# Basic course in different legal scientific methods

Aarhus University and University of Southern Denmark in collaboration

7-10 June 2021

(online)

**7 June 2021**

9.30- 9.45 Welcome and introduction

*Sten Schaumburg-Müller, Department of Law, SDU*

9.45-10.45: Research questions and methods in legal research

Lecturer: *Sten Schaumburg-Müller, Department of Law, SDU*

10.45-11:00 Break

11:00 – 12:00 Methods when dealing with public law

*Bent Ole Gram Mortensen, Department of Law, SDU*

12.00- 12.45 Lunch break

12.45 – 14.00 PhD-fellows’ workshop on how to share experiences and ideas on ensuring the connection between their research questions and methodologies

14.00-15.00 Plenum – discussion

15.00-16.00 Comparative legal approaches

Lecturer: *Thomas Lundmark, University of Hull and professor emeritus, WWU Münster*

16.00-16:30 Wrap up for the day

**8 June 2120**

09.30 -9:45 Welcome and introduction

*Bettina Lemann Kristiansen, Department of Law, Aarhus BSS, AU*

9.45- 10.45 How to include legal principles and soft law in research projects

Private law

Lecturer: *Hans Henrik Edlund, Department of Law, Aarhus BSS, AU*

10.45-11.00 Break

11.00-12.00 Legal principles and legal cultures in legal research

Lecturer: *Hanne Petersen, Department of Law, KU*

12.00-12.45 Lunch break

12.45-14.00 PhD-fellows’ workshop on Legal principles and legal cultures

14.00-15.00 Plenum. Discussion

15.00-16.00 Legal politics

Lecturer: *Bettina Lemann Kristiansen, Department of Law, Aarhus BSS, AU*

16.00-16.30 Wrap up for the day

**9 June 2021**

9.30- 9.45 Welcome and introduction

*Sten Schaumburg-Müller, Department of Law, SDU*

9.45- 10.45 Methods when dealing with private law

*Christian Højer Schjøjer, Department of Law, SDU* tbc

10.45-11.00 Break

11.00-12.00 Tba

*tba*

12.00-12.45 Lunch break

12.45-14.00 PhD-fellows’ workshop on methodological challenges in their work, including challenges within legal dogmatics and the possible inclusion of other approaches, e.g. comparative law, legal politics etc.

14.00-15.00 Plenum. Discussion

15.00-16.00 Methods when dealing with EU law

*Carina Risvig Hamer, Faculty of Law, Copenhagen University*

16.00-16.30 Wrap up for the day

**10 June 2021**

9.30- 9.45 Welcome and introduction

*Bettina Lemann Kristiansen, Department of Law, Aarhus BSS, AU*

9.45-10.45 Legal pluralism and Multilevel Governance

Lecturer: *Bettina Lemann Kristiansen, Department of Law, Aarhus BSS, AU*

10.45-11.00 Break

11.00-12.00 Research within transnational law – sources and methods

Lecturer: *Katerina Mitkidis, Department of Law, AU*

12.00-12.45 Lunch break

12.45-14.00 PhD-fellows’ workshop on their experiences and ideas related to legal pluralism, multilevel governance and transnational law

14.00-14.30 Plenum. Discussion

14.30 – 15.30 Law enforcement in an international context. Some methodological considerations

Lecturer: *Birgit Feldtmann, Department of Law, Aalborg University*

15.30-16.30 Plenum discussion

Wrap up for the day

### Reading list

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)

**Legal dogmatics**

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. (available on Blackboard)

**Legal politics**

Jørgen Dalberg-Larsen, “Policy of Law and Codifications”, in Theatrum Legale Mundi, Symbola CS. Varga Oblata, 2008. P 93-106.

**Legal cultures**

Lawrence M. Friedman, “Legal Culture and Social Development”, Law & Society Review, Vol. 4, No. 1 (Aug., 1969), pp. 29-44

#### Comparative law

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

**Legal principles**

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

**Multilevel governance**

Vasudha Chhotray and Gerry Stoker “Governance Theory and Practice. A Cross-Disciplinary Approach”, Palgrave Macmillan; 2008 (Chapter 1 and Chapter 6), (<http://blog.ub.ac.id/irfan11/files/2013/02/Governance-Theory-A-Cross-Disciplinary-Approach-oleh-Vassuda-C.pdf>)

**Recommended further literature:**

We recommend buying or getting hold of Dawn Watkins and Mandy Burton (eds.), *Research Methods in Law*, Routledge, 2. Edition,2018. Several af the chapters in the book are relevant to this course. 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.

On 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)