

**6 June 2017**

- 11.00-11.15: Welcome and introduction  
Lecturer: *Ellen Margrethe Basse, Department of Law, Aarhus BSS, AU,*
- 11.15-12.00: Starting up the course with focus on how to ensure a good connection between your research aims, research questions, sources, theories and methods – An introduction based on the challenges that you have focused on in your papers  
Lecturer: *Ellen Margrethe Basse, Department of Law, Aarhus BSS, AU*
- 12.00-13.00 Lunch
- 13.00-13.45: Legal politics: When is the legal scholar doing legal politics and when is she/he merely trying to improve prevailing law?  
Lecturer: *Jens Vedsted-Hansen, Department of Law, Aarhus BSS, AU*
- 14.00-14.45: How can methodologies and insights from political science provide new knowledge on the interplay between the sources of national and international law?  
Lecturer: *Marlene Wind, Department of Political Science, and the Law Faculty, Centre of Excellence for International Courts, iCourts. KU*
- 14.45-15.30 Plenum discussion of the aspects related to research based on legal politics
- 15.30-15.45: Coffee
- 15.45-16.00: Interdisciplinarity as part of legal research – challenges and opportunities  
Lectures: *Ellen Margrethe Basse, Department of Law, Aarhus BSS, AU and Cécile Pelaudeix, School of Culture and Society, Department of Anthropology & Arctic Research Center, AU*
- 16.00-17.00: PhD-fellows' workshop on how to share experiences and ideas on ensuring the connection between research questions and methodologies.
- 17.00-18.00: PhD-fellows' presentations and plenum discussion.
- 19.00- Dinner

**7 June 2017**

- 09.00-10.00: Legal dogmatics. Let's talk about it. On data gathering and data processing  
Lecturer: *Sten Schaumburg-Müller, Department of Law, SDU*
- 10.00-10.15: Coffee
- 10.15-11.15: Method(s) when writing on international law  
*Frederik Harhoff, Department of Law, SDU*
- 10.15-12.00: PhD-fellows' workshop on their experiences and ideas related to use of legal dogmatics
- 12.00-13.00 Lunch
- 13.15-14.00: Methods in European Criminal law  
Lecturer: *Thomas Elholm, Department of Law, SDU*
- 14.00-14.45: How to include legal principles and soft law in research projects  
Lecturer: *Hans Henrik Edlund, Department of Law, Aarhus BSS, AU*
- 14.45-15.15: Coffee
- 15.15-16.15: PhD-fellows workshop on the challenges and experiences that the students have with different sources – hard law as well as soft law.
- 16.15-17.00: PhD-fellows' presentations and plenum discussion
- 19.00- Dinner

**8 June 2017**

- 09.00- 9.45: Legal Pluralism  
Lecturer: *Bettina Lemann Kristiansen, Department of Law, AU*
- 09.45-10.15: A more dogmatic approach to legal pluralism  
Lecturer: *Sten Schaumburg-Müller, Department of Law, SDU*
- 10.15-10.30: Coffee
- 10.30-11.30: Research within transnational law – sources and methods  
Lecturer: *Katerina Mitkidis, Department of Law, AU*
- 11.30-12.00: Plenum discussions on the possibilities related to the use of legal pluralism and transnational legal transactions
- 12.00-13.00: Lunch
- 13.00-14.00: The ‘Empirical Turn’ and its consequences for legal scholarship  
Lecturer: *Jakob v. H. Holtermann, Faculty of Law, KU*
- 14.00-15.00: Law and Economics  
*Kim Østergaard, Department of Law, SDU*
- 15.00-15.30: Coffee
- 15.30-16.30: Workshops on the use empirical and/or law and economics
- 16.30-17.00: Plenum discussion
- 19.00- Dinner

**9 June 2017**

- 09.00-9.45: Legal Sociology  
Lecturer: *Bettina Lemann Kristiansen, Department of Law, Aarhus BSS, AU*
- 10.00-11.00: Field work in law  
Lecturer: *Anette Storgaard, Department of Law, Aarhus BSS, AU*
- 11.00-11.45: Comparative legal approaches  
Lecturer: *Thomas Lundmark, University of Hull and SDU*
- 12.00-13.00: Lunch
- 13.00-14.30: Workshops on the use of legal sociology, field work and comparative law. Three groups. 20 minutes rounds with the three presenters, questions on the basis of your summary and assessment of assignment related to a text on legal research methodology (assignment no. 2, see supra).

### **Reading list**

We recommend buying or getting hold of Dawn Watkins and Mandy Burton (eds.), *Research Methods in Law*, Routledge, 2013. We will use 3-4 chapters from this book, which is available at Juridisk Bogformidling (the legal bookstore), Aarhus University, building 1328, room 014, price DKK 337,50 (for students). It is written for PhD fellows and one of the only books doing so. It approaches legal scholarly work from a common law perspective, which is a minor drawback for scholars working in other legal environment, but it is a lot better than nothing.

### **Legal Sociology**

Fiona Cownie & Anthony Bradney, “Socio-legal studies: a challenge to the doctrinal approach”, in Dawn Watkins and Mandy Burton (eds.), *Research Methods in Law*, Routledge, 2013. (Will be forwarded to the participants)

### **Legal dogmatics and legal philosophy**

Sten Schaumburg-Müller, “On Danish Legal Method”, Ingvill Helland and Sören Koch (eds.), *Nordic and Germanic Legal Methods – Contributions to a dialogue between different legal cultures, with a main focus on Norway and Germany*. Mohr Siebeck, 2015.

Terry Hutchinson, “Doctrinal research: researching the jury” (Chapter 1), in Watkins & Burton (eds.) *Research Methods in Law*. Routledge (Taylor & Francis Group), Abingdon, Oxfordshire, UK

Panu Minkkine, “Critical legal method as attitude” (Chapter 7), in Watkins & Burton (eds.) *Research Methods in Law*. Routledge (Taylor & Francis Group), Abingdon, Oxfordshire, UK

Van Gestel R., Micklitz H.-W., Maduro M. P., ‘Methodology in the New Legal World’, EUI Working Papers, Law 2012/13 (available through [ssrn.com](http://ssrn.com))

### **Law and political science**

Marlene Wind “Do the Scandinavian Supreme Courts care about international law? A citation analysis of International Courts legitimacy and impact at the domestic level” in Nordic Journal of International Law [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2833215](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2833215)

### **Field work and empirical studies**

Pierre Bourdieu, “Understanding”, *Theory Culture Society* 1996, vol. 13(2), pp. 17-37 (20 pages, scanning is OK according to CopyDan. Will be forwarded to the participants)

Jakob v.H. Holtermann and Mikael Rask Madsen, “*Toleration, Synthesis or Replacement? The ‘Empirical Turn’ and its Consequences for the Science of International Law*”, Downloaded from <https://www.cambridge.org/core>. Copenhagen University Library, on 20 Jan 2017 at 13:35:06, subject to the Cambridge Core terms of use, available at <https://www.cambridge.org/core/terms>. <https://doi.org/10.1017/S0922156516000479>

### **Law and economics:**

Cento Veljanovski: “The Economics of Law”, 2nd ed., chp. 4-5 (pp. 62-105). Available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=935952](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=935952) (or google: Veljanovkis ecomics of law)

Course no. II: Basic course in different legal scientific methods – Programme 6-9 June 2017

Sonali K. Shah and Kevin G. Corley, “Building Better Theory by Bridging the Quantitative–Qualitative Divide”, *Journal of Management Studies* 43:8 December 2006, pp. 1821-1835.

### **Comparative law**

Geoffrey Samuel, “Comparative law and its methodology” (Chapter 6), in Watkins & Burton (eds.) *Research Methods in Law*. Routledge (Taylor & Francis Group), Abingdon, Oxfordshire, UK

Thomas Lundmark, *Charting the Divide between Common and Civil Law*, OUP 2012, chapter one

### **Legal Pluralism and Theories on multi-level legal systems**

Jørgen Dalberg-Larsen, “The Unity of Law. An Illusion” Galda & Wilch Verlag, Berlin (this book is available at the PhD-room at the Law Department, Aarhus BSS)

Carla Sieburgh, “Principles in Private Law: From Luxury to Necessity –Multi-layered Legal Systems and the Generative Force of Principles” *European Review of Private Law* 2-2012 [295–312] © Kluwer Law International BV. Printed in the Great Britain

**Materials to be used as basis for the questions to be handled at the PhD-fellows’ workshop.** Vasudha Chhotray and Gerry Stoker “Governance Theory and Practice. A Cross-Disciplinary Approach”, Palgrave Macmillan; 2008; we will focus on Chapter 1 and Chapter 6 (Contact your librarian directly in order to request access, or use our Library Recommendation Form to recommend this book to your library; see the first 19 pages and info concerning the use of your university librarian at: <http://www.palgraveconnect.com/pc/doifinder/view/10.1057/9780230583344>)

**Workshop questions to be used at the “Basic course in legal scientific methods and interpretation”**

**6 June 2017**

16.00-17.00: PhD-fellows’ workshop on how to share experiences and ideas on ensuring the connection between research questions and methodologies

17.00-18.00: PhD-fellows’ presentations and plenum discussion.

**Based on inspiration from and questions related to:**

Vasudha Chhotray and Gerry Stoker “Governance Theory and Practice. A Cross-Disciplinary Approach”, Palgrave Macmillan; 2008; we will focus on Chapter 6

- 1) What is the law in your opinion and how are you explaining this in your thesis?
- 2) Where is the law in your opinion – and are you explaining this in your thesis?
- 3) How do you see the relation between power and the law – and are you explaining this relation in your thesis?
- 4) Is self-regulation relevant in your thesis? If yes: how