

**Prof Susan Millns, Law: [S.Millns@sussex.ac.uk](mailto:S.Millns@sussex.ac.uk)**

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

The module will enable 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 will promote a contextual understanding of legal studies through an interdisciplinary approach using social science research methods as a mode to conduct legal inquiry. Thus the module will interrogate law through the lens of a variety of theoretical perspectives using, for example, social theory, political theory, and feminist theory, theories of rights, universalism and cultural relativism.

Examples of socio-legal research in the areas of social, political and economic regulation and governance together with the fields of gender and sexuality will be examined, and materials will be used that span the national, European and international levels.

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.

### **Assessment**

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

### **III. AIMS AND OBJECTIVES OF THE MODULE**

#### **Aims**

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

### **Learning Outcomes**

On completion of the module, the student will have obtained:

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

## Reading materials

There is no set text for the course. Instead you will find it helpful to consult a range of texts in the field of law, social theory, sociology and socio-legal studies. Students should follow the reading lists for each seminar and work from a range of sources, including journal articles, chapters from monographs and legal cases.

There are, however, a number of useful books that provide overviews of the sociology of law and socio-legal studies, together with books on research methods in law. You will be referred to these at points throughout the course. They include the following:

- Banakar, R and Travers, M (eds.) (2013), *Law and Social Theory* 2<sup>nd</sup> ed. (Oxford: Hart).  
Banakar, R and Travers, M (eds.) (2005), *Theory and Method in Socio-Legal Research* (Oxford: Hart).  
Cotterell, R (1992), *The Sociology of Law: An Introduction* 2<sup>nd</sup> ed. (London: Butterworths). (In particular see chapt. 1)  
Cotterell, R (2006), *Law, Culture and Society: Legal Ideas in the Mirror of Social Theory* (Aldershot: Ashgate).  
Deflem, M (2008), *Sociology of Law* (Cambridge: CUP).  
Halliday, & Schmidt (2009), *Conducting Law and Society Research: Reflections on Methods and Practices* (Cambridge: CUP).  
Hunter, C (ed) (2012), *Integrating Socio-Legal Studies into the Law Curriculum* (Basingstoke: Palgrave Macmillan).  
Jones, P (2003), *Introducing Social Theory* (Cambridge: Polity).  
Thomas, PA (1997), *Socio-Legal Studies* (Aldershot, Dartmouth).  
Travers, M (2010), *Understanding Law and Society* (Abingdon: Routledge).  
Watkins, D and Burton M, (eds) (2013), *Research Methods in Law* (Abingdon: Routledge).

## 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 the following: *Journal of Law and Society*; *Social and Legal Studies*; *Law and Society Review*; and *Economy and Society*. From time to time, 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*; and *International Journal of Social Welfare*.

## Session 1: Introduction

## Session 2: Legal Pluralism and Human Rights in Europe

## Session 3: Feminist Legal Studies

## Session 4: Law, Society and Culture

## Session 5: Law, Welfare and the State

## Session 6: To be determined in consultation with the students and their research interests