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Nota di contenuto	Legal doctrine : which method(s) for what kind of discipline? / Mark van Hoecke -- The method of a truly normative legal science / Jaap Hage -- Explanatory non-normative legal doctrine : taking the distinction between theoretical and practical reason seriously / Anne Ruth Mackor -- A world without law professors / Mathias M. Siems -- Open or autonomous? : the debate on legal methodology as a reflection of the debate on law / Pauline C. Westermman -- Methodology of legal doctrinal research : a comment on Westerman / Jan Vranken -- The epistemological function of "la doctrine" / Horatia Muir Watt -- Maps, methodologies and critiques : confessions of a contract lawyer / Roger Brownsword -- Legal research and the distinctiveness of comparative law / John Bell -- Does one need an understanding of methodology in law before one can understand methodology in comparative law? / Geoffrey Samuel -- Comparative law, legal linguistics and methodology of legal doctrine / Jaakko Husa -- Doing what doesn't come naturally : on the distinctiveness of comparative law / Maurice Adams -- Promises

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Sommario/riassunto

Until quite recently questions about methodology in legal research have been largely confined to understanding the role of doctrinal research as a scholarly discipline. In turn this has involved asking questions not only about coverage but, fundamentally, questions about the identity of the discipline. Is it (mainly) descriptive, hermeneutical, or normative? Should it also be explanatory? Legal scholarship has been torn between, on the one hand, grasping the expanding reality of law and its context, and, on the other, reducing this complex whole to manageable proportions. The purely internal analysis of a legal system, isolated from any societal context, remains an option, and is still seen in the approach of the French academy, but as law aims at ordering society and influencing human behaviour, this approach is felt by many scholars to be insufficient. Consequently many attempts have been made to conceive legal research differently. Social scientific and comparative approaches have proven fruitful. However, does the introduction of other approaches leave merely a residue of 'legal doctrine', to which pockets of social sciences can be added, or should legal doctrine be merged with the social sciences? What would such a broad interdisciplinary field look like and what would its methods be? This book is an attempt to answer some of these questions
