

JUR-8003 Legal Methods

Reading for Session 1:

- Wayne Booth et al., ‘From Questions to Problems’, *The Craft of Research* (University of Chicago Press: 2003) 56-71. (text send with course outline)
- Marck Van Hoecke, ‘Legal Doctrine: which Method(s) for which Kind of Discipline’ in Marck Van Hoecke (ed.), *Methodologies of Legal Research* (Hart Publishing 2011) 1-18, available at
https://www3.ufpe.br/moinhojuridico/images/ppgd/7.30%20methodologies%20of%20legal%20research_livro_completo_por_van%20hoecke.pdf (May also wish to see other chapters in the same book, available on the same site)
- Sanne Taekema, ‘Theoretical and Normative Frameworks for Legal Research: Putting Theory into Practice’, *Law and Method* 2018, DOI 10.5553/REM/.000031, available at <http://www.lawandmethod.nl/tijdschrift/lawandmethod/2018/02/lawandmethod-D-17-00010>

Reading for Session 2:

- Sanne Taekema & Bart van Klink, ‘Introduction’ & ‘On the Border. Limits and Possibilities of Interdisciplinary Research’, in Bart van Klink & Sanne Taekema (eds.), *Law and Method. Interdisciplinary Research into Law* (Tübingen: Mohr Siebeck, 2011), 1-3 & 7-32. (text send with course outline)
- Douglas W. Vick, ‘Interdisciplinarity and the Discipline of Law’ 31(2) *Journal of Law and Society* 2004, 163-93.

General reading

- W. Alschner, “The Computational Analysis of International Law”, Ottawa Faculty of Law Working Paper No. 2019-33 and forthcoming in R. Deplano and N. Tsagourias (eds), “Research Methods in International Law: A Handbook”,
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3428762
- M. Arvidsson and M. McKenna, “The turn to history in international law and the sources doctrine: Critical approaches and methodological imaginaries”, 33:1, Leiden Journal of International Law, 2020, <https://doi.org/10.1017/S0922156519000542>
- Peter Cane and Herbert M. Kritzer, ‘Introduction’, Peter Cane and Herbert M. Kritzer, *The Oxford Handbook of Empirical Legal Research*, Online Publication Date: Sep 2012 DOI: 10.1093/oxfordhb/9780199542475.013.0001
- Roger Cotterrell, ‘Why must legal ideas be interpreted sociologically?’, *Journal of Law and Society* 1998, 171-192.
- C. Douzinas and A. Geary, “From Restricted to General Jurisprudence” in C. Douzinas and A. Geary, *Critical Jurisprudence. The Political Philosophy of Justice*, Hart Publishing, 2005
- Mark van Hoecke, ‘Methodology of Comparative Legal Research’, *Law and Method* 2015, doi: [10.5553/REM/.000010](https://doi.org/10.5553/REM/.000010)

- E. Fisher and others, “Maturity and Methodology: Starting a Debate about Environmental Law Scholarship”, 21:2 Journal of Environmental Law, 2009, <https://doi.org/10.1093/jel/eqp012>
- Jan M. Smits, ‘What is Legal Doctrine. On the Aims and Methods of Legal Research’, M-EPLI working paper 2015/06, <https://ssrn.com/abstract=2644088>
- Brian Tamanaha, Understanding Legal Pluralism: Past to Present, Local to Global’ 30 *Sydney Law Review* 2008, 375-411. (text send with course outline)

Alternativ 1: både nordiske og engelske tekster

- ~~Gunnarsson, Åsa & Eva-Maria Svensson, *Gemensärtvetenskap*, Studentlitteratur 2009, kapittel 4 (26 sider)~~
 - ~~Valgfrie bøker eller artikler om juridisk metode som studenten anser som sentrale, ELLER~~
 - ~~Korling, Fredric & Mauro Zamboni, *Juridisk metodlära*, Studentlitteratur, 2013 (400 sider)~~
 - ~~Graver, Hans Petter, «Vanlig juridisk metode? Om rettsdogmatikken som juridisk sjanger» *Tidsskrift for Rettvetenskap*, 2008 nr. 2 (27 sider)~~
 - ~~Gunnarsson, Svensson and Davies, *Reflecting the Epistemology of Law – Exploiting Boundaries, Exploiting the Limits of Law*, Ashgate 2007, (15 sider)~~
 - ~~Andersson, Håkan, «Rättens narratologiska dimensioner – interaktion och konstruktion», i *Konsten att rättsvetenskapa*, (36 sider)~~
 - ~~Ervasti, Kaijus, «Empirisk forskning, rättsvetenskap och rättens dynamiska element», *JFT Tidskrift utgiven av Juridiska föreningen i Finland*, 2000, s. 567–586 (17 sider)~~
 - ~~Wilson, Geoffrey, “Comparative Legal Scholarship”, *Research Methods for Law*, Mike McConville & Wing Hong Ghui (eds.), Edinburgh University Press, s. 87–103 (14 sider)~~
 - ~~Sunnemark, Fredrik og Martin Åberg, «Fält, perspektiv eller metod: introduktion», *Tvärvetenskap fält, perspektiv eller metod*, Studentlitteratur 2004, s. 9–28 (19 sider)~~
 - ~~Vick, Douglas W., “Interdisciplinarity and the Discipline of Law”, *Journal of Law and Society*, volume 31, Nr. 2, 2004, s. 163–93 (30 sider)~~
 - ~~Niemi-Kiesiläinen, Johanna, Päivi Honkatukia, Minna Ruuskanen, “Legal Texts as Discourses”, *Exploiting the Limits of Law*, Gunnarsson, Svensson & Davies (red.), Ashgate 2007, s. 69–89. (20 sider)~~
 - ~~Investigation Room for Literary Texts Version 3.2 (ca 50 sider)~~
- I tillegg skal studentene velge til sammen to metodekapitler i (en) doktorgradsavhandling(er) som de er interessert i.

ELLER/OR

Alternative 2: English texts

- Chynoweth, Paul "Legal research" *Advanced Research Methods in the Built Environment*. Andrew Knight and Les Ruddock (eds.). Wiley Blackwell 2008, p. 28–38 (10 pages)
- Dobinson, Ian & Johns Francis, "Qualitative Legal Research", *Research Methods for Law*, McConville, Michael og Wing Hong Chui (red.), Edinburgh University Press, 2007 (26 sider)
- Gunnarsson, Svensson and Davies, *Reflecting the Epistemology of Law – Exploiting Boundaries, Exploiting the Limits of Law*, Ashgate 2007, (15 sider)
- Herring, David J., *Legal scholarship, Humility, and the Scientific Method*, University of Pittsburgh School of Law, 2006, s. 867–885 (18 sider)
- Niemi-Kiesiläinen, Johanna, Päivi Honkatukia, Minna Ruuskanen, "Legal Texts as Discourses", *Exploiting the Limits of Law*, Gunnarsson, Svensson & Davies (red.), Ashgate 2007, s. 69–89. (20 sider)
- Nousiainen, Kevät og Johanna Niemi Kiesiläinen, "Introductory Remarks on Nordic Law and Gender Identities", *Responsible selves: Women in the Nordic legal culture*, Nousiainen et al. (eds.), Ashgate 2001 (22 sider)
- Rubin, Edward L., "Law and the methodology of law", *Wisconsin Law Review* 521, 1997, (43 sider)
- Smits, Jan: «Legal Science: A typology». *The Mind and the Method of the Legal Academic*. Jan M. Smits. Elgar, p. 8–34 (27 pages).
- Szostak, Rick, *How and Why to Teach Interdisciplinary Research Practice*, The Pantaneto Forum, 2010 (12 sider) <http://www.pantaneto.co.uk/issue40/szostak.htm>
- Vick, Douglas W., "Interdisciplinarity and the Discipline of Law", *Journal of Law and Society*, volume 31, Nr. 2, 2004, s. 163–93 (30 sider)
- Vranken Jan, «Exciting Times for Legal Scholarship». *Recht en Methode in onderzoek en onderwijs*. 2012 nr. 2. P. 42–62 (17 pages)
- Wilson, Geoffrey, "Comparative Legal Scholarship", *Research Methods for Law*, Mike McConville & Wing Hong Ghui (eds.), Edinburgh University Press, s. 87–103 (14 sider)

I tillegg skal studentene velge til sammen to metodekapitler fra to doktorgradsavhandlinger som de er interessert i.