

Legal Methodology from the Perspective of Jurisprudence: Combining Theoretical Exploration and Empirical Research

Wenhuan Zhao

Guizhou Minzu University, Guiyang, 550025, China

Abstract: This paper explores legal research methodologies from the perspective of jurisprudence, focusing on the organic integration of theoretical exploration and empirical research. Firstly, it delves into the basic concepts of jurisprudence, emphasizing its foundational role in legal studies and focusing on the internal logic and principles of legal norms. Secondly, it discusses the comprehensiveness of legal research from the perspective of diverse methodologies, highlighting the guiding role of theoretical research in methodology. Subsequently, through case analysis, the dialogue between jurisprudence and social practice is illuminated, underscoring the application of theoretical frameworks in legal reform and the challenges posed by social practice to jurisprudence. Ultimately, this study provides substantive insights for deepening the integration of legal theory and practice.

Keywords: Jurisprudence; Legal Research Methodology; Theoretical Research; Empirical Research

1. Introduction

Legal research involves a deep analysis and understanding of legal phenomena, and the choice of methodology directly impacts the depth and breadth of the study. Theoretical research emphasizes the derivation and construction of legal norms and principles, while empirical research focuses on factual observation and data analysis of legal phenomena. This paper aims to explore how to effectively combine theory and empirical research in legal studies from the perspective of jurisprudence, to achieve more comprehensive and profound research outcomes. In this context, an overview of jurisprudence, theoretical research, and empirical research is first provided, laying the foundation for further in-depth study.

2. Jurisprudence and Legal Research

2.1 Basic Concepts and Roles of Jurisprudence

Jurisprudence, as a foundational branch of legal studies, focuses on the internal logic and principles of legal norms, aiming to understand the universality of law and its role in society. The basic concepts of jurisprudence include the definition of law, the nature of law, and the construction of legal systems. Firstly, the law can be defined as a social tool for normative behavior, forming the cornerstone of social order. Secondly, the nature of law involves its authority, coerciveness, and universality, which bestow a unique status on it in society. Lastly, jurisprudence focuses on the interrelationships between legal norms, constructing a legal system, and revealing the intrinsic structure of law through the analysis of its internal logic.^[1]

Jurisprudence plays a crucial role in legal studies. It provides a theoretical foundation for legal research, enabling a deep understanding of legal thinking and principles rather than a rigid interpretation of specific regulations. Additionally, jurisprudence guides the methodology of legal research, enabling researchers to systematically apply fundamental legal principles for in-depth analysis. Moreover, jurisprudence offers intellectual resources for the development of legal studies, fostering continual innovation in legal theory.^[2]

2.2 Diverse Methods in Legal Research

Legal research, as a comprehensive discipline, employs diverse methodologies aimed at

comprehensively understanding legal phenomena. These methodologies include quantitative research, qualitative research, comparative law studies, and more, reflecting the diversity of legal phenomena. Additionally, interdisciplinary research has become an essential method in legal studies, expanding its scope by integrating theories and methods from sociology, political science, economics, and other disciplines.

2.2.1 Quantitative Research

Quantitative research, based on numerical data, employs statistical analysis to quantify research subjects and provide objective, measurable results. In legal research, it often involves the collection and analysis of large-scale data to understand the general laws of legal phenomena. For instance, quantitative assessments of legal systems can yield universally applicable conclusions, providing scientific bases for legal decision-making.^[3]

2.2.2 Qualitative Research

Qualitative research emphasizes in-depth analysis of non-quantitative data, focusing on understanding and interpreting cases, texts, and other qualitative information. In legal research, it often involves detailed case analysis and text interpretation to explore legal phenomena's nuances and underlying socio-cultural factors. This method provides a deeper and more detailed understanding of legal studies, compensating for the limitations of quantitative research in detail.

2.2.3 Comparative Law Research

Comparative law research examines similarities and differences between legal systems by comparing legal institutions, regulations, and practices, revealing the diversity of legal phenomena. It analyzes legal issues from international and cross-cultural perspectives, providing a globalized view for legal studies. Comparative analysis of different legal systems helps better understand the strengths and weaknesses of various laws, suggesting improvements and innovations.

2.2.4 Interdisciplinary Research

Interdisciplinary research combines law with other disciplines, broadening legal research's horizons by incorporating theories and methods from sociology, political science, economics, and more. This approach helps researchers understand legal phenomena more comprehensively, considering the broader social context of legal issues.^[4]

In these diverse methods, theoretical research plays a significant role. It delves into the essence, principles, and norms of law, providing strong theoretical support for empirical research. Theoretical research not only emphasizes the analysis of legal thoughts but also focuses on the philosophical foundations behind legal norms, enriching legal studies with profound intellectual content. Thus, the combination of theoretical research with diverse methodologies makes legal studies more comprehensive and in-depth, offering a wealth of research paths for the field's development.

2.3 The Status and Role of Theoretical Research in Legal Studies

Theoretical research holds a prominent status and plays a crucial role in legal studies, providing essential intellectual support and acting as a key driver in research. This status and role manifest in several aspects.

Firstly, theoretical research provides a systematic framework for legal studies. By deeply analyzing legal thoughts, principles, and norms, it establishes a systematic theoretical framework, clarifying the trajectory of legal research. This framework offers an orderly way of thinking, enabling researchers to better understand the essence and connections of law, contributing to the formation of scientific and rational legal theories.^[5]

Secondly, theoretical research drives innovation in legal studies. Through profound contemplation of the essence and principles of law, theoretical research opens new avenues and paradigms for the development of legal theory. Facing the challenges of social change and the evolving legal system, theoretical research refreshes legal concepts, helping law adapt to societal needs and continually progress and innovate.

The role of theoretical research in legal studies extends beyond interpreting legal norms to profoundly pondering legal phenomena. It guides researchers to recognize law from a higher level, transcending specific cases and regulations, enhancing the universality and depth of legal research. By proposing basic assumptions and principles of legal theory, theoretical research offers robust guidance

for empirical research, enriching its depth and breadth.

In legal research, theoretical and empirical studies complement each other, providing an organic integration of theory and practice for the comprehensive development of law. Theoretical research's profound contemplation guides empirical studies, while empirical research's specific data and cases continually validate and enrich theoretical content, forming a virtuous cycle of mutual promotion. Therefore, the irreplaceable status of theoretical research in legal studies provides a solid theoretical foundation, driving the continuous advancement of the field.^[6]

3. Integration of Theoretical and Empirical Research in Legal Studies

This chapter delves into the integration of theoretical and empirical research methods in legal studies, highlighting their distinctive features, values, and the necessity and challenges of their combination. It presents case studies exemplifying successful integration, aiming to provide a comprehensive and in-depth approach to legal research.

3.1 Differences and Similarities between Theoretical and Empirical Research

3.1.1 Characteristics of Theoretical Research

Theoretical research, a vital method in legal studies, emphasizes deep analysis of the principles, philosophical foundations, and thoughts of legal norms. It aims not only to understand the superficial meanings of specific laws but to delve into the essence of law and reveal the internal connections between legal norms. By deeply contemplating the law, theoretical research aims to construct a framework, offering a systematic way of thinking for legal studies.

In theoretical research, scholars often seek answers to fundamental questions about the existence of law, including its definition, purpose, and ethical basis. Through in-depth analysis, theoretical research provides depth and breadth to legal studies, transcending superficial interpretations of specific regulations, and enabling a comprehensive understanding of law's universality and societal role.

3.1.2 Characteristics of Empirical Research

Empirical research, conducted through observation and data analysis of actual legal phenomena, focuses on the objective description and analysis of legal occurrences, unlike theoretical research's focus on the essence and principles of law. It includes detailed examinations of cases, texts, and courtroom practices to gather specific information about legal practice.

Empirical research is characterized by its emphasis on experience and data derived from reality. Through case analysis, it offers concrete and practical insights into legal studies, enabling a better understanding of the impact and effectiveness of legal norms in practice. Empirical research provides tangible observations and experiential data, making legal research more grounded and practical.

3.1.3 Analysis of Differences and Similarities

Though theoretical and empirical research differ in focus and method, they share several commonalities. Both aim to provide a deeper understanding of law, with theoretical research establishing abstract legal theories and empirical research validating and refining these theories through specific cases and data.

In practice, a combination of these methods is often necessary, complementing each other to achieve a comprehensive research outcome. Theoretical research provides the theoretical foundation for legal studies, while empirical research, through observation and analysis of specific legal phenomena, validates and refines theory. Therefore, integrating theoretical and empirical research enhances the comprehensiveness and depth of legal studies.

3.2 Necessity and Challenges of Integration

3.2.1 Necessity of Integration

Integrating theoretical and empirical research is necessary to address their respective limitations and achieve comprehensive and profound legal studies. Theoretical research offers the framework and principles for legal studies, establishing a theoretical foundation. However, it can be overly abstract and lack practical guidance in application. Empirical research, with its observation and analysis of actual

legal phenomena, provides concrete cases and practical experience.

Combining these methods validates theory with practice and supports empirical research with deep theoretical backing. Integrating theory and empirical research allows legal studies to respond better to societal needs, providing both depth and practicality. The necessity of integration is also evident in guiding legal research towards practice, offering more practically significant findings for the field.

3.2.2 Challenges and Responses

Integrating theoretical and empirical research faces challenges, including balancing their weight and resolving potential contradictions.

Challenge of Balancing Weight: In integration, researchers must carefully weigh the proportion of theoretical and empirical research. Excessive focus on theory may lead to detachment from practical application, while overemphasis on empirical research might overlook legal theory. Addressing this challenge requires adjusting the ratio flexibly based on the specific research question to achieve research objectives.

Challenge of Resolving Contradictions: Theoretical constructions may conflict with actual observations. Addressing this involves analyzing the reasons for contradictions, seeking explanations, and adjusting and explaining research conclusions appropriately.

Challenge of Interdisciplinary Collaboration: Integrating theory and empirical research demands interdisciplinary skills, integrating knowledge from law, sociology, statistics, and more. This challenge requires a thorough understanding of multiple disciplines' methods and theories, ensuring that integration is not just a simple combination but a mutually enhancing process.

While challenging, successful integration represents an opportunity to elevate legal research, enriching and diversifying its outcomes. By addressing these challenges, researchers can more effectively integrate theoretical and empirical research, contributing new ideas and methods to the development of legal studies.

4. Successful Cases of Integrating Jurisprudence and Social Practice

This chapter presents a successful case study that exemplifies the integration of theoretical and empirical research in legal studies, focusing on the reconstruction of a legal system within a particular country. It highlights the methods used to achieve this integration and the challenges faced during the process, ultimately providing insightful conclusions for legal studies.

4.1 Case Analysis: A Paradigm of Successful Integration

4.1.1 Case Introduction

A prime example of integrating theoretical research with empirical data in legal studies is the restructuring of a legal system in a specific country. The core aim of this case was to provide profound and practical guidance for legal reforms by amalgamating legal theories with empirical data. The study aimed at reconstructing the legal system theoretically and optimizing practical legal applications to align with the legal theoretical framework while being practically applicable.

The study had dual objectives: first, the theoretical reconstruction of the legal system, involving deep exploration of the essence of the rule of law and its core principles; second, the optimization of actual legal practices through case analysis of specific legal reforms, clarifying legal effects and societal feedback before and after the reforms. By integrating these objectives, the researchers aimed to establish a more practically guiding legal system, elevating it theoretically and enhancing its utility in practice.

To achieve these goals, a multi-level and multi-perspective research design was employed. In the theoretical phase, a comprehensive analysis of the legal system's theoretical foundations was conducted, clarifying core concepts like the essence and principles of the rule of law. This phase laid a solid theoretical foundation for the subsequent empirical research. During the empirical phase, extensive data was collected through case analyses of specific legal reforms, including crucial information like legal effects and societal feedback. This comprehensive approach enabled the researchers to thoroughly understand the theoretical and practical aspects of the legal system, providing a robust foundation for successful integration.

The in-depth study of this case reveals how theoretical and empirical research can mutually enhance and integrate, offering a model of successful integration in legal studies. This not only guides the field of legal reforms but also offers valuable insights for the expansion and innovation of research methods in legal studies.

4.1.2 Keys to Success

The first step to successfully integrating theoretical and empirical research is to establish clear goals at the research's outset. In this case, the researchers clearly defined the dual objectives of theoretical reconstruction and practical reform of the legal system. This clarity ensured that the research process remained focused on integrating both aspects, ensuring targeted and valuable integration of theory and practice.

Throughout the research, a close link was maintained between theoretical and empirical studies. Theoretical research provided a framework for empirical research, which in turn validated the applicability of theories through concrete data. This close attention ensured an organic integration, making the research both deep and practical. The theory proposed was not merely academic but supported by empirical data.

Successful integration requires researchers to have the flexibility to use various research methods. In this case, the researchers not only engaged in in-depth literature analysis and theoretical discussions but also adeptly utilized empirical methods such as case analysis and field research. This diverse approach made the research more comprehensive, enabling in-depth study of the legal system's theory and practice from different perspectives. This flexible method usage helped balance theory and practice, achieving an organic integration.

Integrating theoretical and empirical research requires researchers to possess interdisciplinary skills. In this case, the researchers had backgrounds in multiple disciplines, including law, sociology, and political science, allowing for a better integration of knowledge from various fields. This interdisciplinary ability enabled a more comprehensive understanding of the legal system, considering social, political, and other factors, thus promoting successful integration.

An in-depth analysis of this case's success offers various experiences and methods that can be referenced for integrating theoretical and empirical research in other fields. Such profound integration is not only instructive in the field of legal reforms but also provides a valuable example for innovating research methods in legal studies. By better integrating theory and practice in legal research, we can more effectively respond to societal needs and achieve more substantial research outcomes. This also provides new ideas and methods for future research in legal studies.

4.2 Dialogue between Jurisprudence and Social Practice

4.2.1 Application of Theoretical Frameworks

In the dialogue between jurisprudence and social practice, the application of theoretical frameworks is crucial. In the case study, researchers deeply utilized basic concepts and principles of jurisprudence, applying them to specific social practices in legal reforms. Detailed case analysis reveals that theoretical frameworks are not just academic tools but are successfully applied to solve real legal issues in society. For instance, in legal reforms, concepts of human rights in jurisprudence were specifically applied to construct the legal system, using theoretical frameworks to guide and achieve reform objectives effectively.

This process highlights the close integration of theory and practice, emphasizing the practical application of jurisprudential frameworks in solving real legal problems. The success of the case study not only relies on profound theory but also depends on researchers' understanding and clever application of the theoretical framework in practice. This close integration of theory and practice provides an effective approach to legal studies that closely align with societal needs.

4.2.2 Challenges of Social Practice to Jurisprudence

Social practice presents diverse challenges to jurisprudence, including emerging legal issues and the impact of social changes on legal systems. In the case study, these challenges are discussed in depth, highlighting the importance of dialogue and integration to address them. Researchers conducted deep analyses of new issues emerging in social practice, challenging the limitations of existing jurisprudential concepts and inspiring further refinement of legal theories.

In-depth study of these challenges reveals that researchers, through dialogue with practical problems and borrowing from theories and methods of other disciplines, have propelled innovation in jurisprudence. The case study's success shows that jurisprudence needs continuous examination and updating of its theoretical system to better adapt to social practice, making it more forward-looking and inclusive. This dialogue and integration between theory and practice offer new interdisciplinary approaches to legal studies.

The detailed discussion in this chapter showcases key issues, solutions, and actual outcomes in the dialogue between jurisprudence and social practice. This helps deepen the response of legal studies to societal needs, promoting more practical and effective legal theories. This also provides new avenues and methods for future research in legal studies.

5. Conclusion

Through a comprehensive analysis of legal research methods from the perspective of jurisprudence, we have gained a profound understanding of the basic concepts of jurisprudence and its role in legal studies. The application of multiple methods, with a significant emphasis on theoretical research, provides a theoretical foundation and methodological guidance for legal studies. The successful integration case of jurisprudence and social practice demonstrates the application of theoretical frameworks in legal reforms while also highlighting the challenges posed by social practice to jurisprudence. This comprehensive study offers deep insights into the organic integration of legal theory and practice.

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