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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

law, it is often taught at un iversities that ‘ t he ’ method of comparative l aw is the ‘ f unctional me thod ’ , optimist ically sup ported by the a llegal conclusion th at rules

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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.

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A comparative perspective may also be embedded, in a more or less systematic way, in the study of the different subjects of law (i.e. contract law, commercial law, constitutional law, family law, procedural law...). Comparative legal studies are also increasingly being pursued at doctoral level.

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

The value of comparative law is to a large extent dependent upon its method and critical scholarship. To be practically useful as well as intellectually valuable comparative law has to compare more than just rules. Comparative law, especially in relation to public law, has to embrace law and society, different regulatory mechanisms, self-reflections, traditions and legal cultures, politics, history, economics and intellectual roots. This scope makes the study of comparative law particularly ...

Comparative Law - LSE Home

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. This guide contains helpful resources that will aid students in researching their scholarly paper topic on comparative law.

Getting Started - Comparative Law Research Guide ...

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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 ...

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Comparative approach Comparative law is a distinct approach in legal scholarship, and has developed specific sub-disciplines (e.g. comparative private law, comparative constitutional law) and...

(6) Methods and approaches to research legal questions in ...

For this reason, one can distinguish two types of research in comparative law. The exponent of “ microcomparison ” analyzes the laws belonging to the same legal family. By observing their differences, he will decide whether they are justified and whether an innovation made in one country would have value if introduced elsewhere. The researcher pledged to “ macrocomparison, ” on the other hand, investigates those systems differing most widely from each other in order to gain insight into ...

Comparative law | Britannica

A comparative approach to research can be invaluable for understanding broader social processes or contextualising knowledge gained from in-depth case studies. Designing effective comparative research requires clarity about the common questions, concepts and methods that are used for all the different cases. Careful planning of the elements and stages of the research process can also become particularly important if they are being conducted to a shared timetable.

Comparative research - Research Methods for the study of ...

A compromise may be a thesis about comparative law as a group of methods that composes in an aggregate a methodological basis of comparative research in any branch of law. (18) There is a group of scholars aspiring to prove an indissoluble connection between comparative law and theoretical jurisprudence.

Article: COMPARATIVE LAW: Method, Science or Educational ...

comparative law so that we can come up with a sound methodological framework to better understand the role of law in different countries as a way of promoting insight and knowledge and, perhaps, some degree of harmonization over critical issues or, at least, a measure of common

The Method and Role of Comparative Law

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.

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Methods of Comparative Law - Edward Elgar Publishing

An alternative methodology is to adopt a sociological approach, which is likely to include both qualitative and quantitative research methods, to look at the impact of the law in action and the role played by public policy.

Writing A Law Dissertation Methodology

Such projects may draw on several methods: the inductive method, starting from loosely defined hypotheses and moving towards their verification; the deductive method, applying a general theory to a specific case in order to interpret certain aspects; and the demonstrative method, designed to confirm and refine a theory.

Social Research Update 13: Comparative Research Methods

Comparative research is a research methodology in the social sciences that aims to make comparisons across different countries or cultures. A major problem in comparative research is that the data sets in different countries may define categories differently (for example by using different definitions of poverty) or may not use the same categories.

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