

**Researching Property Law: Edited by Susan Bright and Sarah Blandy**

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## **Researching Property Law:**

Edited by Susan Bright and Sarah Blandy

(Palgrave, 2016, 205pp, (paperback), £31.99 ISBN 978-1-137-48789-6)

The premise of this text is clear - it deals with the pedagogy of research into property law rather than with the law itself.

It claims to be "the only resource of its kind" and "dynamic and enquiring". Aimed at PhD students and academic law researchers alike, it hopes to provide useful information to those advising others and those new to research scholarship. I could not find a similar work to compare it with, and therefore considered it as if I were new to Property Research.

Susan Bright and Sarah Blandy have a wealth of experience, and have used varying methods of research to great benefit. The background to the book followed a survey conducted by Bright and Blandy, which was to provide "a focus for a panel at the 2013 Association for Law Property and Society Conference". The aim was to establish the methods most commonly used for research. The editors felt that this led to "lively and sometimes uncomfortable" discussions at the panel, giving them the idea that perhaps a collection of articles following on from that may be useful.

Each chapter is standalone, providing an appetizer to the methodology discussed, with clear references to the more detailed discussions of that method's writings by way of a bibliography at the end of the article.

The individual contributors are also noted academics with a wide range of research and academic commentary to their credit from a wide variety of jurisdictions. This alone would attract pure academic interest, but add to that the breadth of discussion of property (not just land) law and this work could be the perfect key to property research methodology. An introduction and small resume to each collaborator is provided for, and this gives a solid background to the text as a whole.

Each chapter is outlined in a short summary, which enables the reader to pick and choose an area to consider with ease. Add to that an explanatory preface from the editors, and you begin to see the possibility of a gem of an introduction and aid to researching property law, just as the editors hoped. The contributors were required to address three main issues within their article: the Why; the How; and the challenges applicable to their discipline.

I started with the intention of reading from Chapter 1 (Martin Dixon in "A Doctrinal Approach to Property Law Scholarship") through to the end as one would a novel, but realised that this was unnecessary. Because each chapter can stand alone, it was easy to 'dip in and out' of the text. The methodologies do overlap, and each deserves a cursory acknowledgement to other methods. However, I felt that this broadens the perspective, and is enhanced by the applied commentary of the research to the 21<sup>st</sup> century and a definite focus on the future of property law research.

Martin Dixon however, is clear that no methodology should be considered more worthy or important than another, that judgments must be made about outcomes to research and obviously how that is to be funded, and that researchers should beware of "..... the idea that a whole way of researching should be regarded as second rate, or, even worse, denied the label 'research' at all."

The challenges researchers face are dealt with head on, particularly in Chapter 4 (Lisa Whitehouse and Susan Bright, "The Empirical Approach to Research in Property Law") where they conclude "....unique benefits [are] to be derived from exploring the practical realities of law" with ..... 'boundless opportunities .... to explore uncharted territory'..... "establish 'an original voice' and 'the prospect of conducting path breaking work that is relevant, influential and socially important."

In addition to introductions to methodology, the book includes academic debate in Chapter 5 ("Critical Legal Studies and the Politics of Property" Brenna Bhandar) and Chapter 8 ("The Law and Economics Approach to Property" Daniel H Cole) together with a consideration of interdisciplinary dialogues in Chapter 6 ("Serendipity and Care: Cultural and Social History in Property Law" Kali Murray) and Chapter 11 ("Synergy or Skirmish? The Collaboration of Law and Anthropology" Simon Young), introducing further approaches sitting within the context of historical and anthropological studies.

I was particularly interested in Chapter 12 ("Feminist Approaches to Property Law Research" Helen Carr and Simone Wong) who seek to introduce and add to the analysis reflecting a woman's perspective on property law and how it (feminist research) "may ponder on the sociology of couple relationships and critique the way in which jurisprudence is influenced by judges' own subjectivity....." making clear however that researchers often analyse women's narratives in their work. The Chapter is a fascinating overview and introduction into research into the lives of women, into gender assumptions, the ownership of the family home and further.

The international scope of the text is firmly anchored in Chapter 7 ("The Comparative Method in Property Law" Bram Akkermans) although he clearly points out "....there is no such thing as *the* comparative method. Rather a series of approaches that each fall within the area of comparative law.....".

In all there are twelve articles contained within the text all offering an insight into a wide and varied world of property law research. Each Chapter guides into the topic, but is enriched by full footnotes and bibliographies to lead the researcher deeper. The whole is brought to an interesting conclusion by Blandy and Bright in Chapter 13 ("Property Law Research Now and into the Future") which explains in more depth the survey they conducted and its conclusions; and they suggest that "....property law and property law research come in many shapes and forms, and we suggest that this diversity is crucially important for understanding the role of property".

The text provides a useful introduction to the variety of research methods that can be used together with the challenges that researchers face. It gave me food for thought on how to approach research with the added value of the wealth of knowledge of contributors and their introductions to the rich sources of academic writings available. I would suggest it should be considered a "must have" source in its own right - an essential "go to" handbook, for those new to academic research and supervisors alike.

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