

ERPL ERC Project Methodology Reading List

Summer 2012

Please read at least the readings marked “compulsory” before the Methodology Workshop scheduled for September 13-14, 2012. The four selected topics roughly correspond to the four sessions planned for the workshop. During those sessions, the lessons from the assigned readings will be linked closely to research issues and topics in the project.

Background Readings: Doctrinal legal research and beyond (recommended)

Vick, Interdisciplinarity and the Discipline of Law, *Journal of Law and Society*, 31 (2004) 2, p. 163 (note ideas of self-sufficiency)

McCrudden, Legal Research and the Social Sciences, *Law Quarterly Review* [2006], p. 632 (distinguishing socio-legal research) (attached)

I. Rules, norms, institutions (compulsory)¹

Alchian/Demsetz, Production, Information Costs, and Economic Organization, *American Economic Review*, 62 (1972) 5, p. 777

Granovetter, Economic Action and Social Structure: The Problem of Embeddedness, *American Journal of Sociology*, Vol. 91 (1985) p. 481

Teubner, *Coincidentia oppositorum: Hybrid Networks Beyond Contract and Organization*, "Storrs Lectures 2003/04" Yale Law School, in: Gordon/Horwitz (eds), *Festschrift in Honour of Lawrence Friedman*, 2006 (attached)

II. Socio-legal research and interviewing (compulsory)

¹ The readings in this section take as a common departure point Coase, *The Nature of the Firm*, *Economica*, 4 (1937) 16, p.386
<http://onlinelibrary.wiley.com/store/10.1111/j.1468-0335.1937.tb00002.x/asset/j.1468-0335.1937.tb00002.x.pdf?v=1&t=h4fhkwrw&s=e36d363c97b5411efe18cc8f6e17df8f40580c08>

Koark, Back to Start: Insolvent and Nevertheless Successful

Roethe, The Heteronomy of Private Insolvency Proceedings and the Social Structure of Entrepreneurial Activity

both from EUI Working Paper, Law 2011/09 (p. 31 and p. 35), obtain at following link

http://cadmus.eui.eu/bitstream/handle/1814/18255/2011_09.pdf?sequence=1

(recommended)

Bray, Ethnographic approaches, in Della Porta/Keating (eds), *Approaches and Methodologies in the Social Sciences A Pluralist Perspective*, 2008, CUP (attached)

III. Formal regimes versus actual practice: Tracing (compulsory)

Venesson, Case studies and process tracing: theories and practices, in Della Porta/Keating (eds), *supra*, (attached)

IV. Varieties of comparative analysis (compulsory)

Bakardjieva-Engelbrekt, Toward an institutional approach to comparative economic law?, in Bakardjieva-Engelbrekt/Nergelius (eds), *New Directions in Comparative Law*, 2010, Edward Elgar (attached)

Palmer, From Leretholi to Lando: Some Examples of Comparative Law Methodology, *Global Jurist Frontiers*, 4 (2004) 2, p. 1 (attached)

(recommended)

Whitman, Consumerism versus Producerism: A Study in Comparative Law, *Yale Law Journal*, 117 (2007), p. 340.