

RCSL NEWSLETTER

INTERNATIONAL SOCIOLOGICAL ASSOCIATION RESEARCH COMMITTEE ON SOCIOLOGY OF LAW

President: Lawrence Friedman
Stanford University, USA
lmf@leland.stanford.edu

Winter
2004

Secretary: Reza Banakar,
University of Westminster, UK,
r.banakar@westminster.ac.uk

A Message From the President

As President of the Research Committee, I'd like to officially say hello to all of our members; and invite them to help the officers and board members in furthering the mission of the Committee. Law is one of the central institutions of any country, a mighty and ubiquitous presence, especially in our modern, interconnected, and complex world. Each country has its legal own system, of course; but we can all learn from each other. The job of the sociology of law is to explore the relationship of law and society, in a rigorous and empirical way. Formal legal training, in any country, rarely does this. The job of the Research Committee is to advance the enterprise of legal sociology and related subjects, in a way that is meaningful to the whole family of nations. Now, more than ever, we need dialog between different ways of life, and different ways of law. There are a number of national organizations, in a number of countries, that are concerned with law and society. Many of them are active, vigorous, and do excellent work. But we are the only organization that is totally and explicitly international. Our members come from many countries, and are not concentrated in any one corner of the globe. This is our strength, and the source of our potential.

I am proud of what the Research Committee has accomplished. Under my predecessors, it has carved out a role for itself, and organized excellent annual meetings. But we face a number of problems today. Our membership is still small. We have to find ways to increase it. Not that size is important in itself. But we know that the world community of law and society scholars is large and growing; and we want to recruit actively from his community, so that we can benefit from the

knowledge and insights of colleagues in other parts of the world, and they can benefit from ours.

Language, of course, can be a barrier. We have to operate, for the most part, in English, which is the closest that the world now comes to a lingua franca. But we should look for ways to accommodate other languages, and bridge this barrier between national scholars.

We are also an organization without much money and with no paid staff. We hope to find ways to raise at least small amounts of money—to support, for example, attendance by students or people from third world countries at our annual meetings. We depend entirely at present on volunteers—dedicated scholars who devote time and effort to the organization. And we owe a great deal to the Onati Institute—the only international organization dedicated to the sociology of law—which provides us with an efficient administrative support. Modest support in money would help us fulfil our mission.

One of our main activities is our annual meeting. In 2004 we will meet in San Juan, Puerto Rico. The meeting will begin on August 2nd. We hope to have a full and rich program. We want to attract, of course, particular participation from Latin American colleagues; but the Program Committee, about which you can read elsewhere in this newsletter, is eager to construct a truly international program as well.

We are inviting our members to submit proposals for panels and for individual papers, for the San Juan meeting. We are also anxious to hear from you on other topics. We want your comments and suggestions. How can we improve our organization? What plans should we make for the future?

What tasks should the organization undertake? What role should it play in the world of law-and-society studies? What relationships should it have with other law-and-society organizations? On these and any other subjects, I and the board members really want to hear your voices. My email address is lmf@stanford.edu.

The Next Annual Meeting of the RC SL

The next Annual Meeting of the RC SL will be in San Juan, Puerto Rico, 2-4 August 2004. A preliminary programme and contact information is posted at RC SL's Home Page is posted at: <http://www.ucm.es/info/isa/rc12.htm>. For more information contact Rogelio Perez Perdomo rperez@unimet.edu.ve or Reza Banakar rezabanakar@hotmail.com.

Obituary: Jean Carbonnier died on October 28th 2003, aged 95

For decades, Jean Carbonnier was the French sociology of law *en personne*. By teaching, publishing and researching he gave an academic impetus to the subject. He began teaching sociology of law first to law students in 1957 and some years later also to students in sociology. He created a *Laboratory of Legal Sociology* at the University Paris II, with the purpose of producing data that could help law making. This initiative was related to the drafting of the French Family Law reform, a task which at that time had been entrusted to him – he was regarded as an authority on family law – by the French Government. In 1972 he published *Sociologie juridique*, a comprehensive and illuminating handbook. The third edition of this work, which was published in 1994, contains an impressive amount of up-to-date additions, revealing how attentively the author was following up the recent development of the field.

On the international level, Jean Carbonnier supported the creation of the RC SL. Years later, he participated in the inauguration of the International Institute for the Sociology of Law in Oñati, sharing the Opening Panel with Renato Treves and Masaji Chiba. But his most significant contribution to the worldwide academic recognition of the discipline is undoubtedly his book *Sociologie juridique*, translated in many languages – except, as far as I know, in English – which has offered instrumental guidelines to those who were trying to establish Sociology of Law at their university.

His main concepts – effectiveness / non-effectiveness of the law; “non-law” (*non droit*) ; legal pluralism, etc. – are in the first place descriptive, somehow too modest for leading to a thorough renewal of the understanding of Law in Society. But his sensitive and sensible account of the relationship between Jurisprudence and Social Sciences, and his ironical perception of the limits of Law may still help us to tackle some of most pressing epistemological and ethical issues at stake, today, at the borderline between socio-legal research and the policy of the Law.

Pierre Guibentif, Lisbon

Annual Prize

The Research Committee is in the process of establishing an annual prize, for contributions to the field of sociology of law, in memory of the late Adam Podgorecki, who himself contributed so much to the field; and who was, for so many years, one of the most active and significant members of the Research Committee. We hope to announce the first winner at our meeting in Puerto Rico in August. More details will be supplied in the next newsletter.

Call for Applications for the Position of the Academic Director of the Onati Institute for the Sociology of Law (IISL)

The International Institute for the Sociology of Law, Onati, Basque Country, Spain (www.iisj.es) invites applications for the position of Academic Director. IISL has a rotating directorship. Once every two years a new Academic Director is appointed with a view to maintaining and enhancing the Institute's unique multicultural atmosphere.

Professor Volkmar Gessner started his two-years term in September 2003 with the aspiration to promote the Institute's global profile (www.iisj.es/NL16.pdf). The RC SL welcomes this emphasis on, and recognition of, the diversity of legal cultures and adopts it as a guideline in its search of candidates for the next directorship, the term of which will begin on 1 September 2005.

Some familiarity with the IISL and knowledge of more than one of the Institute's languages (in particular Spanish and English) is desirable. The job carries a Spanish visiting professor's salary (plus fringe benefits like travel allowances and free accommodation).

Socio-legal scholars interested in this challenging task are invited to submit formal applications or letters of intent to the RCSL President. The RCSL Board will select and propose one or more of the candidates to the Onati IISL Board, which will confirm the appointment of the next Director in October 2004. Informal inquiries may be made to Professor Volkmar Gessner gessner@iisj.es.

News in Brief from the Oñati Institute for the Sociology of Law (IISL)

In 2004 the Onati IISL will offer a **summer course** on "Domestic Violence", 5-9 July, which mainly caters for the Spanish speaking audience. The remaining four programmes consisting of Workshops, Master, Chiba Grant and the Library Grants, are open to the international socio-legal community.

Workshops are meetings around a socio-legal topic with at least 15 participants. All local expenses such as accommodation, meals, taxis etc are covered by the Institute. Book publications in English (Hart) and Spanish (Dykinson) are subsidized.

The **Master's in Sociology of Law** offers 11 courses between October and March followed by a period of tutorship when the *tesina* research is carried out. Some 20 students are admitted annually.

The **Chiba Grant** for the study of legal pluralism intends to help the social scientific study of non-Western law, including indigenous law among Western peoples, and studies by non-Western young scholars.

The **Library Grants** offer free accommodation in the Institute's residence for a period of up to three months between October and March.

Deadlines for applications to various programmes are: workshop applications before January 31, 2004; Master applications before February 28, 2004; Chiba applications before February 15, 2004; the Library Grant applications before February 16, 2004.

All the IISJ programmes support and give preference to applications from non-Western countries in order to foster the globalization of the Sociology of Law. Decisions are taken by the Scientific Director assisted by three Committees all meeting in March 2004.

For more information please visit the Institute's home page at www.iisj.es.

CONFERENCES

LSA Annual Conference, May 27-30, 2004

The 2004 annual meeting of the Law and Society Association, celebrating the 40th anniversary of the Association, will take place at the Renaissance Hotel in Chicago, Illinois, USA on May 27-30.

Theme: Law, Power, and Injustice: Confronting the Legacies of Sociolegal Research.

For more information see:
<http://www.lawandsociety.org/>

SLSA Annual Conference 2004 6th-8th April 2004

The Annual Meeting of the Socio-Legal Studies Association will take place at the University of Glasgow this year. For more information see the conference website: <http://www.kent.ac.uk/slsa/conferen.htm>

CRITICAL LEGAL CONFERENCE 2004

'APERTURES'

3-5 September, 2004

School of Law

University of Westminster, London

The Critical Legal Conference is a well-established international annual conference in the field of critical, postmodern, interdisciplinary and theoretical legal thinking. The theme for 2004 is **Apertures**. This year's conference is deliberately organised in a way that encourages truly interdisciplinary and pan-theoretical participation. The organisers invite ideas for stream organisation and papers on: law and politics, human rights, globalisation, community, justice, literature, visual arts, gender, race, sexuality. More ideas for streams/papers can be: presences and absences of passion; environments of democracy lost, imagined or remembered; music of chance and memory; flows of immigrants and transplants of cultures; state boundaries and new european visions; a September morning in the west and the east; international revenge and guilt; fences, strips, prisoners and naked bodies; colonies of the sublime and theologies of the quotidian; linguistic labyrinths; legal architectonics and violent edifices; psyching the collective and analysing wagner; and so on, and so on.

For more information

<http://www.westminster.ac.uk/law>

Ideas for streams, papers, comments:
andreaspm@westminster.ac.uk

Call for Papers

Socio-Legal Methodology Streams

(SLSA Conference, 6-8 April, 2004)

This stream invites papers on the methodological issues arising out of attempts to study law, legal institutions and legal behaviour. We would in particular welcome contributions on:

- the development of quantitative and qualitative methods;
- problems associated with fieldwork;
- problems of collecting and analysing socio-legal data;
- the epistemological issues of socio-legal research;
- the interdependence of socio-legal theory and methodology;
- how the priorities of funding agencies influence the development of socio-legal research

Abstracts (of no more than 300 words) should be sent to the stream organiser by 31 January 2004. Alternatively, please contact the organiser if you would like to discuss your ideas before submitting an abstract. Reza Banakar:

r.banakar@westminster.ac.uk

The 17th International Congress of Penal Law

September 13-19, 2004

Beijing, China

E-mail: cls@hotmail.com

Web site: <http://chinalawsociety.com>

Eighth International Interdisciplinary Colloquium - Law and Sociology

September 13-14, 2004

London, United Kingdom

E-mail: uctlmdf@ucl.ac.uk

First Meeting of the French Sociological Association

The first meeting of the recently established *Association française de sociologie* (French Sociological Association) is to be held in Villetaneuse (a suburb of Paris) from 24th to 27th February 2004. In this meeting the "Reseau thematique en formation : so-

ciologie du droit" (research committee in the making : sociology of law) will have numerous sessions. For further information:

<http://www.iresco.fr/societes/afs/>

RCSL Executive Board:

Lawrence Friedman, Stanford University, USA, Reza Banakar, University of Westminster, UK, Anne Boigeol, IHTP-CNRS, Paris, France, Sandra Burman, University of Cape Town, South Africa, Johannes Feest, Bremen University, Germany, Vincenzo Ferrari, University Degli Studi Milano, Italy, Bryant Garth, American Bar Foundation, Chicago, USA, Manolo Calvo Garcia, IISJ, Spain, Pierre Guibentif, ISCTE, Lisbon, Portugal, Jacek Kurczewski, University of Warsaw, Poland, Masayuki Murayama, Chiba University, Japan, Mavis Maclean, University of Oxford, UK, David Nelken, Italy, Rogelio Perez Perdomo, IESA, Caracas, Venezuela, Jean Van Houtte, Antwerpen University, Belgium, Alez Ziegert, Sydney University, Australia

Founding Members: William Evan, Adam Podgorecki (+)

Co-Opted Member: Bart Rwezaura, Hong Kong

Other RCSL Board Members and Working Groups

WG Gender

Chair: Rosemary Hunter, Griffith University, Australia

WG Socio-Legal Methodology

Chair: Reza Banakar, University of Westminster, UK

WG Legal Professions

Chair: Benoit Bastard, Centre de sociologie des organisations, Paris, France

WG Comparative Legal Cultures

Chair: David Nelken, Italy

WG Human Rights

Chair: Stefan Parmentier, Catholic University of Leuven, Belgium

WG Law and Politics

Chair: Maria Angélica Cuellar, UNAM, México

WG Urban Problems

Chair: Edesio Fernandes, UK

WG Social and Legal Systems

Chair: Vittorio Olgiati, Urbino University, Italy

WG European Integration

Chair: Francis Snyder, Université d'Aix-Marseille III, Aix-en-Provence, France