### Advanced Introduction to Empirical Legal Research

**Lecturer:** Prof. Peter Mascini

**Level:** introductory

**Scope:** quantitative and qualitative

**Entrance level:** no prior knowledge required

**Costs:** free

**Location:** Erasmus University Rotterdam

**Schedule:** April-May

**ECTS:**  4

**Contact person:** Prof. Peter Mascini

**Course description:**

Empirical legal research (ELR) entails the systematic observation of social reality with the aim of understanding law in society. In this course you will be taught the basics of how to execute different parts of the so-called empirical research cycle. It will help you understand some of the challenges of empirical work that a researcher in the field will face and to address these challenges. The course consists of five classes of three hours each and assignments before, during or after each class. After the ending of the course, you are offered the opportunity to schedule an individual meeting with me to discuss the research design of your own empirical research. The target audience for the advanced introduction to ELR comprises of researchers (PhD researchers or ESL staff) who want to conduct empirical research or who want to get a more in-depth introduction to this method.

The course will only take place if at least *five* researchers elect it.

**Programme**

1.

Before embarking on *empirical* legal research, it is important to reflect on how it compares to *doctrinal* legal scholarship. Therefore, the first class starts by comparing doctrinal legal research with empirical legal research. The differences and commonalities between both types of research will be discussed. This is followed by a clarification of the concept of the *empirical research cycle*, on which all empirical research is founded. Finally, the first of five components of the empirical research cycle will be addressed: *the formulation of a relevant research question*. A model of how to come up with a relevant research question in four steps will be presented. As this is a rather extensive topic, it will likely be continued during the second class.

2.

After finishing the four steps model of how to come up with a relevant research question, the second class continues with the topic of *choosing a research strategy*. Different research strategies for empirical legal research – the experiment, the survey and the case study – will be discussed and how to choose between them.

3.

The third class deals with two elements of the empirical research cycle: *sampling* and *conceptualizing, operationalizing and scoring*. *Sampling* concerns the general problem of selecting research units from a larger population with a view to drawing inferences about the full population’s characteristics on the basis of the sample’s characteristics. *Conceptualizing, operationalizing and scoring* pertains to translating abstract theoretical concepts into concrete observable scores and vice versa. The goal of this process is to arrive at valid measurements.

4.

The fourth class addresses the topic of *quantitative analysis*. It deals with choosing the appropriate technique for each level of measurement, elaboration and testing conceptual models.

5.

The final class covers the topic of *qualitative analysis*. It deals with the iterative process of coming up with sensitizing concepts, topic-lists and coding schemes and with coding and abstracting.

**Table of the programme**

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| **Class** | **Topic** |
| 1  1/2  2  3  4  5 | 1. Comparing *doctrinal* and *empirical* legal research 2. Defining the empirical research cycle 3. Coming up with a relevant research question in four steps 4. Choosing a research method 5. Sampling 6. Conceptualizing, operationalizing and scoring 7. Quantitative analysis 8. Qualitative analysis |