

SOCIAL SCIENCE RESEARCH METHODS FOR LITIGATION

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Philip K. Anthony**

Social Science Research Methods For Litigation Contemporary Litigation Series

Roger Cotterrell



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Talesh,Elizabeth Mertz,Heinz Klug,2021-03-26 This insightful Research Handbook provides a definitive overview of the New Legal Realism NLR movement reaching beyond historical and national boundaries to form new conversations Drawing on deep roots within the law and society tradition it demonstrates the powerful virtues of new legal realist research and its attention to the challenges of translation between social science and law It explores an impressive range of contemporary issues including immigration policing globalization legal education and access to justice concluding with an examination of how different social science disciplines intersect with NLR **Legal Theory and the Social Sciences** Maksymilian Del Mar,Michael Giudice,2017-07-05 Ever since H L A Hart s self description of The Concept of Law as an exercise in descriptive sociology contemporary legal theorists have been debating the relationship between legal theory and sociology and between legal theory and social science more generally There have been some who have insisted on a clear divide between legal theory and the social sciences citing fundamental methodological differences Others have attempted to bridge gaps revealing common challenges and similar objects of inquiry Collecting the work of authors such as Martin Krygier David Nelken Brian Tamanaha Lewis Kornhauser Gunther Teubner and Nicola Lacey this volume the second in a three volume series provides an overview of the major developments in the last thirty years The volume is divided into three sections each discussing an aspect of the relationship of legal theory and the social sciences 1 methodological disputes and collaboration 2 common problems especially as they concern different modes of explanation of social behaviour and 3 common objects including most prominently the study of language in its social context and normative pluralism Law and Social Change Sharyn L Roach Anleu,2009-10-29 This is a timely new edition of Sharyn L Roach Anleu s invaluable introduction to the sociology of law and its role as a social institution and social process Discussing current theory and key empirical research from a diverse range of perspectives Law and Social Change gives relevant examples from various cultures and societies to provide a sociological view which goes beyond more jurisprudential approaches to law and society The book provides coverage of major classic and contemporary social theories of law is informed by empirical research drawn from several countries societies includes up to date and relevant examples This thoroughly updated edition engages with modern scholarship and recent research on globalization whilst also looking at related issues such as the internationalization of law and human rights It explores recent reforms at local and national levels including issues of migration and refugees the regulation of anti social behaviour and specialist or problem solving courts and also provides a clear accessible introduction to research methods used in the socio legal field Direct and wide ranging this text will be essential reading for students and researchers on social science and law courses and in particular those taking sociology legal theory criminology and criminal justice studies **SNI National Criminal Justice Reference Service (U.S.)**,1981 *Paradigms in Modern European Comparative Law* Balázs

Fekete,2021-04-22 This book uses the philosophy of Thomas Kuhn to provide a new vision of the development of European comparative law that will challenge and inspire scholars in the field With the empathic use of some ideas from Kuhn s theories on the history of science paradigm paradigm shift puzzle solving research and incommensurability the book rethinks the modern history of European comparative law from the late 19th century to the modern day It argues that three major paradigms determine modern comparative law historical and comparative jurisprudence droit compar and post World War II comparative law It concludes that contemporary methodological trends are not signs of a paradigm shift toward a postmodern and culturalist understanding of comparative law but that the new approach spreads the idea of methodological plurality

Research Handbook on Legal Semiotics Anne Wagner,Sarah Marusek,2023-11-03 This comprehensive Research Handbook explores the wide variety of work conducted in legal semiotics to provide a broad understanding of how the law works through signs and symbols Demonstrating that law is a strategical system of fluctuating signs contributors critically analyse the ever evolving conceptualisations of law and legal discourse

Jurisprudence and Socio-Legal Studies Roger Cotterrell,2024-03-12 This book presents a set of related studies aimed at showing key points of intersection and common interest between jurisprudence and socio legal studies which are otherwise typically considered distinct fields It reflects and draws on the author s work in these areas over more than four decades The first half of the book explores theoretical issues surrounding the enterprise of socio legal research its current scope and its historical traditions Some chapters directly compare juristic theory and socio legal inquiry Chapters in Part II profile a selection of European jurists whose work offers important insights for socio legal inquiry Other chapters frame these studies explore the history of interactions between jurisprudence and socio legal research and show points of convergence between these fields that are increasingly important today A main aim of the book is to show the current urgency of linking and broadening juristic and social scientific interests in law Internationally oriented the book will be of interest to students and researchers in the areas of jurisprudence legal philosophy sociology of law socio legal studies and comparative law It is suitable as supplementary reading for courses in any of these subjects

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International Legal Positivism in a Post-Modern World Jörg Kammerhofer,Jean D'Aspremont,2014-10-06 The first comprehensive study of international legal positivism and how this theory operates in twenty first century international legal scholarship

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The Legal and Regulatory Aspects of Islamic Banking Abdul Karim Aldohni, 2012-05-23 During the last ten years the Islamic banking sector has grown rapidly at an international level as well as in individual jurisdictions including the UK Islamic finance differs quite substantially from conventional banking using very different mechanisms and operating according to a different theory as it is based on Islamic law Yet at the same time it is always subject to the law of the particular financial market in which it operates This book takes a much needed and comprehensive look at the legal and regulatory aspects which affect Islamic finance law and examines the current UK and international banking regulatory frameworks which impact on this sector The book examines the historical genesis of Islamic banking looking at how it has developed in Muslim countries before going on to consider the development of Islamic banking in the UK and the legal position of Islamic banks within English law The book explores company contract and some elements of tax law and traces the impact it has had on the development of Islamic banking in the UK before going on to argue that the current legal and regulatory framework which affects the Islamic banking sector has on certain occasions had an unintended adverse impact on Islamic banking in the UK The book also provides an overview of the Malaysian experience in relation to some of the main legal and regulatory challenges in the context of Islamic banking and finance

A New Introduction to Legal Method Paul Cliteur, Afshin Ellian, 2022-04-04 A New Introduction to Legal Method provides a comprehensive overview of legal science and the scientific character of legal knowledge In five chapters the book analyses and explores i legal methodology in general the main features of different schools of thought and the nature of science in general ii American realism which offers an ideal starting point for law students to reflect on the material they are about to study critically iii rationalism empiricism and logical positivism in particular the work of Karl Popper iv criticisms of essentialism v the ideological and philosophical background of contemporary liberal interpretation The inclusion of Dutch French and German literature sources makes this law title differ from previous writings on legal science This textbook is ideal for students of legal method and will be of great interest to those studying legal science jurisprudence legal research and legal skills

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A Modern Treatise on the Principle of Legality in Criminal Law Gabriel Hallevy,2010-09-09 This book is a scientific treatise on the principle of legality in criminal law It explores the relation between the principle of legality and the general theory of criminal law and contains definite rules emphasized for practitioners as well as academia

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