



UNIVERSITÀ DEGLI STUDI DI ENNA "KORE"

**Dottorato di Ricerca in Scienze Economiche, Aziendali e Giuridiche – Ciclo XXXVI – I
anno**

Anno Accademico 2020/2021

**Corso di
Metodologia della ricerca**

**CFU
4**

**Docente titolare
LUCIA CORSO**

Obiettivi formativi dell'insegnamento

The course is a general introduction to the philosophical foundations of social research methods and will cover six broad topics, which address preliminary issues on methodology (1-4) as well as special issues concerning law and its relation with other social phenomena such as economics and morality (5-6). It will be scheduled as follows: 1) general notions of epistemology with special reference to the standard of certainty/probability of justification required; 2) distinction between natural and social science; 3) enquire on the nature of social science, whether it be descriptive, hermeneutical, or normative; 4) role of theories (explanatory, instrumental, emancipatory); 5) legal methodology, with special regards to the formalist / realist divide; 6) relationship between theories and principles, such as freedom, equality, democracy. During the lectures reference will be made to classical thinkers, such as Cartesio, Spinoza, Kant, Newton, Einstein, Popper, Kuhn, as well as to the more recent literature on legal and social methodology.

A special section will be devoted to the distinction between positive law and natural law theories.

Bibliografia di base

On the general issue of social science:

Bermann, H. J. 1977. "The Origin of Western Legal Science" 90 *Harvard Law Review*, 894

Habermas, J. 1969., *Knowledge and Human Interests*, Boston.

H. Kelsen, *The Pure theory of Law*, Lawbook Exchange, 2009.

Jolls, C. Sunstein C. & Thaler, R. 1998. "A Behavioral Approach to Law and Economics", 50 *Stanf. L. Rev.* 1471.

Ginsburg; T., Stephanopoulos, N. 2017. "The Concepts of Law", 84 *U. Chi. L. Rev.* 147.

Nagel, E. (1961). 'The Value-oriented Bias of Social Enquiry' from *The Structure of Science: Problems in the Logic of Scientific Explanation*, Hackett Publishing Company.

Popper, K. 1972. *Objective Knowledge: An Evolutionary Approach*, Oxford University Press.

Schweber, H. 1999. "The Science of Legal Science. The Model of the Natural Sciences in Nineteenth-Century American Legal Education. 17 *Law and History Review* 421.

Weber, M. (1949). *On Methodology of the Social Sciences*, Free Press of Glencoe.

Articolazione dei seminari

Giovedì 14 gennaio

Ore 10-14

"Eventuali variazioni all'orario dei seminari saranno rese note nell'apposita sezione del sito web del dottorato."

Modalità di verifica delle conoscenze acquisite

Competency Assessment: Thesis of 5000 words max on one of the topics discussed during the course and to be agreed upon with the professor.