

The document that follows is the text of a new Statute for ISA-RCSL. It was approved by the RCSL Board in the course of the RCSL annual meeting in Toulouse, France (September 2013), and by the RCSL, by electronic vote, in May 2014.

It has been written after a deep and thorough analysis of the 2010 Statute, maintaining most of the structure, ideas, and principles, not forgetting, however, the historical developments of RCSL and ideals and contributions that the Founding Fathers have brought into it.

In turn, a special consideration has been devoted to the need to evolve RCSL into a more dynamic institution and to comply with the request for reform officially required by ISA. This is reflected in some areas of the new Statute, especially when it deals with the Board's membership and the participation of ex-presidents.

May, 2014

Germano Schwartz

Secretary of RCSL

Preamble

The Research Committee on Sociology of Law (otherwise ISA-RC12) was established by the International Sociological Association in 1962 with a view to promote opportunities for personal contacts , cultural exchanges and joint studies and research in the field of sociology of law.

Part 1. Aims and Objectives

1.1. The RCSL (RC12) shall act, in accordance with general principles of the International Sociological Association, as a free international association of scholars and researchers active all around the world in the fieldwork of sociology of law, whatever their nationality, opinion and scientific approaches or methodological tendencies-

1.2. In order to achieve its institutional ends, the RCSL shall undertake measures such as:

- To encourage, support and develop personal relationship and associational contacts between scholars active in sociology of law throughout the world;
- To promote international dissemination and exchange of information on significant developments in the sociology of law;
- To foster research programs and scientific activities in the field of sociology of law;
- To organize, facilitate and promote meetings, groups and networks at international, national and local level, devoted to sociology of law's study and research;
- To encourage the official recognition and the development of sociology of law as a teaching subject at all levels, in universities, academies and similar institutions in particular;
- To cooperate with scientific institutions and associations which share similar ends in the field of sociology of law and/or in related fieldworks;
- To establish links with governmental and non-governmental agencies which might be interested in the development of study and research in sociology of law;

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- To help scholars from any part of the world to get in contact and approach its own structures and facilities, the International Institute for Sociology of Law of Oñati included.

1.3. As ISA branch, RCSL shall:

- Organize a set of sessions at any ISA World Congresses and ISA World Forums;
- Organize annually at least a proper ISA-RCSL Conference;
- Hold at least two RCSL Board meetings each year
- Publish biannually a RCSL Newsletter;
- Run and maintain a RCSL Website;
- Hold each year at least one RCSL business meeting ('Members' Assembly') open to all regular members in good standing along each of the 4 years statutory cycle.
- Facilitate the organization of, and publicity for, other conferences related or concerned with sociology of law.
- Undertake organizational activities and implementation of research networks in the sociology of law.

Part 2. Membership

2.1. Members of the ISA-RCSL (RC12) may be regular or affiliated. Regular members shall be individuals or institutions in good standing with both RCSL and ISA. Affiliated members shall be individuals or institutions interested in the activities of RCSL who are members in good standing of RCSL but not members of ISA.

2.2. Applications must be made to the RCSL Secretary, whose decision shall have immediate executive effect if provided by the above 2.1 qualifications. All members - individuals and institutions, either regular or affiliated - should be active in study, research, publication or teaching in the field of sociology of law. Not members may be admitted to RCSL meetings as observers only.

2.3. Institutions shall be admitted and enlisted as RCSL members by the RCSL Board, whose decision shall have immediate executive effect if provided by the

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above 2.1 requirements, subject to ratification by the first subsequent RCSL Members' Assembly.

2.4. Regular members in good standing - individuals and institutions (through their representative or spokesperson) - shall have the same rights and duties and must comply with the stipulations of this RCSL (ISA-RC12) Statute, and shall deal with all issues concerning either RCSL or ISA activities and/or requirements.

2.4.1 Affiliated members in good standing - individuals and institutions - shall have the same rights and duties - save the right to vote about the amount of RCSL fee - and must comply with RCSL activities and requirements only.

2.4.2 Institutions - either regular or affiliated - shall be entitled to vote as individual members according to the principle "one member, one vote" (i.e. one institution has one vote) in accordance respectively with the points above.

In any cases, proxies shall not be admitted.

2.4.3 Individuals and institutions admitted do to attend RCSL activities as mere observers only, do not have any right to vote, and must pay the registration fees required for attendance to the given RCSL event.

2.5. All regular and affiliated members of the RCSL shall pay a membership fee to RCSL, the amount of which shall be decided by the RCSL Board, subject to ratification by a majority of the regular RCSL-and-ISA members in good standing only.

2.6. RCSL shall encourage all its affiliated and observer members to become regular members of both RCSL and ISA also.

Part 3. RCSL Members' Assembly

3.1. RCSL Members' Assembly shall be convened on the occasion of each annual RCSL conference.

3.2. The Members' Assembly is devoted to discuss current and prospective RCSL scientific and organizational issues. RCSL President shall outline problems, achievements and prospective projects or aims. In the course, RCSL Secretary, acting also as Treasurer, shall provide financial and statistical data of the year. Altogether the Members shall put forward proposals for future activities, shall suggest new directions and topics to enhance RCSL scientific standing and express opinions about how RCSL should implement its institutional mission.

3.4. All members in good standing in the RCSL are entitled to attend the Assembly and I have the right to vote for approval. Proxies shall not be admitted.

3.4. The decisions of the Assembly shall be taken by a simple majority (50% of the participating members plus one by open vote.

Part. 4. Working Groups

4.1. To comply with ISA-RCs rules, RCSL shall facilitate the establishment of Working Groups aimed at developing areas of research and/or new projects for scientific and intercultural cooperation in the field of sociology of law. Once established, RCSL WGs shall act as subcommittees and enjoy a relative autonomy, both organizational and financial, in seeking their own ends. In any case such autonomy should not interfere, and even less undermine, the attendance of WGs members in official institutional activities of both ISA and RCSL.

4.2. RCSL Working Groups shall consist of no less than twenty RCSL individual members, regular and/or affiliated, representing at least eight different countries. WGs regular members in good standing only shall elect a WG Chair who shall represent the same WG as a body within RCSL Board.

4.3. The establishment of Working Groups shall be acknowledged by the RCSL Board, with a majority vote of its members, on the basis of evidence given of the activity that members of the putative group shall have performed already and in accordance to the composition required by art. 4.2. The Board's decision shall have immediate executive effect. Working Groups shall be listed by name/topic on the RCSL membership Application/Renewal Form, and shall join when completing and submitting the Form.

4.4. The nomination and election procedure of WG Chairs shall be modeled upon that for RCSL Board members. In case a WG Chair is already, or will become, a RCSL Board Member, he/she shall be entitled to hold the WG Chair positions for no more than two consecutive terms.

4.5. RCSL Working Groups shall hold their mandates for the duration of the RCSL Governing Board's period of office. After that deadline, they shall renew their application for acknowledgment. This may be done on the basis of evidence given of the activity performed and according to the same procedure as described in point.

4.6. The Working Groups are expected to meet periodically and organize one or more sessions in RCSL annual meetings and ISA congresses.

4.7. Any RCSL member in good standing who wants to be a member of a Working Group - or move from a WG to another -, can become a member at any time by notifying his/her request to the Working Group Chair. Any member of a Working Group may resign from it at any time by sending a notice of resignation to the WG Chair as well as to the RCSL Board. The notice shall be sent by e-mail or by postal mail.

Part. 5. RCSL Board

5.1. The Board shall be responsible for the institutional and administrative activities of the RCSL. Its members shall hold office for a four year term, in correspondence of the ISA World Congresses. Specifically the Board shall:

- elaborate and implement the plan of activities of the Research Committee;
- identify the topics for the sessions at the World Congress and take responsibility for the organization of those sessions;
- identify the topics for at least one mid-term conference and take responsibility for the organization of those sessions;
- discuss problems referring to the development in sociology of law research in various regions;
- promote scholarly and organizational contacts with other ISA Research Committees, Working Groups and Thematic Groups;
- establish contacts with ISA governing bodies;
- report its activities at each meeting of the Members' Assembly;.
- report the activities of the Research Committee to the governing bodies of the ISA.
- examine the state of membership every two years and take the actions necessary to maintain and increase membership.

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5.2. RCSL Board shall consist of a President, 7 elected members, all the chairpersons of the recognized Working-Groups and the immediate RCSL past-president. All of them are Board's voting members, save RCSL past-president.

5.3. The Board's President is elected every 4 years, by universal ballot among RCSL members. The other Board members are elected following the same rule.

5.4. In its first meeting, the Board shall elect from among its members two vice-presidents, a Secretary acting also as Treasurer, and a RCSL representative and an alternate representative to the Research Council of the ISA.

5.5. The Board shall also designate the RCSL representatives within the Board of Directors of the International Institute for the Sociology of Law of Oñati, as well as representatives in any other pertinent bodies.

5.6. The winner/s of the Podgórecki Prize for emergent legal scholars shall be a non-voting member of the Board for the subsequent two years, provided the ISA and RCSL good-standing membership.

5.7. Each and all Board members must be regular RCSL and ISA members in good standing in accordance to ISA Statute. The seat of any Board member that is not in good standing with either the ISA or RCSL shall be declared temporarily vacant by the President, and the vacancy filled according to paragraph 5.4.

5.8. Temporary vacancies in the Board memberships between consecutive ISA World Congresses shall be filled by appointment by the President, in accordance with ISA Statute.

5.9. The President of the RCSL shall not be immediately re-elected. The other elected members of the Board shall not be elected more than twice consecutively.

5.10. The Board may co-opt up to four observer members, with no voting rights, in order to extend RCSL activities in specific areas or to take care of specific activities, or to speak on behalf of a continent or country which has no representation in the Board.

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5.11. The Scientific Director of the International Institute for the Sociology of Law of Oñati shall be an additional observer member of the RCSL, provided he/she is not already an elected or ex officio RCSL and ISA good-standing regular member.

5.12. RCSL President shall represent the Committee towards its members as well as towards third parties. Should he/she resign or die, or should his/her activities be seriously hindered, his/her powers shall be exercised by the Vice President oldest in age, who shall be the acting president until the next elections.

5.13. RCSL Secretary shall: execute the initiatives decided by the Board; admit, upon formal application, new individual members in the first instance; update the membership list; send a newsletter to the RCSL members at least every six months in order to inform them about activities undertaken and planned. The Secretary shall also act as Treasurer and in this capacity he/she shall collect the membership fees for RCSL and its constituent working groups and submit each year the annual budget of the Committee to the Board.

5.14. A quorum of half the Board's voting members shall be necessary for the Board to take decisions. The Board shall take its decisions by the majority of those present and voting, unless a qualified majority is required by the Bylaws. In the case of parity within the Board, the President shall have the casting vote. In case of need or lack of quorum, votes can be taken by postal ballot or by e-mail ballot, on President's proposal.

5.15. The Board may establish an Executive Committee composed of the President, the Vice-presidents, the Secretary and two members, whose task shall be that of dealing with current business between Board meetings.

5.16. Reports on the funds of the RCSL shall be made every year and sent to all RCSL members. Decisions on the use of funds shall be made by the Board annually.

5.17. In case of unjustified vacancy, or apparent inactivity, or documented inability of any Board Member – the President included – the seat will be covered by the candidates that during the electoral ballot for Presidency were not sorted out.

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Part 6. Elections

6.1. All regular or affiliated individual or institutional members in good standing shall be entitled to vote for the Board. All individual regular members in good standing shall be eligible for election as President or as Board members.

6.2 Six months prior to the ISA World Congress, an *ad hoc* Committee will be set up by the expiring Board to preside the electoral proceeding for the forthcoming new Board. Such a Committee shall be composed by no less than four and no more than ten members, none of them running as candidates for election to the Board in order to sort out and identify possible candidates for nomination. For the purpose, the Committee shall prepare a form inviting nominations, to be sent to all regular members at least twenty weeks before the forthcoming World Congress.

6.3 All regular RCSL members shall be entitled to nominate candidates for the Board. Nominated candidates must be regular members of RCSL and must agree in writing to be a candidate, and to remain a regular member in good standing of RC12 for the duration of their time in office.

6.4 The nominating Committee shall prepare a ballot listing all nominated candidates for positions on the Board and providing each candidate's CV. In case of several nominations for the same position, the nominated candidates shall be listed on the ballot in alphabetical order.

6.5. All Board Members may express one vote for the President and seven votes for the Board, separately. If there is a tied vote, the candidate oldest in age shall prevail. The vote shall be secret and taken either by postal mail or by electronic procedure, according to the Board's decision.

6.6. Valid votes shall only be those received by the Committee Chair no later than 14 days before the first day of the scheduled ISA World Congress.

Part. 7. Statute's amendment

7.1. Proposals for amendment to RCSL Statute can be submitted by any member of the Board, or by any five members in good standing of RC12. They shall be collected by the Secretary, then submitted first to the Board for discussion and subsequently to the members for a vote through a postal ballot or by electronic procedure, preferably in the election year and at the same time as the election for the president and other Board members.

7.2. Amendments to the Statute shall be deemed to be adopted if they are approved by a 2/3 majority of those voting.