

573X8 Socio-legal Research Methods 15 credits

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The focus of this module is on research methods in socio-legal studies. The module explores what is meant by socio-legal research and its differentiation from doctrinal research in law through its empirical study of legal phenomena in a broader context in order to identify their social effects and policy implications.

The module enables students to engage with the empirical reality of the operation of law and legal structures ('law in action' as opposed to 'law in the books') and promotes a contextual understanding of legal studies through an interdisciplinary approach using social science research methods as a mode to conduct legal inquiry. The module is organised around topic areas, theoretical perspectives and empirical methodologies that are frequently encountered within socio-legal research.

The module is open to all students and aims to demonstrate to students how a socio-legal perspective may help inform their own research. A background in law is not required but students should have an active interest in how law applies in practice given diverse social, political, historical and economic contexts.

Aims and Objectives

- To give students a grounding in the research methods applicable to socio-legal studies;
- To provide students with an overview of the relationship between law and society;
- To give students an understanding of the sociology of law;
- To provide students with a framework for research into the interrelationship between law and the social sciences.

Learning Outcomes

- Knowledge of the main aspects and recent advances of methods in socio-legal research;
- A deeper understanding of the relationship between law and society and the analytic techniques used to investigate this;
- The ability to read and analyse law as a social science;
- The ability to search existing literature for theories, models and findings relevant to a research question and to carry out independent research.

Assessment

The assessment is a 4,000-word essay based on the substantive material covered by the module together with material generated by students' own research.

Reading materials

There is no set text for the course. The module will draw upon a range of texts in the field of law, social theory, sociology and socio-legal studies. Reading lists are provided for each seminar, which draw from a range of sources, including journal articles, chapters from monographs and legal cases.

The following is indicative reading on socio-legal studies and research methods in law:

Banakar, R and M Travers (eds), *Law and Social Theory* (2nd ed, Hart 2013)

Banakar, R and M Travers (eds), *Theory and Method in Socio-Legal Research* (Hart 2005)

Burton, M and D Watkins, *Research Methods in Law* (2nd ed, Routledge 2017)

Cotterell, R, *The Sociology of Law: An Introduction* (2nd ed, Butterworths 1992)

Cotterell, R, *Law, Culture and Society: Legal Ideas in the Mirror of Social Theory* (Ashgate 2006)

Creutzfeldt, N, M Mason and K McConnachie (eds), *Routledge Handbook of Socio-Legal Theory and Methods* (Routledge 2019)

Deflem, M, *Sociology of Law* (CUP 2008)

Halliday, S and P D Schmidt, *Conducting Law and Society Research: Reflections on Methods and Practices* (CUP 2009)

Jones, P, *Introducing Social Theory* (Polity 2003)

Sarat, A and P Ewick (eds) *The Handbook of Law and Society* (Wiley-Blackwell 2015)

Thomas, P A, *Socio-Legal Studies* (Dartmouth 1997)

Travers, M, *Understanding Law and Society* (Routledge 2010)

Watkins, D and M Burton (eds) *Research Methods in Law* (Routledge 2013)

Journals

A number of legal and general social science journals carry articles that are directly relevant to socio-legal studies, the sociology of law and the relationship between law and society. These include: Journal of Law and Society, Social and Legal Studies, Law and Society Review, Feminist Legal Studies, Economy and Society.

Socio-legal articles also appear in more mainstream law journals, such as The Modern Law Review and Legal Studies. You might also find the following helpful: The Journal of Social Welfare and Family Law, Law and Policy, Journal of Law and Social Policy, Journal of Social Policy, Critical Social Policy, International Journal of Social Welfare.

Module overview

Session 1: Introduction to socio-legal studies; theoretical frameworks

Session 2: The *why* and *how to* of conducting a socio-legal research project; ethical issues

Session 3: Individuals in dispute: observation and archival research in courts

Session 4: Language and power: discourse analysis and judicial decision-making

Session 5: Socio-legal research in family contexts: qualitative interviewing

Session 6: Reflections on the module and coursework preparation

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