>

Database of select U.S. court cases and related materials designed to serve as a practical resource to identify and understand how international law is interpreted and applied by U.S. courts at both the federal and state level.

Inter-American Commission on Human Rights

<http://www.cidh.org/>

The Inter-American Commission on Human Rights (IACHR) is one of two bodies in the inter-American system for the promotion and protection of human rights. The Commission has its headquarters in Washington, D.C. The other human rights body is the Inter-American Court of Human Rights, which is located in San José, Costa Rica.

Inter-American Court of Human Rights

<http://www.corteidh.or.cr/index.cfm>

This is an autonomous judicial institution of the Organization of American States whose objective is the application and interpretation of the American Convention on Human Rights and other treaties concerning this same matter.

JOURNAL ALERTS & CURRENT AWARENESS SERVICES

Current Awareness Services help keep researchers informed about the latest journal articles published in their areas of interest. Below are a few options for keeping up with newly published literature.

Current Index to Legal Periodicals (CILP)

CILP is a subscription service from the University of Washington Law Library, which indexes all the law journals that are received by the library and is often more up-to-date than the major indexes. The most recent 6 weekly issues is available to the UW community through the library's website:

<https://lib.law.washington.edu/uwcilp/webcilp.html>

Users can also subscribe to SmartCILP and receive a regular list of selected subject headings and journals. This service is available for free to UW Law School students and faculty. For more information, see:

<http://lib.law.washington.edu/cilp/scilp.html>.

To register, you'll need to use the following authorization code: UWLAWST and your UW email address.

Westlaw and Lexis

Both these databases allow you to create searches that can be run automatically for any period of time that you specify.

Global Legal Monitor

http://www.loc.gov/lawweb/servlet/lloc_news?home

The Global Legal Monitor is an online database from the Law Library of Congress covering legal news and developments worldwide. It is updated frequently and draws on information from the Global Legal Information Network, official national legal publications, and reliable press sources.

LEGAL ABBREVIATIONS AND CITATIONS

Legal Abbreviations

For mainly US legal abbreviations, see:

Bieber's dictionary of legal abbreviations : a reference guide for attorneys, legal secretaries, paralegals, and law students.

For foreign legal abbreviations, see:

Cardiff Index to Legal Abbreviations

<http://www.legalabbrevs.cardiff.ac.uk/>

Katholieke Universiteit Leuven – Guide to European Legal Abbreviations

<http://www.law.kuleuven.be/rechtsaf/index.phtml>

Citation Formats

Rule 20 of the **Bluebook** covers foreign materials. **Table 2** lists foreign jurisdictions in alphabetical order.

Guide to foreign and international legal citations. New York University, 2006.

http://www.law.nyu.edu/ecm_dlv1/groups/public/@nyu_law_website_library/documents/documents/ecm_dlv_006388.pdf

Latest edition is only available in print:

<http://marian.law.washington.edu/record=b1226585~S0> [Reference Office K89 .G84 2009]

LIBRARY TOOLS TO SEARCH FOR AND MANAGE YOUR CITATIONS

Gallagher Law Library Toolbar

This toolbar allows you instant access to the law library catalog, quick links and automatically links result from your web searches to the Library's print and licensed e-resources.

To install the Firefox extension: <http://libx.org/editions/D0/63/D06339FD/libx-D06339FD.xpi>

To install the IE plug-in: <http://libx.org/editions/D0/63/D06339FD/libx-D06339FD.exe>

Citation Management Tool - Refworks

<http://uwashington.worldcat.org/oclc/2830050439909>

This is an online research management, writing and collaboration tool that allows you to gather, manage, store and share all types of information, as well as generate citations and bibliographies.

For more information, see Citation Guides & Tools:

<http://guides.lib.washington.edu/citations>

To Upload Records From the Library Catalog to Refworks:

1. Conduct a search in the law library's catalog
2. Select relevant records and add to book cart
3. Click on export saved list
4. Select "MARC" and "Screen", then click on "submit"
5. Select and copy records
6. Open RefWorks – go to References > Import
7. Paste records into "Import Data from the following Text" box
8. Select "Marc Format"
9. Click on "Import"

LIBRARY QUICK LINKS

Gallagher Law Library homepage: <http://lib.law.washington.edu/>

Gallagher's Legal Databases and Indexes:

<http://lib.law.washington.edu/research/dbind.html>

UW's Library homepage: <http://www.lib.washington.edu/>

UW's Articles and Research Databases: <http://www.lib.washington.edu/types/databases/>

RESEARCH CONSULTATIONS BY APPOINTMENT

If you would like assistance with research for your LLM paper, you can make an appointment to meet with a reference librarian. We will go over resources specific to your topic and help you with research strategies, too.

Use the link below to sign up for an individual appointment:

<http://tiny.cc/uwgallagher>

After you have signed up for a slot, be sure to send an email to the librarian that you'll be meeting to let her know the topic of your research and any particular research issues that you would like to discuss.