

# RCSL NEWSLETTER

## INTERNATIONAL SOCIOLOGICAL ASSOCIATION RESEARCH COMMITTEE ON SOCIOLOGY OF LAW

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**Fall  
2001**

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### LETTER FROM THE PRESIDENT

Our annual conference in Budapest was a good experience. 155 of our members participated (in a meeting of about 1500), which is an above average turnout. Central and Eastern Europe was not as well represented as one might have hoped, but there were RCSL members present from Bulgaria, the Czech Republic, Hungary, Poland, Romania and Russia. I found especially gratifying that some of our youngest members, students from the Oñati Master's Program, participated and presented papers.

Here is what I said in a brief address at the end of the conference:

"This was a conference in the tradition of joint meetings between the RCSL and the Law and Society Association. It is interesting, though, to note a difference in terminology between these two associations. From the point of view of the LSA, this was an "International meeting", which would not distinguish it from our regular annual meetings, which are all international anyway. Since our annual meetings are much smaller, from our point of view this was a mega-conference, an opportunity to take a bath in the socio-legal multitude.

Budapest was a very successful meeting on both counts. It was very international, with 57 countries represented (which is, incidentally, just about the number of countries organized in the RCSL). And while being very "mega", it was organized in a fashion that made it feel almost cosy and small-scale.

I am convinced that we should continue this cooperation and I am looking forward to the next joint international bath in the multitude in 2005 or

2007, depending on decisions about the exact time, place and manner of cooperation."

After the conference, I received several letters, which in one way or another confirmed the above impression. But they also raised a question, which I have been mulling around for some time: what exactly is the role of the RCSL in this context? One of my correspondents offers the following analysis: "I think it would be useful for another voice to emerge and grow strong in socio-legal studies. Anglo-American scholarship and its styles are certainly strong and vigorous (and I think good). But it is appropriate for a distinct voice and tradition to emerge. RCSL is one obvious candidate for this. But it means a more vigorous organization than heretofore has existed (unless there is a lot of activity of which I am not aware). This should probably include a journal."

Circulating this letter among RCSL Board members produced one interesting reaction, which I reproduce in the original (with a feeble attempt at an unofficial translation):

"Hay siempre una tensión entre fortalecer nuestra asociación, dedicándole más tiempo a ella, y nuestras propias tareas académicas. Por mi parte no me siento infeliz pensando en el RCSL como algo modesto con relativamente pocas actividades (las reuniones anuales, el apoyo a Oñati) y apoyando los WG." ["There is always a tension between strengthening our association, devoting more time to it, and our own academic tasks. For my part, I do not feel unhappy thinking of the RCSL as something modest with relatively few activities (the annual meetings, the support for Oñati) and supporting the WGs"].

My own position is, as some of you may have guessed, somewhere in the middle. Our strength is a highly multicultural, multilingual membership and, of course, the International Institute for the Sociology of Law in Oñati. We will never reach the organizational prowess of the LSA, but I do believe that a little strengthening would do us no harm. I am, however, definitely not for creating another journal (there are already too many). Something like a yearbook could be an interesting option, though, if we find the right people to take care of such an enterprise. But this is just my personal opinion. What do you think? I would be delighted to hear from more people about the above issues.

*Johannes Feest*

### **BRISBANE: CALL FOR PAPERS**

1. In the context of the ISA-Congress in Brisbane, July 8-13, 2002, the following WGs of the RC SL will organize sessions. If you want to present a paper in this context, please, contact the chairs named below:

\* Human Rights

Maria-Luisa Bartolomei, Lund University  
[Maria-Luisa.Bartolomei@soc.lu.se](mailto:Maria-Luisa.Bartolomei@soc.lu.se)

\* Courts and Judges

J.J.Toharia, UA Madrid  
[jj.toharia@uam.es](mailto:jj.toharia@uam.es)

\* Social and Legal Systems

Vittorio Olgiati, Università Urbino  
[olgiati@soc.uniurb.it](mailto:olgiati@soc.uniurb.it)

\* European Integration

Francis Snyder, EUC Florence  
[Snyder@datacomm.iue.it](mailto:Snyder@datacomm.iue.it)

2. Members who want to organize sessions on other topics should send a session proposal to one of the Program Committee chairs:

Johannes Feest, Universität Bremen

[Feest@uni-bremen.de](mailto:Feest@uni-bremen.de)

Rosemary Hunter, University Brisbane

[Rosemary.Hunter@mailbox.gu.edu.au](mailto:Rosemary.Hunter@mailbox.gu.edu.au)

3. Members who want to present a paper (and are looking for a suitable session) should send an abstract to the program chairs named above. A first selection of sessions and papers will be made in November by the Program Committee. If you want your proposal to be considered, we need to hear

from you by the end of October. Later entries will be considered on an availability basis.

### **RC SL BOARD MEETING IN BUDAPEST**

The RC SL Board convened on July 3, 2001 during the joint LSA-RC SL conference in Budapest. After hearing and discussing the reports of the president of the RC SL and the Scientific Director of the Oñati IISL, the Board members present at the meeting adopted the following decisions:

1. To form a nominating committee for electing two members of the IISL Governing Board to succeed Rogelio Pérez Perdomo and Mavis Maclean in October 2001 (see next entry).

2. Mavis Maclean was elected unopposed as RC SL representative on the ISA Executive Committee.

3. An Australian Program Committee for Brisbane was elected: Rosemary Hunter (chair), Adam Czarnota, Martin Krygier, Richard Mohr, Klaus Ziegert, in addition to the members of the RC SL Executive Committee.

4. Bart Rwezaura, of Tanzania (presently working in Hong Kong) was co-opted to the Board.

Mr. Rwezaura was co-opted on the basis of Article 5.4. of the RC SL Statutes, which provides: "The Board may coopt up to four observer members, with no voting rights, in order to extend RC SL activities..." It is the Board's conviction that Mr. Rwezaura's election as observer member should contribute to extend RC SL activities to the African continent, thus strengthening the truly international character of our organization.

### **ELECTION OF NEW OÑATI IISL BOARD MEMBERS**

Mavis Maclean and Rogelio Pérez Perdomo finished in March 2001 their responsibilities as members elected by the RC SL Board to serve in the Governing Board of the Oñati IISL.

A nominating committee formed in Budapest proposed four candidates who were willing to stand for election. Board members subsequently elected Anne Boigeol (France) and Malgorzata Fuszara (Poland) to succeed Rogelio and Mavis, starting in October 2001.

Both Anne Boigeol and Malgorzata Fuszara are well-known and accomplished members of the socio-legal community. Still, we provide those RC SL members who may want to know about their current activities and interests a very brief resumé:

Malgorzata Fuszara is a professor and director of the Institute of Applied Social Sciences at the

University of Warsaw, Poland. She also directs the Center for Socio-legal Studies on the Situation of Women and the Gender Studies Program at the same Institute. Her teaching and research have focused on the sociology of law and culture, deviance, gender discrimination and women's rights. She will be also teaching a course on "Socio-legal Womens' Issues" during the IISL 2001-02 Master's Program.

Anne Boigeol is a researcher at the Institut d'Histoire du Temps Présent (IHTP) of the CNRS (Centre national de la recherche scientifique). Her first research projects concerned family dissolution and the regulation of economic relationship following divorce. Later, she worked on the legal profession. Her current research projects are related to the sociology of the French judiciary and the differential process of feminisation in the legal profession.

On behalf of the RCSL, we would like to thank Mavis and Rogelio for their engagement as its representatives on the Oñati Governing Board, firmly believing that they will continue to support both the RCSL and the Institute in other capacities. We also wish to express our gratitude to all the candidates who stood for election and to welcome Anne and Malgorzata to their new role, certain that they will take it up with no less enthusiasm and commitment than Mavis and Rogelio did, in close partnership with the representatives of the Basque Government.

#### WORKING GROUPS

The RCSL Board meeting in Oñati in July 2000 postponed the decision about continuing or discontinuing WGs. An advisory group, chaired by Mavis Maclean, was constituted to make the appropriate recommendations. Here are the report's most important recommendations for discussion (which RCSL members may want to join):

1. "Membership' of a WG is not defined. We might wish to consider whether we require a period of 2 years involvement in group activity, attending meetings, writing or presenting papers.
2. We require WGs to be 'active' but do not define this activity. When inviting application for confirmation of WG status we might wish to put our expectations in writing, e.g. holding at least one meeting per year preferably in conjunction with the RCSL Annual meeting subject to

considerations of travel distances, collecting written or electronic records of papers offered, seeking publication of such materials where appropriate.

At the same time the Advisory Group recognises and applauds the diversity of activities carried out by WGs. Formal conferences and book publications are appropriate for well established groups of scholars. But newly forming interest groups may not wish to formalise to such a degree, the activities to encourage new members from low income countries may take a different form, and attempts to work with other groups may require other kinds of activity. Diversity and innovation have always been valued by the RCSL, and we would not seek to undervalue or discourage the stimulation of scientific and intercultural cooperation.

3. All WGs should be required to inform the President of the RCSL about their current activities and future plans each year, and this information will be communicated via the RCSL Newsletter."

The advisory group also expressed its wish to emphasize "that WGs are not expected to be permanent institutions. The structure is intended to encourage joint projects which will sometimes reach completion, and it will be appropriate for the group to end though the members may regroup with a new project. Similarly some groups will begin to form but find that this does not work out and members may take their work in a different direction."

Following the advisory group's report, all existing WGs (nine in total) were asked to reconfirm their status. Stephan Parmentier, who had chaired the WG on Human Rights since 1992, was succeeded by Maria Luisa Bartolomei (Lund University, Sweden). A new WG on Courts and Judges, chaired by José Juan Toharia (Universidad Autónoma de Madrid) has been established. Both WGs are planning to meet in Brisbane next year (see Brisbane: Call for Papers, above).

#### MEMBERSHIP

According to our latest count, the RCSL has 452 members in 56 countries, distributed in the following way: North America (USA and Canada): 95; Eastern and Western Europe: 202; Latin America: 74; Asia (including Australia): 52; Middle East and Africa: 10; Russia and former Soviet Republics: 5.

As of February 15, 2001, only 76 RCSL members were also ISA members. RCSL members are encouraged to join ISA. ISA membership form is available on the Internet and can be submitted by e-mail: [www.ucm.es/info/isa/members.htm](http://www.ucm.es/info/isa/members.htm).

## OÑATI IISL

### ACTIVITIES

We asked Bill Felstiner, Scientific Director of the IISL, as the best informed person on the current activities of the Institute, to give us an overview of the most important developments in this respect for the benefit of RCSL members. This is the report he kindly sent to us:

"The IISL at Oñati has undertaken some new, promising institutional relations. An agreement was concluded in June, 2001 with the Statistical Office and Documentation Centre of the [Spanish] courts providing for exchanges of personnel and resources that should benefit the Institute through receipt of technical expertise in Internet matters and financial support for students of the Masters program. The Institute has also been negotiating closer, more active relations with a relatively small number of universities as an addendum to the larger number of mainly dormant agreements with many universities that was the practice in the past.

The Institute has also made an important change in the administration of financial assistance to Masters students. After doubling the amount of assistance available, the Institute also developed a program of partial assistance which will support students from Romania, Bulgaria, India, Ghana, Argentina and Colombia in 2001-02.

The Institute has set aside sufficient funds in this and next year's budgets to put the library catalogue on line.

An effort to integrate Masters students into the wider sociolegal community has paid off with the attendance of six students at the RCSL-LSA meeting in Budapest.

Finally, RCSL members are urged to consider the Institute as a site for prospective sociolegal conferences and for postgraduate studies in the sociology of law for their students. Detailed information about both programs and the Summer, 2001 Newsletter can be found at [www.iisj.es](http://www.iisj.es)."

### CALL FOR APPLICATIONS FOR THE POST OF SCIENTIFIC DIRECTOR

The terms of Bill Felstiner and Manolo Calvo as Scientific Directors at Oñati come to an end on September 1, 2003. The RCSL has started the process of selecting their successor(s). Applications or communications seeking further information are invited from sociolegal scholars from any country. Some familiarity with the Oñati IISL and knowledge of more than one of the Institute's languages (English, French, Spanish, Basque) is to be desired. The salary of a visiting professor in Spain plus fringe benefits such as free accommodation and travel allowances are provided.

The term in office is generally two years, but Felstiner and Calvo have shared the work for a period of three years (each in residence for 18 months). Scholars interested in such a dual arrangement rather than the traditional one person, two-year appointment, should apply or inquire together.

On the basis of applications that arrive before the Brisbane meeting of the RCSL Board (July 2002), one or more candidates will be suggested to the Oñati IISL Board, which will make the final selection in October 2002. This is meant to guarantee one full year of overlap between the acting director and the director elect.

Formal applications or letters of intent should be sent to the president or secretary of the RCSL (at the address on the front page). Informal inquiries about the nature of the work can be made to the president of the RCSL (also a former director) or to Felstiner and/or Calvo at [felstiner@mindspring.com](mailto:felstiner@mindspring.com) and [mcalvo@posta.unizar.es](mailto:mcalvo@posta.unizar.es)

### CONVOCATORIA PARA LA ELECCIÓN DE DIRECTOR CIENTÍFICO

Los periodos de Bill Felstiner y Manolo Calvo como directores científicos del Instituto Internacional de Sociología Jurídica (IISJ) de Oñati concluirán el 1º de septiembre de 2003. Por tal motivo, el RCSL ha iniciado el proceso de selección de su sucesor o sucesores. Se convoca a los miembros de la comunidad socio-jurídica de todos los países a enviar sus candidaturas o peticiones de información. Para tal efecto, se considera deseable que los candidatos tengan alguna familiaridad con Oñati, así como conocimientos de más de uno de los idiomas oficiales del Instituto (inglés, español, francés y vasco). El director científico del IISJ es

profesor visitante de la Universidad del País Vasco y recibe la correspondiente remuneración. El cargo conlleva otras prestaciones, como vivienda y viáticos.

El periodo es de dos años, pero los profesores Felstiner y Calvo han compartido las funciones de director científico por un periodo de tres años, residiendo cada uno durante 18 meses en Oñati. A los interesados en esta opción dual, en lugar de la tradicional elección de una persona para un periodo de dos años, se les recomienda presentar su candidatura, o solicitar información, en forma conjunta.

El consejo directivo del RCSL seleccionará a uno o varios candidatos de entre las propuestas que se reciban antes de su reunión de Brisbane, Australia (julio de 2002), para presentarlos al Patronato del IISJ, el cual hará la elección definitiva en octubre de 2002. Esto tiene el propósito de permitir la colaboración, durante un año completo, entre el director en funciones y el director o directores electos.

Las candidaturas formales o cartas de intención deberán enviarse al presidente o al secretario del RCSL a las direcciones que aparecen en la primera página. Los interesados en obtener mayor información sobre la naturaleza de las funciones del director científico, pueden dirigirse informalmente al presidente del RCSL, quien es también exdirector del IISJ, así como a los profesores Felstiner o Calvo ([felstiner@mindspring.com](mailto:felstiner@mindspring.com), [mcalvo@posta.unizar.es](mailto:mcalvo@posta.unizar.es)).

#### **CALL FOR APPLICATIONS: CHIBA-OÑATI PROGRAM ON LEGAL PLURALISM AND NON-WESTERN LAW**

The Masaji Chiba Fund has been established at the International Institute for the Sociology of Law (IISL) in Oñati. In the words of the donor, the money is to be used "to help the social scientific study of non-Western law, including indigenous law among Western peoples, and studies by non-Western young scholars".

Annually, the Fund will offer at least 3.600 euros to spend on one or more of the following fellowships:

1. A visiting fellowship to Oñati to develop a doctoral or postdoctoral research project, using the resources of the IISL (library, documentation, advice etc.).

2. A research fellowship to engage in relevant on-site research (in this case, previous involvement with the IISL, especially the Master's Program or the Summer Course, is to be desired).

3. A visiting fellowship to Oñati to write up the results of relevant research.

Applications should demonstrate an interest in non-Western law/legal pluralism as well as the capacity to engage in research. They must include: a) a detailed project plan (5-10 pages); b) information about previous work and publications of the applicant; c) a CV of the applicant; d) a provisional budget (indicating whether some items could be financed from other sources); e) letters of reference from two senior scholars; f) where relevant, a letter from the Institution he/she belongs to, stating that the candidate, in case of acceptance of his/her application, would be allowed to stay at the IISL for the duration of the scholarship.

Applications (in English or Spanish) must be received at the following address by mail, fax or e-mail attachment not later than February 15, 2002. A final decision about granting the fellowship will be made by March 15:

IISL (Chiba-Oñati Program)  
Apdo. 28  
20560- OÑATI (Gipuzkoa), SPAIN  
FAX: 34- 943 783147  
E-mail: [onati@iisj.es](mailto:onati@iisj.es)

#### **CONVOCATORIA PARA PARTICIPAR EN EL PROGRAMA OÑATI-CHIBA SOBRE PLURALISMO JURÍDICO Y DERECHO NO OCCIDENTAL**

El Fondo Masaji Chiba se ha creado en el Instituto Internacional de Sociología Jurídica de Oñati (IISJ), con el propósito, en palabras del donante, de "contribuir al estudio socio-científico del derecho no occidental, incluyendo el derecho indígena de los pueblos occidentales, así como los estudios de jóvenes becarios no occidentales".

Este fondo ofrece anualmente una cantidad mínima de 3.600 euros asignables a una o más de las siguientes becas:

- 1) Una beca de estancia en Oñati para desarrollar un proyecto de investigación doctoral o postdoctoral, con derecho a utilizar los recursos del IISJ (biblioteca, documentación, asesoría, etc).
- 2) Una beca de investigación in-situ para un proyecto afín al tema (en este caso, es preferible

haber estado anteriormente vinculado al IISJ, especialmente en el Master o en el Curso de Verano).

3) Una beca de estancia en Oñati para la redacción de los resultados de una investigación relacionada con el tema.

Los candidatos deberán demostrar su interés en el derecho no occidental y el pluralismo jurídico; asimismo, deberán justificar sus aptitudes para la investigación. Las candidaturas deberán incluir los siguientes datos: a) un plan detallado del proyecto de investigación (5-10 páginas); b) información sobre trabajos y publicaciones previas del candidato; c) Currículum Vitae del candidato; d) un presupuesto provisional (indicando si algunos aspectos pueden ser financiados por otras fuentes); e) cartas de referencia de dos profesores universitarios o investigadores con grado equivalente; f) cuando sea pertinente, carta de la institución a la que pertenece indicando que, en caso de aceptación de su candidatura, el interesado estará autorizado a permanecer en Oñati durante el tiempo de que goce la beca.

Las candidaturas (en inglés o español) deberán ser recibidas en la dirección siguiente por correo, fax o anexo de correo electrónico antes del 15 de febrero de 2002. La decisión final sobre la beca se dará a conocer hacia el 15 de marzo de 2002.

IISJ (Programa Chiba-Oñati)  
Apdo. 28  
20560 OÑATI (Gipuzkoa), ESPAÑA  
Fax: + 34 943783147  
E-mail: [onati@iisj.es](mailto:onati@iisj.es)

**CALL FOR PAPERS: 19th ANNUAL AUSTRALIAN LAW AND SOCIETY CONFERENCE "FORMS OF LEGAL IDENTITY"**

Melbourne Zoo, Victoria, Australia, December 10-12, 2001. Hosted by Victoria Law School, Melbourne, Australia

Visit the Conference Website for all the details: <http://www.vulaw.net/l&s>.

Participants who wish to organise their own panel are encouraged to do so and contact us with the details

Contacts: [Su.Robertson@vu.edu.au](mailto:Su.Robertson@vu.edu.au)

[Bernadine.Cammans@vu.edu.au](mailto:Bernadine.Cammans@vu.edu.au)

[Rob.McQueen@vu.edu.au](mailto:Rob.McQueen@vu.edu.au)

## **RC SL EXECUTIVE BOARD**

**Johannes Feest**, President

**David Nelken**, Vice President (Elected member)

**Anne Boigeol**, Vice President (EM)

**David Trubek**, Executive Member (EM)

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## **OTHER RC SL BOARD MEMBERS**

**Antonio Azuela de la Cueva** (WG chair)

**Maria Luis Bartolomei** (WG)

**Benoit Bastard** (WG)

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