



Course Syllabus

Course Code MLAW-509DE	Course Title Legal Research and Methodology	ECTS Credits 10
Prerequisites None	Department Law	Semester Fall
Type of Course Elective	Field Legal Methodology	Language of Instruction English
Level of Course 2 nd Cycle	Lecturer(s) Dr Stergios Mitas	Year of Study 1 st
Mode of Delivery Distance Learning	Work Placement N/A	Co-requisites None

Course Objectives:

The course is designed to provide students with the required knowledge, skills and instruments that shall make them capable of:

- deepening their knowledge on basic features of research upon legal science
- undertaking and accomplishing original high-standard legal research
- evaluating legal arguments and judicial decisions, thoroughly and through rigid legal argumentation
- dealing with fundamental issues of legal theory and methodology, such as statutory interpretation, legal syllogism etc.
- understanding the profound intersections, as well as distinctions, between the fields of law, political and social theory

Learning Outcomes:

After completion of the course students are expected to be able to:

- 1 Undertake scientific research and write legal essays that feature coherence, clarity of

- concepts and rigidity on terms of argumentation
- 2 Develop research skills and evaluative criteria upon reading articles and bibliography, case law and legislation
- 3 Demonstrate skills of legal reasoning
- 4 Comment critically on case law
- 5 Detect fallacies and gaps in given legal arguments
- 6 Know in depth the fundamental principles and main techniques of qualitative and quantitative legal research
- 7 Be able to expand upon critical issues of legal theory and methodology.

Course Contents:

A. Legal research

1. Legal dissertations writing guide – General instructions – Referencing system
2. Law as normative social science – Research on legal science – Types of legal research – Basic orientations and principles of qualitative legal research – Steps of qualitative legal research – Legal databases
3. Basic features and types of quantitative legal research – Introduction to sociological positivism and critique – Steps and methods of quantitative legal research - Historical and comparative approaches on legal research
4. Case law comment – Main object and critical importance – Structure and examples

B. Legal Methodology

1. On interpretation: General introduction – Application and Interpretation – Legal Syllogism and Legal Reasoning
2. Semantic criterion of interpretation – Historical criterion of interpretation – Systematic criterion of interpretation – Teleological criterion of interpretation – The unity of interpretation
3. The doctrine of precedent and the stare decisis principle in the common law legal systems– Detection of the ratio decidendi – Obiter dicta and the techniques of distinguishing – Case law reference in continental legal systems and comparative analysis
4. Legal methodology, legal philosophy and political philosophy: Intersections and Distinctions – Basic discussions and main currents of legal philosophy

Learning Activities and Teaching Methods:

Lectures, Personal guidance, Case-study analysis, Video-streamed courses, Forum, Final exam.

Assessment Methods:

Interim individual studies, Formative assessment activities, Final exam

Textbooks – Bibliography:

Title	Author(s)	Publisher	Year	ISBN
<i>Research Methods for Law</i>	Mike McConville / Wing Hong Chui (eds)	Edinburgh University Press	2007	
<i>Foundations of legal judgements, 8th ed. [in Greek]</i>	Costas Stamatis	Sakkoulas	2009	
<i>Methodology of law, 2nd ed. [in Greek]</i>	Costas Stamatis	Sakkoulas	2019	
<i>Learning Legal Rules, 10th</i>	James Holland - Julian Webb	Oxford University Press	2019	
<i>Writing Law Dissertations: An Introduction and Guide on the Conduct of Legal Research</i>	Michael Salter - Julie Mason	Pearson Education Limited	2007	
<i>Research Methodologies in EU and International Law</i>	Robert Cryer et al. (eds)	Hart Publishing	2011	
<i>Case Law Commentary [in Greek]</i>	Costas Stamatis	Sakkoulas	2009	
<i>Readings in the Philosophy of Social Science</i>	Michael Martin - Lee C. McIntyre (eds)	The MIT Press	1994	

<i>Justi atque injusti scientia: An introduction to Legal Science [in Greek]</i>	Paulos Sourlas	Ant. Sakkoulas	1995	
<i>Fundamental issues of Legal Methodology, A' part [in Greek]</i>	Paulos Sourlas	Ant. Sakkoulas	1986	
<i>Getting a PhD in Law</i>	Carolin Morris - Cian Murphy	Hart Publishing	2011	
<i>Jurisprudence: Themes and Concepts</i>	Scott Veitch - Emilios Christodoulidis - Lindsay Farmer	Routledge	2012	
<i>Understanding Jurisprudence: An Introduction to Legal Theory</i>	Raymond Wacks	Oxford University Press	2012	
<i>A Theory of Legal Argumentation: The Theory of Rational Discourse as Theory of Legal Justification</i>	Robert Alexy	Oxford University Press	1989	
<i>The Nature and Authority of Precedent</i>	Neil Duxbury	Cambridge University Press	2008	