

# Socio-Legal NEWSLETTER

No 48



THE NEWSLETTER OF THE SOCIO-LEGAL STUDIES ASSOCIATION

SPRING 2006

## SLSA SMALL GRANTS: ANNOUNCEMENT OF 2005 WINNERS

*The Small Grants Scheme is one of the SLSA's most important activities. Each year, grants of up to £1500 are awarded to members to encourage socio-legal research initiatives in practical ways. Here, we are pleased to announce the winners of the latest round of awards and publish research reports from last year's winners.*

The research grants panel decided to support six projects this year with awards of between £1000 and £1500. The winning projects are as follows.

- Daniel Muzio and J Falconbridge, Lancaster University: Structures of Professional Firms – £1500
- Dr Maureen Spencer, Middlesex University: The History of Public Interest Immunity – £1011.50
- Dr Rachel Murray, University of Bristol: African National Human Rights Institutions – £1400
- Dr Richard Huxtable, University of Bristol: Attitudes and Policies of Crown Prosecutors in 'Mercy Killing' Cases – £1310.79
- Brian Gan, Case Western Reserve University: Comparative Research on Children's Ombudspersons – £1500
- Dr Simone Wong, University of Kent: Cohabitation – £1500

Grantholders will be summarising their research projects in the next issue of the newsletter. In the meantime, turn to **page 3** for research reports from last year's cohort.

## NEW SLSA WEBSITE ADDRESS

*The SLSA Executive is pleased to announce the SLSA's new website address [www.slsa.ac.uk](http://www.slsa.ac.uk).*

Our new address establishes our web presence firmly within the academic community and will also make it much easier for members and non-members to find and visit the site. Kent University is continuing to host the site and provide valuable technical support. Further development is underway. Look out for announcements via the newsletter and members' email network.

## INTERNATIONAL MEETING: BERLIN 2007

*Arrangements are progressing for the international socio-legal meeting in Berlin, 25–28 July 2007.*

SLSA members are invited to put forward suggestions for themes, panels and streams and there is now a forum for discussion on the SLSA bulletin board at the new address.

[www.slsa.ac.uk/boards](http://www.slsa.ac.uk/boards)

If you would like to meet Bronwen Morgan, the SLSA's liaison person for this event, you are welcome to contact her during the conference at Stirling via the recruitment stand.

## ANNUAL CONFERENCE: STIRLING 2006

*There is still time to register for the SLSA Annual Conference at Stirling, 28–30 March. Don't miss the chance to spend three days in this lovely part of Scotland!*

In a couple of weeks, the University of Stirling will welcome SLSA members and their non-member colleagues for our 2006 conference. The University of Stirling is situated in central Scotland within easy reach of both Edinburgh and Glasgow. Accommodation has been arranged at the nearby Dunblane Hydro hotel which is also the venue for the SLSA annual dinner.

There are still places available and still time to book. Remember that SLSA members are entitled to a £30 discount. If you're not a member, but are considering going, why not join the SLSA? The annual fee is £30 which not only entitles you to a discount, but also brings the many other benefits of membership. For more details about membership visit our website [www.slsa.ac.uk](http://www.slsa.ac.uk) and to book your conference place go to [www.slsa-stirling06.org.uk](http://www.slsa-stirling06.org.uk).

### Plenary speaker

The Socio-Legal Studies Association and the *Journal of Law and Society* are delighted to announce that the plenary speaker for the SLSA Conference 2006 will be Professor Pat O'Malley of Carleton University. The title of Professor O'Malley's talk is 'Security, risk, justice'.

Pat O'Malley is Canada Research Chair in Criminology and Criminal Justice at Carleton University, Ottawa. Author and editor of many publications in the field of risk, including a recent monograph on *Risk, Uncertainty and Government* (2004) and an edited collection *Governing Risk* (2005). He is an editor of the Cambridge University Press 'Law and society' series and serves on the editorial and advisory boards of various international journals on criminology and social theory. His current research focuses on preventative governance and urban security, including the development of fire prevention and its sway over most aspects of urban living, and a comparative genealogy of crime prevention and fire prevention. Other activities include writing a monograph on monetary sanctions in common law and regulation, and (with Kelly Hannah-Moffatt) editing a collection on risk and gender.

The plenary session is sponsored by the *Journal of Law and Society* and will take place on 28 March 2006, time and venue to be confirmed.

### Contact and recruitment point

Members of the SLSA Executive Committee will be manning a recruitment stand at the conference. Non-members are invited to come for a chat about the SLSA and its activities. Members are also welcome to come and meet us. In particular, if you have any comments or ideas about the newsletter or website, Marie Selwood will be based there during the conference and will be happy to discuss them with you.

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### SLSA website and bulletin board www.slsa.ac.uk

#### Website

. . . detailed information about the SLSA and its activities . . . updated regularly . . . best port of call for the latest SLSA news . .

#### Bulletin board

. . . SLSA announcements . . . conferences and events . . . jobs . . . other items of interest . . . registered users get regular digests . . .

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### Social and Legal Studies 15(2)

Male rape and the careful construction of the male victim – Ruth Graham

Surveying deviance, figuring disgust: locating the homocriminal body in time and space – Derek Dalton

Narrating political reconciliation: truth and reconciliation in South Africa – Claire Moon

The insanities of reproduction: medico-legal knowledge and the development of infanticide law – Kirsten Johnson Kramar and William D Watson

Difference in the House of Lords – Erika Rackley

Private legal orders: professional markets and the commodification of financial governance – James Williams

To submit an article to *Social and Legal Studies* please contact Linda Mulcahy e l.mulcahy@bbk.ac.uk.

## SLSA pg conference 2006

The postgraduate conference in January provided a forum for participants from diverse backgrounds to share experiences and ideas in socio-legal research. Thanks are due to Tony Bradney for organising this successful event; to the panellists for their informative sessions; and the University of Sheffield School of Law for hosting the conference (and sponsoring wine at the dinner).

Panel discussions were held on topics such as: giving a conference paper; getting published; time management and postgraduate supervision; academic job-hunting; and socio-legal studies as an academic discipline. Four of the five panels began with brief talks from panellists followed by questions and answers. The exception was the panel on getting published which was entirely question-based. The informal and collegial atmosphere encouraged many questions from the participants to which the panellists responded with no frills or flattery.

Despite the spontaneous nature of panel discussions, a common theme emerged: the importance of staying focused. In writing a thesis, you should keep moving on despite imperfections in earlier chapters. Constantly

revising early sections gets you nowhere. With conference papers, first be clear about purpose and motivation. Then, select a conference with the appropriate audience and tailor your presentation to fit the format. Otherwise, a conference paper can be a distraction from writing up. Similarly, to get published, target a journal and comply with its style and other submission requirements. Shopping around several journals at once could mean ending up with nothing. Although your doctorate, conference presentations and publications will boost your job prospects: they are not enough. You should be prepared to answer questions about what skills you can contribute to research, teaching and administration at the universities to which you apply. This requires researching the institutional environment in which you can expect to work once you get the job. Socio-legal studies as a field accommodates a wide array of subject areas with a variety of theoretical perspectives and methodologies. It is up to us – the postgraduate students – to locate ourselves within the field and discover appropriate opportunities to further our careers.

The conference participants were diverse, including postgraduate students from 14

universities. Many of them are doctoral students at various phases of their research; some of them are currently pursuing masters' degrees. To my surprise, the majority of the conference participants were international students from 15 countries – Australia, Brazil, Chile, Denmark, Germany, Greece, Italy, Japan, Lebanon, the Netherlands, Russia, Saudi Arabia, the United States and Vietnam. With only a minority, eight participants, being domestic students (including one with dual nationality). To cater for the needs of the international students, the panel on job-hunting included an overseas panellist who successfully obtained a post at a UK university. In fact, this discussion highlighted the openness of the academic community in the UK.

With common research interests, the postgraduate students from different countries and universities quickly mingled to talk about their projects and exchange ideas. Undoubtedly, the dinner (with plenty of wine) facilitated socialisation and networking! In short, the postgraduate conference successfully integrated the diverse postgraduate students into a community of socio-legal researchers.

MAKI TANAKA, SLSA PG REP

## PROGRESS REPORTS: 2004 GRANTHOLDERS

*Over the next three pages we hear from the holders of last year's SLSA small grants.*

*Their projects are varied and diverse and are a good indication of the vibrancy of socio-legal research in general.*

### Pursuing Pinochet: a global quest for justice

**David Sugarman, Lancaster University**

The struggle to render General Augusto Pinochet, former Chilean head of state (1973-90), legally accountable for human rights crimes is amongst the most significant case histories in the prosecution of human rights. This struggle provides a unique lens on the history of the human rights movement, international human rights law and the resistance thereto – as well as the specific experience of real people. My research aims to analyse comprehensively the local and transnational struggle since 1973 to bring Pinochet to justice in Chile, Argentina, Spain, Belgium, Switzerland, France, the Netherlands, Germany, Italy, Britain and the USA.

The element of the research for which I sought support integrates and builds upon my research analyses of archival material, multiple secondary literatures and over 300 interviews with key actors, including victims and their families, exiles, judges, Church and human rights related non-governmental organisations (NGOs), lawyers, officials, journalists and politicians in 10 countries. Funding was granted to transcribe 25 audio-taped

interviews conducted principally with 'cause lawyers' (ie lawyers committed to furthering the aims of a political cause) involved in the Pinochet affair. The interviews elucidate their motivation, funding and how they organised their work; the social, political and professional conditions that facilitated and inhibited their work, and how these changed over time; how they managed the interface between law and politics, idealism and expediency; how they developed international networks; and what they accomplished.

This research makes an empirically based contribution to the largely theoretical debates concerning: the interaction between law and politics; the judicialisation of power; the efficacy of human rights and the ability of courts, cause lawyers and social movements to find new paths to substantive justice; the impact of international (ie third country) as distinct from domestic accountability; the dynamics of accountability changing over time; the impact of advanced technology and the media on political and legal mobilisation; globalisation, the reconfiguration of the state and democratic accountability. It illuminates the conditions that sustain and impede domestic and transnational prosecutions for egregious violations of human rights, and the importance and confines of transnational networks of victims, activists, lawyers and judges who seek to advance investigations and litigation.

With respect to the inter-relationship between the domestic and the international, the project demonstrates that key questions of political, legal and international significance were usually filtered through domestic sensitivities and

priorities. Tracing the evolution of the Pinochet case indicates that the relationship between international pressure and domestic events was often far from straightforward.

The research also illuminates the linkages between law and memory, and of how events previously considered to be political history are now becoming matters of law; ie of how officially found facts encode memory, creating a version of the past that it rejects. And there are fascinating issues about how legal conceptions of evidence differ from those of historians. Specifically, the struggle to prosecute Pinochet has proved important not just to vindicate Pinochet's victims, but to document the sort of regime that Chile was under during his presidency.

Papers drawing on this research data were presented as the Plenary Lecture, Conference on Law and Society in Legal History, Oslo University, April, 2005; Conference on the Global and the Local in Accounting For and Judging Crimes against Humanity, the Oñati Institute for the Sociology of Law, May 2005; and The Local and the International in the Fields of Rights and Regulation, the Law and Society Association's Summer Institute on New Directions in Socio-Legal Scholarship, Oxford University, July 2005. The specifically Chilean dimensions of this project were presented to the Centre for the Study of Human Rights, London School of Economics on 2 March 2006. The primary intended output will be a book, *Pursuing Pinochet. A global quest for justice*. Research on the development of human rights lawyering in Chile during and after Pinochet is currently under way in collaboration with Dr Cath Collins (Chatham House).

### EU enlargement and free movement of workers

**Samantha Currie, Liverpool University**

The UK is one of the few 'old' EU Member States to have opened up its labour market to nationals from the eight central and eastern European accession countries (A8) under the transitional arrangements on free movement sanctioned by the Accession Treaties. This provides the context to my PhD research which examines the experience of Polish migrants working in the UK against the backdrop of EU free movement law and the UK implementation of the transitional restrictions. This related study, generously funded by the SLSA small grant, explored this experience from the perspective of return migrants.

Therefore, in July-August 2005 I conducted 16 qualitative interviews in Poland with Polish nationals who had moved to the UK, either immediately before or following Poland's accession to the EU, but had since returned to Poland.

One key feature of the post-accession migration experience for many A8 migrants is a devaluing of their skills to the effect that they are concentrated in the lower echelons of the UK labour market undertaking work not commensurate with their qualifications. All of the return migrants were graduates but in the UK they had worked in low-skilled, or at least low-status, occupations. Many expressed disappointment with their perceived social status whilst in the UK and the downward occupational mobility they had experienced. Effectively, the migrants encountered a contradictory social position, experiencing this fall in social status in conjunction with an increase in financial status due to higher UK wages. Despite the financial gain, it was common for the return migrants to frame their decision to return within the context of frustration at their lack of labour market progress in the UK. The financial gain was outweighed by the distress caused as a result of their fall in social status.

Upon return to Poland, the vast majority were in employment

commensurate with their level of education and were satisfied with their occupational standing. It would seem that the de-skilled status held in the UK did not impact negatively on subsequent employment upon return to Poland. In fact, the research suggests that the migrants gained a variety of skills in the UK which they could transfer to the Polish labour market, such as English language skills, interpersonal skills and a greater degree of self-confidence. The migration experience had provided a forum to gain 'good life experience'. The migrants acknowledged that, although they had often found it quite a frustrating period in terms of job satisfaction, the time spent in the UK had been beneficial for their personal development.

It seems, therefore, that the de-skilled position occupied in the UK labour market may actually itself provide an opportunity for migrants to 're-skill' and build upon their pre-migration status. Upon return to the home state this experience can help to increase the employment opportunities available.

## Redressing wrongful convictions: a comparative study of US innocence projects and the CCRC

*Hannah Quirk, Manchester University*

My SLSA small grant helped towards the six months I spent working at the Innocence Project New Orleans (IPNO). Innocence projects are non-profit organisations that work to free the wrongly convicted from prison. IPNO was established because in Louisiana and Mississippi, the states with the highest incarceration and wrongful conviction rates in the USA, there is no public funding for post-conviction legal representation, other than for those sentenced to death; even a sentence of life without parole does not qualify. This study is intended to lead to a number of publications around the issue of wrongful convictions. This summary mentions just some of the most striking features.

America and England have been described as 'two nations separated by a common language'. On the surface, the two criminal justice systems have much in common but, like being in a hall of mirrors, I found nothing was quite as it first appeared. It is easy to caricature but, in Louisiana, race, the poverty of and within the state, and a history of corruption in public office are all significant features in policing, prosecution and punishment. The system is very punitive: sentencing is draconian, prisoners may be manacled and the dying are rarely given parole lest they 'recover and rob a bank'.

Prosecutors can be tenaciously partisan; in one case, the district attorney advanced a new, wholly fanciful, hypothesis as to how the appellant could be guilty after a DNA test - from a forensic science laboratory named after the sheriff - had disproved his original case. Sister Helen Prejean, the nun portrayed in the film *Dead Man Walking*, gave a compelling

lecture detailing her campaign against the death penalty. This included letters to the Pope to object to the previous district attorney's practice of sending priests to advise Catholic jurors that they could return a death sentence.

I was given a fascinating tour of Louisiana State Penitentiary. It used to be a plantation and it maintains the name, Angola, of the birthplace of most of the slaves who used to work there. Most prisoners still work in the fields. A prison infamous for its savagery has been transformed, the warden says mostly due to the conversion of half of the prisoners to Evangelical Christianity. I attended Long-Timers Day, an annual party for the large number who have served over 25 years, and the Angola Prison Rodeo, (which defies description but see [www.angolarodeo.com](http://www.angolarodeo.com)).

Hearing the experiences of the exonerees was humbling. Most have survived an unimaginably awful experience with almost no official assistance; currently they receive only \$10 compensation. I followed the proceedings to pass a compensation bill through the state legislature but, following the hurricane, this is unlikely to be funded for many years. I also attended the inaugural meeting of the Texas Innocence Commission. (An increasing number of states are taking such a step in response to evidence of miscarriages of justice. In Illinois, this led the governor to commute the sentences of all those on death row.)

I had a fascinating opportunity to study the causes of and responses to wrongful convictions in two jurisdictions. Despite many apparent similarities, the two systems are separated by much more than a common language - although I learnt, with some embarrassment when speaking about wrongful convictions in America and England, that the word 'solicitor' has very different connotations in New Orleans!

## Access to justice in India: exploring grassroots perspectives

*Maurya Vijay Chandra, Queen Mary, University of London*

Measurement of access to justice has acquired increased significance in South Asia, especially as many national initiatives on access to justice are being funded by international agencies. However, the perspectives of the people at the grassroots have not sufficiently been explored in either conceptualising access to justice or developing indicators for measuring it. It was with the hope that discussion of these issues might provide a fresh insight into measuring access to justice that I conducted 18 focus-group discussions in six towns and cities in India.

Contrary to expectations, participants appreciated the idea of measuring the concept of access to justice. They also understood scaling. In fact, whenever I cited examples of scaling, most groups completed the scales themselves and some even refined them. This validates the view that non-technical laypersons can meaningfully contribute to the 'technical task' of measuring concepts.

The literature cites lack of data as one of the biggest hurdles in measuring access to justice in the developing world. However, most groups did not see the need for large samples or unbiased sampling procedures and were happy to reach conclusions on the basis of judgment samples and small numbers of observations. This begs the question: is it justified to insist on a data-intensive approach to measure access to justice? If the participants' views are a guide, approaches that are less data-intensive may provide equally good information.

On the basis of these discussions, it is clear that people are less backward-

## Indigenous rights, decentralisation and legal globalisation: Mexico and Guatemala

*Rachel Sieder, Institute for the Study of the Americas, University of London*

My research project, generously supported by an SLSA small grant, analyses internationally promoted multicultural reforms of the state in Latin America, specifically recent reforms to justice systems which ostensibly at least, aim to make them more accessible to indigenous people. During the last two decades a number of states in the region, including Mexico, approved constitutional reforms to extend limited recognition to indigenous people. Mexico, Guatemala and other states also ratified International Labour Organization Convention 169 on the collective rights of indigenous and tribal

peoples. These developments mean that issues of cultural difference are now firmly on the justice reform agenda. Governments and international donor agencies have promoted a series of projects and new judicial institutions which aim to decentralise certain aspects of justice administration and improve indigenous peoples' access to justice. However, indigenous organisations often argue that at the same time that governments and donors commit funds to multicultural access to justice initiatives, indigenous peoples' collective rights to autonomy and to prior consultation on wider development initiatives (as specified in ILO 169) continue to be denied in practice.

Between January and December 2005, I was based at the Centre for Research and Graduate Study in Social Anthropology (CIESAS) in Mexico City where I worked

with Mexican researchers involved in a Latin America-wide activist-scholar research network on legal anthropology and indigenous peoples' rights (RELAJU, the Latin American Network of Legal Anthropology). I travelled to Guatemala to research a series of initiatives within the state justice system aimed at strengthening indigenous access to justice. These include specialised public legal defence offices, community courts and various forms of alternative dispute resolution. I interviewed justice operators and project officials, together with indigenous rights activists who were engaged in grassroots initiatives to develop more culturally appropriate forms of dispute resolution and strengthen the legal autonomy of indigenous communities. In Mexico I collaborated with activists and researchers working with different

looking than is often presumed. For example, discussions on the issue of dowry deaths (usually the unnatural death of a newly-wed presumed to be linked to dowry demands) surfaced in all three states in which focus groups were conducted. In that context it was pointed out that families of the husband and the deceased wife settle the matter through informal means resulting in the collapse of prosecutions. Many groups also revealed that at times people approach police or other agencies to request that an erring party be admonished and restrained rather than going to court or filing complaints. This line of inquiry might question the usefulness of case filing and conviction statistics as a valid measure of access to justice in that society. As an alternative, almost all groups – from homeless migrant labourers to middle-class professionals and traders – suggested that the attitude and behaviour of police could be a good indicator. People's behaviour towards each other, especially those of different social status, was also a favourite. Analysis of conversations at roadside kiosks, tea stalls etc was also suggested (of course this assumes a culture of discussion and freedom of speech).

The study spanned three states, Delhi, Jharkhand and Karnataka. The states provide regional variation, within the limitation of conducting discussions in either Hindi or English. They cover socially and economically backward as well as developed areas; north and south India; places with net (internal) immigrant inflow as well as outflow. The states covered are also the subject of a UN Development Programme study on access to justice focused on analysis of court records and views of court users. I hope this will enable data triangulation once the UN study is published.

Focus groups numbered from 4 to 14. participants and were homogeneous, ie

people with the same/similar socio-economic status. Most sampling was by convenience. Participants were not directly known to me, but were recommended by my contacts (and theirs) at the respective places. In each state six focus-group discussions were conducted: three involving lay participants and three with field-level government officials including the police, the judiciary and the general administration. The discussions were conducted with the help of a pre-approved topic guide. The topic guide used a classic funnel design, with the participants being posed general open-ended questions at the beginning and tighter and sometimes leading questions towards the end. Participants were given no prior briefing on the subject. The discussions were moderated either by one of my local research assistants or myself and moderator involvement varied during the discussions. Usually the moderator was more active towards the end of the discussion. All but two groups allowed me to audio-record the proceedings. The participants represented a wide socio-economic and demographic profile, with the exception of young persons and the moneyed elite. The venue for the first focus groups was a sound recording studio. Thereafter most of the discussions involving government officials took place in their office chambers/meeting rooms and three of the laypersons' groups were conducted in NGO offices. The rest of the groups were either conducted at the addresses of one of the participants or in hotel rooms.

Kaushal Mahaseth and Rohit Kiran provided research assistance in Delhi and Jharkhand. The study is part of doctoral research and was conducted with the help of an SLSA small grant and a grant from the Department of Law, Queen Mary. Last but not least, I gratefully acknowledge the guidance of my supervisors Amanda Perry-Kessarlis and Genevra Richardson.

indigenous community organisations across the country. I was able to look at a number of different experiences of state-promoted multicultural justice reforms, including indigenous defenders' offices and indigenous courts, and also a range of local grassroots initiatives which, as in Guatemala, aim to strengthen the autonomy of indigenous communities and provide more culturally appropriate and accessible forms of justice and security.

What is clear from my research is that two forms of legal globalisation are currently at play in both Guatemala and Mexico. First, transnationalised legal transplants 'from above' which shape new institutions and practices within state justice systems. Second, indigenous organisations' appropriation 'from below' of transnationalised discourses on indigenous rights and international

instruments such, as ILO 169. State authorities now publicly endorse indigenous rights as part of the new multicultural state model. However, in practice they continue to deny indigenous rights to autonomy or due consultation on development projects, such as dam construction or mining concessions. Conflicts over development projects and indigenous rights are increasing. My research indicates that the multicultural decentralisation of the legal system has provided important spaces where indigenous people can generate different forms of law and legal understandings. In this sense indigenous activists appropriate and re-functionalise top-down initiatives, such as state-sanctioned indigenous community courts, thereby contesting the limited notions of indigenous access to justice promoted by governments and donors. At the same

**Journal of Law and Society 33(1)**

**Special Issue:** *Debating affirmative action: conceptual, contextual, and comparative perspectives*

**Editors:** Aileen McHarg and Donald Nicolson

Justifying affirmative action: perception and reality – Aileen McHarg and Donald Nicolson

Positive action for women in employment: time to align with Europe? – Noreen Burrows and Muriel Robison

Affirmative action in women's employment: lessons from Canada – Nicole Busby

Affirmative action: a German perspective on the promotion of women's rights with regard to employment – Anke J Stock

Widening access to higher education – Lois S Bibbings

Preferential treatment, social justice and the part-time law student – the case for the value added part-time law degree – Andrew M Francis and Iain W McDonald

Affirmative action in the legal profession – Donald Nicolson

Rethinking the merit principle in judicial selection – Kate Malleson

Quotas for women! The Sex Discrimination (Election Candidates) Act 2002 – Aileen McHarg

Minority business enterprise programmes in the United States: an empirical investigation – Martin J Sweet

Is there a duty to legislate for linguistic minorities? – Robert Dunbar

time they are creating different kinds of community justice initiatives which increasingly emphasise indigenous autonomy from the state. From within these spaces, indigenous people are drawing on legal discourses and international instruments in order to challenge the dominant model of economic development, developing creative local, regional and transnational strategies in order to assert their rights to autonomy and greater control over land and natural resources.

I have been presenting and publishing some of the preliminary results of my research through the Latin American legal anthropology network and, together with colleagues at CIESAS, have secured seed funding to develop a future collaborative research project working with indigenous rights organisations.

## SLSA RESPONSE TO RAE CONSULTATION

*The SLSA's response to the latest RAE consultation on proposed panel criteria and working methods for Panel J and the Law sub-panel was drafted by Julian Webb, Tony Bradney and Richard Moorhead and submitted on 19 September 2005.*

Both the underlying panel and sub-panel structure and membership for RAE 2008 had been settled ahead of this consultation. Consequently, this was a rather technical exercise, focusing on the detailed methodology proposed for the next RAE rather than on matters of principle. The proposals put forward in the paper were, in our view, largely uncontroversial and provide continuity with the established RAE principles of peer review. The consultation paper's acknowledgment that there had to be scope for disciplinary variations in the assessment process was also considered welcome recognition of the importance of sub-panel autonomy within the new panel structure.

At the same time, the SLSA raised a number of concerns with the proposed assessment criteria, chiefly:

1. It was felt the Law panel criteria lacked sufficient guidance on the treatment of research outputs for new career academics and fractional appointments. This is likely to be one of the key decisions in relation to any entry. It was noted that other sub-panels have established more detailed guidance, and we encouraged Law to follow suit.
2. The sub-panel proposed that 'outputs will be assessed on their own merits in the context of the submitted work of the department as a whole'. Our response suggested it could be misleading to assess the quality of a publication without reference to the corpus of work of which it is part. As the criteria recognise in respect of new career academics, and in the treatment of certain extenuating factors, ranking involves consideration of both the output and the individual context within which it is produced. This should be acknowledged in the review process more generally. However, while it is one thing to say that a paper should be read in the context of the individual's other work, or in the context of related work by a cognate research group, it is entirely another to suggest that the work of the department as a whole is a factor relevant to determining the quality of that output (as opposed to an evaluation of the environment). Indeed, the SLSA is concerned that this creates an implicit risk of the exercise 'double counting' the impact of the research environment.
3. The weighting given to the research environment and to esteem factors was also a matter of some concern. Elements that contribute 25 per cent to the final overall profile potentially could have a significant impact on that overall profile. Previous RAEs have not apparently given as much weight to these matters and law schools, including those that are likely to score well in terms of environment and esteem, appear generally unconvinced that any significant change should be made.
4. The panels' intention to ask for articles and book chapters in electronic form was also noted. In our view publication in this form is not yet sufficiently standard amongst law publishers. We expressed concern that this requirement will place a considerable additional burden on departments and individual academics.

The full response is published on the SLSA website [www.slsa.ac.uk](http://www.slsa.ac.uk). The finalised criteria and working methods were due to be published online on the RAE site on 31 January 2006. [www.rae.ac.uk](http://www.rae.ac.uk). RAE 04/2005 is published at [www.rae.ac.uk/pubs/2005/04](http://www.rae.ac.uk/pubs/2005/04)

*Julian Webb, School of Law, University of Westminster  
e [j.webb01@wmin.ac.uk](mailto:j.webb01@wmin.ac.uk)*

## REVIVAL OF CLEO

*Philip Plowden summarises the outcome of a meeting to relaunch the Clinical Legal Education Organisation.*

The Clinical Legal Education Organisation (CLEO) has been quiet for a few years, at a time when there has been a huge increase in interest in the development of law clinics and pro bono activities in law schools. The time therefore seemed ripe for a meeting to revive CLEO and to set some agendas for future activities. This took place at the Law Society in early December 2005 and a number of steps were agreed.

It was decided that for the time being it was simplest to keep CLEO as a relatively informal organisation, open to all those with an interest in clinical legal education and pro bono. In due course the organisation might take on a more formal status, with a paid membership, but it was not felt that this was immediately necessary. Membership will simply be through contacting CLEO and will be subject to an annual review to ensure that the list stays up to date.

A number of working parties were set up to look at different aspects of the potential workload for CLEO.

- **CLEO summer conference working party** There was widespread support for a summer conference – potentially linked to the international clinical legal education conference in London in July. It was felt that the CLEO conference should be very practical and should focus on issues of setting up, developing and sustaining clinics in a way which would support the work being done by the range of different clinics in UK law schools. Conference planning is now in hand – with a proposed conference date of 14 July, following the international clinical conference (12–13 July). For further information contact Alwyn Jones at De Montfort. [e apjones@dmu.ac.uk](mailto:apjones@dmu.ac.uk)
- **Advice sector** Convenor: Hugh Brayne, independent academic consultant. [e hugh.brayne@blueyonder.co.uk](mailto:hugh.brayne@blueyonder.co.uk)
- **Criminal appeals/innocence projects working party** Convenor: Michael Naughton, Bristol University. [e m.naughton@bristol.ac.uk](mailto:m.naughton@bristol.ac.uk)
- **Regulatory issues working party** Convenors: Sharon Farquhar [e s.farquhar@herts.ac.uk](mailto:s.farquhar@herts.ac.uk) and Heather Crook [e h.crook@herts.ac.uk](mailto:h.crook@herts.ac.uk), Hertfordshire. Issues to include: (i) possibility of reducing (removing?) the practising certificate fee for clinical staff; (ii) implications of new legislation including the Compensation Bill and the Legal Services Bill; (iii) possibility of a Student Practice Rule.
- **Clinical standards working party** To review the 1995 CLEO standards: Sara Chandler, College of Law [e sara.chandler@lawcol.co.uk](mailto:sara.chandler@lawcol.co.uk).
- **Clinical teaching materials** Roger Burrige said that the UKCLE provided a resource for hosting teaching materials and would be happy to receive clinical materials from CLEO members: Roger Burrige, Warwick/UKCLE. [e roger.burrige@warwick.ac.uk](mailto:roger.burrige@warwick.ac.uk)
- **Training and development** Richard Grimes expressed an interest in convening a working party on this. It was agreed to put this on hold until the completion of his Solicitors Pro Bono Group (SPBG) clinical support project.
- **Funding issues** Interest was also expressed in having a working group looking at funding issues for clinics. It was agreed that again it made sense to see what came out of the SPBG project. Roger Burrige reminded attendees that there was some support funding for teaching and learning activities available via UKCLE's project development fund.

The range of working groups – and the busy agendas – suggest that CLEO has a huge role to play in helping to support the development of clinical teaching and learning. The summer conference should be an excellent start to this process.

For further information, contact Philip Plowden at Northumbria University. [e philip.plowden@unn.ac.uk](mailto:philip.plowden@unn.ac.uk)

## Doctoral studentships at Liverpool

Applications are invited for three fully-funded studentships to undertake doctoral research at the Liverpool Law School commencing in Autumn 2006. The studentships are open to new students wishing to commence full-time doctoral study: one in the field of EU law, one in the field of child law and one in the field of medical law. Awards will be made for one year in the first instance, renewable for a further two years, and will provide full academic fees at the UK/EU rate as well as a maintenance grant of £7000 per annum.

Contact Prof Michael Dougan [e m.dougan@liv.ac.uk](mailto:m.dougan@liv.ac.uk), Christina Lyon [e c.m.lyon@liverpool.ac.uk](mailto:c.m.lyon@liverpool.ac.uk) or Samantha Halliday [e halliday@liv.ac.uk](mailto:halliday@liv.ac.uk).

## Selection of the international judiciary

Philippe Sands, Ruth Mackenzie (both UCL) and Kate Malleson (QM) have been awarded AHRC funding of £247,000 for a three-year research project on the selection process of the international judiciary. The project will identify the criteria and procedures by which judges are nominated and elected to the international courts. To date, very little is known about this process and the research aims to shed light on this increasingly important aspect of the legal order as well as to generate proposals for enhancing the transparency and legitimacy of the international judicial selection processes. For further information about the project contact Ruth Mackenzie at [e r.mackenzie@ucl.ac.uk](mailto:r.mackenzie@ucl.ac.uk).

## New funding for BRASS

The ESRC Centre for Business Relationships, Accountability, Sustainability and Society (BRASS) at Cardiff University has recently been awarded funding for a range of projects: ESRC funding for Bio-Security and the regulation of animal health: the case of Bovine Tuberculosis (£100,000); DEFRA Waste and Resources R&D programme funding on Sustainable Waste Management and Social Enterprises (£1,530,000); Welsh Assembly funding for a critical evaluation of environmental business support in Wales (£86,000) and on Developing Environmental Indicators for the Welsh Environment Strategy (£55,000); and ESRC funding for data dissemination and knowledge transfer including a literature review of business and stakeholder sustainability and, more pertinently, the development of modules for the web-based public access to environmental legislation and justice project with the aim of securing further funding for the completion of this highly regarded work (approximately £85,000).

[www.brass.cardiff.ac.uk](http://www.brass.cardiff.ac.uk)

## Warwick LLM in legal education

From September 2006, Warwick University Law School will offer the first full postgraduate degree in legal education in Europe. If you are interested in a critical and reflective approach to legal education, browse the website at [www.go.warwick.ac.uk/llm](http://www.go.warwick.ac.uk/llm).

## New websites

Two new websites (under the auspices of the NYU School of Law) – Global Law Books [www.globallawbooks.org](http://www.globallawbooks.org) and European Law Books [www.europeanlawbooks.org](http://www.europeanlawbooks.org) – have recently been launched. They will carry reviews of books in the fields of European and regional integration, international law and economics, and the broader field of global economic, regulatory and cultural integration. They will reflect the state of the literature on the EU, global law and international trade and identify, clarify and shape some of the current debates in these areas . . . and the British Association of Canadian Studies Legal Studies group also has a new website [www.lancs.ac.uk/fass/organisations/canadian/index.htm](http://www.lancs.ac.uk/fass/organisations/canadian/index.htm).

## Summary of responses to Council on Tribunals' oral hearings consultation

The Council on Tribunals has published a post-consultation summary of responses to the consultation paper *The Use and Value of Oral Hearings in the Administrative Justice System* (May 2005) and this is available on the council's website at [www.council-on-tribunals.gov.uk](http://www.council-on-tribunals.gov.uk). There was a considerable degree of interest shown in the consultation exercise and the volume (over 100 responses were received) and quality of responses it generated has reinforced the council's view about the significance of this topic for the future. Most of the actual responses themselves, where permission has been given, are published alongside the summary.

Certain common themes can be identified as emerging from the responses. In the short term, the council will consider the implications arising from these themes and where necessary encourage the conduct of further work, possibly in partnership with other interested parties. Areas of particular interest to the council are the form and style adopted when an oral hearing is used, and, more generally, mechanisms for the sorting and distribution of cases ('triage' as some commentators describe it) in systems of redress. In the longer term, the council hopes to build on the success of this consultation exercise as its role evolves into an Administrative Justice and Tribunals Council, and to continue to engage stakeholders in the debate about the way forward so as to take full account of the views of others in formulating its advice to government.

*Simon Catherall*

## The potential and limits of self-representation at tribunals

The ESRC has awarded a grant of £129,000 to Edinburgh University to carry out a two-year study of the experiences and expectations of self-representing appellants to tribunals. The study, which is being undertaken by Professor Michael Adler and Dr Richard Whitecross, began in June 2005. It has been designed to examine a key assumption in the Leggatt Report – which has been carried forward into the DCA's White Paper – that in the large majority of cases tribunals can be organised so as to make representation unnecessary.

The research, which will involve a telephone survey of 1600 tribunal users, observation of 80 tribunal hearings, and post-hearing interviews with tribunal users, chairs and members, and with the presidents and chief executives of the five tribunals in the study, will attempt to:

- compare the characteristics of appellants who handle their appeal without any help with those who obtain pre-hearing advice but are not represented at the hearing and those who are represented (by various types of representative);
- establish how each of the three groups of appellants prepares for their appeal, what their expectations are and how their experience of appealing matches their expectations;
- assess the effects of representation on tribunal procedure and the ways in which tribunal chairmen and members compensate for its absence;
- determine what can be done to make tribunals more 'user-friendly' and to make it easier for appellants to represent themselves.

It is hoped that this study will lead to an informed assessment of whether justice can be achieved in the absence of representation and, if so, establish how tribunal procedures would need to change to make this possible.

*Michael Adler*



## European healthcare research

Peter Vincent-Jones, [e lawpvj@leeds.ac.uk](mailto:lawpvj@leeds.ac.uk), University of Leeds, is coordinating a team of researchers from the UK, Italy, France and Hungary examining contemporary developments in the organisation and governance of healthcare services across Europe. Part of a wider five-year project (Reflexive Governance in the Public Interest – REFGOV) funded under the European Commission's FP6 Programme, the research aims to identify collective learning and reflexive incentive mechanisms that serve the 'general interest' in the provision of such services in the context of pressures towards increasing contractualisation and privatisation. The UK team includes Dr Pauline Allen (LSHTM), Professors David Hughes and Lesley Griffiths (University of Wales Swansea) and Professor Justin Keen (University of Leeds). The REFGOV project is linked with a three-year empirical research project funded by the NHS Service and Delivery Organisation Research and Development Programme, Contractual Governance in a System with Mixed Modes of Regulation, under the overall direction of David Hughes, [e d.hughes@swansea.ac.uk](mailto:d.hughes@swansea.ac.uk), to investigate the changing nature of NHS governance and contracting in the UK, focusing on the differences between healthcare systems in England and Wales following devolution. Further details of the REFGOV project are at: [w http://refgov.cpdr.ucl.ac.be/](http://refgov.cpdr.ucl.ac.be/).

## Third International Graduate Summer School and Forum

[w www.icomm.lu.se/summerschool](http://www.icomm.lu.se/summerschool)

This event will take place at Lund University, Campus Helsingborg, Sweden, 3–16 June 2006. Participants need to cover their own travel expenses, accommodation and subsistence costs but there are no other charges.

The theme is the rapid change that universities and research institutions all over the world are presently undergoing. In addition to the traditional role of providing understanding and explanation of the world, they are now considered crucially important for the economic and social development of the societies of which they are part. These changes inside and outside universities and research institutions create a great need for a comprehensive critical discussion of desirable research strategies and adequate methodologies for the various sciences and humanities; and a thorough discussion of the role and impact of the sciences and research on society at large, including the values and principles that are fundamental for maintaining an open society.

The summer school is organised and hosted by the Institute of Communication, Lund University. For information, please contact Alf Bång, Director [e alf.bang@icomm.lu.se](mailto:alf.bang@icomm.lu.se). [w www.icomm.lu.se/summerschool](http://www.icomm.lu.se/summerschool)

## Precautionary management strategies for food biotechnology

The purpose of this ongoing study is to investigate precautionary management strategies for scientific and technological 'risks'. Genetically modified (GM) foods contain hereditary materials which have been altered to improve their characteristics. Critics argue that genetic modification brings unwanted effects harmful to the consumer. Generally speaking, there are three types of state-sponsored approach to the handling of food safety: the 'command' approach; the regulated market; and the free (but informed) market. The command approach usually involves prohibition. It may be regarded as paternalistic in that the state acts to protect consumers (in their own interests) by preventing their exposure to foods that it believes may be harmful, even though the consumer may not be aware of the existence or extent of the possible harm. The expert knowledge may not be definitive and the risks may not be known for certain but, as a precaution, the consumer is protected. The precautionary principle is usually provisional pending further expert knowledge and may be introduced for a specified or unspecified period of time.

This study has focused on generating data on precautionary management strategies for GM foods during 'uncertainty' and

'indeterminacy'. Triangulation has been employed to increase the 'credibility' of the qualitative data that has emerged from interviews. Theories that have been formulated to support traditional cost-benefit analyses of regulatory responses have been included in this review. To account for the views of the majority of commentators, there has also been a critical review of the following theories: theories that either support, oppose or comment on the broader concept of rationality; theories formulated by psychologists on the ways people react to uncertainty and risk; theories formulated by those who encourage more transparency in regulating risks; and theories formulated by those who encourage increased participation of people in the regulatory process.

Four themes have emerged. The junk food culture promotes apathy to science and biotech issues. Biotechnology is a middle-class issue. Time constraints are the biggest impediment to lay participation in public consultation. Consultation is urgently needed but is hampered by the 'complexity' of science.

This study is still a work-in-progress and comments are welcome to [e m.alami@mmu.ac.uk](mailto:m.alami@mmu.ac.uk), [t 0161 609 4349](tel:+441616094349) or 0161 247 3605. A list of acknowledgments is also available on request.

*Maryam Al-Alami, Manchester Metropolitan University*

## Seminars on administrative justice

The ESRC has awarded a grant of £15,000 to Edinburgh University for a series of seminars on administrative justice. The seminars are being organised by Professor Michael Adler and Dr Richard Whitecross and the first one will take place in Edinburgh on Monday 27 March 2006. The aims of this seminar series are: to review the current state of theoretical work on administrative justice, defined here as work concerned with the justice and fairness of administrative procedures; to consider recent changes in the nature of the state, recent developments in public administration, in the UK and elsewhere, and their implications for the relationship between the state and the citizen; and, against this background, to assess the current state of administrative justice in the UK and consider how administrative justice might be enhanced. It will attempt to bring together academics who undertake research in different sub-divisions of administrative justice; to facilitate dialogue

between them and the major stakeholders in the field; and to develop a research agenda that focuses on some of the most important questions that need to be addressed. The first seminar will consider three 'state of the art' reviews by Professor Robert Kagan (UC Berkeley), Professor Robin Creyke (ANU) and Professor Marc Hertogh (University of Groningen). The second seminar, which will probably take place in June, will consider current developments in governance, managerialism, IT, conceptions of rights and responsibilities and theoretical work on social justice, and the implications of this for the relationship between the state and the citizen.

Anyone who wishes to attend these seminars is invited to contact Richard Whitecross [e r.whitecross@ed.ac.uk](mailto:r.whitecross@ed.ac.uk). Spaces are limited with priority being given to those who will attend all five seminars. A number of places have been reserved for postgraduate students.



## Legal Action in Scotland

The Scottish Legal Action Group and *SCOLAG Legal Journal* recently celebrated its 30th anniversary. The aim of the group is to promote equal access to justice in Scotland and under this remit its journal has become a significant venue for debate and pressure in relation to law reform in Scotland. Throughout its history the emphasis has been on changing the law for the benefit of disadvantaged people rather than simply bemoaning the inadequacies of the current regime.

The group was founded in 1975 at a time when the Labour Government was promoting devolution. SCOLAG supported this mainly because it would provide greater opportunity for law reform in areas of pressing need (eg housing, consumer and family law) where Westminster had no time to consider complex reform. While the group made a major impact in relation to such things as reform of legal aid, the development of the law centre movement and access to legal services in the early years, the devolution project failed in the 1970s and the opportunity for greater legislative time was lost.

The coming of the Scottish Parliament under the Scotland Act 1999 has reinvigorated thinking on how the law can and should be used to effect change. Scotland now has much needed new statutes ranging from adult incapacity and mental health to vulnerable witnesses, homelessness and even the right to breastfeed in public. SCOLAG has also been active in many responses to consultations coming from the new Parliament.

*SCOLAG Legal Journal* continues to provide a forum for relevant debate on law in society. In a major coup, a recent article in SCOLAG seems to have stopped in their tracks the Scottish Executive's plans to introduce compulsory HIV testing. Under pressure from the Scottish Police Federation, the executive consulted on how best to introduce compulsory tests where a victim of assault had had inadvertent contact with the bodily fluids of their alleged attacker. James Chalmer's article 'Mandatory HIV and hepatitis testing' is credited with forcing a rethink and with encouraging various trade unions and charities such as Victim Support Scotland to review their policies. This article and the entire October edition of the *SCOLAG Legal Journal* is available as a pdf via [www.scolag.org](http://www.scolag.org).

Brian Dempsey

### . . . people

**PENNY BOOTH** has been appointed to a Readership at Staffordshire University Law School.

**JULIAN WEBB** (University of Westminster and secretary of the SLSA) has been appointed Professor of Legal Education and Director of the UK Centre for Legal Education, University of Warwick. He will take up his appointment from 1 May 2006. [e j.webb01@westminster.ac.uk](mailto:e.j.webb01@westminster.ac.uk)

**MARTIN PARTINGTON** completed his term as Law Commissioner at the end of 2005, but is retained, part-time, as a special consultant to help complete the commission's housing programme. He has also been appointed research adviser to Sir Robert Carnwath, Senior President (Designate) of the new Tribunals Service. He has retired from the University of Bristol which has made him an Emeritus Professor. In April he takes up a part-time senior associate research fellowship at the Institute of Advanced Legal Studies. There he plans to take forward a number of issues arising from the Nuffield Inquiry into empirical socio-legal research in law.

**MARTHA FINEMAN**, Professor of Law, Emory University and Director of the Feminism and Legal Theory Project will be visiting the AHRC Centre for Law, Gender and Sexuality on a Leverhulme Visiting Professorship (2006-07). She will be giving a series of Leverhulme Lectures with the overall title: 'Re-valuing kinship relations: challenges, conflicts and aspirations'. The linking theme will be the resurgent importance of religion within politics and policy-making on family and kinship matters in the UK and the US. The final Leverhulme lecture will also be the Centre's Annual Lecture for 2007.

**PASCOE PLEASANCE**, Head of the LSRC, has been appointed a Visiting Professor at the Faculty of Laws, University College London.

**NIGEL BALMER**, Senior Researcher at the LSRC, has been appointed an Honorary Senior Research Fellow at the Faculty of Laws, University College London.

### PER STJERNQUIST 1912-2005

I first met **PER STJERNQUIST** at a conference in Bologna in 1988. By then he had retired from his chair in sociology of law at the University of Lund. Some of his Swedish colleagues (who all seemed to idolise him) called him affectionately 'the old professor' in talking to me. But there was nothing old about him. I liked him immediately because of his warmth, mischievous wit and vitality. And his career suggested immense energy. He almost single-handedly founded sociology of law as a taught subject in Sweden, battling against intense opposition from the law faculties to do so. His first seminar in the subject at Lund in 1963 was for administrative science students (the law faculty would have nothing to with it). But he soon made sociology of law popular, attracting students from law, humanities and social sciences, and set up the Institute of Sociology of Law. He was Professor of Civil Law at Lund from 1950 to 1972 and Rector of the University through the turbulent years of the late 1960s. His publications set the dominant orientation of Swedish sociology of law, and he supervised generations of research students in the subject. After retiring in 1978 from the Chair of Sociology of Law (specially created for him in 1972), he wrote several more books and never lost his devotion to legal sociology, continually trying to synthesise the empirical research he had done and exploring new theoretical underpinnings for it. His last book was published in 2004 and just before his death aged 93, on 27 December 2005, he wrote to me to say he was busy with his research.

Stjernquist was one of a generation of pioneers (including Wilhelm Aubert in Norway, Renato Treves in Italy and Jean Carbonnier in France) at the forefront of the mid-20th century institutionalisation of sociology of law in Western Europe. That he could establish the subject despite academic opposition (from lawyers) or indifference (from most sociologists) was due to his contacts with government in the relatively small Swedish intellectual-political elite. Sociology of law was created by governmental, not university, initiative after influential political figures decided that the education of administrators should cover law's governmental functions and mechanisms. Because of these beginnings, Swedish socio-legal studies took on a strongly instrumental orientation, viewing social problems through a governmental lens - what Stjernquist later called a 'top-down' approach. He rebelled against this in later writings, starting with *Forest Treatment* (1992), which emphasised a primary need to

understand the views and experience of the governed.

That book, like his *Laws in the Forest* (1973) - which served generations of students as a teaching and research manual - focused on one of Stjernquist's great loves, the Swedish forests, and reflected his concern for their proper care and for the harmonious co-operation of human beings and nature. The 1973 book examined how relations were negotiated between officials administering laws and policies of forest management, on the one hand, and private owners of forest land, on the other. The focus was on law's impact on society but he denied that law's effects could be isolated from a larger cluster of influences on behaviour.

He was much influenced by Willard Hurst's socio-legal history, by social psychology and by anthropology, especially its ethnographic methods and its concern to understand subjective human experience. One of his most moving reports (much of his writing is characterised by vivid description and emotional engagement with his subject-matter) examines the life of a small settlement of destitute people living in shacks on the outskirts of Lund in the 1920s and 1930s. In *Poverty on the Outskirts* in 1987, he portrayed their lifestyles of over half a century before as hopeless and chaotic, but noted that many of their children (some of whom he had known as a youth in the 1930s) found a place in society. A lesson he drew was that social cooperation depends on a certain level of material wellbeing and a wish to plan for the future, and that, without cooperation, moral norms cannot survive. His last writings are much concerned with the nature of social cooperation and its relation to legal and moral norms.

Born in Lund, where he spent virtually all his life, he began his career as a local judge and court official. His doctoral research in the 1940s was supervised by the celebrated legal realist Karl Olivecrona. But supervisor and student soon fell out, mainly, as Stjernquist recalled, because of Olivecrona's authoritarian ways and his vocal support, in the war years, for Nazi Germany's hegemony in Europe. Stjernquist, by contrast, was a left-leaning liberal. There was, undoubtedly, some of the Scandinavian realist heritage in him, but it was overlaid with a warm, non-judgmental sympathy for others which translated itself very obviously into much of his published work. **ROGER COTTERRELL**

## Government consultations

Several consultations are currently open and all interested parties are invited to contribute at [www.consultations.gov.uk](http://www.consultations.gov.uk) or [www.scotland.gov.uk/consultations](http://www.scotland.gov.uk/consultations).

## Employment

The Department for Education and Skills, Home Office and Department of Work and Pensions recently published a Green Paper, *Reducing Re-Offending Through Skills and Employment*. Interested parties are invited to respond to the consultation questions contained in the Green Paper. The closing date for this is 29 May 2006. There is also a Welfare Reform Green Paper, *A New Deal for Welfare: Empowering people to work*, launched on 24 January, containing major new proposals relating to individuals returning to work. The consultation period ends on 21 April 2006.

## The courts

There are plans to amend Part 36 of the *Civil Procedure Rules* relating to offers to settle and payments into court. Part 36 encourages early settlement of cases. It allows parties to litigation to make offers to compromise the case. This proposal sets out to build on recent judgments which have provided for written offers from certain categories of defendant to be treated in the same way as a payment into court. Closing date: 6 April 2006.

## Discrimination

The need for action to tackle the stigma associated with HIV was identified in the National Strategy for Sexual Health and HIV in

2001 and a commitment to publish an HIV stigma action plan was made in the strategy's implementation plan in 2002. During the interim period, while this action plan has been in development, things have not stood still. Stigma and discrimination have featured explicitly in a wide range of guidance, recommended standards and good practice for those working in the HIV field, including the Recommended Standards for NHS HIV Services. The HIV-Related Stigma and Discrimination: Action Plan was launched on 1 December 2005 and the Department of Health welcomes comments until 31 March 2006.

## In Scotland

The Scottish Executive is inviting contributions for its review of the Freedom of Information (Scotland) Act 2002 which came into force in January 2005. The Act introduced important new rights for all to access information held by Scottish public authorities. The review will provide an opportunity to assess the evidence and this consultation will feed into the process by gathering views on specific aspects of the Act and how it is operating in practice. The closing date 31 March 2006.

In September 2006 Scottish Ministers will present a bill (Judicial Appointments and Removals Bill) that will place the Judicial Appointments Board for Scotland on a statutory basis, modernise the procedures for the removal of judges and make some changes to the organisation of the judiciary and to the arrangements for deployment and regulating conduct. This consultation will gather views on these proposals in advance of the publication of the Bill. The deadline is 3 April 2006.

## Alternative globalisations of socio-legal knowledge

This is the newsletter's second international column reporting about socio-legal research and teaching from a variety of countries in order to highlight socio-legal work beyond the English language community and beyond socio-legal issues raised in countries of the North. It seeks to contribute to the development of socio-legal teaching and research co-operations between the UK socio-legal community and socio-legal teachers, activists and researchers in other parts of the world. It also aims to facilitate critical comparative research by highlighting and opening up to questioning the specific cultural contexts in which we develop key concepts in socio-legal analysis. See also the new 'international links' page on the SLSA website. [www.slsa.ac.uk/international](http://www.slsa.ac.uk/international).

In this issue we are focusing on socio-legal activities in Eastern and Southern Africa.

The information below aims to provide an introduction to resources available to those interested in pursuing socio-legal research on Eastern and Southern Africa. It does not purport to be comprehensive in its coverage but seeks to document recent developments where possible.

### Eastern and Southern Africa: socio-legal resources

#### Legal Resources Centre, South Africa

The Legal Resources Centre is an independent, non-profit, public-interest law centre which uses law as an instrument of justice. It works for the development of a fully democratic society, based on the principle of substantive equality, by providing legal services for the vulnerable and marginalised, including the poor, homeless, and landless people and communities of South Africa who suffer discrimination by reason of

race, class, gender, disability or social, economic, and historical circumstances. To achieve its aims, the Legal Resources Centre seeks creative and effective solutions by using a range of strategies, including impact litigation, law reform, participation in partnerships and development processes, and education and networking within and outside South Africa. [www.lrc.org.za/home/](http://www.lrc.org.za/home/)

#### Africa Law Institute

The Africa Law Institute aims to conduct, support and encourage non-partisan and scientific legal research that promotes respect for the rule of law in order to secure the better administration of justice in Africa. Its focus is on interdisciplinary research on critical legal and policy questions pertaining to Africa and on innovative research on critical legal and policy questions. [www.africalawinstitute.org/about.html](http://www.africalawinstitute.org/about.html)

#### Law Reports

*LawAfrica Law Reports* (LLR) is an online law reporting service that comprises databases of law reports from Kenya, Uganda, Tanzania and the COMESA Court of Justice based in Lusaka, Zambia. Launched in 1999, LLR was the first ever online legal database in East and Central Africa. To subscribe email [LawAfrica@info@lawafrica.com](mailto:LawAfrica@info@lawafrica.com).

#### Journals

*Law, Social Justice and Global Development* (LGD) is an innovative new electronic law journal covering a range of topics relating to legal issues surrounding the impact of globalisation on social development. It contains diverse materials including peer reviewed and non-refereed articles, commentaries, work-in-progress articles, book reviews, and conference reports and papers, as well as information papers, news and details of global conferences. See [www2.warwick.ac.uk/fac/soc/law/elj/lgd](http://www2.warwick.ac.uk/fac/soc/law/elj/lgd)

In the *Journal of African Law*, coverage encompasses the laws of sub-Saharan African countries. It address contemporary legal issues and highlights issues of international and comparative significance. The journal contains a separate section on recent legislation, case-law, law reform proposals and recent international developments affecting Africa.

*Law in Africa (Droit en Afrique/Recht in Afrika)* is the journal of the African Law Association published in Germany.

#### Moot Court

The 14th African Human Rights Moot Court Competition was held in Johannesburg in September 2005. The competition focuses on aspects of the realisation of human rights in Africa. The following issues were raised by a hypothetical case argued at the Moot Court: scope of jurisdiction of the African Court on human and peoples' rights; unconstitutional changes of government; use of child soldiers; mercenaries in Africa; legal aid as a prerequisite for fair trial; privatisation and its potential impact on human rights. For more information on the African Human Rights Moot Court Competition and on human rights law in Africa, see [www.chr.up.ac.za](http://www.chr.up.ac.za).

#### Constitutional Court of South Africa

This court maintains an up-to-date website at [www.constitutionalcourt.org.za](http://www.constitutionalcourt.org.za). See, for example, *Minister of Home Affairs and Another v Fourie and Another, with Doctors For Life International, John Jackson Smyth and Marriage Alliance of South Africa*, December 2005, in which the common law definition of marriage was declared to be inconsistent with the constitution and invalid because it does not permit same-sex couples to enjoy the status, benefits and responsibilities of heterosexual ones. **Ambreena Manji** [e a.manji@law.keele.ac.uk](mailto:a.manji@law.keele.ac.uk)

To highlight socio-legal activities in a particular country or region, contact **Bettina Lange** at [e b.lange@law.keele.ac.uk](mailto:b.lange@law.keele.ac.uk)

... DCA reports

**Evaluation of Appellate Work in the High Court and the County Courts** (2005) Joyce Plotnikoff and Richard Woolfson DCA 7/05 Major changes to the system of civil appeals were introduced in May 2000 by Part 52 of the *Civil Procedure Rules*. Previous research by the authors looked at the impact of these changes on the civil division of the court of appeal. This study examines how appellate work is handled in the high court and county courts, focusing on the high court appeals office at the Royal Courts of Justice and three regional appeals centres. It draws on the views of judges, lawyers, litigants and court staff and on an examination of files. The findings should assist in developing systems that meet the needs of litigants and respond effectively to the demands of appellate work.

**Administrative Justice and Alternative Dispute Resolution: the Australian experience** (2005) Trevor Buck, DCA 8/05 This report examines the Australian system of administrative justice and the role of alternative dispute resolution (ADR) within it. The report outlines developments across the courts, tribunals and ombudsmen offices, at both Commonwealth and state/territory levels of government. The report finds that Australia has produced a rich range of ADR practice across these cornerstone institutions. The report concludes that what is required is a system that is sufficiently sensitised to identifying appropriate routes of dispute resolution in their individual contexts.

**The Management of Civil Cases: The courts and the post-Woolf landscape** (2005) Professor John Peysner and Professor Mary Seneviratne, DCA 9/05 This research project examines the effect of the 1999 civil justice reforms on case management in the fast and multi-tracks. It is a qualitative investigation, conducted in eight county courts, examining resources and costs. It concludes that the culture of litigation has changed for the better; case management is a success; and settlement rates in advance of litigation are high. However, costs remain a problem, and these appear to have increased overall.

**Advice Agencies, Advisors and their Clients: Perceptions of quality** (2005) Jenny Johnstone and James Marson 10/05 This research reports on perceptions of quality of legal advice services provided by non-legally qualified advisers. It describes clients' perceptions of the advice they received and providers' perceptions of the service they offer. It also examines advisors' views on quality standards and the advice network, and clients' definitions of a good quality service.

**Tribunals for Diverse Users** (2006) Hazel Genn, Ben Lever, Lauren Gray with Nigel Balmer and National Centre for Social Research DCA 1/06 Using a variety of methodologies, this is a major study of access, experiences and outcomes of tribunal hearings from the perspective of tribunal users in three tribunals: the Appeals Service, the Criminal Injuries Compensation Appeals Panel and the Special Educational Needs and Disability Tribunal. The study also included focus groups with the general public and interviews with tribunal judiciary. It was designed specifically to compare the experiences of white, black and minority ethnic users to establish how they perceive, and are treated within, tribunals and whether black and minority ethnic users experience any direct or indirect disadvantage in accessing and using tribunal services. The findings have implications for the provision of information and advice services and for judicial training.

**The Exercise of Judicial Discretion in Rent Arrears Cases** (2005) Caroline Hunter, Sarah Blandy, David Cowan, Judy Nixon, Emma Hitchings, Christina Pantazis and Sadie Parr DCA 6/05 This report from academics at Sheffield Hallam and Bristol Universities examines the factors which influence the orders made by judges in housing possession cases. It considers how far there is a consistency of approach in cases between district judges and the perceptions that key stakeholders have of judges' decision-making behaviour.

These and other reports are available from the Department for Constitutional Affairs, Research Unit [e research@dca.gsi.gov.uk](mailto:research@dca.gsi.gov.uk)  
[w www.dca.gov.uk/research/dcares.htm](http://www.dca.gov.uk/research/dcares.htm)

... books

**The Silicon Empire: Law, culture and commerce** (2005) Michael B Likosky, Ashgate (with Foreword by Sally Falk Moore) Michael Likosky examines the continuities and discontinuities between colonial and present-day high-tech transnational legal orders. He distinguishes the democratic and human rights rhetoric of this economy from a reality wherein the legal order is often used to reproduce colonial-type relationships. Just as in the colonial period, the expansion of trans-border commerce overlaps with democratic demands and human rights in complex, multifaceted and paradoxical ways. Through a case study looking at Malaysia's Multimedia Super Corridor, a high-tech national development plan and foreign direct investment scheme, he examines how the transnational leaders of the high-tech economy along with the Malaysian political elite react when human rights problems threaten to derail commercial plans.

**Privatising Development: Transnational law, infrastructure and human rights** (2005) Michael B Likosky (ed) Martinus Nijhoff This book looks at the shift since the 1980s away from state-financed and towards privatised international infrastructure projects. An interdisciplinary group of contributors looks at the relationship between privatisation and human rights in diverse national settings and in multiple sectors of the economy. These issues are explored through international organisation frameworks and internal politics, legislative guides, contracts and public-private organisations. The role of the World Bank, MIGA, export credit agencies, the UN Commission on International Trade Law, credit ratings agencies, international banks, TNCs, NUDs, community groups and state agencies are examined.

**Labour Law: Text and materials** (2005) (2nd edn) Hugh Collins, KD Ewing and Aileen McColgan, Hart £28/€42 ISBN 1-84113-362-0 1166pp The second edition of this book examines the law relating to employment, industrial relations and labour market regulation in the United Kingdom, including relevant dimensions of EC law and policy. The text introduces selected extracts from cases, statutes, reports, official statistics and academic commentary and analysis, and the whole is designed to provide all the materials needed for courses in labour law or employment law. The text emphasises recent developments including the expansion of legal regulation, new forms of work, the integration of labour law with broader policies aimed at the enhancement of competitiveness and the prevention of social exclusion, equal opportunities and the protection of rights in the workplace and new mechanisms for worker participation in decisions.

**The New Public Contracting: Regulation, responsiveness, relationality** (2006) £60 hb ISBN-10: 0-19-929127-6 pb ISBN-13: 978-0-19-929127-4 384pp This book charts the significant increase in Britain over the last 25 years in the deployment of contract as a regulatory mechanism across a broad spectrum of social relationships. Since 1997 the trend has accelerated, the use of contract spreading beyond the sphere of economics into public administration and social policy. The 'new public contracting' is the term given to this distinctive mode of governance, characterised by the delegation of contractual powers and responsibilities to public agencies in regulatory frameworks preserving central government controls and powers of intervention. The book critically analyses and evaluates such contractual arrangements with reference to theories of relational contract and responsive regulation. It argues that while in business and other private relations contract routinely enables the parties to regulate and adjust their on-going relationships to mutual benefit, this is often not the case in the new public contracting. In many instances crucial elements of trust, voluntariness and reciprocity are lacking. This and other weaknesses in regulatory design can impede the attainment of government policy objectives. The book demonstrates the problems of ineffectiveness and lack of legitimacy associated with this mode of regulation, and specifies institutional and other conditions that need to be satisfied for the more responsive governance of these public service functions.

**Theory and Method in Socio-Legal Research** (2006) Reza Banakar and Max Travers (eds), Hart £50/€75 hb ISBN 1-84113-625-5 £17.60/€26.40 pb ISBN 1-84113-626-3 348pp Socio-legal researchers increasingly recognise the need to employ a wide variety of methods in studying law and legal phenomena and that this needs to be informed by an understanding of debates about theory and method in mainstream social science. This collection publishes papers from a workshop held at the Oñati Institute for Sociology of Law in which researchers from several countries explored these issues. The editors have provided a critical introduction to each of six sections, and a general introduction on law, sociology and method.

**French Criminal Justice: A comparative account of the investigation and prosecution of crime in France** (2005) Jacqueline Hodgson, Hart £30/€45 ISBN 1-84113-429-5 Basing much of its analysis upon the first systematic empirical study of the French pre-trial process, this monograph breaks new ground in the field of comparative criminal justice. Moving away from idealised accounts of judicially supervised investigations, it provides a better understanding of the ways in which an inquisitorially rooted criminal process operates in practice and the factors that influence and constrain its development and functioning. The structure and operation of French criminal justice is set within a broad range of contexts – of political, occupational and legal cultures – from the French Republican tradition of state-centred models of authority, across the growing influence of the ECHR, to the local conditions which determine the ways in which individual discretion is exercised. The French model of investigative supervision and accountability is contrasted with more adversarial procedures and in particular, the different ways in which the reliability of evidence is guaranteed and the interests of the accused protected. This book will be essential reading for teachers, researchers, students and policy-makers working in the areas of criminal justice in the UK and across Europe, in comparative criminal justice/criminology, as well as in French and European studies.

**State of Law in the South Caucasus** (2005) Christopher PM Waters, Palgrave £55 The countries of the South Caucasus – Georgia, Armenia and Azerbaijan – have been plagued by the failings of the rule of law. While the quality of written laws has improved since independence, legal institutions – and perhaps legal culture – continue to be weak. The failings of law have in turn had a corrosive effect on state-building and democratisation. This book examines the rule of law in the region from a variety of themes and perspectives, such as corruption, elections, relations with Europe, legal professions, regulation of business, environment protection and human rights.

**Integrating Victims in Restorative Youth Justice** (2005) Adam Crawford and Tom Burden, Policy Press, £14.99 102pp ISBN 1861347855 It is a key aim of current youth justice policy to introduce principles of restorative justice and involve victims in responses to crime. This is most evident in the referral order and youth offender panels established by the Youth Justice and Criminal Evidence Act 1999. However, the challenges involved in delivering a form of restorative youth justice that is sensitive to the needs of victims are considerable. This report provides an illuminating evaluation of the manner in which one Youth Offending Service sought to integrate victims into the referral order process. The study affords in-depth insights into the experiences and views of victims and young people who attended youth offender panel meetings. It places these in the context of recent policy debates and principles of restorative justice. The report tracks a six-month cohort of cases in 2004; provides an analysis of in-depth interviews with victims, young offenders and their parents; highlights the challenges associated with integrating victims into restorative youth justice; and offers recommendations with regard to the involvement of victims in referral orders. This timely report will be of great value to youth justice policy-makers and practitioners, researchers and students of criminology and criminal justice, as well as all those interested in restorative interventions and the role of victims in the justice process.

**Housing Rights and Human Rights** (2005) Padraic Kenna, European Federation of National Associations Working with the Homeless in Brussels €10 ISBN 9075529449 *Housing Rights and Human Rights* sets out in one publication the range of international instruments which states have accepted guaranteeing housing rights to their citizens and others. It provides a valuable guide to understanding the origins and extent of contemporary human rights and housing rights instruments. The book examines the development and current status of housing rights as they are defined, monitored and implemented (or not) in line with various obligations of states, derived from the legal instruments of the United Nations, the Council of Europe and the European Union. This book offers a valuable source of inspiration, as well as an established corpus of law and standards, to counter 'the race to the bottom', where states compete for foreign direct investment, low capital taxation levels and 'competitive labour markets', by reducing rights. It also examines the position of housing rights within the 'new governance' of the EU involving a shift away from hard law, towards such methods as the open method of co-ordination within the social inclusion policies of the EU. It posits the relevance of fundamental rights, such as are set out in the EU Charter of Fundamental Rights, in the context of these developments and the growth of New Public Management. The book provides an analysis of relevant EU reports and literature in this area. Available in bookshops and from [e mary.fay@feantsa.org](mailto:mary.fay@feantsa.org). Further information from [e padraic.kenna@nuigalway.ie](mailto:padraic.kenna@nuigalway.ie)

**In brief ...** the 2nd edition of Pascoe Pleasence's (2006) *Causes of Action: Civil law and social justice*, TSO, Norwich, was published at the end of February.

## . . . and journals

The **Journal of Legal Studies Education** (JLSE) is offering a free sample copy. Published twice annually, the JLSE is an important resource for professors of business law. The journal is peer-reviewed and closely examines pedagogical issues within business legal studies. For more information visit the journal homepage. [www.blackwellpublishing.com/jlse](http://www.blackwellpublishing.com/jlse)

**Journal of Sexualities, Gender and Justice:** call for papers The *Journal of Sexualities, Gender and Justice* is an independently peer-reviewed journal which aims to promote discussion of, and provide a forum for, the analysis of relations between and within sexualities, genders and law from critical and interdisciplinary perspectives. The theme for the inaugural issue is 'Just love' – a topic which seems out of place in an academic and political environment that is preoccupied with international security, economic rationalism and new pandemics. And yet a critical glance reveals that these 'objective' and 'rational' topics are couched in highly emotive language and often draw heavily upon generalisations about gender and sexuality. The *Journal of Sexualities, Gender and Justice* invites submissions on the topic of just love, and encourages analyses across plural and different sexualities and genders, including but not limited to heterosexual, queer, intersex, transgender, masculinities and femininities and analyses that address the appearance of law in different sites, such as word and image, popular culture, cinema, policy, daily life, judgments and legislation. Any style of submission up to 8000 words is welcome from any relevant discipline. Submissions due by 30 June 2006. [www.jsjg.org](http://www.jsjg.org) For more information contact Sarah Keenan † 0412 805 742 or Mark Thomas † 0408 714 706 [e editors@jsjg.org](mailto:editors@jsjg.org).

The **Journal of Academic Legal Studies** (JOALS) is a new, free access online journal initiated by the University of Hannover. It aims to provide young legal scholars with an entry point into the world of academic publishing, applying a rigid peer-review system whilst acknowledging that high quality academic work can be produced by undergraduates, postgraduates and postdoctoral scholars alike. Issue 1 is now available on the journal's website and the editors are actively seeking submissions for future issues. For more information, please visit the site or contact the editors. [www.joals.org](http://www.joals.org) [e info@joals.org](mailto:info@joals.org)

- **FORENSIC FUTURES: INTERROGATING THE POSTHUMAN SUBJECT**

*Birkbeck: 16-18 March 2006*

An international conference in cooperation with the Law School, Birkbeck and the Leverhulme Trust. Convener: Rosi Braidotti, Utrecht University and Leverhulme Trust Visiting Professor, Birkbeck. This conference explores the shifting boundaries between life and death in contemporary culture. For further information and registration see [www.bbk.ac.uk/law/conferen/forensicfutures2006.shtml](http://www.bbk.ac.uk/law/conferen/forensicfutures2006.shtml) or contact Victoria Goodyear [e v.goodyear@bbk.ac.uk](mailto:v.goodyear@bbk.ac.uk).

- **THE CHANGING FACE OF UK CONSUMER LAW**

*University of Hull: 11 April 2006*

The Law School at the University of Hull, together with the Consumer Law Academic Network is holding a one-day symposium on consumer law in honour of Deborah Parry's contribution to consumer law scholarship. Speakers will be Richard Bragg, Peter Cartwright, Brian Harvey, Geraint Howells, Roland Rowell and Christian Twigg-Flesner. Contact Ann Sweeney [e c.a.sweeney@hull.ac.uk](mailto:c.a.sweeney@hull.ac.uk).

- **BUILT ENVIRONMENT LAW NETWORK**

*Inaugural Meetings, London and Hong Kong: April 2006*

The Built Environment Law Network (BEL-NET) is an international and interdisciplinary network of researchers. It brings legal scholars and academic researchers in the property, construction and social housing fields together to address a range of legal issues affecting all those who use and manage our built environment. The inaugural meetings will discuss the future direction of the network. Contact Paul Chynoweth [e p.chynoweth@salford.ac.uk](mailto:p.chynoweth@salford.ac.uk).

- **LSCR 6th INTERNATIONAL RESEARCH CONFERENCE**

*Queen's University Belfast: 20-21 April 2006*

To be held in conjunction with the Northern Ireland Legal Services Commission and the Scottish Legal Aid Board, the conference will involve leading researchers, policy makers, professionals and commentators in the legal aid field from around the world. Its theme will be Transforming Lives: The Impact of Legal Services and Legal Aid. Contact [e cate.fisher@legalservices.gov.uk](mailto:cate.fisher@legalservices.gov.uk) [www.lsrc.org.uk](http://www.lsrc.org.uk)

- **MIDWEST POLITICAL SCIENCE ASSOCIATION CONFERENCE**

*Palmer House Hotel, Chicago: 20-23 April 2006*

[www.indiana.edu/~mpsa/conferences/conferences.html](http://www.indiana.edu/~mpsa/conferences/conferences.html)

- **SYMPOSIUM ON LAW, MIGRATION AND HUMAN RIGHTS**

*University of Sussex: 12 May 2006*

Convener: Marie-Benedicte Dembour. Speakers include Nicola Rogers, Gina Clayton, Colin Harvey, Dallal Stevens, Steve Peers, Dora Kostakopoulou, Elspeth Guild and James Hampshire. Registration is free but essential – places limited. Contact: [e migration@sussex.ac.uk](mailto:migration@sussex.ac.uk)

- **CRITICAL APPROACHES TO INTERNATIONAL LAW: THE FORCE OF INTERNATIONAL LAW**

*Birkbeck, London: 15-17 May 2006*

The third in a series of events dedicated to the critique of international law at Birkbeck School of Law. These events aim to bring together people working on various critical approaches to international law, who may have identified themselves as belonging to different 'constituencies', and occasion intense debate and the presentation of new collaborative work. Deadline for submissions 31 March 2006. Call available at [www.bbk.ac.uk/law/confer.shtml](http://www.bbk.ac.uk/law/confer.shtml).

- **16TH INTER-PACIFIC BAR ASSOCIATION CONFERENCE**

*Hilton Hotel, Sydney: 30 April-3 May 2006*

Negotiation and effect of free trade agreements. [www.ipba2006.com](http://www.ipba2006.com)

- **LAW, RELIGION AND SOCIAL CHANGE**

*Australian National University, Canberra: 25-27 May 2006*

Designed to encourage innovative exploration of relationships between law, religion and spirituality from diverse perspectives using two broad themes: religion and the architecture of law; and religion and the regulation of life, death, sexuality, work and education. Enquiries: Adrienne Stone [e adrienne.stone@anu.edu.au](mailto:adrienne.stone@anu.edu.au) [www/http://lawrsss.anu.edu.au/conference.html](http://lawrsss.anu.edu.au/conference.html)

- **ALSP 2006: SOCIAL JUSTICE IN PRACTICE - Call**

*University College Dublin, Ireland: 29 June-1 July 2006*

The theme of the 2006 conference of the Association of Social and Legal Philosophy is 'Social justice in practice'.

[www.ucd.ie/alsp2006](http://www.ucd.ie/alsp2006)

- **'TOO PURE AN AIR': LAW AND THE QUEST FOR FREEDOM, JUSTICE AND EQUALITY**

*Gloucester, England: 18-20 June 2006*

Sponsored by Texas Wesleyan University School of Law, University of Gloucestershire, Central Gloucester Initiative and Gloucester City Council. To celebrate Lord Mansfield's famous decision in *Somerset v Stewart* and its impact, the conference aims to discuss the role the law has played in fostering freedom and equality and furthering oppression and exploitation. It will explore the issues of how law and its practitioners affect issues of freedom, equality and justice. Papers from the conference will be published by the *Texas Wesleyan Law Review* in a special symposium issue. [www.gloucesterconference.com](http://www.gloucesterconference.com)

- **WG HART LEGAL WORKSHOP 2006: THE RETREAT OF THE STATE: CHALLENGES TO LAW AND LAWYERS**

*Institute of Advanced Legal Studies, London: 27-29 June 2006*

Academic Directors: Professor Linda Mulcahy, Birkbeck, University of London; Professor Sally Wheeler, Queens University, Belfast; Professor Chris Bovis, University of Central Lancashire. The aim of the workshop is to interrogate the changing relationship between the state and law. Plenary speakers will include: Professor Marc Galanter, University of Wisconsin; Professor Sally Wheeler, QUB; Professor Sol Picciotto, Lancaster University; Professor David Cowan, University of Bristol. Contact: Belinda Crothers [e belinda.crothers@sas.ac.uk](mailto:belinda.crothers@sas.ac.uk).

- **BRITISH ASSOCIATION OF CANADIAN STUDIES LEGAL STUDIES GROUP**

*Canadian High Commission, London: 30 June 2006*

This year's theme is Anglo-Canadian Perspectives on Contract and Unjust Enrichment/Restitution. The keynote speaker is Professor Stephen Waddams. [www.lancs.ac.uk/fass/organisations/canadian](http://www.lancs.ac.uk/fass/organisations/canadian)

- **NORTH AMERICAN TAIWAN STUDIES ASSOCIATION CONFERENCE**

*University of California, Santa Cruz: 3-5 July 2006*

Theme: Crossing the Borders, Fostering the Future: Taiwan Studies in the Intersections. Since the late 1980s, Taiwan's extraordinary political, social and economic transformation has led to a fresh Taiwan-centred focus for research and attracted unprecedented attention from the world's intellectuals. Visit [www.natsc.org](http://www.natsc.org) or contact NATSA Secretaries Yih-jye Hwang [e yjh04@aber.ac.uk](mailto:yjh04@aber.ac.uk) and Ching-Chang Chen [e chc03@aber.ac.uk](mailto:chc03@aber.ac.uk).

- **CHILDHOOD AND YOUTH: CHOICE AND PARTICIPATION**

*Centre for the Study of Childhood and Youth, Sheffield: 4-6 July 2006*

The aim of this is to explore and question the nature and extent of children's participation. The programme includes four plenaries with parallel sessions of contributed papers. There will also be a postgraduate forum after the close of the main event. Contact Allison James [e allison.james@shef.ac.uk](mailto:allison.james@shef.ac.uk) or Penny Curtis [e p.a.curtis@shef.ac.uk](mailto:p.a.curtis@shef.ac.uk) or see [www.sheffield.ac.uk/cscy](http://www.sheffield.ac.uk/cscy).

- **BRITISH SOCIETY OF CRIMINOLOGY CONFERENCE**

*Glasgow: 4-7 July 2006*

Run jointly by the Glasgow Caledonian, Strathclyde and Glasgow Universities, the provisional title is Research and Theory: New Directions in Scottish and Global Criminology. Plenary speakers will be Kelly Hannah-Moffat, University of Toronto; Richard Sparks, University of Edinburgh; Clive Norris, University of Sheffield; Loraine Gelsthorpe, University of Cambridge. Details: [www.caledonian.ac.uk/bsconf2006](http://www.caledonian.ac.uk/bsconf2006) [e bsconf2006@gcal.ac.uk](mailto:bsconf2006@gcal.ac.uk)

- **ESRC CENTRE ON MIGRATION, POLICY AND SOCIETY CONFERENCE: INTERNATIONAL LABOUR MIGRATION**

*University of Oxford: 5-6 July 2006*

A conference bringing together leading academics, research students, policy makers and practitioners to explore and debate the processes, impacts, objectives and policies of international labour migration. [www.compas.ox.ac.uk](http://www.compas.ox.ac.uk)

● **INTERNATIONAL JOURNAL OF CLINICAL LEGAL EDUCATION CONFERENCE: THE PRACTICE OF FREEDOM: EMANCIPATION THROUGH CLINICAL LEARNING?**

*Institute of Advanced Legal Studies, London: 12-13 July 2006*

A unique forum for clinical educators from all jurisdictions to come together to discuss all aspects of clinical teaching and learning, to learn from one another and to share best practice. This year's themes include: clinical teaching strategies; clinical organisation and management; assessment and grading in clinics; clinics and ethical practice. Papers welcome from all jurisdictions. Contact Philip Plowden † +44 (0) 191 227 3995 e philip.plowden@northumbria.ac.uk. All papers will be considered for publication in the journal.

● **LAW AND LITERATURE ASSOCIATION OF AUSTRALIA: PASSAGES - LAW, AESTHETICS, POLITICS - Call**

*University of Melbourne: 13-14 July 2006*

A conference committed to critical and theoretical analysis responding to the contemporary political conditions of today. Plenary and keynote speakers are: Maria Aristomedou, Birkbeck; Katherine Biber, Macquarie University; Rebecca Scott Bray, University of Sydney; Richard Sherwin, New York Law School. The deadline for abstracts is 1 May 2006. Contact Amy Harrington e law-cmlcl@unimelb.edu.au. w www.law.unimelb.edu.au/cmlcl

● **MEDEA: MUTATIONS AND PERMUTATIONS OF A MYTH**

*Clifton Hill House, Bristol, UK: 17-19 July 2006*

Medea, the infanticidal wife of Jason, is a figure from classical mythology who challenges the boundaries of behaviour and understanding. The organisers hope to explore the themes of: the reception of the myth from antiquity to the 21st century; a critical re-assessment of theories of myth and myth-making; the interpretation of the Medea myth to suit cultural, political, gender and scientific agendas. A volume of proceedings will be published shortly after the conference. Contact Dr Heike Bartel e heike.bartel@nottingham.ac.uk and Dr Anne Simon e a.simon@bristol.ac.uk.

● **LATIN AMERICAN NETWORK OF LEGAL ANTHROPOLOGY BI-ANNUAL CONFERENCE**

*Mexico: October 2006*

This network brings together socio-legal scholars and indigenous rights activists. w http://relaju.alertanet.org/

● **1ST ANNUAL CONFERENCE ON EMPIRICAL LEGAL STUDIES**

*University of Texas Law School: 27-28 October 2006*

*Submission deadline: June 30, 2006*

This conference will feature presentations of original empirical and experimental legal scholarship by leading scholars from diverse fields. It is jointly organised by Cornell Law School, NYU School of Law and the University of Texas Law School. Conference organisers: Jennifer Arlen (NYU), Bernard Black (Texas), Theodore Eisenberg (Cornell), Michael Heise (Cornell) and Geoffrey Miller (NYU). General inquiries: Prof Bernard Black e bblack@law.utexas.edu. Registration: Peggy Brundage e pbrundage@law.utexas.edu.

● **1ST BRITISH-GERMAN SOCIO-LEGAL WORKSHOP: LAW, POLITICS AND JUSTICE - Call**

*Keele University: 9-11 November 2006*

The Research Institute for Law, Politics and Justice and the Research Committee of Socio-Legal Studies of the German Society of Sociology and the German Socio-Legal Association are inviting socio-legal scholars from Britain and Germany to present papers and discuss research at this event. For submission and booking information see w www.keele.ac.uk/research. Please send your expressions of interest and 250-word abstracts to Susanne Karstedt e s.karstedt@keele.ac.uk and Bettina Lange e b.lange@law.keele.ac.uk.

● **CENTRE FOR ANALYSIS OF RISK AND REGULATION EVENTS**

• **BSE . . . ten years on: LSE, London: 21 March 2006**

Speaker: Prof Hugh Pennington, University of Aberdeen. Chair: Prof Bridget Hutter. Discussant: Dame Deidre Hutton.

• **'Outbreak? Pandemic risk and risk management in the 21st century': LSE, London: 14 March 2006**

Speakers include: Prof Peter Baldwin (UCLA), Prof Thomas Abraham (University of Hong Kong).

w www.lse.ac.uk/collections/carr/default.htm.

● **EUROPA INSTITUTE MacCORMICK LECTURES 2006**

*Old College, University of Edinburgh*

A themed series of lectures in which speakers will address various aspects of the EU constitutional debate. Enquiries to Jo Shaw e jo.shaw@ed.ac.uk or Drew Scott e andrew.scott@ed.ac.uk.

**5 May:** Professor Giuliano Amato, European University Institute, Constitutional Developments in Europe

**24 May:** Professor Joseph HH Weiler, New York University, A Christian Europe

**28 September:** Professor Neil Walker, European University Institute, Europe in Constitutional Limbo: Democratic deficit and sovereignty surplus'

**31 October:** Professor Jo Shaw, University of Edinburgh (Inaugural Lecture), Citizenship and Constitutionalism in the European Union – What role for political rights?

**1 December:** Professor Deirdre Curtin, University of Utrecht, Constitutionalism and Governance in the EU

**8 December:** Professor Sir Neil MacCormick, Reflections on the Constitutional future for Europe

● **BALDY CENTER EVENTS, SUNY BUFFALO, NEW YORK Interdisciplinary workshop: merging immigration and crime control: 28-29 April 2006**

Organiser Teresa Miller, Law, SUNY Buffalo. Presentations will focus on the convergence of crime control and immigration control since the inception of the War on Drugs and the War on Terror. Participants include Nora Demleitner, Hofstra University; Kevin Johnson, University of California, Davis; Daniel Kanstroom, Boston College; Stephen Legomsky, Washington University in St Louis; Randall Shelden, University of Nevada, Las Vegas; Jonathan Simon, University of California, Berkeley; Juliet Stumpf, Lewis and Clark Law School; Michael Welch, Rutgers University.

**Police power reconsidered: interdisciplinary perspectives on modern governance: 9-11 June 2006**

Organisers: Markus Dubber, Law, SUNY Buffalo and Mariana Valverde, Criminology, University of Toronto. This is a follow-up to a 2004 workshop on 'The new police science: the police power in domestic and international governance'. Participants from different disciplines and countries will explore a range of topics from the general perspective of policing as a tool of governance. See w www.law.buffalo.edu/baldycenter/events.htm.

● **CENTRE LGS EVENTS 2006**

**Annual lecture: the decline of state sovereignty and the return of the repressed: University of Westminster: 19 April 2006**

Professor Wendy Brown on 'The decline of state sovereignty and the return of the repressed'.

**Symposium: 'There is no politics without fantasy': gender, sexuality and cultural studies in law: Keele: 19-20 April 2006**

Academics from a range of disciplines will investigate the many different uses of fantasy in gender, sexuality and law scholarship.

**PG workshop/mini-conference: Westminster: 26-27 April 2006**

At the workshop on 26 April a group of invited experts will share their theoretical perspectives. The mini-conference is an opportunity for postgraduates to present their research in a friendly and supportive atmosphere.

**Workshop: revisiting governing from feminist and queer perspectives: Kent University: 29 June 2006**

To explore the contribution of feminist and queer theory to our thinking on the character and practice of regulation and governance.

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Contact Anisa de Jong, Centre Coordinator † 01227 82 4474

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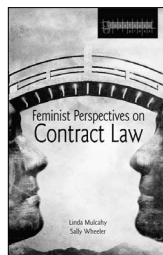
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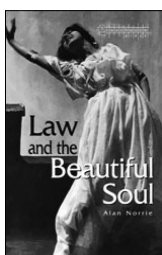


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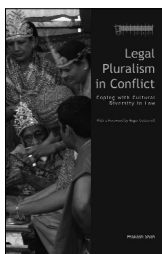
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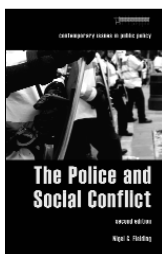
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