RCSL NEWSLETTER

INTERNATIONAL SOCIOLOGICAL ASSOCIATION
RESEARCH COMMITTEE ON SOCIOLOGY OF LAW

http://rcsl.iscte.pt/

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No 2
2017

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PRESIDENTIAL ADDRESS

Dear Colleagues,
The 2017 RCSL & LSA Joint Meeting in Mexico City was very successful, one of the largest joint meetings. The total number of participants was 2,412 persons and 520 paper sessions were organized. Among them, we had 25 WG sessions and many non-WG sessions whose number we do not know. This Mexico City meeting was equivalent in size to the Berlin meeting in 2007. While many European scholars participated in the Berlin meeting, many Latin American scholars participated in the Mexico City meetings. I thank Antonio Azuela, Angélica Cuellar, Joxerramon Bengoetxea and Luigi Cominelli for serving on the program committee as RCSL members. I would also like to thank the LSA president Valerie Hans, Program Committee Co-Chairs Lawrence Friedman and Manuel Gomez, and the LSA Secretariat led by Susan Olson. Without their hard work, this successful joint meeting would have been impossible.
At the Mexico City meeting, the Oñati sessions were organized again, following the precedent in Vienna. I am grateful to Lucero Ibarra Rojas for organizing the sessions. I hope we will continue to organize Oñati sessions at RCSL annual meetings in future.
A new Working Group will be coming out from the Mexico City Meeting at the initiative of Pedro Fortes and David Restrepo Amariles. Let us hope more Working Groups will be organized by young scholars and that more young scholars will join the existing Working Groups.
The 2017 Podgorecki Prize for lifetime achievement was given to Lawrence Friedman. The ceremony took place at the general meeting. For the first time in the Podgorecki Prize history, we organized a special session to discuss the work of Lawrence Friedman. This was a very interesting and fascinating session. I thank Terry Halliday (Chair), Malgorzata Fuszara and Joxerramon Bengoetxea for their consideration and efforts to organize the session. I would like to add that Lawrence donated the prize money to the RCSL fund for young scholars. I hope we will organize a special session on the work of the next lifetime achievement Podgorecki Prize winner in two years.
The 2018 Podgorecki Prize Committee has been organized by Hakan Hyden (Chair), Stefan Machura and Susan Sterett. This time, the prize is for a young emerging scholar. The Call for nomination will be issued in September. I hope many RCSL members will nominate excellent young scholars.
In 2018, we will have two meetings. The first one is the ISA World Congress in Toronto, July 15 to 21. For the ISA World Congress, we organized 13 sessions. In fact, we received more session proposals, but as the ISA gave us the space for only 13 sessions, we could not accept all session proposals. For those sessions, call for paper abstracts has been issued.

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The deadline for paper abstracts is September 30. I am grateful to Ravi Malhotra for working as the programme coordinator for the RCSL. In case you could not organize a session at the ISA World Congress, please consider participating in the Lisbon meeting.
Our own RCSL annual meeting in Lisbon is the second meeting. It will be held on September 10 to 13, 2018. For this meeting in Lisbon, the organizing committee and scientific committee have been established under the leadership of Pierre Guibentif. The general theme of the meeting is "Law and Citizenship beyond States". More details of the Lisbon meeting will be sent to you in September.
You might notice that this issue of the Newsletter is numbered without a seasonal designation. As summer in the northern hemisphere is winter in the southern hemisphere, the seasonal naming was based on the northern hemisphere view. We are sorry for this and have stopped using the seasonal naming.

Masayuki Murayama

Thank you, José Antonio, Elvira and Cristina!

José Antonio Goyenaga, Administrative Director of the International Institute for the Sociology of Law, retired in August. The RCSL, at its business meeting in Mexico City, unanimously adopted a motion expressing to José António thanks and appreciation for his extremely careful administrative management of the Institute since its creation, and for his crucial role in the establishment of a solid relation of trust between the Institute and the Basque Government.

The RCSL also unanimously expressed thanks to Cristina Ruiz López, who leaves the Institute too. As head of the Institute's publication department, she did an outstanding job, in particular in the launching of the Institute's on line journal Oñati Socio-Legal Series.

The RCSL wants to express here warm thanks to Elvira Munoz as well, who retired in August of this year. As responsible person for the library and for the Documentation Center since the creation of the Institute, she headed an endeavour that provided the socio-legal community with a unique working tool, the quality of which is recognized worldwide.

The newsletter continues its article series on lay participation in the administration of justice with:

A TOUR AROUND LATIN AMERICA TO LEARN MORE ABOUT JURY TRIALS

In Latin-American countries, we find different procedural systems. Some countries still maintain their written and completely inquisitorial procedural codes while others have advanced– to a greater or lesser extent–towards accusatory codes.
At the same time, the jury trial has also been gaining ground throughout this continent, but as we will see below, there is still a long way to go for the institution to consolidate throughout Latin America.
Thus, we can find the most diverse situations, ranging from countries that are not even contemplating the possibility of introducing jury trials, to those that are spreading the institution throughout their territories. And even those who used to have lay jurors in the administration of justice but unfortunately, no longer have it. Also, in each of the countries that have chosen to incorporate this form of citizen participation, there are many differences in their jury laws and how lay participation is conceived.
We invite you to take a look at this region and understand the current situation of the jury in every Latin American country.


Jury in Tandil Province, Argentina.

Countries that do not have jury trials

At present, the following Latin American countries do not have jury systems: Mexico, Guatemala, Honduras, Costa Rica, Dominican Republic, Cuba, Colombia[1], Venezuela, Ecuador, Peru, Paraguay, Uruguay and Chile. However, their situations are not identical and each country has its own peculiarities.
In the cases of Guatemala[2], Ecuador[3], Paraguay, Uruguay, Venezuela and the Dominican Republic, all these countries instituted trial by jury in the past but for different reasons it was finally abolished and is not in force anymore.
In the year 1940, in Paraguay, jury trials were abolished along with the Constitution. The rise of

totalitarian regimes ended up burying this institution that had been operating for sixty-six years (since 1874) (García Bordón 2005).[4]
Another paradigmatic case is that of the Oriental Republic of Uruguay, where for fifty-nine years since 1879 Trial Courts were composed of eight lay jurors and three professional judges. Nevertheless, on January 7th of the year 1938 this system was abolished as a result of a popular trial a year earlier, known as "El crimen de La Ternera" (Bado 2014).[5] That case involved Mr. Jose Saravia who was accused of having his wife killed. Mr. Savaria was a powerful landowner, and the son of an important member of the National Party. After eight years in pre-trial custody, the jury acquitted him having understood that the evidence did not go beyond a reasonable doubt and that the only evidence was the confessions of the other co-defendants (Di Candia 2001, 1-7). Although nothing was explicitly expressed in the Parliamentary Debate, the Parliament blamed the jury trial for a verdict that was considered unfair causing the end of the jury for that country continuing even now.
In addition, we can highlight the case of the Bolivarian Republic of Venezuela, where justice was reformed in 1998 moving towards a more accusatory system where oral debates were instituted in three modalities: one type of trial before one bench judge, another type before a mixed court composed of one judge and two lay citizens and finally a trial before one judge and nine lay citizens. While the intention of the reform was to achieve a better system of justice, the reality was different and the jury system of nine lay citizens was eliminated as a result of the slowness in locating those chosen to serve as jurors.
Later, with the introduction of the Organic Code of Criminal Procedure approved by a decree of Commander Hugo Chávez Frías, the mixed court (of one judge and two lay citizens) was abolished (Decree 9042). In the aforementioned decree[6] the abolition was justified because Chavez understood that the mixed court was a form imported from countries such as Germany and Switzerland and that this did not correspond to the idiosyncrasy of the Venezuelan justice system.

Then, we also have those countries that never had jury trials.
That is the case for the Dominican Republic for instance, where a criminal procedural reform occurred in 2004 and the Dominican criminal procedural system became normatively accusatory, since the Ibero-American Model Code was adopted with some exceptions, such as the non-inclusion of the jury. In the Dominican Republic, although the reform has improved the way in which trials are conducted, there is still a long way to go, especially with regard to the oral debate (Pérez 2013). In relation to the jury trial, the last procedural reform did not include the jury as a possibility.
Moreover, neither Mexico,[7] Costa Rica, Peru[8] and Chile have ever had jury trials either, and it seems that there is little discussion regarding the implementation of a jury system in those countries.
The same applies to Honduras where in 2002, the issuance of a new Code of Criminal Procedure resulted in a profound criminal law reform. The Code replaced the written and inquisitorial system, to give way to oral and expeditious proceedings (OAS n.d.). Nevertheless, criminal justice systems in the region remain dysfunctional, under-resourced and lack cooperation. Honduras has the highest homicide rate in the world and suffers from extremely high levels of corruption, organized crime, violence, abuse and drug trafficking. This context is adverse to the introduction of jury trials in the justice system of that country.
An interesting case is Cuba, because despite not exactly having trial by jury, it does have lay judges who serve alongside professional judges. Article 124 of the 1992 constitution of Cuba provides that "for administering justice all courts function in a collegiate form and professional and lay judges participate in them with equal rights and duties." The difference from what we typically understand about lay judges and jury trials is that in Cuba lay judges are nominated by workplace collectives and neighborhood associations and then elected by municipal or provincial assemblies for a term of five years (Anonymous 2012).
Those who are elected are men and women who have a suitable cultural level, good attitude towards the task and have earned the confidence of their communities (Anonymous 2010). Lay judges serve a maximum of 30 days per year, so when they are not serving they work in their regular employment.
The Cuban Ministry of Justice is the institution responsible for training them and the training is centered upon the procedural rules of the court system and familiarization with legal terms, but is intentionally limited so as to preserve the view of the people. In Cuba, the professional judges seem to appreciate their lay counterparts (Anonymous 2012).

Countries that do have jury trials

In Latin America, there are also countries that did adopt the system of trial by jury, such as El Salvador, Nicaragua, Panama, Puerto Rico, Brazil, Bolivia and Argentina. These countries followed their cultures and customs in order to build their laws, and that is why the systems differ among them.
In the case of the Plurinational State of Bolivia, the jury trial became a reality in 1999, when the Criminal Procedure Code (CPP) came into force, although its Constitution had contemplated jurors since 1826. So, with the arrival of jury trials, Bolivia introduced the "Sentencing Courts" which are mixed courts, composed of two professional judges and three lay judges.
Lay participation has contributed to judicial independence, according to a field study conducted by "Citizens Working for Justice". It noted "the great value that the citizenship gives to this duty, considered as an expression of a more democratic and transparent justice" (Ciudadanos Trabajando por la Justicia 2004, 28). Moreover, when consulting the opinion of legal actors regarding support or resistance to this institutional change, 88% of them stated that


Prosecutor, jurors and trial judge in La Plata Province, Argentina

the participation of lay judges is good and or very good for criminal proceedings (Seligson 2004). However, one of the shortcomings of the system is the imprecise information from La Central de Notificaciones del Consejo de la Judicatura to nominate lay judges and the outdated electoral register that prevent improving the justice system (Arredondo 2013, 28). Since 2009, Bolivia has experienced a process of constitutional transition and institutional reform that culminated in the enactment of a new State Political Constitution, approved by a national referendum and incorporated on June 24, 2010 by law.

Likewise, El Salvador and Nicaragua have jury trials with a certain composition. In both countries, the jury is composed of five lay judges. Salvadorian legislation establishes that, in order to reach a verdict, each jury will verbally cast its vote without leaving the jury room, pronouncing the defendant accused guilty or not guilty. The law understands that it is not valid to abstain from voting, so if a juror abstains, his vote will be considered as not guilty. There is no secret ballot or any other way of deciding the fate of the defendant except for the voice vote of the jury and the affirmative vote of three of the five members of the jury is needed to deliver a guilty verdict.

By comparison, in Nicaragua the majority required to deliver a guilty or not guilty verdict is of four jury members. If after 72 hours the jury cannot reach a verdict, that jury will be dismissed and there will be a new trial before new jurors. If in this second trial jurors are not able to reach a verdict, the judge will acquit the defendant (Huete 2009, 203-204).

With regard to Panama, the Political Constitution of the Republic since 1904 established a jury system that is called the Jury of Conscience and until today only for certain criminal cases. The defendant may validly waive his right to be tried by his peers. In this country, the jury is composed of eight members, one of whom will be an alternate juror and the decision for conviction or acquittal is by majority (Ministerio Público of Panamá, n.d.).

The case of the Central American countries of Panama, Nicaragua and El Salvador is paradigmatic because, although the courts adopted the jury system, the institution appears denatured due to the inquisitive culture that has not yet been eliminated. According to the Argentinian scholar Alberto Binder, jurors tend to lose focus since almost the entire written file is introduced to them by reading. That is why there are initiatives that advocate for the reform of the criminal procedural system to adapt it to accusatory principles.

In the case of Puerto Rico, the Constitution of the Commonwealth of Puerto Rico established jury trials for the most serious crimes where the defendant is entitled to a jury trial before twelve peers of the district. Decisions are made by a majority of nine of the twelve members.

However, in addition to having twelve-member jurors for serious criminal cases tried at Courts of First Instance, in Puerto Rico–an unincorporated territory of the United States–jurors are also selected to serve in the trial court of the Federal Government, the United States District Court. The types of cases which can be brought in that court have been fixed by the United States Congress according to their Federal Constitution. Cases in the United States District Courts are divided into criminal cases and civil cases. To serve on a jury at a U.S. District Court the person must be a citizen of the United States, have primary residence in Puerto Rico and able to read, write, speak and understand the English language, because these trials are conducted in English. Jurors in the District of Puerto Rico are selected at random from the certified lists of registered voters from the State Elections Commission of the Commonwealth of Puerto Rico (United States District Court for the District of Puerto Rico n.d.). Contrary to the 9-3 majority verdict required for non-federal criminal cases, in the trial court of the Federal Government when deciding a criminal case, all jurors must agree on the verdict. This is also required in a civil case, unless the jury is otherwise instructed by the court (Handbook for Trial Jurors serving in the United States District Courts n.d.).

The Federal Republic of Brazil does have jury trials as contemplated in its Constitution. In Brazil, the jury is composed of seven members and jury intervention is limited to a certain list of crimes: murder, attempted murder, abortion and incitement to commit suicide (O papel do corpo de jurados no Tribunal do Júri. Brazil, 2010).

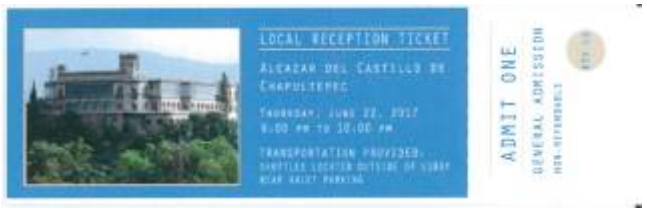
The vote is secret by completing a form and there is no deliberation, jurors cannot communicate with each other to decide the acquittal or conviction of the defendant. The decision does not require unanimity, only a majority of 4/3.[9]

Finally, we get to the case of Argentina, for more than 150 years the Constitution has stated in three sections that trials should be conducted with juries but it was only in 2005, when one of its 23 provinces (the province of Cordoba) adopted a mixed court system composed of two professional judges and eight lay judges for certain criminal cases.

A few years later, in 2011 the province of Neuquén finally adopted a new procedural code in which jury trial is regulated under the common-law model, followed in 2013 by the Province of Buenos Aires, that

(continued on page 6)

Impressions from the LSA and RCSL Joint Meeting in Mexico City June 20 – 23, 2017



Evening reception at the Alcazar del Castillo de Chapultepec

Above and below: roundtable session “Sociology on Sociology of Law as Empirical Science”

Graduate student workshop

Lucero Ibarra and Masuyuki Murayama

Panel “Introducing jury trials in Argentina: Successes and Struggles”, including Shari Diamond, Edmundo Hendler and the authors of our article on the jury in Latin America, at the the RCSL-LSA Joint Meeting in Mexico City 2017.

also regulated trial by jury in its classic way. The next provinces that decided to incorporate the trial by jury system under the common-law model were Chaco and Río Negro, Chaco has not celebrated any jury trial yet and in Rio Negro the law states that the first jury trials will take place in 2018.
In Argentina, most provinces opted for the common-law model, and jury trials are only for criminal cases with severe penalties, nonetheless there are some differences among regulations and so provinces differ in certain issues such as which specific cases are eligible for jury trial and the procedures used to reach verdicts (e.g. number of votes necessary to render a guilty or not guilty verdict, the institution of the hung jury, etc.).
Currently, and despite the predictable struggles and challenges that the provinces are facing, the experience as a whole is being seen as a success and more jury trials are being held across the country (Cada vez más juicios por jurados en Argentina n.d.). Not only that but also many other provinces such as Santa Fe and Chubut have their projects in process of legislative debate.
This progress at the provincial level was generated as a result of the inaction of the national government towards a national jury law. As mentioned above, despite the National Constitution of Argentina foreseeing this system, the National Congress has not yet taken significant steps in this regard, although it is important to note that the latest procedural code – which did not come into force by order of the current President–did provide for jury trials.

Final Remarks

Trial by jury is a central issue when it comes to discussing procedural reforms. As we have seen throughout this article, there are countries with strong inquisitorial cultures that do not intend to advance towards systems with lay participation in the administration of justice, while there are others that – little by little – are introducing this form of trial as they move towards more adversarial procedural codes.
As a starting point, it is important to focus on those countries that already foresee the implementation of jury trials in their Constitutions, as work could be done in those countries so that they can eventually comply with their national constitutions and assert the guarantee of the defendant of being tried before a group of his peers. If a constitutional mandate is sought for an independent judiciary – that can be an obstacle to arbitrariness and a source of trust for the people – then more Latin American countries would have to try to comply with their constitutions even if it takes years of effort and hard work.
On the other hand, in those countries that have already introduced citizen participation the modalities adopted vary among them, some whose laws establish a small number of jury members, others that opted for mixed court system of judges and lay citizens and finally those who incorporated the trial by jury in its classic way.
In our view, a better justice system is achieved with the jury in its classic form, and we are tempted to conclude that it would be good for every Latin American country to implement the classic trial by jury. However, this conclusion would detract from the idiosyncrasies and cultures presented by each country.
Experience has taught us that, although legislative reforms are important to introduce a new justice system in a country, the truth is that to achieve its adequate implementation a profound level of awareness and commitment from legal actors, politicians and the citizenship is needed. In short, all of them together will lay the foundations required for this institution to succeed.
Thus, lay participation will only truly be seen as the way to legitimize the administration of justice when legal actors will learn about the role they must play in a system with these characteristics. And only then we can count on a real trial by jury. Otherwise, despite all the reforms that countries are undergoing, bad practices will ultimately undermine the aims of the jury system, making it impossible to grow and flourish.
It is our desire that the jury spreads throughout the Latin American continent, with the particularities of each country, as has been occurring.

Footnotes

1 “Despite its National Constitution establishes jury trial, Colombia does not have trial by jury at the moment”. Interview with Harry Fernando Mora Mayorga, Legal Advisor of the Department of Justice, Office of Overseas Prosecutorial Development Assistance and Training (OPDAT).
2 Interview with Leonel González Postigo, (Coordinator of Training Workshops at the Justice Studies Center for the Americas). He explained that jury trials were in force during the Livingston Code in the 19th century. (March 15, 2017).
3 Trial by Jury was in force until approximately the year 1930.
4 In 2014, the discussion of a bill of law to reform the justice system took place but the institution of jury trials was not approved.
5 Interview with Verónica Bujarín Perez, Prosecutor of the Rivera District, Uruguay. (March 05, 2017).
6 Date of the Decree: June 15, 2012.
7 “In Mexico, reforms are continuing to consolidate the adversarial justice system, but adjustments and various actions are still needed to consolidate the new system. The judiciary continues to retain structures that are too vertical and bureaucratic, and so the jury system becomes inconceivable under this institutional reality. The democratization of the justice system, in short, is not on the agenda of the Mexican political class.” Interview with Gabriela Ortiz, consultant in criminal procedure reforms in Mexico D.F. (February 17, 2017)
8 “The jury system in Peru is only present on a bill of law and the country has had only bench trials. Also, little is spoken at the moment inside the legal academic world. I think it would be good to promote Argentina's experience in Peru”. Interview with Joel Segura, Professor at the Universidad Católica de Peru, former prosecutor of Peru. (March 14, 2017).

9 Interview with Tainá de Olivera Santos, Lawyer, Universidade Cândido Mendes- Ipanema, Brazil. (March 15, 2017).

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RCSL MEMBERSHIP AND FEES RENEWAL

RCSL´s members whose membership expired or expires can renew it by using the form under this link: http://rcsl.iscte.pt/rcsl_join.htm

Please send the completed form to our membership office:

Manttoni Kortabarria Madina (manttoni@iisj.es).

RCSL 2018 ANNUAL MEETING, LISBON, 10-13 SEPTEMBER "LAW AND CITIZENSHIP BEYOND THE STATES"

The 2017 Mexico City International Meeting on Law and Society offered us an excellent opportunity to speed up the preparation of next year's RCSL Annual Meeting. As already announced in this Newsletter, the Lisbon meeting will take place in addition to the RCSL participation to the ISA World Congress in Toronto, 15-21 July 2018. In Mexico City, the Local Organizing Committee informed the RCSL Board and RCSL Assembly about the first preparatory steps taken in Portugal under the supervision of Masayuki Murayama, President of RCSL. The topic of the meeting was then announced: "Law and Citizenship Beyond the States".

This topic is conceived as complementary to the Toronto ISA World Congress, "Power, Violence and Justice: Reflections, Responses and Responsibilities". It aims at focusing on the institutional conditions

enabling individuals to participate effectively in the production of the communities to which they belong, especially by the means of their own agency, by establishing relationships of cooperation and by forming organized groups. Our proposal is to think about the changes experienced by these conditions, at a time when communities below and above the states are gaining relevance, assuming themselves somehow as alternative or even complementary to the states. The current process of Europeanization is an obvious example of this trend. And we would like to open a space for the discussion of the challenges such changes mean for the plural set of legal norms constituent of these institutional conditions.

Final organizational decisions regarding this event will be taken by the Local Organizing Committee meeting, with the participation of Masayuki Murayama, occurring at ISCTE-IUL on September 18th. This meeting will be organized by Dinâmia'CET, the research unit of ISCTE-IUL which gives the Local Organizing Committee its institutional framework and administrative support (http://dinamiacet.iscte-iul.pt/).

The official website of the Congress will be published throughout October, when the call for abstracts of sessions and individual papers will be launched, to be closed by 15 December.

The Lisbon Conference will be co-sponsored by the Sociology of Law and Justice Section of the Portuguese Sociological Association, with the institutional support of CES (Coimbra), CICS.NOVA (Braga, Lisbon), CRIA (Lisbon, Braga), and CIES (ISCTE-IUL, Lisbon). More on the Portuguese context of this Conference is to be found in the January issue of this Newsletter.

For the Local Organizing Committee
Pierre Guibentif
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At the the RCSL-LSA Joint Meeting in Mexico City 2017 Lawrence Friedman received the Podgorecki Prize for lifetime achievement. The newsletter congratulates and documents the prize statement.

Friedman Prize Statement

This panel celebrates the award by the Research Committee on Sociology of Law of the 2017 Podgorecki Prize for lifetime achievement to Professor Friedman.

For the entire life of the law and society movement in the United States, and for the last half century across the world, Lawrence M. Friedman has been an outstanding intellectual leader. His corpus of scholarship may be without equal in its extent, quality, topical diversity and geographical reach.

His *History of American Law,* first published in 1973, was a bravura intellectual opus of historical craft. In characteristic fashion, he began in the American colonies and crossed three centuries. His pen reached across family law and corporate, civil procedure and property law, crime and punishment, formal law and legal institutions. Quite apart from its enormous impact on scholarship it earned a rare accolade from outside the academy—the New York Times Book Review judgment that this is "The best single, coherent history of American law that now exists . . . It is a stupendous achievement."

If historical depth were not enough, he published three editions of his comprehensive *Introduction to American Law*, the latest edition so current that it has a 2017 imprint. In the last several years his extraordinary flow of publications continues unabated.

He has turned his fertile mind and supple pen to law and public theater, to the allure of big trials. With vivid description and subtle analysis, he explores variations on the themes of celebrity trials and tabloid trials, political trials and whodunit trials, at official trials and horrors of unofficial trials, such as lynchings and vigilante actions.

He very recently has the daring to confront afresh perhaps the most fundamental question of sociolegal scholarship – does law affect behavior – with the title of his 2016 Harvard U Press book expressed in a single word: IMPACT. In this work, he circles back 40 years to his influential book, *The Legal System: A Social Science Perspective,* and now brings to bear decades of research and writing to offer, as he says, a "kind of summation," to show "some sort of order underneath the chaos, some sort of harmony in all the conflicting voices and noises."

The Podgòrecki Prize is awarded to scholars for "outstanding lifetime contributions to socio-legal scholarship and research" and, as befits a prize named in honor of the distinguished Polish scholar, Professor Adam Podgòrecki, the prize awarded by the Research Committee on the Sociology of Law recognizes scholars whose work extends in influence across the international landscape of the RCSL itself.

Masayuki Murayama and Lawrence Friedman at the prize ceremony

Professor Friedman's influence has been relentlessly international, indeed, truly global. His name is as well known in sociolegal circles of Japan as it is in Venezuela, in Spain as it is in Jakarta. Friedman's scholarship has inspired sociologists and historians, anthropologists and legal scholars, North and South Americans, Asians and Europeans, and beyond, to examine the life of the law in their regions. His fascination with legal culture has rippled across the world. His writings have been translated into German, Polish, Chinese, Spanish, Korean, Russian and Indonesian, among others. His institutional leadership has also spanned continents. He has been a leader in the RCSL for decades and a Board member of the Oñati Institute for the Sociology of Law.
The 2017 Prize Committee, constituted by Professor Malgorzata Fuszara (University of Warsaw), Professor Jose Ramon Bengoetxea (University of the Basque Country), and Professor Terence Halliday (American Bar Foundation), and the leadership of the Research Committee on the Sociology of Law, led by Professor Masayuki Murayama, are honored to recognize Professor Friedman's lifetime achievement of scholarship by awarding him the 2017 Podgòrecki Prize.

Terence Halliday
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CALL FOR NOMINATIONS
ISA RCSL PODGORECKI PRIZE 2018 FOR YOUNG SCHOLAR'S PUBLICATION

The Podgòrecki Prize
The ISA Research Committee on the Sociology of Law established the Podgòrecki Prize in 2004, to honour the memory of Adam Podgòrecki, the founding father of RCSL and a leading figure within the international sociological community.
The Prize Committee awards the prize annually for outstanding achievements in socio-legal research, in alternate years for either distinguished and outstanding lifetime achievements, or outstanding scholarship of a socio-legal researcher at an earlier stage of his or her career.
The prize for emerging socio-legal scholars will be a commemorative certificate and a money prize, to honour and encourage colleagues that have yet to leave a mark on the international level of production of socio-legal research but who have published one or more significant works within no later than 10 years of his or her doctorate. Publications can be in any language. For works in languages other than those familiar to the Prize Committee, the nominations should give some indication of the value of the work and provide selected translations. To consider works in less well-known languages, the Prize Committee can co-opt and consult other members of the research committee.
General information about the prize and the Podgòrecki Prize rules can be found at:
http://rcsl.iscte.pt/rcsl_apodgpr.htm

Call for 2018 nominations
In 2018, the Prize will be awarded for an outstanding published study by an emerging socio-legal scholar. Previous winners of this prize have been Leonidas Cheliotis (2016), Iker Barbero (2014), Fatima Kastner and Stefan Larsson (2012), Flora di Donato (2010), Liora Israël (2008) and Kiyoshi Hasegawa (2006). The Study may be in the form of a book, an article or a series of articles. Nominations of emerging socio-legal scholars are invited for the 2018 Podgòrecki Prize. Candidates are eligible if they have published one or more significant works within 10 years of their doctorate. Nominations require support from at least two members of the RCSL. Publications can be in any language. For works in languages other than those known by the prize committee, the nominations should ideally provide selected translations. It is desirable, but not essential, that nominees are members of RCSL.

Nominations must include:
・the candidate's CV
・a short statement from each nominator on the value of the candidate's work
・copies of relevant publications

The members of the 2018 Podgòrecki Prize Committee are Professor Hakan Hyden (Chair, Sweden), Professor Stefan Machura (U.K.) and Professor Susan Sterett (U.S.A.).

Nominations should be sent to the Chair of the committee, Hakan Hyden (hakan.hyden@soclaw.lu.se) to be received by 1 May 2018. The prize will be awarded at the ISA World Congress in Lisbon 10-13 September, 2018.

Working Group on Civil Justice and Dispute Resolution – Report 2016

The call for papers for the Civil Justice and Dispute Resolution Working group sessions at the 2016 ISA conference was very well received, attracting almost 20 submissions from all over the world. Twelve scholars were able to register in the end for the conference and came to Wien. Unfortunately, due to the space and time constraints given by the conference organizers, only one slot was allocated to the working group. In agreement with the organizers, it was decided to hold three parallel roundtables in the same room, which was far from the ideal solution, but it allowed everybody to have some time allotted. The sessions solicited papers on any field connected to dispute resolution and civil justice, including but not limited to family law, criminal law, litigation, arbitration, mediation, negotiation and justice procedures in general.
The first roundtable was focused on litigation and negotiation patterns: four interesting paper were presented by Manuel Gomez (Florida International

University), Jacek Kurczewski with Malgorzata Fuszara (University of Warsaw), Wenjie Liao (North Carolina State University) and Jan Winczorek (University of Warsaw). The first paper (A "Crude" Reality? the Use of Documentary Films and Other Media in Aid of Transnational Litigation: Lessons from the Chevron-Ecuador Legal Saga) focused on the movie genre of the civil suit, and the interactions between jurisdiction and public opinion. The second paper (Dispute Patterns in Post-Communist Central-Eastern Europe) presented the results of a 4-years project on patterns of disputing and dispute treatment in Poland and several other eastern-European countries. The third paper (Dispute Resolution in Transitional China) was about individual attitudes towards litigation in China, investigated through in-depth interviews and ethnographic observations. Finally, the last paper of the roundtable (Paths to Justice in Poland) focused on the incidence of justiciable problems and the frequency of lawyer use and informal means of resolving legal issues in Poland. The roundtable on Dispute resolution and social justice integrated the contributions of Paula Casaleiro and Andreia Santos (University of Coimbra) who discussed the role of social workers in child custody disputes and the changing patterns of family disputes in times of economic crisis (Child Custody Disputes: The Role of Social Workers; Family Disputes in Times of Austerity: The Growth of Family and Children Legal Disputes in Portugal), of Marfisa Barros (Universidad de Pernambuco), who argued the insufficient progresses made by Brazil in enforcing the social rights provided for by the Brazilian constitution of 1988 (Fundamental Social Rights, Access to Justice and the Democratic State of Law in Brazil), and of Duygu Hatipoglu Aydin (University of Ankara), who critically reviewed some of the issues concerning access to justice for women in Turkey (Legal Aid for Women). Finally, the Roundtable on ADR and Restorative Justice hosted three European papers, namely by Tatiana Kyselova (University of Turin), Arianna Jacqmin (University of Milan) and Luigi Cominelli (University of Milan). Tatiana considered the challenges and difficulties that the introduction of mediation in Ukraine and Eastern Europe in general is experiencing (Cultural and Institutional Impediments to Mediation in Post-Soviet Countries: Focus on Ukraine). Arianna Jacqmin reported on the transitional justice practice of the Juicios por la verdad in Argentina (How Much Need for Truth within Conflict Resolution?). Luigi Cominelli and Claudio Lucchiari recounted the results of a recent empirical research on mediation styles and conflict attitudes in a sample of Italian civil mediators (Mediators with Italian Characteristics. Styles, Conflict Attitudes and Settlement Rates).

The Civil Justice and Dispute Resolution working group has organized a session (Informal Justice and Lawyers: Integrating Various Phases of Dispute Resolution) at the Mexico City joint meeting with the Law and Society Association (June 2017), and co-sponsors a number of other sessions in collaboration with the LSA Collaborative Research Network 10 on Civil Justice and Disputing Behavior. The LSA-RCSL joint-meeting WG session features papers on sustainable and collaborative law (Cominelli), on the role and the use of apology in reconciliation of perpetrators and victims (Mascini and Reinders-Folmer), on the discrepancy between the state and the federal court opinions on the ethics of lawyers' ghostwriting (Goldschmidt), on inequalities among Israeli lawyers (Rosen-Zvi, Ziv, and Kricheli-Katz) and on what it means to be a good lawyer (Anzola).

A new special call for papers for our working group has also been already issued for the 2018 Toronto ISA meeting (July 15-21, 2018). You may find the call for abstracts (deadline Sept 30, 2017) at this webpage:
https://isaconf.confex.com/isaconf/wc2018/webprogrampreliminary/Session9941.html.

Please feel free to join the Working Group and to ask for info!

Luigi Cominelli
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ISA World Congress Call for Papers

The ISA issued a Call for Paper Abstracts for the ISA World Congress in Toronto on July 15–21, 2018. The RCSL organized 13 paper sessions, for paper proposals can now be submitted as abstracts. The deadline is September 30, 2017. Only those abstracts submitted to the ISA on the website will be considered. Please see the list of RCSL sessions:
https://isaconf.confex.com/isaconf/wc2018/webprogrampreliminary/Symposium449.html
If you would like to know how to submit your paper abstract, please visit:
http://www.isa-sociology.org/en/conferences/world-congress/toronto-2018/call-for-abstracts/.

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