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Methods Of Comparative Law Research

Methods of Comparative Law brings to bear new thinking on topics including: the mutual relationship between space and law; the plot that structures legal narratives, identities and judicial interpretations; a strategic approach to legal decision making; and the inner potentialities of the 'comparative law and economics' approach to the field. Together, the contributors reassess the scientific understanding of comparative methodologies in the field of law in order to provide both critical ...

Methods of Comparative Law (Research Handbooks in ...

Comparative law is a method of legal study comparing legal systems with each other. As the world has become smaller through the effects of globalization, scholarship in comparative law has also expanded.

Getting Started - Comparative Law Research Guide ...

law, it is often taught at universities that 'the' method of comparative law is the 'functional method', optimistically supported by the alleged conclusion that rules

(PDF) Methodology of Comparative Legal Research

On the basis of these writings, we may distinguish six different methods for comparative research: the functional method, the structural method, the analytical method, the law-in-context method, the historical method and the common-core method.

Methodology of Comparative Legal Research - Law and Method

of 'comparative law as method' has ... a negative and potentially stultifying impact on ... comparative research based on 'a methodological approach that integrates the social and ethical elements of law in its various social contexts'.²⁰ In fact, only a small number of comparatists nowadays fail to discuss method in their scholarship ...

MethodsofComparativeLaw - Pierre Legrand

A welcome addition to the lively field of comparative law, Methods of Comparative Law will appeal to students and scholars of law, comparative law and economics. Judges and practitioners will also find much of interest here.

Methods of Comparative Law - Edward Elgar Publishing

Comparative law is a thriving area in the study of the law which has attracted, in the last decades, a growing interest in legal scholarship and legal education. The expanding literature published in quality specialised outlets as well as a steadfast number of research events organised by universities, research institutes and other numerous ...

The Comparative Method in Legal Research: The Art of ...

comparative constitutional law. A deeper comparative focus on constitutional orders might lead us to question and reexamine core principles of the constitutional order, like freedom of speech, freedom of religion, equality, or structural matters like separation of powers. Comparative law should also focus more intently on non-Western legal orders.

The Method and Role of Comparative Law

enable a (re-)construction of a more theoretically grounded functional method of comparative law than is usually presented (Section II). This should reveal its connections with and its peculiarities within both the development of comparative law and the development of functionalism in other disciplines. Second, the inter-

The Functional Method of Comparative Law

Comparative Research Methods. FRANK ESSER. University of Zurich, Switzerland. RENS VLIEGENTHART. University of Amsterdam, The Netherlands. Introduction. Inrecentyears,comparativeresearchincommunicationsciencehasgainedconsiderableground.Ontheonehand,thiscanbeinterpretedasignofcommunication.

Comparative Research Methods

As we reassess the methodology of comparative law, we need also to reassess the purposes and missions served by comparative law. Generally, comparative law has been employed as a discipline to understand foreign law and culture. It has also been used to better understand our own culture through the process of

The Methodology of Comparative Law

The historical method. Levels of comparison: 1. Macro and micro level. 2. Underlying general and professional legal cultures (or traditions) 3. Law in action vs law in the books. 4.

Methodology of Comparative Legal Research

Comparative research, simply put, is the act of comparing two or more things with a view to discovering something about one or all of the things being compared. This technique often utilizes multiple disciplines in one study. When it comes to method, the majority agreement is that there is no methodology peculiar to comparative research.

Comparative research - Wikipedia

Different methods exist in comparative legal research despite the effort of the discipline to combine them. Whereas the so-called functionalists only look at the written law, the "law as culture"-approach demands for taking into consideration also the surrounding factors and conditions such as religion, society or economic situation.

Should Different Types of Methodology in Comparative Legal ...

Jaakko Husa, Comparative Law, Legal Linguistics and Methodology of Legal Doctrine, in: Methodologies of Legal Research, Hoecke and Ost (eds.) 209-228 (2011). Konrad Zweigert and Hein Kotz, An Introduction to Comparative Law 33-47 (1998).

Comparative Law Methodology - CompareLex

Comparative law is an academic discipline that involves the study of legal systems, including their constitutive elements and how they differ, and how their elements combine into a system.

Comparative law - Wikipedia

In a next lecture I shall witness of comparative research in my own area of research, being social security comparison and social security law comparison. But before doing so, let me make some preliminary remarks: 1°) I prefer to speak of law comparison instead of comparative law. Not only

Functions of comparative law and practical methodology of ...

Recently published by Edward Elgar Publishing, 'Methods of Comparative Law' presents a collection of some of the most significant exploratory and definitive treatises on the often complex and wide-ranging area of comparative law.

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