



Course Syllabus

Course Code MLAW-592DE	Course Title Thesis I/Legal Research and Methodology	ECTS Credits 10
Prerequisites None	Department Law	Semester Fall
Type of Course Core	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:

1. deepening their knowledge on basic features of research upon legal science
2. undertaking and accomplishing original high-standard legal research
3. evaluating legal arguments and judicial decisions, thoroughly and through rigid legal argumentation
4. dealing with fundamental issues of legal theory and methodology, such as statutory interpretation, legal syllogism etc.
5. 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:

- Undertake scientific research and write legal essays that feature coherence, clarity of concepts and rigidity on terms of argumentation
- Develop research skills and evaluative criteria upon reading articles and bibliography, case law and legislation
- Demonstrate skills of legal reasoning
- Comment critically on case law
- Detect fallacies and gaps in given legal arguments
- Know in depth the fundamental principles and main techniques of qualitative and quantitative legal research
- 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>Learning Legal Rules</i>	James Holland - Julian Webb	Oxford University Press	2010	
<i>Getting a PhD in Law</i>	Carolin Morris - Cian Murphy	Hart Publishing	2011	
<i>Jurisprudence: Themes and Concepts</i>	Scott Veitch - Emiliios 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	