

RCSL NEWSLETTER

INTERNATIONAL SOCIOLOGICAL ASSOCIATION
RESEARCH COMMITTEE ON SOCIOLOGY OF LAW

<https://rcsl.hypotheses.org/>

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EDITORIAL

Sad circumstances lead me back to a topic of my editorial to the previous issue of this RCSL Newsletter: this Newsletter itself, as making us exist as a specific world community. What I wanted to recall at that occasion was that our community is made by the shared perception of what allows us to work together as scientists. Now we are harshly reminded that it is also made by the shared perception of what hinders us in our common work. So this Newsletter is where to express our solidarity to our colleagues in Porto Alegre who in these days suffer the tragic consequences of the recent floods. RCSL is linked to many places in the world. To some places, however, the connection is more intense, which might be revealed by, among other signs, the fact that RCSL Annual Meetings were organized there. This is the case for Porto Alegre: the 2015 joint meeting RCSL-ABraSD was organized in Canoas, close to that city, by Renata Almeida da Costa, under the RCSL Presidency of Masayuki Murayama.

Having enjoyed that place at that occasion, many of us may have a notion of what got lost with the floods, and a feeling of how vital it is for our colleagues there to be helped in the recovery and reconstruction. Unfortunately, we have to recognize that, as a research grouping, we are not equipped to help them directly. To provide direct help in such circumstances is the specialty of other organizations. What we can do is to locate such organizations and to support their action by donations. Apart from donating, our duty is to continue, with all the means available, the already intense cooperation we have with our colleagues from Rio Grande do Sul, a modest contribution to the restrengthening of the conditions, there, for productive scientific activity, likely to play its role in the reestablishment of decent life conditions in the regions hit by the floods. In this sense, RCSL, despite its limited resources, will support early career researchers from these regions with a special travel grant in order to

facilitate their participation in the RCSL Bangor Meeting. Detailed information and guidelines for applications will be issued soon.

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Coming back to RCSL, one issue deserves here emphasis: the RCSL Working Groups. The recently constituted RCSL Board met virtually on 19 March. The main point on its agenda was the renewal of the RCSL Working Groups for the mandate that started last summer 2023. You will find the complete updated list

of them at the end of this RCSL Newsletter (p. 12). New chairs were introduced for three WGs, whom I want to welcome here publicly: Hideaki Irie, Japan, new chair of the WG Civil Justice and Dispute Resolution; Agnieszka Kubal, United Kingdom, new chair of the WG Comparative Legal Culture; Stine Piilgaard Perner Nielsen, Denmark, and Luisa Teresa Hedler Ferreira, Denmark, new co-chairs of the WG Social and Legal Systems. This renewal decision does not close the list of WGs, which remains open. At least two proposals of new WGs are on the way, and we look forward to discussing them at the next RCSL Board Meeting in Bangor.

This is the right moment to insist on the crucial role of the Working Groups in our Research Committee, a role which is formally recognized by the fact that their chairs are voting members of the Board. Indeed, Working Groups are being set up and maintained due to the strong interest of some researchers of improving the conditions of scientific work in a certain domain, by establishing an organizational structure. An improvement resulting from the formal recognition of the topic, and from the favourable conditions created by that recognition for meeting and cooperating between researchers interested in that topic. So the set of WGs designed by recent history of RCSL expresses a substantial and detailed research programme for sociology of law and socio-legal studies.

This is actually the understanding of Håkan Hyden, Ulrike Schultz, and Måns Svensson, who recently took the initiative of launching the publication project of an Encyclopaedia of the Sociology of Law, and who took the RCSL WG structure as the starting point for organizing the volume.

This structuring role of WGs is confirmed by the programme of the RCSL Bangor Meeting, where a majority of the sessions are sponsored by WGs, and where, with one only exception, all WGs are represented.

Last but not least, WG activities are of crucial relevance for the relationship between RCSL and the Oñati International Institute for the Sociology of Law. WGs did organize several IISL workshops, and did significantly contribute to the publications of the Institute, in particular to the journal Oñati Socio-Legal Series. These inputs of RCSL WGs to the activities of IISL could represent a significant support for the Institute in the strengthening of its research capacities. Acknowledging the role played in the RCSL by its WGs, we wanted to give them more visibility. The information published on the RCSL Website will be updated with the help of the reports handed in for the 19 March Board Meeting. This Newsletter publishes short introductions to them: see the notes on WG Judicialization of Social Problems and WG Law and Popular Culture, in issue 2023 (2), and on WG Social and Legal Systems and WG Sociology of Constitutions in the present issue (p. 4). An innovation, eventually, is a series of webinars introducing each of the WGs, which will start next 7 June. See in the present issue the note about these webinars, by Stefanie Lemke, to whom RCSL owes this initiative (p. 11).

To conclude with three other dates: don't forget the deadline for registration to the Bangor meeting with

"early bird" conference fees: 30 June; and the deadline for submitting session proposals for the Rabat ISA Forum-RCSL 2025 meeting: 1st of July. For details about this 2025 meeting, see the introductory text in this issue (p. 6). And pay attention to the call for nominations for the 2024 Podgórecki Prize, which closes on 15 July (see p. 11).

At the end of this editorial, I want to express my deep sympathy to the family of Vittorio Olgiati, who left us on 28 December 2023. I met him first in 1990 at the Oñati Institute, and I had the pleasure to work with him during his term as RCSL President (2010-2014), in particular in the preparation of the very successful 2013 RCSL Toulouse Meeting. These were more than 25 years of friendly collegial proximity. I am very grateful to Vincenzo Ferrari and Ulrike Schultz for their beautiful evocations. I share their grief.

With best wishes and hoping to meet many of you in Bangor next September,

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IN MEMORY OF VITTORIO OLGATI – AT THE SAME TIME A STORY OF HOW SOCIO-LEGAL FRIENDSHIPS ARE BUILT

I have met Vittorio for the first time at the RCSL meeting in 1983 in Antwerp, a tall and friendly young man. He spoke of himself as a Langobard. (1) Our next encounter was in the summer of 1984 at the Bellagio meeting for the lawyers in society project which Rick Abel and Philip Lewis were organising, both of us contributing to the volume on the legal professions in civil law countries. (2) We both had a specialisation on the legal profession, Vittorio had written his dissertation on the Italian notariat, I had dealt with freedom of establishment for lawyers in the European community. We stayed in close contact and met regularly at RCSL conferences and other socio-legal meetings, the global socio-legal meetings, also ISA conferences and at the bi-annual meetings of the legal profession group. Vittorio pushed me to write an English version of my first German paper on Women in the Legal Profession in Germany (3) and also supported my idea to do an international comparative collection on women lawyers which was important for me as I felt self-conscious vis à vis the brilliant English and American colleagues. We spoke English but not as easily as today's younger generations. In 1996 Avrom Sherr invited us to an EU funded project on Teaching Legal Ethics and we met in Florence at the European University Institute twice. Vittorio had his little daughter with him. The project generated a special issue on Legal Ethics of the International Journal of the Legal Profession. (4)

At the beginning of the 1990s Vittorio was supporting André Jean Arnaud in building up the IISL in Onati and motivated me to visit the institute. He told me whatever

he knew about the institute and the Residencia, like the story of the old woman who came every morning to water the flowers in the bedroom of the noble family she had served. It is the green room with the chapel, to the left of the big staircase.

In 1999 I organised a workshop for the project on Women Lawyers which resulted in the big comparative volume "Women in the World's Legal Profession" which I have edited with Gisela Shaw. (5) Vittorio's contribution was titled "Professional Body and Gender Difference in Court: The Case of the First (Failed) Woman Lawyer in Modern Italy". He brought in fresh and original perspectives to the problems early women lawyers faced. (6). Vittorio also had a vivid interest in gender and law issues and cited often the book by Hanne Petersen from Denmark on "Home Knitted Law. Norms and Values in Gendered Rule-Making" (7) and Nicky LeFeuvre on the "Feminization of Professional Groups in a Comparative Perspective" (8).

In May 2000 he invited me to Jesi, Marche region in Italy, for a meeting of the European Sociological Association Network "Sociology of Professions" in which he was very active. (9) In 2006 he organised an International Symposium "Higher Legal Culture and Postgraduate Professional Legal Education in Europe. A Comparative Analysis" at the Faculty of Sociology at the University of Urbino "Carlo Bo" from which he edited a book. (10)

Vittorio sent me articles regularly, e.g. on legal profession and EU issues which we discussed. To write he often retreated to his cabin in the mountains.

In 2010 he was elected RCSL President and nominated me again as RCSL member of the IISL board. Towards the end of his term he got health issues. The last time we met was at the 25th anniversary of the IISL in Onati and he had prepared a paper on "The transformation of epistemic conditions of the "Status Activae Civitatis" of Italian civil lawyers in XX Century". His health conditions deteriorated. I started to miss the exchange with him, and I miss him the more knowing that he is dead. He could be stubborn and insist on his views, but I liked his gentle way and his independent look on things. He is big loss for our socio-legal community.

NOTES

(1) A Germanic tribe which settled in Northern Italy in the 6th century.

(2) Abel, Richard and Philip Lewis *Lawyers in Society. The Civil Law World*, Berkeley, Los Angeles, London: University of California Press 1988. The title of Vittorio's paper was: The Italian Legal Profession: An Institutional Dilemma (together with Valerio Pocar), p. 336 – 368, the title of my paper was: German Advocates: A Highly Regulated Profession (together with Erhard Blankenburg), p. 124 – 159.

(3) Women in Law or the Masculinity of the Legal Profession in Germany. In: Febbrajo, Alberto / Nelken, David (eds.) *European Yearbook in the Sociology of Law 1993*, Milano: Giuffrè 1994, S. 229 – 238.

(4) Vol. 4/N. 1/2, March/July 1997. His contribution was titled "Self-regulation of legal professions in

contemporary Italy", p. 89 – 108, mine was on "Legal Ethics in Germany", p. 55 – 88.

(5) *Women in the World's Legal Professions*, Oxford: Hart 2003.

(6) P. 419-435

(7) Aldershot: Dartmouth 1996.

(8) In Onati Papers 4/5, 1998, p. 233-253, he had coedited with Orzack and Saks.

(9) I presented a paper on "The Women Lawyers' Project: In our own voice or let us show the boys how brave we are".

(10) *Higher Legal Culture and Postgraduate Legal Education in Europe*, Neapel, Rom: Edizioni Scientifiche Italiane 2008. My contribution was titled: Legal Education in Germany – an ever (never?) ending story of resistance to change, p. 125 – 149.

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IN MEMORY OF VITTORIO OLGIATI

Vittorio Olgiati passed away at the age of 74 on 28 December 2023 in Legnano, the historic Lombard city that had been his birthplace and again his home for the last years of his life. He had almost disappeared from social life from quite a long while, presumably due to the serious health problems that had convinced him to leave academia far before his retirement time.

Vittorio played a remarkable role in the field of sociology of law, both nationally and internationally. A student of Renato Treves at Milan University, he graduated in law in 1975, soon became a practising lawyer and spent several years in the legal profession in the field of civil and labour law, in parallel with his activity as a part-time and fixed-term researcher in sociology of law, as a member of Treves' research team. Once he had a permanent contract in 1980, he chose to devote himself to his studies and academic career. Besides Treves' obvious influence, he drew his inspiration from the fresh atmosphere that pervaded the Institute of Philosophy and Sociology of Law at Milan University between the 1970s and the 1980s, especially from the teaching of Vincenzo Tomeo, who had taken over Treves' chair in sociology of law in 1983. Tomeo was a man of profound culture and a sophisticated researcher, who influenced large numbers of students and collaborators, including Vittorio, who admired his teaching and took from it, especially, a propensity to look behind appearances and to doubt even the most consolidated theories. Vittorio himself was actually on a perpetual quest for original ideas and corresponding expressions. He covered quite a wide range of subject matters, from the legal professions – his predominant concern throughout his life – to such demanding themes as legal pluralism, law and communications, constitutionalism and the construction of the European legal system.

Vittorio's CV furnishes ample evidence of the wealth of his scientific output, including 12 books he either wrote or, predominantly, edited or co-edited, together with

about 100 articles or parts of volumes, in either Italian or English, published in first-class journals and with high-ranking publishers. His international leaning was a special trait of his personality as a scholar, especially when, on Treves' proposal, he served as a scientific adviser of the Oñati Institute and co-operated with André-Jean Arnaud, the first scientific director, in the fascinating adventure of the IISL consolidation between 1990 and 1991. This opportunity definitely helped him strengthen his image as an international scholar. As an active member of the ISA-RC SL, he attended virtually all its congresses and conferences, usually contributing to the proceedings with papers and vivid interventions in discussions. He also played a permanent role in the activities of the Working Group on the legal professions and chaired the one on Social and Legal Systems for quite a long while. His role in the RC SL was widely acknowledged, culminating in his election to serve as president for the term 2009-2014. He also served as a member of the editorial boards of important journals, including the *Law and Society Review*, *Law and Politics*, *Legal Ethics* and *Sociologia del diritto*.

Vittorio left his post as a researcher in Milan University in 1999, when he was appointed associate professor in the Sociology Department of the Carlo Bo University of Urbino, where he gave regular courses in the Sociology of Organisation, Organisation Theory and the Sociology of Professions. He succeeded in combining such duties with a tireless activity as a lecturer in a number of other academic institutions, both in Italy and abroad. In 2008, he moved to the Law School of the University of Macerata, Department of Studies on Social Change, Legal Institutions and Communications, where he expected to reach the top of his career and become full professor, which would indeed have been possible, since 2010 brought him unanimous recognition of his titles for this position from the *ad hoc* ministerial committee. In fact, the selection procedure at his local university had not yet been opened when, four or five years later, his health started to suffer and brought him, eventually, to his untimely end.

Beyond his scholarly merits, Vittorio was a gentle human being and good friend to all those who accompanied him in his life path. He had a subtle sense of humour and used to speak in a low voice, even when he expressed his opinions firmly and kept faith with them doggedly, at all costs and even *contra mundum* if he thought it necessary.

The community of socio-legal scholars is indebted to him and will not forget him.

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The RC SL newsletter plans to publish from now on short notes about the recent and future activities of the RC SL Working Groups. These notes are based on the

reports presented at RC SL Board Meeting of 19 March 2024. In this issue we include reports by the WG on Social and Legal Systems and the Sociology of Constitutions. Others will follow.

WORKING GROUP SOCIAL AND LEGAL SYSTEMS

2023 brought changes to the Working Group Social and Legal Systems, related to the chairing of the working group: In the fall 2023, the then WG chair Germano Schwartz reached out to Stine Piiigaard Porner Nielsen, asking if she would be interested in taking on the role as chair of the WG Social and Legal Systems from him and Lucas Konzen. Germano and Stine know each other through the RC SL network, and they met in Lund for the RC SL Meeting 2023 where Stine organised and chaired panel sessions on systems theory and law.

Stine accepted Germano's offer, and she asked her colleague Luisa Hedler from Copenhagen Business School to join her as co-chair for the Working Group, which Luisa accepted. Luisa and Stine know each other through systems theoretical networks and RC SL meetings.

In the fall 2023, we, together with Kirandeep Kaur from Warwick's School of Law, formed the online-based Systems Theory and Law Reading Group which meets on a monthly basis to discuss systems theoretical perspectives on law, involving, among others, academics from Denmark, the UK and Brazil. The Reading Group meets every first Tuesday of the month at 15:00-16:00 Brussels time during which we take turns in presenting and discussing relevant texts, abstracts and research ideas. There is always room for more people, and if you would like to join in, please write us an email.

Under the auspices of this Reading Group, we have formulated a panel proposal for the RC SL Meeting in Bangor 2024 and look forward to chairing the panel sessions that will take place. Also, a Special Issue on systems theory and law is expected for publication in the fall of 2024 with the Oñati Socio-Legal Series.

We work with the purpose of keeping the Working Group active via regular online meetings and RC SL panel sessions, and through these activities reaching out to potential members.

Best wishes from the co-chairs,

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THE RC SL WORKING GROUP ON THE SOCIOLOGY OF CONSTITUTIONS ANNUAL REPORT 2023

The Working Group on the Sociology of Constitutions met at its annual meeting, the first in-person meeting since the Covid-19 pandemic, in Fermo between 26th

and 28th September 2023. The theme of the meeting was “The People in Societal Constitutions: Politics, Semantics and Theories”, and it was hosted at the Camera di Commercio of the city of Fermo.



City of Fermo, Italy (Credits: Maikkuut distributed under CC0)

The call for papers was circulated to the members of the working group and extended to all members of the RCSL and other partner socio-legal institutions such as the UK's SLSA and the ICONs regional branches.

The academic invitation letter was formulated in the following words:

"The sociology of constitutions has introduced important methodological modifications in studies of both political and non-political constitutions and constitutionalism in the last decade. Recent research has expanded the concept of constitution beyond its classical juridical meaning and disconnected it from statehood. It has decoupled constitutions from institutional politics and thus looks for new modes of political action and subjects beyond their typically modern conceptualisation in popular sovereignty, nationhood etc.

This year's annual meeting focuses on the concept of the people beyond its common political and juridical conceptualisations and theoretical frameworks. The first day will have opening presentations on the place of the people in modern political and societal constitutions. The second and third day will include opening discussions of sociological theories of constitutions.

The convenors want to particularly encourage early career and senior legal and political scholars and sociologists engaging in recent sociological and socio-legal research of constitutions. Participants will be invited to present their research in different sessions covering a wide range of themes and problems, such as global legal and political networks, democratic reforms at subnational, national and supranational levels, cosmopolitan constitutionalism and ethics, democratic statehood and its deficits, constitutional populism and democratic backsliding, human rights, law and development, electronic democracy, internet and protest movements, transitional justice, judicial and political constitutionalism."

The response to the call was very good and the group's meeting included the most diverse papers presented by academics at all stages of their careers. The strong

presence of early career scholars was a particular success of the organisers' efforts.

The programme was composed to allow for the maximum discussion and engagement of all scholars in their research progress. Extra time was allocated to general discussion.

The organisers plan to draw on positive responses and experience of the Fermo conference by making a special call for the RCSL conference in Bangor in September 2024. The list of topics has been broadened to include the widest range of socio-legal methodologies and conceptualisations of constitutions and constitutionalism in the global society. A special invitation has been sent to the early career researchers and scholars based in non-European academic institutions.

Jiri Priban

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ANNUAL CONFERENCE IN BANGOR. AN UPDATE

The RCSL conference in Bangor from 3 to 6 September is shaping up. About 200 paper and panel proposals have been selected. There is some space left for additional contributions. The conference promises to be eventful and captivating.

The first plenary “Knowledge and Opinion on Law” includes presentations by Ulrike Schultz, Rogelio Perez-Perdomo and Marc Hertogh. The presenters illuminate the topic from theoretical and empirical perspectives. The second plenary covers “The Public Image of the Law”. Michael Randall discusses “Taylor Swift: Public Image and Authenticity in the Law”, Nancy Marder tackles the topic “Representing Juries in Public Art”, Anna Chronopoulou, “Representations of Women Lawyers in Middle Eastern films” and Steve Greenfield speaks about “Better Call Saul - The Apotheosis of Unethical Screen Lawyers or Beyond Legal Drama?”. The third plenary “Sociological Theory and its Reception” is still in development at the time of writing. There is of course a plethora of panels, reflecting the range of the RCSL Working Groups and the interests of presenters. For details, please check the draft programme to be uploaded soon on the conference website.

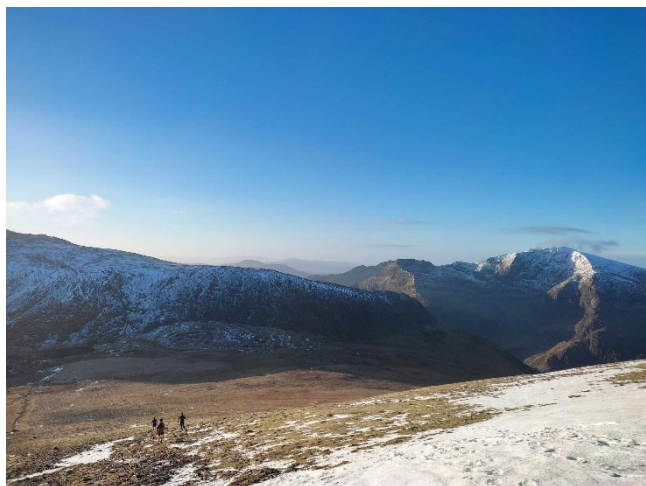
Link:

<https://www.bangor.ac.uk/events/representing-law>

Every evening sees a different event. There's an opening of an arts exhibition on the topic of “Justice” on the first evening and a conference dinner on the second. The conference dinner will have a “Welsh” theme. We will be entertained by local actor and comedian Tudur Owen and the Cantarion Gogledd Cymru (Singers of North Wales). There will also be live music at the third evening.

RCSL Working Groups will have space for business meetings. And RCSL itself will have Board Meeting and, open to all RCSL members, A Business Meeting. Show your publications at our book exhibition and discuss your work with others over tea and coffee. Or

take a relaxing walk to the Bangor Pier. Get lost in the library of Bangor University or enjoy the excursion to Penrhyn Castle, a lavish 19th century palace at the outskirts of Bangor, or to the Beaumaris Gaol and Court Museum. A guided walk in Bangor will also be offered. For a whole day, we have booked the Pontio cinema and will be showing an international selection of four inspiring films. The last of which is followed by a discussion with a script author and media scholar.



Just eight miles from Bangor: the Ogwen Ridge. Photo: Anna Monnereau

For those of you who have a little bit more time, definitely bring hiking shoes (see picture) and if you are optimistic by nature: swim wear. Our Local Guide is in preparation and will point you to lots of places to discover. The surrounding nature is not to be missed. The conference will provide an excellent opportunity to meet old acquaintances and establish new partnerships. Croeso i Fangor – Welcome in Bangor!

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RC SL ANNUAL MEETING 2025 – PARTICIPATION IN THE V ISA FORUM OF SOCIOLOGY, RABAT, MOROCCO, 6-11 JULY 2025 KNOWING JUSTICE IN THE ANTHROPOCENE

CALL FOR SESSIONS CLOSES ON 1ST OF JULY

The International Sociological Association (ISA), to which RC SL belongs, organizes 2025 in Rabat an international Forum of Sociology. An ISA Forum of Sociology is a world gathering of researchers in sociology ambitioning to contribute to global public debates with practically relevant inputs. In 2025 the topic will be *Knowing Justice in the Anthropocene*. Which might be translated in the following question: how to develop a better knowledge – and a better distributed knowledge – about place and role of mankind in the biosphere to which it belongs. Instead of having a separate meeting in 2025, RC SL will participate in that ISA Forum, and we are pleased to

take the occasion of this Newsletter to invite you to join us and to contribute to the RC SL's activities in Rabat. The setting up of the Rabat V ISA Forum of Sociology started last 2nd of May. As agreed at the RC SL Board meeting of 19 March 2024, RC SL will hold its 2025 Annual Meeting within the framework of it. For three main reasons: (1) The topic *Knowing Justice in the Anthropocene*, building on the notion of justice, directly connects to our research domain (see its justification on the ISA website : <https://www.isa-sociology.org/en/conferences/forum/rabat-2025>); and it challenges us to give emphasis to environmental issues, currently not among the issues highlighted by RC SL structure of working groups. (2) RC SL has urgently to develop its links with African socio-legal networks and to involve more colleagues from Africa (currently three from 262; 1,15%!). This RC SL priority meets perfectly the aims of ISA while choosing Rabat for this Forum. (3) Rabat 2025, organized shortly after changes in the governing bodies both of ISA and of RC SL, is an excellent opportunity to strengthen the participation of RC SL in ISA activities, which will be beneficial for RC SL and, beyond, for the Oñati International Institute for the Sociology of Law (IISL), and which could be a contribution to the nowadays crucially needed reinforcement of the international scientific community.

Timeline

The three first steps in the preparation of the Forum are (see also the ISAforum25 Guidelines, p. 6: <https://www.isa-sociology.org/en/conferences/forum/rabat-2025/v-isa-forum-guidelines>):

Until 1st of July 2024: Call for sessions. Interested RC-Members are invited to propose Paper presentation sessions, Roundtable sessions, or Poster sessions.

Until 31 July 2024: RC Programme Coordinators have to finalize the list of the RC Sessions, ie in our case the **draft programme of RC SL activities at Rabat.**

Until 15 October 2024: Call for abstracts.

After these three first steps, the main next steps are the selection (until 10 November) and, when necessary, the relocation (until 30 November) of abstracts, the final sessions scheduling (until 15 December), the registration of presenters (until 22 March 2025), and the publication of the Online Programme (9 May 2025).

Coordination

ISA Research Committees (RC) were invited on 7 April to communicate by 15 April the name of the RC Programme Coordinator. Considering the deadline and the strategic relevance for RC SL of its participation in the Forum, I took over the function of Programme Coordinator, in my quality of RC SL President, informing ISA that this coordination could be changed, in particular in the case we could find a colleague based in Morocco to take over this function.

RC SL Priorities

Top priority for RC SL Members – and this concerns in particular WG Coordinators – is to **submit session proposals**, via the On Line Form placed on the ISA

Website

(<https://isaconf.confex.com/isaconf/forum2025/cfs.cgi>), **until 1st of July**. Proposals have to include a title, a short description, and the name and contact details of the session organizer(s). Important practical point: access to the form is restricted to ISA-Members. However, it is not necessary to be ISA Member to appear as session organizer in a session proposal. So interested RC SL Members who are not ISA Members are invited to send their proposals to Stefanie Lemke or Pierre Guibentif. We will take the necessary steps for the submission. However, if the session is accepted, its proposed organizer has to register as ISA member to appear as session organizer in the final programme (see ISAforum25 Guidelines, p. 8).

Priority 2, with a view to the setting up of the complete RC SL Rabat Programme, RC SL Members and in particular RC SL WG chairs are invited to communicate to Stefanie Lemke or Pierre Guibentif, **until 1st of July**, their **suggestions for (1) Keynote speakers** to whom a special session could be allocated, (2) recent publications which could deserve an **“Author meets their critics” session**, (3) other ISA Research Committees, Thematic Groups or Working Groups they know and would consider to be valuable **partners in Joint Sessions** (standard sessions to be proposed within the call for sessions) **or Integrative Sessions** (semi-plenaries to be proposed within the framework of a special call which will be opened this summer).

Priority 3 will be to design the programme of RC SL activities on the basis of the session proposals and suggestions received. To warrant the best possible conditions for this crucial step, a virtual meeting will take place, gathering session proponents, a programme committee to be set up within the next weeks by the RC SL Board, and the Executive Committee of RC SL, to take place on Monday 29 July, 14:00 CEST.

Priority 4 will be, taking advantage of relevant suggestions, and in connection with relevant partner RC, TG or WG, to prepare a strong integrative session proposal, considering the importance for RC SL to play an active role in the plenary parts of this Forum devoted to the topic *Knowing Justice in the Anthropocene*.

Priority 5 will be to mobilize RC SL Members for submitting abstract proposals. The RC SL 2024 Bangor Meeting will offer splendid conditions for efforts in this sense.

Looking forward to receiving feedback from the readers of this Newsletter on this Rabat ISA Forum, and to having the pleasure to meeting many of them, after Bangor next September, in Rabat in July 2025!

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Molavi introduce us to their Sociology of Law Department at Lund University, which did host the 2023 RC SL Annual Meeting. Others will follow.

A VIEW OF LUND

The Sociology of Law Department at Lund University stands among the leading places in the world for the study of sociology of law. The Department is the only place in Europe that offers degrees in the Sociology of Law at all three educational levels, including international Master's and Doctoral programmes. Established in 1972, the Department was originally founded on the recognition that in order to understand the expansion of the welfare state through law it was necessary to understand the law in its social context. This original focus was progressively expanded to include a diverse range of research and teaching areas, notably featuring cutting-edge scholarship on the legal profession, state transformation and reconfiguration, child rights, labour exploitation, migration, access to justice, and legal mobilisation. As an independent department in Lund's Faculty of Social Science, it features scholars with notable expertise and collaborations across the globe. The Department is also a vibrant and dynamic place for visiting scholars and guest professors, and in recent years has hosted world-leading scholars such as Mark Fathi Massoud, Susan Silbey, and Eve Darian-Smith as speakers for its prestigious Reza Banakar Memorial Lecture. The Department has recently initiated a hybrid Decolonial Sociology of Law Seminar Series to challenge and reconsider the disciplinary origins, theories, and orientations associated with the sociology of law, in a concerted effort towards decolonising the discipline. This Decolonial Seminar Series has received an enthusiastic response with students and scholars actively participating from across the Global North and South. In recent years, the Department has been revitalised with faculty recruitments and pedagogical innovations, as well as research projects and collaborations well beyond the borders of Europe. Above all, the Department has a warm and convivial environment for students and scholars, with a strong communal spirit and sense of togetherness. It is a place that treats the sociology of law with the utmost respect and where everyday conversations are permeated by a sense of curiosity and discovery. The Department was gratified to host the 2023 Annual Meeting of the Research Committee on Sociology of Law and remains a dedicated place of learning and scholarship for the discipline.

You can visit the Department's website at: <https://www.soclaw.lu.se/en/start>

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In the spirit of strengthening our academic community, we start here a series of short presentations of research units in which our members work. In this issue, Ole Hammerslev and Michael

APPLYING KNOWLEDGE IN PRACTICE: TRAINING STUDENTS IN INTERVIEW SKILLS TO ASSESS JUSTICE NEEDS IN ALBANIA

In 2023, Stefanie Lemke took over as Team Leader for the 'Free Legal Aid and Access to Justice Project' of the United Nations Development Programme (UNDP). The project looks at how key developments in the justice sector have improved people's access to justice in Albania. After being granted EU candidate status in 2014, the EU underlined the critical need for Albania to further consolidate progress in some areas, such as judicial reform, fight against corruption and organised crime. This includes to remove barriers to accessing justice, including the inability of poor communities to make use of legal aid and benefit from social inclusion policies.

Access to justice is a vital element in the democratic process and one of the basic principles of the rule of law. It is essential to a person's liberty, fairness and dignity and therefore should be guaranteed to every person irrespective of their financial situation. To explore the needs of the Albanian population in accessing justice, Stefanie Lemke and her team conducted a quantitative and qualitative study. Data was collected in a four-step process, consisting of a household survey, an online poll, key informant interviews and focus groups with government officials, judges, law enforcement, mediators, social workers, psychologists, as well as representatives of civil society organizations and university law clinics. The centrepiece of the assessment was the household survey. It aimed to create a nationally representative sample on people's understanding of, confidence in and satisfaction with the justice system. The survey was conducted in-person for which a dedicated team of local enumerators and supervisors was recruited. During the fieldwork, enumerators used a mobile survey application to carry out the interviews which allowed to upload data directly to the server.



Stefanie Lemke and participants during their training sessions

To prepare them for the fieldwork, the 15 enumerators and their three supervisors - all students and

professors of law and sociology from a local university in Tirana - were trained by UNDP. The training was led by Stefanie Lemke and aimed to equip participants with the necessary skills and knowledge to confidently interview people for the household survey. The training's modules focused on understanding how access to justice matters to people, the rights and needs of vulnerable groups like victims of domestic violence, people with disabilities, migrants and Roma, the importance of data protection, strengthening participant's communication skills, and how to fill out the survey questionnaire in the mobile device. The training was very interactive and teamwork was essential to it. Participants played an active role in the training and spent much of its time in group work sessions. Key to the training was to prepare participants for the actual fieldwork: how to approach people for interviews. During the training, participants became experts in the survey questionnaire and learnt how to gain people's consent and make people feel comfortable during interviews. Through discussions, group exercises and role plays, they explored the importance of giving people a choice, why body language matters, and interviewing dos and don'ts. One month, 13 regions, 30 municipalities and 40 cities and villages later, enumerators and their supervisors - all of them with very little or no previous experience in conducting interviews - achieved the desired sample size, having interviewed 1,200 households. The findings of this and the other research tools are soon to be published, hopefully accelerating the process of European integration of Albania.

Stefanie Lemke
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ACCESS TO JUSTICE BEFORE THE EUROPEAN COURT OF HUMAN RIGHTS

The European Convention on Human Rights (ECHR) and the European Court of Human Rights (ECtHR), responsible for ensuring the enforcement of the convention, have grown to become a moral beacon reaching well beyond the territory of the member States of the Council of Europe. A significant feature of the ECtHR is the ability to admit applications by individuals. However, as it is widely accepted in the literature, legal costs are a clear obstacle to access to justice, and the ECtHR is not cost-free. Furthermore, access to justice has a particular meaning for this human rights system. ECHR is an instrument of 'European public order for the protection of human rights'. The individual application mechanism is the cornerstone of this system because the system has developed, and the authority of ECtHR has been strengthened with the help of the right of individual application. In other words, the mobilization of ECHR as understood by Galanter developed through the mechanism of individual application. The existing literature

demonstrates that the reform process has limited the scope of the right of individual petition.

My research has focused on this potential obstacle for individuals seeking to access the court. I have focused my analysis on how the costs policy of the ECtHR affects the individual applications brought before it. This research project covers questions related to ECtHR, access to justice (e.g. legal aid, procedural costs, admissibility requirements, reparations), lawyers (e.g. legal mobilization, legal ethics, litigation funding) and several procedural aspects of international adjudication (e.g. interim measures, evidence, hearings).

I became interested in human rights law as it developed since the early 2010s when I was an LLM student at Galatasaray University. Having grown up in Ankara, I was happy to continue my studies at such a prestigious university and found myself in Istanbul, a very dynamic city. In the relatively free and optimistic atmosphere in Turkey at that time, I particularly enjoyed attending courses on human rights and had the chance to participate in several related events at other universities and NGOs. This is how I decided to specialize in human rights law and, in particular, in the ECHR. Back then, the ECtHR was really seen as the last hope for victims in this country. This lasted for a very short period, but still, I was lucky to witness how the progressive case law of this Court changed the Turkish domestic system. This transformation was only possible with the mechanism of the right to individual application. I witnessed how this mechanism became increasingly restricted in the following years. Then I became curious about who can actually bring cases before this Court, how, who represents these applicants, and why they do so. These reflections led me to ask questions about access to justice. This topic is usually assessed with the question of legal costs. Still, regarding access to justice, ECHR literature was mainly centred on the admissibility of individual applications. This was very much the opposite to the scholarship on civil procedure or sociolegal scholarship, where access to justice was examined with the question of costs. ECtHR itself also confirmed the relationship between legal costs and access to justice in its landmark judgment, *Airey v. Ireland*. This is how I decided to examine legal costs and ECtHR.

The research question

My thesis, which I defended in November 2023 at the University of Strasbourg, being at that time a research fellow at the Max Planck Institute Luxembourg for Procedural Law, the Department of International Public Law and Dispute Resolution, analyses how the costs policy of the European Court of Human Rights affects the individual applications brought before its premises. As widely accepted in the literature, legal costs are a clear obstacle to access to justice, and the ECtHR is not cost-free. Furthermore, access to justice has a particular meaning for this human rights system. The ECHR is an instrument of 'European public order for the protection of human rights'. The individual application mechanism is the cornerstone of this system because the system has developed, and the authority of the ECtHR has been strengthened with the

help of the right to individual application. In other words, the mobilization of ECHR within the understanding of Galanter occurred through the individual application mechanism. The existing literature demonstrated that the reform process has limited the scope of the right of individual petition. My thesis analyses this question with regard to costs.



This symbolic grave in front of the Strasbourg Court illustrates how the European Court of Human Rights mechanism excludes certain from its judicial realm: On the cross, it says 'waiting for justice, eaten by rats' (Photo by Ezgi Özlü).

To answer this main question, I focused on two mechanisms. The first is the legal aid provided during the proceedings before the Court, and the second is the reimbursement of costs and expenses awarded under Article 41 of ECHR.

In this research, I applied a mixed methods approach. Especially during the first years of my PhD, I extensively studied the primary sources, i.e. ECtHR case law (around 5.000 cases in total), electronic archives and case files. As complementary, I conducted semi-structured interviews with lawyers, NGO representatives, ECtHR judges and lawyers from the Registry of the ECtHR. The theoretical framework came later, once I had collected sufficient data and was able to see some patterns. At this stage, I felt the need to explore the topic of legal costs in a broader context. I was inspired by the literature on human rights law, civil procedure, procedural theory, international law, political science (especially public administration) and sociolegal scholarship (access to justice). However, in the end, I adapted them to the particular context and history of the ECHR mechanism.

During this PhD journey, I, of course, encountered some difficulties. The main problem was being the first person to study this topic. This required to build several aspects from scratch. It was also in my own hands to conceptualize the topic. Another issue was writing my dissertation in English at a French university, according to some formal rules of the French academic system. At some point, I needed to find the right balance, for example, when I decided on the structure of the thesis.

Main results and arguments

The legal costs policy of ECtHR is a complex topic to tackle. There are several elements that need to be

considered, and coming to one main conclusion would risk oversimplifying the topic. However, I argue that we can still see some patterns.

The rules on legal costs are not clearly defined. This gives the Court broad discretion. With this discretion, ECtHR can broaden or narrow down the scope of the right to individual application.

In the first years of my PhD, I found that the Court's practice on costs depended mainly on the complexity of the case and the work conducted by the applicant's representative. For this very reason, I conducted further research on the difference between complex and simple cases from the Court's perspective, which led me to make the distinction between complex and repetitive cases. I have demonstrated that in the ECHR context, complexity is related to the procedure itself, i.e. the different stages of proceedings before the Court.

I also demonstrated that the distinction between complex and repetitive is not very clear, and both complex and repetitive cases are affected by the reforms in the judicial administration of the Court, i.e. the adoption of the New Public Management techniques.

Nevertheless, setting the costs policy in a broader context, namely the right of individual application, was my main aim. I argue that both the legal aid and reimbursement of costs and expenses were developed in parallel with the increasing involvement of the individual in the proceedings in the ECHR system. However, there was also a major concern about the proper conduct of proceedings.

In this respect, the Court developed its criteria for reimbursement of costs and expenses through its case law in the 1970s and 1980s. Despite the insistence from Member States of the Council of Europe, it refused to follow the costs policy in the domestic systems and developed its own interpretation. The Court extensively referred to the principle of equity, in other words, its discretion on awarding what is equitable given the circumstances of the case and the specific situation of the applicant.

However, this approach has changed over time. I proposed to examine this change from two aspects: managerialism (the adoption of New Public Management techniques inside the Court) and the situational self-restraint of the Court as a reaction to backlash and pushback from the Member States of the Council of Europe against ECtHR. The Court then adopted a formalistic approach for reimbursement of costs and expenses.

I argued that the Court adopts a weak costs policy for repetitive cases. It refuses to award legal aid and generally decreases the awards of reimbursement of costs and expenses. For the Court, these cases are simple to process. In my opinion, this was a consequence of managerialism, which does not permit the Court to assess each and every case, considering the particular situation of the applicant. This being said, in practice, while some repetitive cases may be simple for the applicants to proceed with, others may not.

I also claimed that the Court's policy on reimbursement of costs and expenses for repetitive cases shows the Court's self-restraint. These cases result from a

systemic problem that, in most instances, the respondent State refuses to address. The Court still avoids important sums for these cases, which can potentially mean sanctioning the victims twice.

I also demonstrated that the Court has a weak costs policy for complex cases. First of all, the legal aid for these cases is far from being sufficient. Although the most obvious reason is the budgetary crisis of the Court (because the Member States of the Council of Europe refuse to increase the budget accordingly), and we should also note that limited legal aid corresponds to the Court's managerial approach.

Secondly, when it comes to the reimbursement of costs and expenses, the Court seems to have abandoned its reference to 'equity' even for complex cases. It adopts a formalistic approach instead. This approach represents the self-restraint of the Court. Furthermore, applicant representatives risk almost working for free when they bring a case.

In sum, the costs policy does not facilitate effective protection of the right of individual application.

Future prospects

Building on these findings, I argued that the Court's existing costs policy may potentially affect which the direction in which European human rights protection may evolve. However, I also emphasized that further research is necessary in this regard. The interviews I conducted with applicant representatives have shown me that despite the Court's weak costs policy, there were lawyers, private lawyers without a clear link to NGOs, who continue representing applicants before the Strasbourg Court. The existing scholarship focuses rather on the role of NGOs. In this respect, as a Postdoctoral researcher at the Luxembourg Center of European Law (University of Luxembourg) I am developing a project on ECHR representatives, which will examine from a socio-legal perspective why they continue bringing cases before this court.

I am proud to say that this research idea is closely linked to my encounter with RC SL. In 2022, within the Minerva Law Network, we organized a workshop and invited Ulrike Schultz as the main speaker. I told her how I wanted to convey my future research interest towards legal sociology. She was very kind in introducing me to the RC SL community the very same year. In Coimbra and then in Lisbon, I had the opportunity to meet brilliant scholars working on legal professions and access to justice. This encounter helped me to see questions on access to justice and judicial administration within their historical and social context without ignoring the global neoliberal shift. In sum, RC SL transformed how I approached my PhD topic. It also provided me with new reflections on this new project.

Ezgi Özlü

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PODGÓRECKI PRIZE 2024: CALL FOR NOMINATIONS

The Podgórecki Prize is awarded annually by the Research Committee on Sociology of Law of the International Sociological Association (ISA RC SL) for outstanding achievements in socio-legal research. It recognises, in alternate years, distinguished and outstanding lifetime achievements, and outstanding scholarship by a socio-legal researcher at an earlier stage of their career.

In 2024 the RC SL Jury Committee for the Podgórecki Prize calls for nominations for the Prize for emerging socio-legal scholars who have published one or more significant works within no more than 10 years of their doctorate. The prize for emerging socio-legal scholars is a commemorative certificate, 8 years of complimentary RC SL membership, and participation as observer in the RC SL Board from summer 2024 to summer 2026.

Nominations require the support of at least two members of the RC SL, and should include the candidate's CV and a brief letter of support signed by the nominators. Members of the 2024 Jury Committee are not allowed to sign as nominators. It is desirable, but not essential, that nominees are members of RC SL. Previous nominees may be re-nominated in this 2024 round, with updated letters of support and CVs. The Jury Committee does not have access to previous correspondence or reviews.

Publications may be in any language. For works in languages other than those familiar to the Jury Committee, the nominations should give an indication of the value of the work and provide selected translations. To consider works in less well-known languages, the Jury Committee may co-opt and consult other RC SL members.

Further information may be found at <https://rcsl.hypotheses.org/adam-podgorecki-prize>

Nominations should be sent to the Chair of the Jury Committee, Prof. Hilary Sommerlad

<H.A.K.Sommerlad@leeds.ac.uk>

to be received **by midnight GMT on 15 July 2024**, with copy to Stefanie Lemke, RC SL Secretary, <contact@stefanie-lemke.com>

The prize will be awarded at the 2024 RC SL Meeting, Bangor, United Kingdom, on 3-6 September 2024.

The 2024 Jury Committee is composed of:

Prof. Hilary Sommerlad, University of Leeds, United Kingdom (Chair)

Prof. Balázs Fekete, Eötvös Lóránd University, Budapest, Hungary

Prof. Laura N Lora, Universidad de Buenos Aires, Facultad de Derecho, Argentina

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JOIN US FOR THE NEW RC SL WEBINAR SERIES ON 7 JUNE WITH AVROM SHERR AND HILARY SOMMERLAD!

On the initiative of Stefanie Lemke, the RC SL will kick-off its new webinar series on 7 June 2024, 3-3.30 PM (CEST), to introduce to its many exciting working groups around human rights, politics, judicial systems, legal pluralism, migration, gender, as well as other themes.

We will start with our long-standing Working Group on 'Comparative Studies of the Legal Profession', where Prof. Avrom Sherr (University of Warwick) and Prof. Hilary Sommerlad (University of Leeds) will discuss the current challenges, lawyers encounter and how paralegals have become key to their work.



The RC SL webinar series is moderated by Stefanie Lemke and Pierre Guibentif.

Registration is free and now open, [here](#).

We look forward to seeing you on 7 June 2024!

Event Details

Start date: 7 June 2024

Start time: 3.00 p.m. (CEST)

Event type: Webinar

BE PART OF OUR THRIVING COMMUNITY – RC SL'S NEW PROFILE ON LINKEDIN



The RC SL invites you to become a member of its new profile on LinkedIn where we share posts on RC SL events and your latest projects, publications and other information on law and society with a wider audience.

Should you like us to publish a post, click on the "Message" button on the RC SL LinkedIn page to directly communicate with us.

Join us [here](#).

RC SL MEMBERSHIP AND FEES RENEWAL

The form to become a RC SL member or renew membership, can be found at:

<https://www.iisj.net/en/socio-legal-network/rcsl-membership-form>

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CALL FOR BOOK DONATIONS

The wonderful Library of the International Institute for the Sociology of Law is suffering. For the last ten years, the institute's budget has been almost "frozen" and the library could hardly keep pace with new developments. It is still perhaps the world's most comprehensive library in our field. A most recent analysis of the acquisitions showed that, especially for the years 2015-2018, an insufficient number of books came to fill up the shelves there. This was especially true for four of the seven areas of the library, e.g. Legal Norms, Social Control, Conflict Resolution and Legal and Judicial Occupations. For other significant subjects, such as law & behavioral sciences and law and digital technologies, as well as for anthropology of law, gaps are particularly visible. Non-English publications, also, are far less available than in the early days of the Institute.

The RC SL invites its members to contribute by offering a free copy of their own recent publications as a donation to the IISL library. This gesture would be helpful for solving our problems and would of course be highly appreciated. You can easily check on-line whether your publications are already present there (<http://www.iisj.net/en/library/about-library>).

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