

Research Methods in Law. By D. Watkins and M. Burton (editors). London: Routledge, 2013. 160 pp. \$55 paperback.

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This volume outlines key approaches to legal research. It is aimed toward PhD and Master of Laws students, legal researchers, as well as graduate students in sociolegal studies. One goal of the volume is to foster incorporation of sociological and social science research designs and techniques into law and sociolegal studies. As Watkins and Burton put it in the introduction, “the researcher must appreciate that the law operates within the distinctive legal culture of each jurisdiction, a culture that the researcher will need to fully engage with in the course of her project” (p. 5). *Research Methods in Law* pushes students of law to integrate multiple data production and analysis approaches.

Terry Hutchinson reviews doctrinal research in an early chapter. As Hutchinson puts it, “doctrinal research lies at the heart of any lawyer’s task because it is the research process used to identify, analyze and synthesize the content of the law” (p. 9). Meticulous cataloguing of legislation and case law is essential for the practitioner and the scholar alike. The doctrinal approach assumes that law is made up of rules, principles, and precedents that must be known, and that these rules, principles, and precedents are a coherent system.

In another chapter, Fiona Cownie and Anthony Bradney contend that sociolegal studies have emerged as a challenge to doctrinal understandings of law and legal methods. The point of sociolegal research is to understand not just the letter of the law, but also the social and political context in which it exists. These authors discuss the range of quantitative and qualitative methods found in sociology and other disciplines that can be used in sociolegal studies. A major difference between doctrinal research and sociolegal research is not only the techniques used to produce and analyze data, but the underlying understanding of law. Sociolegal scholars do not limit themselves to tracing the rules, principles, and precedents found in legislation and case law.

The remaining chapters cover specific topics and research approaches. Mandy Burton examines research techniques for investigating the decisionmaking of judges and juries. Steven Cammiss and Dawn Watkins reflect on legal research in the humanities and the role of historical and narrative inquiry in sociolegal studies. Panu Minkkinen offers a chapter on critical legal studies and the critical legal method as an attitude, one that

continually fosters critique not only of law itself but theory as well as research design and technique.

Philip Handler makes a distinction between internal and external legal history, the former being aligned with doctrinal research and the latter being a part of sociolegal studies. Handler also raises questions about whether an objectivist account of rules, principles, and precedents over the centuries in different jurisdictions is possible. Geoffrey Samuel presents similar questions about comparative analysis in legal studies. If law cannot be understood without attention to context and culture, and context and culture are problematic to compare in an objectivist manner, empirical comparisons of law are difficult too.

A problem with *Research Methods in Law* is that prominent theories of law and legality are not mentioned and put in touch with questions of research design and data production or analysis. For instance, work on legal consciousness associated with critical legal studies is not mentioned. Another issue is that innovative approaches to qualitative research that are perfectly designed for inquiry into aspects of law are not addressed. For instance, institutional ethnography (IE) is a qualitative approach that investigates the social organization of knowledge and power, such as how legal categories are put together in bureaucracies and then embedded in application forms and other texts. IE is not commented on in *Research Methods in Law*. Metaphor analysis, discourse analysis, and content analysis are not mentioned much either. Therefore, the goal of opening up sociolegal studies to the range of research designs and techniques found in sociology and elsewhere is not fully met.

One major technique for producing data in both doctrinal research and sociolegal research is also overlooked. Access to information (ATI) requests or freedom of information (FOI) requests are a key resource for lawyers, other legal practitioners, and sociolegal scholars. ATI/FOI law bestows citizens the right to make a request for information from any government agency. ATI/FOI requests can be quite handy for understanding how decisions have been made in legal and criminal justice agencies, helping to produce data that interviews and use of open source material simply cannot.

Nevertheless, *Research Methods in Law* will be an important resource for social scientists in multiple disciplines. The volume provides many examples of how to study courts, judges, juries, trials, tribunals, and law making. Importantly, *Research Methods in Law* puts emphasis on the doctrinal approach as a requisite of legal inquiry, a point often overlooked in sociolegal studies today.

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