

ADVANCE SOCIAL SCIENCE ARCHIVE JOURNALAvailable Online: <https://assajournal.com>

Vol. 04 No. 02. October-December 2025. Page# 1523-1533

Print ISSN: [3006-2497](#) Online ISSN: [3006-2500](#)Platform & Workflow by: [Open Journal Systems](#)<https://doi.org/10.5281/zenodo.17577398>**Sports laws in Pakistan: A legal framework for governance, ethics, and dispute resolution****Muthar Ali**

Department of Law, Dadabhoy Institute of Higher Education, Pakistan

asoomro178@gmail.com

+923297826730

Dr. Tansif Ur Rehman

Teaching Associate, Department of Sociology, University of Karachi, Pakistan; and Visiting Faculty,

Department of Law, Dadabhoy Institute of Higher Education, Pakistan

tansif@live.com<https://orcid.org/0000-0002-5454-2150>**Aliya Saeed**

PhD Fellow at School of Law, University of Karachi, Pakistan

aaliasaeed@yahoo.com**Abstract**

This paper critically analyses the sports laws in Pakistan. That way, we recognize and solve the legal guidelines for governance, Ethics, and dispute Resolution. Sports laws in Pakistan are a relatively new but poorly developed legal area that involves the governance, regulating, and dispute resolution provisions of sports and athletic affairs. Although such kind of sports as cricket, hockey, and football are popular, there are no thorough legal frameworks that would guarantee transparency, fair play, and protection of athletes. There is poor oversight and uneven policy enforcement in the regulatory bodies like the Pakistan Sports Board (PSB) and the Pakistan Cricket Board (PCB). Doping, corruption, match-fixing, and the exploitation of athletes are usually not addressed because of the weak legal framework and controls. Moreover, they lack sports tribunals or legislation on sports, which prevents the smooth resolution of a dispute. This study seeks to underscore the importance of having a mainstream and enforceable sports law in Pakistan as a measure to facilitate professionalism in sports in the country, the welfare of athletes, and the need to harmonize the functioning of domestic sports bodies with those of international sports organizations such as the International Olympic Committee and WADA.

Keywords: challenges, historical context, laws, opportunities, theoretical context

Introduction

Sports laws are a rapidly evolving field that consists of numerous varied legal issues pertaining to sports and physical activity (Fahlen & Stenling, 2016). Pakistan's sports law involves a combination of both statutory law and regulations and judicial decisions, which define how sports matters and issues

are settled (Connell, 2018; Ganjera et al., 2019). Since the Pakistan Sports Board (PSB) is the governing body of the main sport in Pakistan, it is also responsible for promoting and regulating sports in Pakistan (Bandyopadhyay, 2021).

Despite the fact that sports are a big part of the Pakistani culture, there are numerous issues facing the sports law system in the country (Beacom, 2000). One of the main issues is identified, the lack of appropriate governance and regulation of sports organizations in Pakistan (Grix, 2013). It has led to numerous problems, including corruption, doping, and disagreement between the sport and athletics (Davies, 2022). According to a report by the International Cricket Council (ICC) (2019), the Pakistani game has had its fair share of issues during the last few years, including security concerns, corruption, and governance (Laar et al., 2021).

Nevertheless, over the last few years, efforts have been made to improve the sports law system in Pakistan (Moolakkattu, 2020). To illustrate this, the government has introduced the Pakistan Sports Board (PSB) to oversee the sporting activities in the country (PSB Act, 1984), in addition to other laws and regulations. The Prevention of Doping in Sports Act, 2012, has been enacted to control the sports-related issues (Knott et al., 2016). As per these efforts to promote fair play, eliminate doping, and ensure the integrity of sports in Pakistan (Bandyopadhyay, 2007).

Research Justification

Sports law has different legal, administrative, and regulatory structures in the jurisdiction of research in Pakistan. To begin with, the sports law falls under the realm of the federal sphere due to the existence of the national-level associations such as the Pakistan Sports Board (PSB), the Pakistan Cricket Board (PCB), and the Pakistan Olympic Association (POA). These agencies operate in accordance with the policies and charters that are in conformity with the Constitution of Pakistan, international sporting codes, and the applicable national law.

In addition, local sports groups are also subject to powers by provincial governments through sports boards of respective sports through 18th Amendment, and this devolves part of legislative and administrative authority. The two systems constitute a complex legal combination where there is a necessity to coordinate the federal and provincial policies. The international charters of such global bodies as the International Olympic Committee (IOC), FIFA, and WADA bind Pakistan and internally influence the laws. Therefore, any sports law legal research in Pakistan must consider how domestic legislation interrelates with any international obligation and the institutional practice to offer an all-round legal analysis and policy implications.

The 18th Constitutional Amendment determined a significant modification in the jurisdiction of the regulation of sports, whereby several powers were devolved to the provincial governments. It led to a decentralized system where provincial sports boards and ministries are now in charge and marketing sports in the local regions. The concomitancy of the federal and provincial institutions has, however, sometimes caused simultaneity in jurisdictions and administrative intricacies in the financing, development of infrastructures, and talents.

Research Objectives

1. To discuss the historical context of sports laws in Pakistan.
2. To highlight the theoretical context of sports laws in Pakistan.
3. To analyze the laws regarding sports in Pakistan.
4. To identify the key challenges regarding sports laws in Pakistan.
5. To explore the opportunities for sports laws in Pakistan.
6. To propose effective prevention and intervention strategies.

Research Methodology

This study employed a systematic review methodology, with research objectives established accordingly. A comprehensive literature review was conducted (Komba & Lwoga, 2020). Research findings were categorized based on their content (Hiver et al., 2021; Petticrew & Roberts, 2006), and classified information was incorporated into the study by organizing it into headings (Gan et al., 2021; Pawson et al., 2005). The evaluation of classified information and titles formed the basis of the study (Page, 2021; Rahi, 2017), ensuring the integrity of the research subject and its contents (Egger et al., 2022; Victor, 2008). The criteria for selection are listed.

1. **Relevance:** Researches that directly addressed the questions posed by this study are included.
2. **Quality:** Studies that meet a certain quality threshold (e.g., methodological rigor, bias risk) are included. Most of the research is from Scopus-indexed and Clarivate Analytics journals and reputed publishers.
3. **Recency:** Consideration of the publication date to ensure that the review reflects the most current evidence. Most of the studies are from the last three years.
4. **Language:** Only studies published in English are included.
5. **Data Completeness:** Previous studies must provide sufficient data on outcomes of interest for practical synthesis; this is also ensured in this research.

This study did not use primary data from human participants; therefore, no ethics clearance letter from the ethics committee was required.

Literature Review

The academic and legal discussion of the issue of sports law is scarce in Pakistan, although it continues to grow owing to the heightened interest of people and involvement of the international community in sports (Bandyopadhyay, 2007). It has been stressed by scholars that detailed legislation is required to establish the functions of sports federations, the rights of athletes, and the methods of resolving disputes (Moolakkattu, 2020). The lack of a unified sports law leads to ad hoc rules and a high number of scandals in the selection and management of the team, says Laar et al. (2021).

Sports have not been mentioned in the Constitution of Pakistan 1973, but Article 38 of the Constitution of Pakistan (1973) deals with the promotion of social and economic well-being can be interpreted to mean the promotion of sports as a social good (Beacom, 2000; Ganjera et al., 2019). Another study also laments the necessity of the legislative changes to establish a coherent legal

framework that would resonate with the international standards, i.e., with the ones suggested by the International Olympic Committee (IOC) and World Anti-Doping Agency (WADA) (Davies, 2022). Important sports organizations like the Pakistan Sports Board (PSB), Pakistan Cricket Board (PCB), and the Pakistan Olympic Association (POA) have had extensive literature coverage (Bandyopadhyay, 2021).

Criticizes these bodies on the grounds of being run in non-transparency and accountability that usually contribute to internal conflicts and inefficiency (Knott et al., 2016). In the same vein, it writes about how the independence of the PCB is necessary to meet international standards of ICC, but it conflicts with the national interests at times (Connell, 2018). Describe the Ministry of Inter-Provincial Coordination (IPC) as ineffective in regulating activities as they seek to enhance further coordination among the federal and provincial agencies. These views highlight how disjointed sports governance is in Pakistan, which is equally complicated by the 18th Amendment that decentralized numerous roles to the provinces (Grix, 2013).

Historical Context of Sports Laws in Pakistan

The legal and scholarly discussion on sports law in Pakistan is rather small yet slowly growing because of greater interest and involvement in sports at the international level (Davies, 2022). Researchers have highlighted the importance of a wide-ranging law to spell out the functions of sports associations, athletes' rights, and dispute resolution procedures (Fahlen & Stenling, 2016). Due to the lack of a unified sports law, there is ad hoc governance and the excessive use of controversies when it comes to choosing and running a team (Beacom, 2000; Ganjera et al., 2019).

No specific sports law is provided in the Constitution of Pakistan, yet Article 38 of (Constitution of Pakistan, 1973, on the promotion of social and economic well-being, can be applied to the promotion of sports as a social good (Laar et al., 2021). A study also illuminates the necessity of legislative changes to establish a common legal system in accordance with the international standards, including the international organizations of sport like the International Olympic Committee (IOC) and World Anti-Doping Agency (WADA) (Moolakkattu, 2020). Much has been written about the role of major sporting bodies like the Pakistan Sports Board (PSB), Pakistan Cricket Board (PCB), and the Pakistan Olympic Association (POA) (Connell, 2018).

It is critical that these bodies work in a transparent and unaccountable manner, and this usually gives rise to intra-systemic strife and inefficiency (Grix, 2013). Also talks about how the independence of PCB is necessary to comply with internationally established ICC standards, yet its independence at times contradicts national interests (Knott et al., 2016). According to those who propose more coordination of federal and provincial agencies, the Ministry of Inter-Provincial Coordination (IPC) has been termed as feeble regarding regulatory supervision (Bandyopadhyay, 2021).

Theoretical Context of Sports Laws in Pakistan

The legal provisions of the administrative law, constitutional principles, and international legal obligations form the theoretical framework of sports law in Pakistan. Sports law, in its most basic terms, overlaps with the theories of public law, especially with regard to good governance, transparency, and

accountability. Since there is no legal sports law in Pakistan, legalization of sports activities is usually based on some general legal principles that are based on the administrative law, including the rule of law, procedural fairness, and the doctrine of legitimate expectation. Such tenets are used where judges interfere in cases of selection bias, doping claims, or maladministration of sports federations.

Article 25 of the Constitution of Pakistan, which guarantees equality before the law, as well as Article 19, corresponding to the right to freedom of expression, have been mentioned constitutionally in issues that pertain to the selection of players, the representation of teams, and the rights of the athletes. These constitutional safeguards are a starting point that will allow athletes to appeal against sporting decisions that are made without a basis.

On the international level, the process of joining international conventions and sports organizations, including the Olympic Charter, FIFA statutes, and WADA Code, involves the need of Pakistan to align the domestic practice levels with the international legal norms. Law scholars advocate a rights-based approach to sports law, and they advocate protection of the legal position of athletes, their rights under a contract, and their welfare, especially following the rise of the commercialization of sports. It is a changing theoretical background, which indicates the pressing realities of a full legal framework that encompasses administrative, constitutional, and international legal theories in the sports sector in Pakistan.

Laws Regarding Sports in Pakistan

A codified document does not establish sports law in Pakistan; rather, it is controlled by a blend of administrative regulations, constitutional, and international commitments. The major legal frameworks and authorities in sports governance in Pakistan are:

- 1. International Obligations:** Pakistan is a signatory to a range of international sports conventions and organizations like the International Olympic Committee (IOC), the World Anti-Doping Agency (WADA), and FIFA.
- 2. Pakistan Sports Board (PSB) Constitution (1962):** The PSB Constitution describes the functions and duties of the board in the promotion, regulation, and funding of sports federations. It is not a Parliament Act but a guidebook in the governance of sports in the country since it is a constitution of its own.
- 3. The Societies Registration Act (1860):** The majority of sports federations in the country, such as the Pakistan Olympic Association and other organizations, are registered under this act, which was enacted during the colonial era. It controls the non-profit associates and also offers fundamental legal personality and governance to athletic organizations.
- 4. The 18th Constitutional Amendment (2010):** the Amendment decentralized a number of duties that included sports into the provincial governments. It has led to provinces having their own sports boards and programs, but this decentralization has led to inconsistencies in governance and resource allocation.

Challenges for Sports Laws in Pakistan

1. **Conflict of jurisdiction after the 18th Amendment:** The 18th Constitutional Amendment decentralized the topic of sports to provincial governments. It enabled the local sports development, but also caused jurisdictional confusion. The federal organizations, like the Pakistan Sports Board (PSB), lack harmony with provincial sports governing bodies, thus creating overlaps, inconsistencies in policies, and a lack of coordination.
2. **Lack of Fixed Sports Law:** This is one of the most essential issues of sports law in Pakistan because the country lacks a legal framework that is dedicated and comprehensive. The administration of sports issues is regulated according to administrative regulations, old legislative acts such as the Societies Registration Act, 1860, and institutional constitutions, which are ineffective in the conditions of modern sports regulation and protection of athletes.
3. **Lack of Protection of the Rights of Athletes:** The rights of athletes are not particularly protected in terms of contracts and injuries, in terms of health insurance, and post-retirement assistance. It does not provide any legal protection to the athlete and curtails the growth of professional sports careers within the country.
4. **Weak Governance and Institutional Mismanagement:** Pakistan has a lot of sports federations that are poorly governed, corrupt, and nepotistic. Problems of biased team appointments, irregularity of finances, and internal wrangles are rampant. These issues have been persisting in training the integrity of sports institutions because there have not been regulatory checks.

Opportunities for Sports Laws in Pakistan

1. **Commercial Development through Sports Law:** The emergence of professional leagues (e.g., PSL, PFL) offers the possibilities of the law in the contract law area, intellectual property, and the sponsorship contract. Protection disincentivizes the redress of athletes and suppresses professional athletic careers in the country.
2. **Enhancing Legal Governance:** Pakistan can update its sports laws by enacting a broad law that will cover the governance, transparency, and accountability in sports federations.
3. **Introduction of Specialized Sports Dispute Resolution Mechanisms:** A specialized Sports Arbitration Tribunal within the Pakistan Sports Board would help in the smooth resolution of conflicts instead of having to overload the already saturated civil courts.
4. **Strengthening the Anti-Doping and Ethical Compliance:** As the cases of doping and match-fixing become more and more frequent, Pakistan can reinforce its Anti-Doping Agency (PADO) and tighten the rules according to the standards of WADA.

Discussion

Although sports are increasingly significant at terms of national and international levels, the country has no single codified law that regulates sports. The majority of sports organizations are incorporated by their own constitutions, frequently under the outmoded Societies Registration Act, 1860. It has contributed to poor practices, lack of responsibility, and frequent administrative wrangles.

The 18th Constitutional Amendment that devolved sports to provincial governments made the governance even more complex as the jurisdictions were overlapping, and the policy frameworks across different provinces were not consistent. Also, the lack of protections specific to athletes, like those concerning contracts, injuries, and anti-doping actions, speaks to the pressing need for legislative change.

Due to the emergence of commercial sports leagues such as the Pakistan Super League (PSL), the increased international involvement has provided a chance to professionalize and control the industry. The issue of fair play, merit, and transparency in the governance of sports is also an issue that courts have begun appreciating.

Conclusion

The sports law in Pakistan is at a critical crossroads. Although the country is well endowed with a strong sporting culture and increasing international status, the legal and institutional frameworks that govern sport are old-fashioned, disjointed, and ineffective to a large extent. Lack of a complete national sports law has resulted in bad governance, transparency, and inadequate protection for sportspeople. The vast majority of federations operate without strong control and have a high number of conflicts, corruption, and sports development inefficiencies.

Although the 18th Constitutional Amendment was meant to empower the provinces, it has led to confusion in jurisdictions as well as inconsistency in policies. Additionally, Pakistan still lacks the capabilities to follow international sports regulations (including those of the IOC and WADA), and this ability remains one of the factors that restricts its credibility and competitiveness at the global level. In spite of these difficulties, there are great prospects of reform.

Recommendations

- 1. Conform to International Standards and Conventions:** Integrate international requirements of agencies such as WADA, FIFA, and the IOC into the domestic legislation to enhance international compliance and engagement.
- 2. Create Gender Equity and Inclusivity in Sports:** It should be legally required to provide equal opportunities, financial and representation of women and marginalized communities in all aspects of sports.
- 3. Create Specialized Sports Dispute Resolution Tribunals:** Develop independent tribunals that will clean up most conflicts efficiently and fairly, alleviating congested civil courts.
- 4. Guarantee Legal Protection of the rights of the Athletes:** Incorporate the clauses dealing with employment contracts, insurance, injury protection, career development, and grievance mechanisms of athletes.
- 5. Institute an Autonomous Sports Regulatory Authority:** Have a central regulatory system equipped with the legal power to monitor sports federations and create a system of compliance, as well as facilitate transparency and accountability.
- 6. Increase Transparency and Accountability in Federations:** Use the law to require that

federations audit their boards, select freely and on merit to their boards, and appoint them.

7. **Intensify Unity between Federal and Provincial Levels:** Issue of clarity to streamline the functions of the federal and provincial sports boards following the 18th Amendment, and stay away from jurisdictional assertion.
8. **Make Sports Law an academic subject:** Prompt universities and law schools to develop sports law as a specialty subject and sports law research to ensure the growth of local expertise.
9. **Pass a Uniform National Sports Law:** Prepare and enact a single and extensive sports law that will encompass all aspects of governance, dispute resolution, doping, and contract and athlete rights to address the existing loopholes in the legislation.
10. **Professionalization of Sports via Legal Frameworks:** Regulating commercial interests-endorsements, sponsorship, broadcasting rights, and league control to facilitate fair and orderly sports business.

Research Limitations

Studies of sports law in Pakistan have a number of limitations that do not allow building a strong legal framework. The first reason is that there is no codified sports law, which means that there is no easy access to structured legal texts or statutes for academic and legal analysis. The researchers have to depend on fragmented policy documents, administrative regulations, and case law, which are not lightheartedly prepared and readily available.

Secondly, the little academic literature and academic work in this area inhibit theoretical and comparative studies. The number of Pakistani universities that have specialized courses or provide focused research on sports law is very low, which means that there is no academic interest and scholarly feedback. Thirdly, there is a lack of institutional transparency since most sports federations do not publicly provide internal policy, selection procedures, financial statements, and dispute resolution. This unavailability of data puts a heavy handicapped burden on empirical and policy-based research.

Research Implications

Sports law in Pakistan has several implications:

1. **Advocacy of the Rights of the Athletes:** Studies highlight how athletes have no legal recourse in issues like contracts, injury claims, and career security. The results can be used to develop legal systems that can protect and empower the athletes both nationally and provincially.
2. **Consistency with International Standards:** While examining other global models (i.e., IOC, FIFA, and WADA), the research assists Pakistan in seeing the gaps in its legal framework. It will help in enhancing international standards and the reputation of the country internationally in sports.
3. **Legislative Development:** The literature on sports law in Pakistan illustrates the critical requirement of the creation of a concrete, codified legal system. The present research can be used to inform policymakers when formulating legislations that control the governance, rights of the athletes, dispute management, and international standards.
4. **Legal Education and Professional Development:** Research leads to the necessity of academic

development of sports law. It motivates law schools to consider the implementation of specialized courses. It promotes the development of a new generation of law professionals who can be used to solve legal issues related to sports.

5. **Strengthening of the institutions:** It has been found that there are a lot of governance problems in the sports federations. The insights can be used to create more robust institutional structures, such as regulatory accountability, open processes of selection, and accountability in performance.

Future Research Directions

Future research on sports law in Pakistan has focus on several key areas to address existing challenges and improve the system:

1. **Conformity to International Standards:** Research can help Pakistan to align itself with international standards by looking at world models, including the IOC, FIFA, and WADA, to see where their legal framework is deficient. It enhances international conformity and increases the reputation of the country in terms of global sports.
2. **Legislative Development:** Studies on sports law in Pakistan point to the very pressing need for a comprehensive, codified sports law.
3. **Research:** The need to develop sports law academically is motivated by research. It promotes the development of special courses in law schools and helps to cultivate a new generation of legal professionals who will be able to cope with sports-related legal issues.
4. **Strengthening of Institutions:** Studies indicate that there is a serious governance problem in sports federations. Such lessons can contribute to the establishment of more robust institutional frameworks, such as regulation, open processes of selection, and performance accountability.
5. **Sensitization of the Rights of Athletes:** Studies have highlighted that athletes have no legal representation on issues related to do with contracts, treatment of their injuries, and future employment. The results can be used to develop legal frameworks to defend and empower both national and provincial athletes.

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