

RCSL NEWSLETTER

INTERNATIONAL SOCIOLOGICAL ASSOCIATION RESEARCH COMMITTEE ON SOCIOLOGY OF LAW

President: Johannes Feest

FB6, Universität:

28334 Bremen, Deutschland

email: feest@uni-bremen.de

fax: +49-421-218 9316

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Secretary: Héctor Fix-Fierro

Inst. Invest. Jurídica UNAM

04510 México D.F. México

email: hfix@servidor.unam.mx

fax: +52-55-5665 2193

BRIEF REPORT ABOUT THE ANNUAL MEETING OF THE RCSL 2002 IN BRISBANE

Last year's annual meeting took place in the context of the four-yearly congress of our mother organization, the International Sociological Association (ISA). Thanks to Rosemary Hunter (Socio-Legal Research Centre, Brisbane), the meeting was extremely well-organized and the interpersonal climate was sunny and mild (just like the Brisbane climate in general). There must have been some 50 RCSL members around, most of them attending some of the many other sessions of that big 2500 person congress. Our own 13 sessions were attended by between 10 and 30 people, some of them potential members of the RCSL. Most of our sessions were quite lively and there was a good deal of discussion. I should mention specifically that Vincenzo Ferrari organised a special session on "Legal Institutions in Crisis", with many distinguished speakers.

A few more words about ISA and our role in it. It is indeed our mother organization and we are one of its 53 children (Research Committees). But the RCs are only one of its structures: there are also National Associations of Sociologists. In consequence, there is a Research Council (representing all the RCs) and a Council of National Associations. Both bodies together elect the President and the three vice presidents of ISA. Both bodies separately elect half of the members of the ISA Executive board. The RCSL is usually represented in the Research Council by its president. More importantly, Vincenzo Ferrari was an elected member of the ISA Executive Board (probably their only lawyer). In this role, he also

represented ISA on the Oñati board. This year, however, his term of office ended. We tried unsuccessfully to get Mavis Maclean elected in his stead (she got a good many votes, but some of her competitors were much better known within ISA). This means that we will not be represented, at least for the next four years, on the ISA Executive Board. It also means that Mavis will not be able to take Vincenzo's seat in Oñati. ISA has appointed instead for the Oñati board a young sociologist of music, Arturo Rodriguez Morato (Barcelona). You can find his CV on ISA's Website at <http://www.ucm.es/info/isa/cv/cv_arm.htm>.

By the way: the new president of ISA is Piotr Stompka from Poland, who was the co-organizer of Vincenzo's session mentioned above. So maybe we can still get some assistance from ISA when we need it (as we did, two years ago, when the Oñati Master's program was badly in need of some official accreditation). Let me close by adding that most RCSL members are not ISA members (only 81 out of some 450 members pay the relatively high ISA fees). Many of our members are lawyers, not sociologists. For some people this is even an argument for leaving ISA. I am not convinced that this would be wise. It seems to me that it is excellent to have a strong foothold in the world of sociology and in the international world to boot.

On the last evening of the Brisbane conference, we had a small, rather informal board meeting. Only the few board members, who attended the conference (Mavis Maclean, Vincenzo Ferrari, Jean van Houtte, Masayuki Murayama, Vittorio Olgiati, plus the Oñati director Manolo Calvo Garcia) were present. Stephen Parmentier, the former head of the Human Rights WG substituted for the present chair Maria Luisa Bartolomei. Furthermore, two more of

the Australian members of the program committee (Rick Mohr and Alex Ziegert) participated. We had a short report from myself, another one from Manolo Calvo. No formal decisions were taken. But the venues for our next annual conferences were confirmed as follows: Oxford (2003), Puerto Rico (2004). The next joint conference in the ISA context will take place in Durban, South Africa (2006). This leaves open where to go in 2005. But my French spies tell me that plans are to have the meeting in Paris. Another loose end is the next joint meeting with the Law and Society Association. It is scheduled tentatively for 2007, but all the details are still open.

Johannes Feest

RC SL PRESIDENT AND BOARD ELECTION 2003

According to the RC SL Statutes, as amended, both the president and Board hold office for a three-year term (articles 5 and 6; see Newsletter Winter 2000). The former cannot be immediately reelected; the latter may be reelected consecutively only one time. As the term of office of the sitting president and Board is expiring in 2003, we are calling on RC SL members to exercise their rights and to participate in the forthcoming election. We are enclosing two envelopes, a ballot sheet, containing the names of the nominated candidates, and the necessary instructions for filling it out and sending it to the RC SL secretary.

But let us say first a few words about how the candidates were selected this time:

The sitting president asked the former presidents (Ferrari, MacLean, Pérez Perdomo, Van Houtte) to serve as a nominating committee. In addition, members were asked to suggest candidates for president and board. All together, more than ten names were put forward as candidates for president. All of them were asked whether they were prepared to accept the election. A number of them withdrew afterwards their candidacy. As a result, two candidates have remained, whose names you can find on the ballot. They are both very distinguished socio-legal scholars, so they hardly need any introduction. However, we thought it might be useful to know a little bit more about the ideas and plans they want to put into practice in case they are elected. We asked them to supply us with a short text for this purpose. They kindly did and this is what they sent us, for the benefit of our members:

Lawrence Friedman: "Both Jacek and I have been long-time members of the RC SL, and both of us, I am sure, want to maintain and improve this organization. I think the RC SL is in good shape. It has been suggested to me that it might be a good idea to strengthen the newsletter—for example, we might use it as a vehicle to alert people to important new books and articles, especially books and articles that they are not likely to come across, perhaps because of a language issue. I personally would also like to see something of a change in policy with regard to the annual meetings. I would like RC SL to play a stronger role. There has been a tendency to delegate this to the local people—the members in the country in which the meeting takes place. Certainly, they should be responsible for local arrangements, and their input into the program will be always valuable. But I think the RC SL itself should determine the program, to guarantee that it is of the highest quality possible, regardless of where the meeting takes place. RC SL should perhaps play a greater role in stimulating law and society work in countries where there little or no tradition to support this kind of scholarship."

Jacek Kurczewski: "As a bit antiquarian member of the Research Committee I would like to rejuvenate myself and the RC SL as well by trying to make things that matter still, as I think, and where I think something still can be done:

1. To make the RC as participatory, transparent and interactive as e-possible;
2. To encourage regional activities as well as to reestablish RC contact with regional socio-legal activities where they are already well under way though unknown to other RC colleagues. One example, our colleagues from the Nordic countries are active and meet annually on a regular basis but this work lacks visibility in the RC network. Another example are missing regions, like the Arab world or post-Soviet countries where more active involvement of the RC might be valuable in developing academic interest in sociology of law.
3. To continue interest in furthering the balanced global sociology of law by actively stimulating joint fora, groups and consortia and all possible flexible networks dealing with matters of common interest. The RC SL might act, as it used to do sometimes in the past, as an incubator of joint research proposals. This might likely bring more life into the annual meetings of the RC SL.

4. To stimulate the interest of young sociologists, lawyers etc. in sociology of law in cooperation with the Oñati International Institute for the Sociology of Law. For instance, I would like to come back to the idea set up while I was directing the Onati IISL of regular contests for an academic prize, at least consisting solely in the recognition, by asking for intellectual contribution to selected topics in the sociology of law.
5. To foster the institutionalization of sociology of law expertise at international organizations such as f.i. UN Crime Prevention Branch in Vienna or the Human Rights Division in Geneva and to accumulate the expertise accumulated by the RCSL members by setting up the appropriate data-bank available for international organizations.”

Besides Lawrence and Jacek, RCSL members are invited to vote for Board members. Nine members of the sitting Board are standing for reelection. Additionally, nineteen more members, coming from almost all the corners of the world, were nominated for the Board. Among them, a total of ten Board members are to be elected.

Please send your vote by mail to

RCSL Secretary
IISL – Apdo. 28
20560 Oñati, Gipuzkoa
SPAIN

no later than March 1st, 2003. Votes will be counted during the next Oñati Board meeting. The election's outcome will be ratified by the Board and announced in our next Newsletter. The new president and Board should take over their new responsibilities during the next annual meeting in Oxford (July 2003).

SHOULD WE CHANGE THE TERMS OF OFFICE OF THE PRESIDENT AND ELECTED BOARD MEMBERS?

The upcoming election for president and Board members has prompted some discussion among Board members as to the convenience of having a four-year term instead of a three-year term for both the president and elected Board members. The three-year period seems a little odd if we consider that RCSL membership is valid for four years and

that the RCSL has its joint meeting with ISA every four years. This is an issue that the new president and Board may want to discuss. Meanwhile, members are invited to think about this question and to submit their thoughts and proposals to the new Board in due time.

RCSL ANNUAL MEETING 2003 IN OXFORD

As previously announced, the RCSL annual meeting will take place next year in Oxford, England between July 18 and 20. We are enclosing a booking form. If you are planning to participate, please send it as soon as possible, but no later than May 14, 2003, to the address therein indicated.

LAW AND SOCIETY ASSOCIATION ANNUAL MEETING 2003

CALL FOR PARTICIPATION

The 2003 annual meeting of the Law and Society Association will take place at the Omni William Penn Hotel in Pittsburgh, Pennsylvania on June 5-8. Due Date: December 17, 2002. Late proposals accepted only on a space-available basis.

The conference themes is “Rivers of Law: The Confluence of Life, Work and Justice”. For more information please visit the LSA Web site at <<http://www.lsa.org>>

NEWS FROM OÑATI

On September 27, 2002, the IISL Governing Board, composed of an equal number of representatives of the Basque Government and the RCSL, formally appointed Volkmar Gessner (Bremen, Germany) as Scientific Director for the period September 2003-August 2005. As a very well-known and respected socio-legal scholar, Volkmar hardly needs an introduction and he certainly is one of the best candidates that can be found for this demanding post. In his case, however, one could almost say it is his birth-right. Volkmar was very much involved in the plans and negotiations that led to the creation of the IISL in the first place. He also participated for many years in the IISL Governing Board as a representative of the Basque Government, so he has everything to become a very successful Scientific Director. Good luck, Volkmar!

As announced in our last Newsletter, the Oñati Institute has made available to any interested person the on-line catalogue of both the Library and Documentation Centre. If you want to explore this incredibly rich catalogue please visit the following address: <<http://www.iisj.es/bdiisj/>>. There you can search for books and/or articles and other unpublished materials either through a full-text search or using keywords from the Institute's classification system. Research instructions are provided in three languages (English, Spanish and Euskera) and in a very user-friendly way. A photocopy of the selected materials may be requested from the Library or Documentation Centre according to the conditions and policies indicated by them.

BOOK REVIEW

Chiba, Masaji. *Legal Cultures in Human Society – A Collection of Essays*. Tokyo: Shinzansha International, 2002, 9,333 Yen.

For more than a quarter century, Masaji Chiba has been an institution within the RC SL. In 1975, he organized the annual meeting in Japan. In 1989, he delivered the inauguration lecture at the IISL in Oñati. When he retired, in 1996, he made the most generous gift to the socio-legal community: 10 million pesetas to be used for scholars doing research on non-Western law or on legal pluralism. Since then, a total of five scholars have received the Chiba-Oñati research grant. But Chiba kept himself completely out of the selection process and it seemed that he had retired for good.

Recently, however, we received a book that contains his articles and essays that appeared in journals and edited volumes between 1989 and 2000. And it turns out that Masaji has kept on working and publishing almost to the present day. The book starts with the already mentioned inauguration lecture ("Appealing for the Study of Non-Western Law"). This theme runs through Chiba's work. It is represented in the present volume by five more essays on Asian and other non-Western law (two of them in French). But the other main theme of Chiba's work is equally well

represented: legal pluralism. In the essays on this topic, he has early on insisted on including international law into the legal pluralist mix. And he has tried to objectify the different layers of pluralism by diverse and original methods (legal, sociological, anthropological). But his most original (and not yet fully appreciated) contribution to the debate is the concept of the "identity postulate of a legal culture". Somewhat like Kelsen's Grundnorm, it is supposed to account for the unity of the legal cultural system. This is not the place to discuss Chiba's ideas. All we can hope is to stimulate interest in reading his essays. No socio-legal library will be complete without this book.

RC SL EXECUTIVE BOARD

Johannes Feest, President
David Nelken, Vice President (Elected member)
Anne Boigeol, Vice President (EM)
David Trubek, Executive Member (EM)
Masayuki Murayama, Executive Member (EM)
Héctor Fix-Fierro, Secretary (EM)

OTHER RC SL BOARD MEMBERS

María Luis Bartolomei (WG chair)
Benoit Bastard (WG)
Sandra Burman (EM)
María Angélica Cuéllar (WG)
Adam Czarnota (WG)
Edesio Fernandes (WG)
Vincenzo Ferrari (Past President)
Jacek Kurczewski (EM)
Mavis Maclean (PP)
Vittorio Olgiati (WG)
Rogelio Pérez Perdomo (PP)
Paola Ronfani (EM)
Bart Rwezaura (Coopted Member)
Joanna Shapland (EM)
Francis Snyder (WG)
José Juan Toharia (WG)
Jean van Houtte (PP)
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