Subject: LAW

Production of Courseware
e - Content for Post Graduate Courses

Paper : RESEARCH METHODOLOGY

Module : SOCIO-LEGAL RESEARCH

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DESCRIPTION OF MODULE

Items	Description of Module
Subject Name	Law
Paper Name	Research Methodology
Module Name/Title	Socio-Legal Research
Module Id	IV

Module IV: Socio-Legal Research

Where the science of law meets the science of society

A Socio-legal study is an interdisciplinary approach to analyze the law, legal phenomenon, and relationships between these and wider society. Both theoretical and empirical work is included, and perspectives and methodologies are drawn from the humanities as well as the social sciences.[1]

Learning Outcomes

The following module is a discussion on socio-legal research. The objectives are as following:

- To understand the fundamentals of socio-legal research and what it is comprised of.

- To understand the utility of socio-legal research.

- To identify the potential areas of socio-legal research.

- To introduce the socio-legal field.

- To understand the various political science, sociological, anthropological and economic approaches to the socio-legal research.

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[1] http://www.bl.uk/reshelp/findhelpsubject/busmanlaw/legalstudies/soclegal/sociolegal.html

- To introduce the socio-legal research methods.

The roadmap

1. Introduction to socio-legal research

Socio-legal research has its theoretical and methodological base in the social sciences. It seeks to understand law as a social phenomenon. It can be clearly

distinguished from other traditions of legal research, such as the "black letter" tradition. Its methodology is predominantly empirical and social-theoretical rather than doctrinal. Law is not merely a black letter. Rather, it is an instrument of social control. It originates and functions in a society and for society. The need for a new law, a change in existing law and the difficulties that surround its implementation cannot be studied in a better manner without the sociological enquiry.

Law is an important variable in any social investigation. Researchers cannot do anything in sociological research if they do not know at least the basics of law, legal system and law institutions. Similarly, a legal researcher cannot do justice to the legal inquiry if he does not know about the mechanics of social research methods. In a planned development of the society, law is playing the role of a catalyst to help in the process of social change. In a dynamic society, a legal research must switch over to multi or inter-disciplinary approach as the legal problems are connected with social, political, economic, psychological issues.

2. What socio-legal research is comprised of?

The socio-legal research is comprised of the following key elements:

1. To undertake theoretical and empirical analyses of the nature of law and its relationship to society and the State in the context of a rapidly changing world;
2. Analyse, both historical and contemporary, of the social, economic and political factors leading to the development of the law and legal process;
3. An examination of the operation of the law in formal contexts; for example, the courts, or in informal contexts, for example, the law office;
4. Analyse of the process of decision-taking by those responsible for the administration of the law; and
5. An analysis of the experience of those affected by the process of law.[2]

3. Utility of Socio-legal Research

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[2] http://www.griffith.edu.au/criminology-law/socio-legal-research-centre

The socio-legal research has following utility:

1. Socio-legal research can be useful in formulating new theories;
2. Socio-legal research gives clue to the decision-making;
3. Socio-legal research gives a lead and moulds public opinion;
4. Socio-legal research is useful in framing new laws;
5. Socio-legal research is useful in finding root causes of crimes and differential behavior among different tribes and races;
6. Socio-legal research provides the knowledge which widens the outlook of legislators, executives and judiciary;
7. Socio-legal research paves the way for broad based social reforms.

4. Areas of socio legal research

Law and society are not divisible as water-tight compartments. They are interlinked. Co-operative inter disciplinary research is required to deal with the social-legal problems as socio-legal research is all interdisciplinary approach which extends into the fields of an social sciences. Upendra Baxi says that the lawyer must know much of sociology and the sociologists must know much of law. Prof. Baxi proposed the socio-legal research in the following vital areas:

1. Mapping of Indian legal system and formal and informal legal systems;
2. Studies on the beneficiaries and victims of administration of justice;
3. Law and poverty;
4. Compensatory, discrimination of a second of people such as Scheduled Castes and Schedule Tribes;
5. Study of legal system in connection with cultural, social and national legal systems.

We can add some more specific areas of socio-legal research, such as, Directive principles of Constitution of India and effect of their implementation; Criminal tendency in some tribes and sections in India; Tax imposition and social change; International Economic Law and the increase of international trade; White-collar

crimes and their impact on society; Labour laws and the welfare of the working classes; Land Reform Acts and the social and economic change; Provision of contributions to political parties in Company Law and its implications; Sex offences and their effect on social life; Feeble-mindedness and criminality; Relationship between physical anomalies and crime tendency; Effects of customs of society on crime rate; Alcoholism and crime rate; Urbanisation and increase of crime rate; Contribution of motion pictures and T.V. programmes to delinquency and crime; Effects of bribery on efficiency of administration; Preventive detention and public opinion; Efficiency of police department and crime rate; Condition of under-trial criminals in jails; Effects of punishment and need for reforms; Delay in trials and its effect on judicial administration; Abolition of death sentence and its desirability; Prison reforms in treating the prisoners; Protection to tenants under Rent Control Law. The list is endless and many more can be added to it.

5. Different approaches to socio-legal research

The socio-legal approach may be seen to occupy space between two extremes of a methodological spectrum. At one end, a strict doctrinal approach relies predominantly on self informed analysis of legislation and judicial decisions from the superior courts. Approaches at the other end, such as critical legal studies and economic analysis of law, are tuned to the concerns, theory and informants of external perspectives. While contextual analysis is increasingly the norm in legal scholarship, external informants are essential to a socio-legal approach. The socio-legal lens widens to observe operational and everyday legal situations, and diverse textual sources, disciplinary and cultural perspectives are considered.[3]

5.1 Introduction to the Socio-Legal Field

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[3] http://www.bl.uk/reshelp/findhelpsubject/busmanlaw/legalstudies/soclegal/sociolegal.html

H. L. A. Hart's Concept of Law, offers an accessible analysis of a mature legal order which is attuned to law's social character and its role in ordering a society. The key concepts in Hart's account of law are social rules, of which legal rules are one kind, and the acceptance of law by officials. It examines the notion of a social rule, what it means to accept a rule, and the rule of recognition as the master rule of a legal order, the role of officials in a legal order, and Hart's contrast between officials and citizens. At this point the question arises as to whether there are other systems of law besides state law, and, if so, why prominence is given to state law. This leads to questions about legal pluralism, by which is meant different legal orders existing side-by-side, or overlapping, or one dominating another.

Understanding law and legal system as a social formation is the first part of a law and- society approach; the second is the inter-relationship between law and other aspects of society. One issue is how law as a system of social rules interacts with other systems of social rules, such as those of civil associations, religious bodies, private institutions, family networks, and so on. What happens when legal rules conflict with or try to change other networks of rules? Here the notion of social spheres is developed and put to use in explaining the inter-relationship.

Another issue is why we need law at all. If society is constituted by sets of social rules, all of which help to maintain social order, achieve social goods, and advance social values, what extra value does law add? One answer is that law has distinct social functions which cannot be carried out effectively by other rule-based systems. Another answer, which is sceptical of functional approaches, claims that law, in the sense of state law, being backed by the institutions and organizations of the state, can contribute to the achievement of social goods. In developing this analysis, law needs to be broken down into different kinds of laws, such as criminal, civil, constitutional, and regulation. The last issue is about the effectiveness of law. If state law is explained (and justified) on the basis that it has certain social advantages over systems of social rules, then the assumption is that law is effective in influencing behaviour. Here notions of implementation, compliance, and enforcement come into picture.[4]

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[4] See for further reference Hart, H. L. A., 1961. The Concept of Law, Clarendon Law Series, 2nd Edition.Oxford: Oxford University Press; Weber, M., 1968. Economy and Society, Roth, G and Wittick, C., eds. Berkeley: University of California Press; Durkheim, E., 1984. Division of Labour in Society. New York: Free Press; Ellickson, R., 1991. Order Without Law: How Neighbors Settle

5.2 Political Science Approaches to Socio-Legal Research:

5.2 1 Legal Mobilization

There exists a complex relationship between law and social movements. Social movement actors use a wide range of legal tactics – including lobbying, litigation and administrative advocacy – in their campaigns for social, political and economic change. On one hand, movements rely on rights to frame their grievances, to define and reinforce collective identity and to mobilize activists. The realm of the law can provide social reform campaigns with opportunities to influence policy, regulation and enforcement practices. On the other hand, the use of legal strategies and reliance on lawyers can exert a conservative pressure on social movements channelling protest and other forms of radical action into conventional political and legal institutions. These tensions inherent in legal mobilization activity have raised a number of theoretical and empirical questions: What are the conditions under which individual and collective actors will turn to the courts to pursue political or social goals? What is the best way for researchers interested in social movements to determine social movement success within the courts, within the policy realm and beyond? What is the impact of legal mobilization on a social movement's collective identity? The literature on the mobilization of law by social movements – by providing a "bottom-up" perspective – draws on, complements and provides alternatives to court-centric studies of social reform.[5]

Disputes. Cambridge, Massachusetts: Harvard University Press. And Galligan, D. J., 2007. Law in Modern Society, Clarendon Law Series. Oxford: Oxford University Press.

[5] McCann, M. "Litigation and Legal Mobilization". In K. E. Whittington, R. D. Kelemen & G. A. Caldeira Eds., 2008. The Oxford Handbook of Law and Politics. New York: Oxford University Press, pp 522 – 540. Andersen, E. A. 2005. Out of the Closets and Into the Courts: Legal Opportunity Structure and Gay Rights Litigation. Ann Arbor: University of Michigan Press. Chapters 1 and 3. Hilson, C., 2002. New social movements: the role of legal opportunity. Journal of European Public Policy, 9(2), pp. 238-255. Epp, C. R., 1998. The Rights Revolution: Lawyers, Activists, and Supreme Courts in Comparative Perspective. Chicago: University of Chicago Press. Holzmeyer, C., 2009. "Human Rights in an Era of Neoliberal Globalization: The Alient Tort Claims Act and Grassroots Mobilization" in Doe v. Unocal. Law & Society Review, 43(2), pp. 271-304. Rosenberg, G. N. , 1991. The Hollow Hope: Can Courts Bring About Social Change? Chicago: University of Chicago.

5.2.2 Judicial Review and Human Rights

Political science approaches to the study of the law particularly explores how political science can be applied to study of the role in the courts in protecting human rights.[6]

5.2.3 The Role of Courts in a Democracy

The judiciary is a high-impact institution. When functioning properly it profoundly affects social well-being, facilitating economic development and shielding the individual from arbitrary State power. In countries transitioning from authoritarian rule to democracy, a judiciary empowered to vindicate the constitution is by consensus regarded as essential to democratic consolidation. Given the important role courts are believed to play, it is not surprising that sociologists and political scientists have in recent decades paid ever more attention to judicial affairs. One post World War II trend, identified, documented and analysed by a diverse sub-group of these investigators, stands out for its ubiquity – the worldwide expansion of both domestic and supranational judicial power. Informed by a paradigm that blames the vulnerabilities of parliamentary democracy for World War II and its horrors, many have come to see the judiciary as a check on the alleged evils of untrammelled democracy. In one jurisdiction after another, even in the most conservative and authoritarian civil law traditions courts have been empowered, or have empowered themselves to 'strike down' with finality statutes of Parliament and even plebiscites which they interpret to be

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[6] Stoker, G. & Marsh, D., 2002. "Introduction" in David Marsh & Gerry Stoker (eds.), Theory and Methods in Political Science. Basingstoke: Palgrave Macmillan, pp. 1-16. Morton, F. L., 2000. "The Charter Revolution and the Court Party", Osgoode Hall Law Journal. Vol. 30, pp. 627-652. Ecksein, H., 1975. "Case Study and Theory in Political Science" in F. I. Greenstein & N. W. Polsby eds., The Handbook of Political Science, Reading: Addison-Wesley. Hall, P. A. & Taylor, R. C. R., 1996. "Political Science and the Three Institutionalisms", Political Studies. Vol. 44 (5), pp. 936-957. Hirschl, R., 2004. Towards Juristocracy, Cambridge, Mass.: Harvard University Press, pp. 10-16. Scheppele, K., 2000. Constitutional Interpretation After Regimes of Horror, Public Law and Legal Theory Research Paper No. 5, University of Pennsylvania Law School. Segal, J. A., Epstein, L., Cameron, C. M. And Spaeth, H. J., 1995. "Ideological Values and the Votes of U.S. Supreme Court Justices Revisited", Journal of Politics. Vol. 57 (3), pp. 812-23.

unconstitutional. The judicial assumption of power not merely to nullify democratically enacted legislation but also to legislate new general norms in all areas of life has taken judges far beyond their classical function of reviewing cases where the rights of persons are in jeopardy. A range of theoretical questions and long-standing controversies can be seen in this, like:

• What ought to be the role of courts in a democratic society?

• Ought judges to intervene in policy processes or should they confine themselves to deciding the guilt or innocence of individual persons?

• Is judicial supremacy incompatible with the democratic ideal of popular sovereignty?

• If activism becomes excessive, how and by whom ought it to be curtailed?

• Do any alternatives to the judicialization of politics exist that are more compatible with democracy yet do not compromise the rule of law?[7]

5.3 Sociological approaches to socio-legal research:

5.3.1 Placing Law in a socio-cultural context

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[7] Bellamy, R., 2007. Political Constitutionalism: A Republican Defense of the Constitutionality of Democracy. Cambridge: Cambridge University Press. 5 Whittington, K. E., 2007. Political Foundations of Judicial Supremacy Princeton and London: Princeton University Press. Stone Sweet, A., 2010. "The European Court of Justice and the Judicialization of EU Governance" Living Reviews in European Governance. [Online Journal] Tate, C. N. And Vallinder, T. R., Eds., 1995. The Global Expansion of Judicial Power. New York: New York University Press. [A classic on the judicialisation of politics, which focuses on judiciaries outside the US. It is now slightly outdated, but still worthwhile, as the problem of judicialisation has not gone away] Stone Sweet, A. (2004). The Judicial Construction of Europe. Oxford: Oxford University Press. [A book that evidences the judicial supremacist nature of the European Court of Justice, and how it has fundamentally shaped European integration] Guarnieri, C. & Pederzoli. P., 2002. The Power of Judges. A Comparative Study of Courts and Democracy. Oxford: Oxford University Press. [A book about the nature of judicial power in Southern Europe] Burbank, S. B. and Friedman, B., 2002. Judicial Independence at Crossroads: An Interdisciplinary Approach. Thousand Oaks, Calif: Sage Publications. [Discusses judicial independence from an interdisciplinary perspective. It is primarily theoretical, but does present some empirical evidence from non-US contexts, e.g. Russia.] Russell, P. H. and O'Brien, D. M. Eds., 2001. Judicial Independence in the Age of Democracy. Critical Perspectives from Around the World. Charlottesville and London: University Press of Virginia. [Discusses judicial power and independence in various geographical contexts (e.g. Japan, Germany, Eastern Europe)]

This explores the way in which the framework of cultural relativism can assist the exploration of law as a social construct. The factors affecting that process includes historically formed traditions, existing institutional settings, and contemporary changes. Legal cultures affect the development process in transitional societies. As far as methodological issues are concerned there are relative merits of using qualitative and quantitative methods to gather research data.[8]

5.3.2 Can law control?

The law acts as a would-be instrument of control, demonstrating the social and legal factors that influence its implementation and enforcement, and addressing the problematic notion of compliance in the area of business regulation. There can also be alternative perspectives as well and a researcher shall focus on thinking outside the box in order to inform conventional wisdom and to formulate perspectives and new questions for research.[9]

5.4 Anthropological approaches: Law beyond government:

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[8] Silbey, Susan S., 2005. "After Legal Consciousness," Annual Review of Law and Social Sciences, Vol. 1, 323-368. Hoffmann, E.A., 2006. "Legal Consciousness and Dispute Resolution: Different Disputing Behaviour at Two Similar Taxicab Companies", Law & Social Inquiry, Vol.28(3), pp 691-716. Kurkchiyan, M., 2009,. "Russian Legal Culture: An Analysis of Adaptive Response to an Institutional Transplant". Law & Social Inquiry. Vol. 34 (2), pp. 337-364. Ewick, P.& Silbey, S. S., 1998. The Common Place of Law: Stories From Everyday Life. Chicago: University of Chicago Press. Conley, J. M. & O'Barr, W. M., 1987. Rules Versus Relationships: The Ethnography of Legal Discourse. Chicago: University of Chicago Press. Sarat, A., 1990. "The Law is All Over: Power, Resistance and the Legal Consciousness of the Welfare Poor". Yale Journal of Law and Humanities, pp 343-97. Nelken, D., 2004. "Using the Concept of Legal Culture" in Australian Journal of Legal Philosophy, Vol. 29, pp 1-26.

[9] Hawkins, K., 1984. Environment and Enforcement. Oxford: Clarendon Press, pp.3-15, ch. 6 (also useful: ch. 7, 10) McBarnet, D., 2004. Crime compliance and control. Aldershot, UK: Ashgate, ch. 17 (also useful: ch. 2, 7, 8) Ayres, I. & Braithwaite, J., 1992. Responsive Regulation, Oxford: Oxford University Press, generally but especially chapter 2 [particularly for the enforcement pyramid concept] McBarnet, D., 2007. "CSR beyond law, through law, for law: the new corporate accountability", ch 1 in McBarnet, Voiculescu and Campbell (eds) The new Corporate Accountability: Corporate Social Responsibility and the Law, Cambridge: Cambridge University Press, paperback 2009 (also on SSRN web) [for wider modes of governance] For practical method in socio-legal research generally see: S Halliday and P Schmidt Conducting Law and Society research: reflections on methods and practices, Cambridge, 2009

How should we understand the different types and systems of law that occur throughout the world? By considering radically different examples of law beyond government, what conclusions can we draw about the nature of law, itself? There are examples of the approaches that anthropologists have taken to law in other societies and cultures, including informal systems of law and dispute resolution. There exist examples of cultural specificity of legal concepts and models. The research methods typically used by anthropologists are participant observation, involving long periods of intensive and focused, but essentially unstructured fieldwork.[10]

5.5 Economic approach to socio-legal Research:

It involves application of an economics perspective to socio-legal studies. Inspired by the Capability Approach of the economist Amartya Sen and by the work of political philosopher Martha Nussbaum, the justification and effectiveness of social legal norms can be revisited. The Capability Approach has been developed in the field of welfare economics and particularly aims at promoting justice and human development. People's capabilities might be enhanced by human rights. The research in socio-legal sphere identifies ways in which capability could be operationalised within policy, including corporate responsibility, financial services and consumer protection.[11]

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[10] Moore, Sally Falk. 1973. "Law and social change: the semi-autonomous social field as an appropriate subject of study." Law and Society Review, 719–46 (and in Moore, Law as process: an anthropological approach). or: Roberts, Simon. 2005. "After government: on representing law without the state". Modern Law Review 68(1): 1–24. and: Chanock, Martin. 1985. Law, custom and social order. CUP. [Ch1, pp. 3–10; Ch 12, pp. 219–24, 236–39] or: Cohn, Bernard. 1989. "Law and the colonial state in India", in J. Starr and J. Collier (eds) History and power in the study of law. Cornell. Fuller, Chris.1994. "Legal anthropology, legal pluralism and legal thought" Anthropology Today 10(3): 9–12. Rosen, Lawrence. 1989. "Law and culture: the appeal to analogy in Islam", in The anthropology of justice: law as culture in Islam. Cambridge: University Press. Diamond, Stanley. 1973. The rule of law versus the order of custom. In D. Black and M. Mileski (ed.) The social organization of law. New York: Seminar Press (and in 1971. Social Research 38: 42–72).

[11] Nussbaum, M., 1997. "Capabilities and Human Rights", Fordham Law Review, 66. Sen, A., 2004. "Elements of Theory of Human Rights" Philosophy and Public Affairs, 32. Sen, A., 1985. Commodities and Capabilities, Oxford: Oxford University Press, ch. 4. Sen, A., 1999. Development as Freedom, Oxford: Oxford University Press, ch. 3. Salais R. & Villeneuve, R., 2004. "Introduction, Europe and the Politics ofn Capabilities", in: R. Salais & R. Villeneuve, eds, Europe and the Politics of Capabilities. Cambridge: Cambridge University Press. Deakin,S.,2006. "'Capacitas': Contract Law and the Institutional Precondition of a Market Economy", European Review of Contract Law, 3. Deakin S. & Browne, J., 2003. "Social Rights and Market Order: Adapting the Capability Approach", in: T.

6. Introduction to Research Methods

This part provides a general survey of the social and philosophical roots of the various techniques available for data collection and link the ideas involved to a student's initial review of the literature on how to develop a viable research question. Particular attention shall be paid to the contested issues in social science research, such as the following. What are we trying to achieve when we are engaged in research activities? Do qualitative and quantitative approaches have equal claims to be considered 'empirical'? When we decide on which methods to use in collecting the information we need, what assumptions are we making and what do they imply? What philosophical approaches do these assumptions rest upon? What do the differences between the various approaches entail for the interpretation of the nature of knowledge and truth? How do these differences apply at the ultimate stage, when research findings are used as evidence to support an argument and the completed text of a thesis must evaluate the validity of the initial research design? Finally, having surveyed the dynamic interplay between theoretical concepts and empirical data, researcher has to focus upon the importance of constructing a conceptual framework that will ensure the consistency and integrity of a research project.[12]

6.1 Quantitative Methods in Socio-Legal Research

The use of quantitative methods in socio-legal scholarship is ever-growing. There is a growing trend towards "empirical legal studies", where "empirical" is defined as Large-N, or quantitative methods.[13]

Hervey & J. Kenner, Economic and Social Rights under the EU Charter of Fundamental Rights: A Legal Perspective, Oxford: Hart Publishing.

[12] Robson, C., 2002. Real World Research. Blackwell Publishing, part I, pp. 3 – 77.

[13] Heise, M., 2002. "The Past Present and Future of Empirical Legal Scholarship: Judicial Decision-Making and the New Empiricism", University of Illinois Law Review, 819. [This article describes the new empiricism in law, and the growing trend towards empirical legal studies. Available at: http://www.law.uiuc.edu/lrev/publications/2000s/2002/2002_4/Heise.pdf] Epstein, L. & King, G., 2002. "The Rules of Inference", University of Chicago Law, Review, 69(1). [This article, by two prominent political scientists, sets out the basic rules of inference for both qualitative and quantitative empirical legal scholarship. Online at: http://gking.harvard.edu/files/rules.pdf] Law, D. & Versteeg, M., 2011. "The Evolution and Ideology of Global Constitutionalism", California Law Review, 99. Forthcoming. [This article is an example of large-N empirical scholarship, no need to read all the theoretical details! Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1643628

6.2 Participant Observation

Participant observation is a type of research that could be regarded as diametrically opposed to the collection of quantitative data. This relates not only to the methods but to the types of questions that can be answered, the research design and the subsequent analysis of data. The researcher shall keep in mind the nature of ethnography and participant observation and consider how his/her research project may be placed on the scale between quantitative and ethnographic methodologies. A case study reading about participant observation would help and places the researcher in a position to anticipate whether he/she might encounter any similar practical issues in their research.[14]

6.3 Interviews

The researcher shall focus upon conducting semistructured and unstructured interviews. As to 'how to do it,' tips can be drawn from experience in the field. The researcher shall be mindful of the distinction between individual style and of 'good' or 'bad' practice.[15]

6.4 Analysing Qualitative Data

Qualitative data pose particular challenges for combining creativity and rigour in their analysis. Moreover, given that qualitative – in contrast to quantitative data - are often voluminous and unstructured critical reflection of techniques for managing and interpreting such data is important. The techniques for the

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[14] Nader, L., 1986. 'From anguish to exultation". In P. Golde (ed.) Women in the field. Berkeley, California: University of California Press. For theories of research methods, including participant observation, the following have reasonably good summaries: Punch, K. F. 2005. Introduction to Social Research: quantitative and qualitative approaches. California: Sage Publications. Hammersley, M. and Atkinson, P., 1995. Ethnography: principles in practice. Abingdon, Oxon: Routledge, Ch. 1.

[15] McCracken, G., 1998. The Long Interview, London: Sage Publications. Robson, C. 2002., Real World Research. Blackwell Publishing, Part III, pp 269-292.

analysis of qualitative data are not a-theoretical tools, but should be located within theoretical assumptions about how the social world can be understood and researched.[16]

6.5 Research Ethics

Pertinent ethical issues may arise during socio-legal research. It is important to consider ethical issues and ethical thinking in social studies.[17]

7. Conclusion

The socio-legal approach may be seen to occupy space between two extremes of a methodological spectrum. At one end, a strict doctrinal approach relies predominantly on self informed analysis of legislation and judicial decisions from the superior courts. Approaches at the other end, such as critical legal studies and economic analysis of law, are tuned to the concerns, theory and informants of external perspectives. While contextual analysis is increasingly the norm in legal scholarship, external informants are essential to a socio-legal approach. The socio-legal lens widens to observe operational and everyday legal situations, and diverse textual sources, disciplinary and cultural perspectives are considered.

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[16] Bryman, A., 2001. "Qualitative Data Analysis", in Bryman, A. Social Research Methods, Oxford: Oxford University Press, ch. 19. Bryman A., 2001. "The Nature of Qualitative Research", in Bryman. A. Social

Research Methods, Oxford: Oxford University Press, ch. 13. Silverman, David, 2007. A Very Short, Fairly Interesting and Reasonably Cheap

Book about Qualitative Research. London: Sage Publications.

[17] Socio-Legal Studies Association, Statement of Ethical Research Practice (http://www.kent.ac.uk/nslsa/images/slsadownloads/ethicalstatement/ethics_drft2.pdf) Association of Social Anthropologists, Ethical Guidelines (http://www.theasa.org/ethics/guidelines.htm) University of Oxford Central University Research Ethics Committee, CUREC 1/A (and related documentation) at http://www.admin.ox.ac.uk/curec/oxonly/ethicalapp/index.shtml. Centre for Socio-Legal Studies, CUREC Forms – Advice to CSLS Researchers (2010) Economic and Social Research Council, Framework for Research Ethics, 2010 (http://www.esrcsocietytoday.ac.uk/ESRCInfoCentre/Images/Framework%20for%20Research%20Ethics%202010_tcm6-35811.pdf) Dingwall, R., 2008. "The Ethical Case Against Ethical Regulation in the Social Sciences and Humanities", 21st Century Society. Vol. 3 (1), pp. 1-12