

COURSE
HUMR 5191
RESEARCH METHODOLOGY AND THESIS DEVELOPMENT
Spring 2011
SYLLABUS

LECTURE 1(1st week, week 2)

Tuesday, 11 January, 2011,
 10:15-12,
 Seminar Room NCHR

Instructors: Stener Ekern
 (course leader) and Malcom
 Langford

Introduction to the Course

- Presentation of the course.
- Social science: What is an 'explanation'? Around what is a thesis in the social sciences constructed?
- Law: What is a legal interpretation? Around what is a thesis in law constructed?
- Formal requirements

Reading list:

- Dessler, David, "Beyond Correlations: Toward a Causal Theory of War", *Int. Studies Quarterly* 35, 3 (1991) pp 119-154.
- Smits, Jan M., "Redefining Normative Legal Science: Towards an Argumentative Discipline", in Coomans, Fons, Fred Grünfeld and Menno T. Kamminga (eds.), *Methods of Human Rights Research*, pp 45-58, Intersentia 2009.
- Brems, Eva, "Methods in legal human rights research", in *Methods of Human Rights Research...*, pp 77-89.

LECTURE 2(2nd week)

Tuesday, 18 January, 2011
 10:15-12
 Seminar Room, NCHR

Instructor: Malcolm Langford

Research Questions and Legal Problems

- Formulating a legal problem (case discussion with comments from a social scientist)

Reading list:

- Richard Posner, 'Legal Scholarship Today', *Harvard Law Review* vol. 115 (2002), pp 1314-1326.
- McConville, Mike and Wing Hong Chui, *Research Methods for Law*, Edinburgh Univ. Press, 2007, pp. 1-16.
- Daniel Kanstroom, 'On 'Waterboarding': Legal Interpretation and the Continuing Struggle for Human Rights', *Boston College Third World Law Journal*, Vol. 28 (2008), pp 269-287.

LECTURE 3(3rd week)

Tuesday, 25 January, 2011
10:15-12

Seminar Room, NCHR

Instructor: Stener Ekern

Research Questions and Legal Problems (continued)

- Formulating a 'research question' (with a lawyer's comments)

Reading list:

-- Trachtenberg, Mark, *The Craft of International History: A guide to method*, Princeton University Press, 2006, chs 1-5.
-- Montgomery, Heather, "Imposing Rights? A case study of child prostitution in Thailand", in Cowan, Jane K., Marie-Bénédicte Dembour and Richard A. Wilson, 'Introduction' in Jane K. Cowan, Marie-Bénédicte Dembour and Richard A. Wilson, *Culture and Rights. Anthropological Perspectives*, Cambridge University Press, 2001, pp 80-102.

LECTURE 4(4th week)

Tuesday, 1 February 2011
10:15-12

Seminar Room NCHR

Instructors: Senior Researcher
Håvard Strand, PRIO

How to Read Statistics

- How to read statistics

Reading list:

LECTURE 5(5th week, week 5)

Thursday, 3 February, 2011
13:15-15

Seminar Room NCHR

Instructor: Head Librarian
Betty Haugen

Exploring the Sources and Using them in Your Thesis**LECTURE 6**(6th week)

Tuesday, 8 February, 2011
10:15-12

Seminar Room NCHR

Instructor: Stener Ekern

Human Rights Methodology (Operationalisation and Measurement) and Comparative Research Design

Reading list:

-- Landman, Todd, *Studying Human Rights*, London and New York: Routledge, 2006.
-- Jonsson, Urban, "A Human Rights-based Approach to

Programming”, in Gready, P. And J. Ensor (eds.) *Reinventing Development? Translating Rights-based Approaches from Theory into Practice*, London: Zed Books 2005, pp 47-62.

LECTURE 7(7th week)

Tuesday, 15 February 2011,
10:15-12

Seminar Room NCHR

Instructor: Jan Helgesen

Legal Method in International Law and Legal Method in Scandinavian Law

Reading list:

- Brownlie, Ian, *Principles of Public International Law*, 7th Edition, pp 3-29 and 630-38.
 - Ratner, S. and A-M Slaughter, “Appraising the Methods of International Law”, *The American Journal of International Law*, Vol. 93, No. 2 (1999), pp. 291-302.
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LECTURE 8(8th week)

Tuesday, 1 March, 2011
10:15-12

Seminar Room NCHR

Instructor:
Malcolm Langford

Modes of Reasoning

- Construction of arguments, constructions of evidence, making recommendations, policy-making

Reading list (Choose Two of the Four):

- Philosophy: Waldron, Jeremy, “The Core of the case Against Judicial Review”, in *The Yale Law Journal*, Vol. 115 (2006), pp 1346-1406.
 - Law: Langford, Malcolm and Khulekani Moyo, “Right, Remedy or Rhetoric? Land Restitution in International Law”, *Nordic Journal of Human Rights*, Vol. 28, No. 2 (2010).
 - Social Science: Beth Simmons, *Mobilizing for Human Rights: International Law in Domestic Politics* (2009), pp. 349-380.
 - Practice: Human Rights Watch, *Rain of Fire. Israel’s Unlawful Use of White Phosphorus in Gaza*, 25 March 2009, pp 1-66.
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LECTURE 9(9th week, week 41)

Tuesday, 8 March, 2011
10:15-1200

Seminar Room NCHR

Sources: A Critical Review

Instructor: Stener Ekern

- Data, interviews, statistics. Cases, secondary literature, documents, observations, fieldwork, archival material

Reading list:

-- Robben, Antonius C.G.M., "The Politics of Truth and Emotions among Victims and Perpetrators of Violence", in Carolyn Nordstrom and Antonius C.G.M. Robben, *Fieldwork under fire: Contemporary studies of violence and survival*, California University Press 1995, pp 81-103.
-- Kidder, Robert L., "Exploring Legal Culture in Law-Avoidance Societies", in June Starr and Mark Goodale, *Practicing Ethnography in Law*, Palgrave Macmillan 2002, pp 87-107.

LECTURE 10

(10th week, week 11)

*Tuesday, 15 March, 2011
10:15-16:15*

Seminar Room, NCHR

*Instructor: Lynn P Nygaard,
PRIO*

One-day Workshop (6 hrs) in Academic Writing

Reading list:

-- Lynn P Nygaard, *Writing for Scholars. A Practical Guide to Making Sense and being Heard*, Oslo: Universitetsforlaget 2008.
