

## RESEARCH METHODS IN LAW

December 14-16, 2021

### Course description:

The course is designed for students who have recently embarked upon PhD studies and need to enhance their general understanding of methodology and research methods, as well as the ways in which the theoretical framework and specific research methods may be applied in their research projects. The course can also be relevant for students who have been working on their research for a while and needs perspectives on methodology questions for their research project.

The course will introduce fundamental concepts, such as 'theory' and 'method', and provide an overview of main research methods commonly used by legal researchers. Apart from the main jurisprudential approaches, the course will also cover empirical and interdisciplinary approaches to law. The research approaches and trends will be discussed in the context of international as well as Danish law.

### ECTS:

4½ ECTS points for participating in the 3-day course, submitting the required written assignments and participating in group work during the course.

### Course objectives:

The main objective of the course is to equip PhD students with the necessary set of skills required to carry out independent research of the highest academic standard.

Participants will learn how to frame the theoretical foundation of their research project at the early stages of their PhD studies as well as how to identify and choose research methods relevant to their main object of inquiry.

### Prerequisites:

3 weeks prior to the course, the participants will receive a set of recommended readings, with which they should be familiar at the time of the course.

2 weeks prior to the course, the participants shall submit a brief presentation of their PhD projects (½-1 page) together with a description of methodological aspects of their research (1 page). These documents will be used during the group work and will be distributed among all participants.

1 week prior to the course, the participants will be informed of their groups during the course. Participants must prepare to give feedback on the documents submitted by the other participants in their group.

2 weeks after the completion of the course the participants shall submit a 1-page reflection paper on the use of methodology and methods in their PhD project based on experience from the course.

**Course format:**

The course is divided into three parts. In each of the parts, senior scholars will discuss methodological issues in their respective areas of expertise, present challenges related to use of particular methods, and share examples from actual studies which they conducted or coordinated.

**Day 1** offers a general introduction into main concepts of philosophy of science in the context of demands posed by legal research. It also provides an overview of three main methodological approaches, employed in the studies of law and legal phenomena: the legal doctrinal approach, the comparative approach and the empirical approach. Methods specific to each of these approaches will be presented.

**Day 2** is dedicated to interdisciplinary methodologies, applied in legal research, as well as legal methods in different legal disciplines. Day 2 will begin with an introduction to legal politics in legal research and law and economics. Day 2 also includes 3 tracks **Track 1:** Private/economic law, including international private law and civil procedure/arbitration **Track 2:** Public law, including criminal law, and international public law **Track 3:** Sociology of law /jurisprudence/interdisciplinary approaches. Students must choose a track.

**Day 3** will focus on methodology relating to the PhD students own projects. Participants will present their PhD projects to each other in groups, focusing on the methodological issues of their research, and will receive feedback from each other. The day also provides presentation from 2 previous Ph.D. students who have defended their PhD with success in 2020.

**Intended learning outcomes:**

Upon the completion of the course, the participants will be able to:

- demonstrate an understanding of legal research approaches, methodologies, and techniques,
- apply such methodologies and techniques within a specific field of research,
- critically reflect upon the chosen methodology and research method(s),
- Identify which research methods are most suitable for answering major research questions in their individual projects.

**Instructors:**

The course consists of lectures, presentations, and workshops delivered by distinguished academics, affiliated with the Faculty's research centers. The course instructors are specialists in Danish and in international law and represent different areas of public and private law. Their expertise and insights will thus be helpful to participants pursuing their PhD projects in different legal fields.

**Practical information:**

- The course will run on Campus – no online participation

## Course Program

### DAY 1: 14 DECEMBER 2021

TIME	PROGRAM
<b>Introduction</b>	
<b>9.00-9.15</b>	<b>Welcome</b> <i>Carina Risvig Hamer</i>
<b>9.15-10.00</b>	<b>Philosophy of science and legal research</b> <i>Jakob v. H. Holtermann</i>
<b>10.00-10.15</b>	<b>Break</b>
<b>Research Perspectives – Part I</b>	
<b>10.15-11.30</b>	<b>Legal doctrinal approach</b> <i>Vibe Ulfbeck</i>
<b>11.30-12.15</b>	<b>Lunch</b>
<b>12.15-13.30</b>	<b>Presentation of methodology in a PhD Project:</b> The beauty of the beast: How international investment law can contribute to the promotion of responsible business conduct <i>Maxim Usynin</i>
<b>13.30-13.45</b>	<b>Break</b>
<b>13.45-14.45</b>	<b>Empirical approach</b> <i>Henrik Palmer Olsen &amp; Mikael Rask Madsen</i>
<b>14.45-15.30</b>	<b>Interview methods</b> <i>Mikkel Jarle Christensen</i>
<b>15.30-15.45</b>	<b>Follow up and conclusions</b> <i>Carina Risvig Hamer</i>

### DAY 2: 15 DECEMBER 2021

TIME	PROGRAM
<b>Interdisciplinary approaches</b>	
<b>9.00-9.15</b>	<b>Introduction to today's program</b> <i>Carina Risvig Hamer</i>
<b>9.15-10.15</b>	<b>Legal politics</b> <i>Jakob Holtermann &amp; Jens Elo Rytter</i>
<b>10.15-10.30</b>	<b>Break</b>
<b>10.30-11.45</b>	<b>Law and Economics</b> <i>Shai Dothan</i>
<b>11.45-12.45</b>	<b>Lunch</b>
<b>Methodology in different legal disciplines</b>	
<b>12.45-14.00</b>	<p><b>Track 1:</b> Private/economic law, including international private law and civil procedure/arbitration <i>Joanna Lam</i></p> <p><b>Track 2:</b> Public law, including criminal law, and international public law <i>Astrid Kjeldgaard-Pedersen</i></p> <p><b>Track 3:</b> Sociology of law /jurisprudence/interdisciplinary approaches</p>

	<i>Jakob Wested</i>
<b>14.00-14.15</b>	<b>Break</b>
<b>14.15-15.30</b>	<b>Interdisciplinary research methods - how to conduct interdisciplinary research on law and technology</b> <i>Sofia Ranchordas, Professor, University of Groningen in the Netherlands and Professor of Law, Innovation, and Sustainability at LUISS Guido Carli in Rome</i>
<b>15.30-15.45</b>	<b>Follow up and conclusions</b> <i>Carina Risvig Hamer</i>

**DAY 3: 16 DECEMBER 2021**

<b>TIME</b>	<b>PROGRAM</b>
<b>Methodology in different PhD projects</b>	
<b>9.00-9.15</b>	<b>Introduction</b> <i>Carina Risvig Hamer</i>
<b>9.15-10.15</b>	<b>Presentation of methodology in a PhD Project:</b> Discretionary Robots - Conceptual Challenges in the Legal Regulation of Machine Behaviour <i>Leonard van Rompaey</i>
<b>10.15-10.30</b>	<b>Break</b>
<b>10.30-11.45</b>	<i>Group-work: Presentation of participants own PhD projects</i> Salvatore Caserta, Katharina Ó Cathaoir, Carina Risvig Hamer
<b>11.45-12.30</b>	<b>Lunch</b>
<b>12.30-15.00</b>	<i>Group-work: Presentation of participants own PhD projects</i> Salvatore Caserta, Katharina Ó Cathaoir, Carina Risvig Hamer
<b>15.00-16.00</b>	<b>Comparative approach</b> <i>Morten Broberg &amp; Joanna Lam</i>
<b>16.00-16.15</b>	<b>Follow up and conclusions</b> <i>Carina Risvig Hamer</i>