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GETTING IN AND GETTING OUT OF THE RESEARCH SITE: BOTH A CHALLENGE.

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Abstract

observations.

In this paper I would like to discuss the methodological issues and implications of gaining different kinds of access to the research sites of my research: the Bar (law firms) and the judiciary (district courts), both highly closed, elitist and almost secretive domains. In particular I would like to discuss the consequences when 'getting in' as well as 'getting out' turns out highly problematic and how to go about that. Against my own anticipation I managed to do extensive participatory observations and in-depth interviews within the judiciary as I was sworn in as a judicial clerk. Being a clerk I was allowed to attend closed and public hearings in every sector (canton law, criminal law (youth), civil law and administrative law) and stayed within the organization for several months a few days a week. I spoke to different kinds of judicial professionals on all levels of the organization such as judges, (vice)presidents, clerks, judicial trainees and judicial administrative personnel. I had the opportunity to tag along with these professionals as they went about their daily lives. I was 'in', but had great difficulty to get out and to break myself free.

With regard to the Bar, I had a different path to follow. My aim was to establish a similar form of entry as was the case within the judiciary. I squirmed to 'get in' to become as knowledgeable about a law firm and its members as I was about the court and its members. However after countless efforts I had to accept the Bars and especially the law firms' impermeability for an outsider-researcher. I did manage to attend numerous formal as well as informal events and meetings for observational purposes and held plentiful indepth interviews with law firm partners, lawyers, lawyer-trainees and juridical HR-recruiters and other involved professionals (e.g. policy makers). I did not manage to do this 'from within' and not in a participatory way. The question is in the paper is, how to 'legitimize' the differences in ethnographic approach between the two cases by delving into what both forms of 'entry' brought me as it turned out that the restricted entry to the Bar was not that unfruitful as I expected yet at the same time my full submersion within the judiciary brought me unforeseen challenges I would have rather avoided.