



Centre of Law  
and Society

Canolfan y Gyfraith  
a Chymdeithas

# **The Centre of Law and Society**

# **Annual Report**

# **2020-2021**

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# Introduction

The 2020/21 was another exceptional academic year in which the Centre of Law and Society (CLS) had to adjust its programme to the continuing global covid-19 pandemic. Moving all activities online, the CLS set the following priorities: to continue its essential events programme, expand and globalise fellowship and collaboration opportunities particularly for early career scholars by using online facilities, organise conferences and seminars on socio-legal and interdisciplinary methodologies, and conduct a fundamental review and assessment of its activities in the last five years with special emphasis on its promotion of equality, diversity and inclusion.

Like any critical situation, the covid-19 pandemic has brought challenges and opportunities and the CLS made sure that its lecture and conference programme as much as organisation of more specific seminars and workshops would continue to run online during the lockdown situation. The CLS engaged in both international and national collaborations to further strengthen its role of a globally leading socio-legal research institution.



The annual lecture was delivered by the most distinguished sociologist of law and politics and former President of the Law and Society Association professor Kim-Lane Scheppele from

Princeton University on the theme of autocratic legalism and its future in December 2020. The annual conference focused on the problem of transnational political constitutionalism and hosted speakers from ten different countries.

The Centre co-organised the most successful and influential conferences on socio-legal methodologies with the Oxford Centre for Socio-Legal Studies in May 2021. The Cardiff and Oxford conferences brought together senior and early career scholars as well as PhD students from many different countries and represented unique events of global intellectual cross-fertilisation and development of relevant methodologies. It had a huge impact on the research culture and postgraduate community at our university and beyond. The success of this collaboration is demonstrated by the fact that conference papers will form two volumes of the *Journal of Law and Society's* special supplements dedicated to socio-legal methodologies.

Emphasising its commitments to the global socio-legal research community, the Centre significantly expanded its fellowship programme and hosted fellows from the most diverse backgrounds and several continents. It also joined forces with the ARENA Centre for European Studies at the University of Oslo, Departamento de Filosofía y Sociedad, Universidad Complutense in Madrid and Birkbeck College, University of London to form an interdisciplinary network Dissenting Voices: European thought between tradition and rupture which organised seven workshops in the last academic year.

Furthermore, the Centre promoted collaboration with its principal international partner, the International Institute for the Sociology of Law in Onati, the Basque Country, by teaching in its Socio-Legal Master programme and offering travel and conference grants to its scholars and students to attend the Socio-Legal Studies Association (SLSA) conference hosted by Cardiff University in April 2021.



The Centre supported the SLSA conference in both organisational and financial ways and ran two streams. The first one focused on the interdisciplinarity of socio-legal research and education while the second addressed general issues of the sociology of law. The CLS also significantly contributed to the stream organised by the *Journal of Law and Society*.

Apart from its global mission and international activities, the Centre further expanded its contribution to the Cardiff University's research culture by organising activities and events at the School of Law and Politics and collaborating with other centres, schools and departments, most notably the Centre of Law and Religion, the Business School and the School of History, Archaeology and Religion. The CLS research seminar mini-series *Law and ...* focusing on interdisciplinarity and other sciences in legal research particularly aimed at supporting early career scholars and postgraduate students within and beyond the School of Law and Politics.

The Centre's research themes covered large areas of socio-legal and interdisciplinary

research from research methods and methodologies to historical justice and dealing with the past and sociology of political and societal constitutionalism. Environmental and global justice remained a top priority of the Centre and its research fellows and the importance of interdisciplinarity became a priority of the CLS conference and seminar programme. Issues and problems of gender and law, access to justice and socio-legal studies of legal professions fundamentally informed a number of events organised by the Centre this academic year.

The continuing pandemic and its impact on academic activities including lockdowns and limitations of online communication did not weaken the CLS's strength as a research hub of socio-legal studies with global links which, nevertheless, remains heavily committed to the academic community and its development at Cardiff University. The Centre hosted scholars from the UK, the Americas, Asia, Australia and Europe and managed to steer academic and intellectual collaborations of scholars from the most diverse intellectual, academic and cultural traditions and backgrounds. It promoted interdisciplinary research and its development at Cardiff University and particularly supported early career scholars, fellows and postgraduate students from minority backgrounds.

To further support this reputation of the CLS, its committee organised two special meetings exclusively addressing issues of equality, diversity, and inclusion. While positively assessing the Centre's past events, practices and policies, the Centre decided to take further steps to guarantee and promote its academic commitments and wider civic mission. It particularly expanded its International Advisory Board to include scholars from all continents and the most diverse intellectual, academic and cultural backgrounds. It also decided to establish the CLS Research Board as its research forum which will be meeting each semester. The board is expected to further enhance research activities and steer new academic initiatives by including more colleagues, particularly early career scholars from the School of Law and Politics. These changes and priorities are now incorporated in the amended Constitution.

Finally, the CLS committee underwent some personal changes this year. Katie Richards left Cardiff to join our colleagues at Bristol University and her position was taken by Sara Dezalay. The committee currently consists of seven members: Jiří Přibáň (director), Rachel Cahill-O'callaghan (deputy director), Fred Cram, Sara Dezalay, John Harrington, Bernie Rainey and Elen Stokes. The transition of directorship was initiated in January to make sure that the position of the CLS director is taken for the period of three years only. The process is expected to be completed by January 2022.



# International Collaborations

The CLS has been steadily building links with the most advanced and internationally established research centres and academic institutions.

First and foremost, it continues developing its formal collaboration with the *International Institute for the Sociology of Law* in Oñati, the Basque Country, Spain. The IISL's current director Martin Ramstedt and former director Joxerramon Bengoetxea took active part in organising a joint conference stream on interdisciplinarity of socio-legal research and education at the SLSA conference. The stream included scholars and postgraduate students from all around the world and fundamentally enhanced the CLS collaborative networks with our partner research centres and institutions in the UK and beyond. The IISL Master Programme students and graduate received extra conference funding to attend and present their work at the SLSA conference. The CLS director Jiří Přibáň taught the Sociology of Constitutionalism module as part of the IISL Master Programme in March 2021. Because it was his last year of contributing to the programme, the CLS priority in the coming years will be to keep its presence in this unique socio-legal teaching scheme.

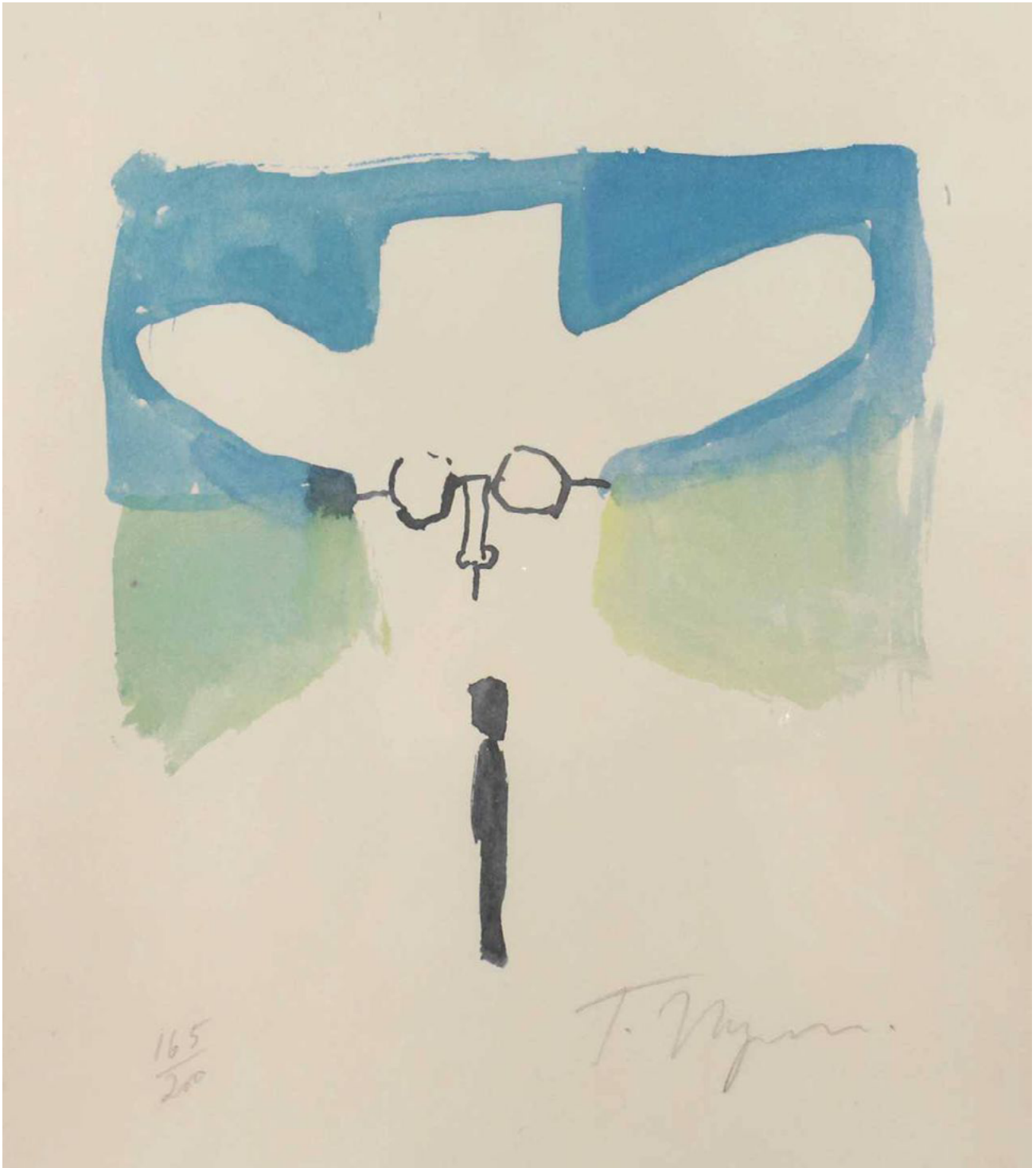
The 2020/21 academic year also brought new opportunities to establish academic collaborations with Swedish, Spanish and German universities through the above mentioned project *Dissenting Voices: European thought between tradition and rupture*. The CLS took a lead in organising three out of seven workshops and became one of central pillars of the whole project which hopefully will continue to evolve in the coming years.

The CLS has been busy coordinating its efforts of joining a network of European universities offering postgraduate programmes in socio-legal studies through the Erasmus mobility scheme which is expected to be preserved by the Welsh government in the coming years but details of this scheme are yet to be established by the government and Cardiff University. The CLS is in contact with partner universities and centres in Denmark, France, Italy, Spain and



Sweden and explores possible ways of becoming part of the socio-legal education network and contributing to its postgraduate teaching activities in the future.

Finally, the CLS is in contact with several socio-legal research centres in Belgium, Germany, Israel and the Netherlands expressing their interest in future collaboration. This interest shows the already strong reputation of the CLS in contemporary international socio-legal research and wider community. These links draw on past collaborations, fellowships and conferences organised by the Centre. They are also expected to be shaped by the future Erasmus links between Cardiff University's CLS and its partner institutions abroad.



A poster designed for the Dissenting Voices series of workshops

## International Visiting Fellows

The covid pandemic forced the CLS to rethink its fellowship programme and use the opportunity to invite more fellows and organise the whole scheme as online fellowship programme. Because of this adaptation to the global situation, the Centre hosted six fellows and offered them longer stays of up to six months with access to all research resources, events and facilities available at Cardiff University.

This expansion was possible due to the willingness of colleagues at the School of Law and Politics to act as the fellows' academic sponsors and guides during their stay. One fellowship was shared with the Centre of Law and Religion. All fellows presented outcomes of their research in a special series of *Work in Progress* research seminars and their sponsors acted as discussants.

The CLS specifically encouraged early career scholars and eventually awarded fellowships to scholars from Australia, England, Ireland, Kenya, Netherlands, Poland and Scotland.



**Susan Bartie** from the University of Tasmania (sponsor and discussant: Ben Pontin) conducted and presented her research theme *Towards a Socio-Legal History of Australian Environmental Lawyers*.

**Dawid Bunikowski** from the University of Eastern Finland (sponsor and discussant: Norman Doe) conducted and presented his research theme *Religion in Poland: Constitutional Issues and Moral Dilemmas*.



**Lyana Francot** from the Vrije Universiteit, Amsterdam (sponsor and discussant: Jiří Přibáň) conducted her research theme on *Law and Temporality*.





**Gerard Maquire** from the Maynooth University, Ireland (sponsor and discussant: Dorothy Kwek) conducted and presented his research theme *Environmental Justice*.

**Catriona Mullay** from the European University Institute, Florence (sponsor and discussant: Dan Wincott) conducted and presented her research theme *Scottish Constitutional Identity and the Continuity Bill*.



**Rosemary Mwanza** from the University of Eastern Finland (sponsor and discussant: Anna Grear) conducted and presented her research theme *Leviathan Unbound: The Human Right to a Clean and Healthy Environment and its Relation to Remedies for Corporate Environmental Damage*.

**Alice Storey** from the Birmingham City University (sponsor and discussant: Bharat Malkani) conducted and presented her research *Capital Punishment in the USA and Tracking Engagement with the UN Human Rights Committee*.



# Research Agenda and Community

## Conferences, Seminars and Workshops

Driven by the University's commitment to innovation and focusing on the policy related impact of interdisciplinary legal and socio-legal research, the CLS promoted a number of specific research events.

The CLS annual lecture *The Future of Autocratic Legalism* was delivered by Kim Lane Scheppele symbolically on the International Human Rights Day, 10th December 2020. Scheppele's work focuses on the intersection of constitutional and international law, particularly in constitutional systems under stress. The topic and speaker were chosen by the CLS to address recent changes in legal, political and social changes commonly described as the 'rise of populism', 'democracy backsliding' etc. around the world. Scheppele has been a leading and innovative scholar in this field with the most impressive expertise and personal history. She studied the emergence of constitutional law in Hungary and Russia, living in both places for extended periods. After 9/11, she researched the effects of the international 'war on terror' on constitutional protections around the world. Since 2010, she has been documenting the rise of autocratic legalism first in Hungary and then in Poland within the European Union, as well as its spread around the world. Her many publications in law reviews, in social science journals and in many languages cover these topics. From 2017-2019, she was the elected President of the Law and Society Association.

The CLS annual conference *Socio-Legal Studies of Transnational Political Constitutionalism* was organised on 1st and 2nd July 2021 and incorporated themes of subnational, national and transnational political constitutionalism including the Welsh devolution and supranational constitutional developments in the European Union and global polity. For further details, see the list of events.

The two methodology conferences co-organised with the Oxford Centre for Socio-Legal Studies on 7th and 21st May 2021 brought together early career and senior scholars from different academic backgrounds and continents and fundamentally contributed to the most urgent need of the socio-legal research community at Cardiff University and elsewhere by discussing the latest trends and problems in methodologies and interdisciplinary approaches to the study of law. For further details, see the list of events.

The interdisciplinary series of seminars *Law and ...* was organised as part of the LAWPL staff seminar series in February and March 2021. Its primary goal was to encourage interdisciplinary research at the School of Law and Politics and Cardiff University. The invited speakers and themes were:

10th February: Chloe Kennedy, University of Edinburgh. Law and History - 'Inducing Intimacy: critical lessons from law and history'

3rd March: Sol Picciotto, Lancaster University. Law and Economics - 'Technocracy in the Era of Twitter: Between intergovernmentalism and supranational technocratic politics in global tax governance'

24th March: Emilie Cloatre, University of Kent; Martyn Pickersgill, University of Edinburgh 'Law and Science'

Supporting socio-legal research at the School of Law and Politics and interdisciplinary studies at Cardiff University, the CLS funded a joint research project of Sara Drake from the Department of Law and Carmela Bosangit and Stephanie Slater from the Business School. Their research of consumer rights and their public awareness during the covid-19 pandemic involved qualitative and quantitative methods in both law and economy and significantly contributed to the research collaboration across different schools of Cardiff University.

The CLS also supported this year's SLSA conference by organising and funding its stream *Interdisciplinarity in Socio-Legal Research and Education* and co-organising the JLS stream *Reflections on Socio-Legal Studies*. In both streams, our colleagues from different schools of Cardiff University, most notably the School of History, Archaeology and Religion, the School of Law and Politics and the School of Social Sciences, presented their research and highlighted its international quality and innovation. The interdisciplinarity stream specifically targeted the global reach and academic diversity by offering conference grants and inviting early career scholars and postgraduate students from Africa, Latin America and Central Eastern Europe.

Finally, the CLS became actively involved in a large and ambitious project entitled *Dissenting Voices: European thought between tradition and rupture* and co-organised with the ARENA Centre for European Studies at the University of Oslo, Departamento de Filosofía y Sociedad, Universidad Complutense in Madrid and Birkbeck College, University of London. This initiative has established an interdisciplinary network critically engaging with European societal, political and legal integration and its intellectual history. It is coordinated by the most authoritative researchers in this field such as Michelle Everson, Jan E. Fossum, Christian Joerges and Agustín Menéndez. The group organised seven workshops in the last academic year and the CLS took a lead in three of them.

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# Research Excellence

## Publications and Research Dissemination

The 2020 Special Supplement of the *Journal of Law and Society* demonstrates the CLS's commitment to support interdisciplinarity of legal research and work across different departments and fields of expertise at Cardiff University because it has been edited by Sara Dezalay from the Politics and International Relations Department of the LAWPL. The collection of essays is an outcome of the 2019 annual conference *Wars on Law, Wars through Law? Reflections on the Past of the Present" of the "War on Terror"* and represents a truly global interdisciplinary research drawing on major works of Rick Abel, one of the most internationally distinguished and influential sociologists of law.

As regards research dissemination, the pandemic had a negative impact on the CLS ability to run a new book series negotiated with the Policy/Bristol University Press. Three potential volumes have been put on hold by their editors and the value of the CLS book series is currently under review because of alternative opportunities of research dissemination with our international partner institutions.

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# Collegiality

## Membership

The CLS committee is constituted to reflect the most diverse and expanding expertise in socio-legal, sociological, political, anthropological and other interdisciplinary studies of law. Three years ago, it had been expanded to seven members. This academic year, Fred Cram and Sara Dezalay joined the committee while Katie Richards left for Bristol University and Barbara Hughes-Moore finished her role as the CLS social media coordinator. The Centre also has Jen Clark as its new administrator.

To further enhance and promote equality, diversity and inclusion, the CLS decided to make amendments to its institutional structure and operations by creating the Research Board and significantly expanding the International Advisory Board.

The creation of the CLS Research Board is to further support and enhance socio-legal and interdisciplinary research collaboration across our school. The board is expected to meet every semester and operate as a brainstorming forum discussing and proposing new research streams and activities to be organised by the CLS. All colleagues and particularly early career scholars have been encouraged to join this new body which is expected to provide for new intellectual and collegiate opportunities. Its establishment, purpose and operations have been summarised by the CLS as follows:

1. The CLS Research Board is a consultative and coordinative body meeting once a semester to discuss and critically assess the past events and design, recommend and support the future research events and streams of the Centre.

2. Members of the Board must play an active role in the CLS and are expected to engage in and advance the CLS activities and encourage innovative research, focusing on socio-legal, empirical and theoretical analysis of legal institutions, their processes, as well as the impact of social, political, economic and scientific influences on law, legal professions and legal activities.
3. Members of the Board are expected to promote the CLS connections with other schools and faculties within the Cardiff University, with other universities and similar research centres in the United Kingdom and internationally. They must support this collaborative approach, along with specific projects within the School of Law and Politics. This will involve promoting an academic environment where University staff and PhD students from other departments, schools and research centres of Cardiff University, as well as visiting scholars and fellows meet and discuss their views.
4. Members are expected to play an active role in CLS initiatives including conferences, work-in progress and seminar series.
5. Membership is open to academic employees of Cardiff University with interests in research and its dissemination in the field of socio-legal and interdisciplinary legal studies.
6. Members are appointed by the CLS Executive Committee.
7. Membership will be reviewed annually

The radical expansion of the International Advisory Board is to lead to a more diverse group of the CLS collaborators and critical colleagues. The current membership is:

### **Existing Members:**

- Joxe Ramon Bengoetxea
- Tony Bradney
- Roger Cotterrell
- Dave Cowan
- Fiona Cownie
- Mavis Maclean
- Linda Mulcahy
- Martin Ramstedt
- David Sugarman
- William Twining
- Sally Wheeler

### **New Members:**

- Swethaa Ballakrishnen, UC Irvine
- Paul Blokker, Bologna University
- Martha Fineman, Emory University
- Rosie Harding, Birmingham University
- Atina Krajewska ,Birmingham University
- Ron Levi, University of Toronto
- David Nelken, King's College, London University
- Oren Perez, Bar Ilan University
- Sharyn Roach Anleu, Flinders University
- Cyrus Tata, Strathclyde University
- Brian Tamanaha, Washington University in St. Louis



# Finances and Future Organisation of Activities

The CLS continued to be substantially affected by the covid-19 pandemic and its wider financial and economic ramifications. The 2020/21 academic year was difficult in terms of organising the Centre's events and their economic funding because all events and research activities went online.

Because the CLS is co-funded by the AHSS College and the Journal of Law and Society and Cardiff University ceased funding of all research centres in response to the emerging financial crisis, the CLS Director held a series of talks with the College's Pro-Vice Chancellor Damian Walford Davies, the LAWPL's Head Urfan Khaliq and the Chief Editor of the JLS Phil Thomas in June 2020. The Pro-Vice Chancellor confirmed the loss of funding for the 2020/21 academic year but expressed his support for the CLS and hope that the established way of co-funding by the AHSS College and the JLS will be restored as soon as possible.

The CLS believes that this support and commitment will be confirmed by the new Head of AHSS College Urfan Khaliq and negotiations regarding the CLS operations and temporary contingent funding will be held at the beginning of the academic year 2021/22.

Meanwhile, the CLS continues to be supported by its other funder Journal of Law and Society which has covered all expenses for the 2020/21 academic year. The finance report indicates the spending of £7,416.15 for academic activities.

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# Conclusion

The CLS continued its global mission, international ambitions and support of local research excellence in the difficult 2020/21 academic year. It flexibly changed its operations and moved all activities online to guarantee continuity of its activities and materialise its potential in this exceptional environment which will affect academic work and community in the foreseeable future.

The Centre significantly expanded its support of early career scholars by offering more fellowships for longer periods of time and organising special conferences and seminars dedicated to socio-legal methodologies and interdisciplinary studies of law. It also organised and funded different streams at the SLSA conference hosted by Cardiff University to further showcase the tradition and future ambitions of socio-legal studies and its research community at our university.

Furthermore, the Centre fundamentally reviewed its activities since the establishment in 2015 and emphasised the importance of equality, diversity and inclusion in its mission. Following the most detailed review and discussion, it decided to amend its Constitution, create the Research Board and expand the International Advisory Board.

While the whole world including academic communities continued to be affected by the covid-19 pandemic, the CLS robustly responded to these challenges to make sure that its resources and potential are put in service of those academics and colleagues who need them most. Supported by the AHSS College and the Journal of Law and Society and benefiting from all colleagues at the School of Law and Politics and beyond, the Centre hopes to emulate and further expand this support in the coming academic years.

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# Events

<a href="#"><u>CLS Annual Lecture</u></a>	18
<a href="#"><u>Conferences, seminars and workshops</u></a>	19
<a href="#"><u>The Methodology Conferences co-organised with the OCSLS</u></a>	20
<a href="#"><u>Dissenting Voices Series</u></a>	22
<a href="#"><u>The Law and... Mini-series of staff seminars</u></a>	25

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Centre of Law and Society Annual Lecture

# "The Future of Autocratic Legalism"

Professor Kim Lane Scheppele, Princeton University

**10<sup>TH</sup> DECEMBER 2020, 2pm**  
**CARDIFF UNIVERSITY**

**Around the world, democratic citizenries are electing leaders who proceed to dismantle previously existing constitutional constraints on the power of the executive. From Hungary and Poland, to Venezuela and Ecuador, to Turkey and Russia, and even in the United States, democratically elected leaders are eschewing checks and balances and rejecting independent judiciaries, media and civil society. These new autocratic leaders appear wildly popular and are often re-elected. Why have democratically elected leaders with autocratic aspirations appeared across such a wide array of democratic governments at once? How have they undermined constitutional government and yet claimed democratic legitimacy? And, most crucially, what can be done to restore the promise of constitutionalism?**



## **SPEAKER**

### **Professor Kim Lane Scheppele**

**Laurance S. Rockefeller Professor of Sociology and International Affairs in the Princeton School of Public and International Affairs and the University Center for Human Values**

Kim Lane Scheppele's work focuses on the intersection of constitutional and international law, particularly in constitutional systems under stress. After 1989, Scheppele studied the emergence of constitutional law in Hungary and Russia, living in both places for extended periods. After 9/11, she researched the effects of the international "war on terror" on constitutional protections around the world. Since 2010, she has been documenting the rise of autocratic legalism first in Hungary and then in Poland within the European Union, as well as its spread around the world. Her many publications in law reviews, in social science journals and in many languages cover these topics and others. Scheppele is an elected member of the American Academy of Arts and Sciences and the International Academy of Comparative Law. In 2014, she received the Law and Society Association's Kalven Prize for influential scholarship. She held tenure in the political science department at the University of Michigan, taught full-time in the law school at the University of Pennsylvania, was the founding director of the gender program at Central European University Budapest, directed the Program in Law and Public Affairs at Princeton for a decade, and has held visiting faculty positions in the law schools at Michigan, Yale, Harvard, Erasmus/Rotterdam, and Humboldt/Berlin. She is a member of the Executive Committee of the International Association of Constitutional Law, elected as a "global jurist." From 2017-2019, she was the elected President of the Law and Society Association.

## **TO BOOK YOUR PLACE, VISIT:**

<https://www.eventbrite.co.uk/e/cls-annual-lecture-the-future-of-autocratic-legalism-tickets-131343059627>

Zoom link:

<https://cardiff.zoom.us/j/86536553060?pwd=a3VtS3FKd3lkcVhaZlE4U1hsSnJVUT09>

Meeting ID: 865 3655 3060

Password: 372730



Supported by the Centre of Law and Society as this year's key annual event

# Socio-Legal Studies of Transnational Political Constitutionalism

The CLS Annual Conference, Cardiff University  
Cardiff, July 1-2, 2021

Click here to book your place: <https://bit.ly/35wMjAX>

## Thursday, July 1, 2021

9:00-9:15 Welcome

### 9:15-10:30 Session I: Constitutionalism and Populism

- Richard Bellamy, UCL, London  
*Political Constitutionalism and the Challenge of Populism*
- Gábor Halmai, EUI, Florence  
*Illiberal Constitutional Theories in East-Central Europe: The Misuse of Political Constitutionalism and Constitutional Identity in Hungary*
- Dan Wincott, Cardiff University  
*Comments*

### 10:30-10:45 Coffee break

### 10:45-12:00 Session II: Republicanism and Transnational Governance

- Ulrike Guérot, Donau Universität, Krems/European Democracy Lab  
*After the Pandemic: Will the discussion about European public goods lead to a European Republic*
- Joxerrammon Bengoetxea, UPV/EHU University of the Basque Country  
*The Future of Europe: Plurinational Constitutionalism as Multilevel Governance*
- Michael Keating, University of Aberdeen  
*Comments*

### 12:00-13:00 Lunch break

### 13:00-14:00 Session III: Transnational Public and Private Constitutional Regimes

- Michael A Wilkinson, LSE, London  
*Political Constitutionalism after Maastricht: From Habermasian federalism to Schmittian federation*
- Christian Joerges, Hertie School of Governance, Berlin  
*Transforming the Integration Process through Conflicts-Law Constitutionalism*

## Friday, July 2, 2021

9:00-10:00 Session IV: Constitutional Polity and Imaginaries

- Jiří Přebáň, Cardiff University  
*The Imaginary of European Political Communities*
- Kalypso Nicolaidis, University of Oxford  
*Constituting a Democratic European Polity*

### 10:30-10:45 Coffee break

### 10:45-11:45 Session V: Transnational Constitutional Systems

- Chiara Valentini, University of Bologna  
*Democratic Representation in Constitutional Orders: A Systemic Analysis*
- Michelle Everson, Birkbeck College, London  
*The Economic Constitution & the Political Constitution: seeking the common good in the post-national setting*

### 11:45-13:00 Lunch break

### 13:00-14:00 Session VI: The State and Public Reason in Transnational Constitutionalism

- Ming-Sung Kuo, University of Warwick  
*Democracy and Emergency: Discovering the Political Constitution at the Societal Dynamics of the Knowledgeable State*
- Carmen Pavel, KCL, London  
*The Security Council and the Test of Public Reason*

### 14:00-14:30 Conclusions and publication plans



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**OXFORD WORKSHOP: Friday 7<sup>th</sup> May 2021 – Venue: Zoom**

Challenging Socio-Legal Methodologies: A joint initiative of the Centre for Socio-Legal Studies, Oxford and the Centre for Law and Society, Cardiff

<b>Session</b>		<b>Speakers</b>	<b>Paper title / role</b>
9.15-10	Introductions		
10-11.00	<i>Session One: Counting</i>	Chris Hanretty	Quantitative analysis of text corpora
		Alysia Blackman	When law and data collide
		Rachel Cahill O'Callaghan	Discussant
11-11.30	Break		
11.30-12.30	<i>Session Two: Comparing</i>	Florien Grisel	Transnational methodology
		TBC	
		Jiri Priban	Discussant
1.30-2.30	<i>Session Three: Talking</i>	Anna Bryson	Oral history in socio-legal studies- how the study of legal phenomena shape methodological approaches
		Susan Silbey	Grounded qualitative data analysis
		Linda Mulcahy	Discussant
2.30-3.00	<b>Break</b>		
3-3.30	<i>Session Four: Seeing and Watching</i>	Caer Smyth	Ethnography in the public eye
		Francesca Uberti	Digital ethnography
		Leslie Moran	Visual methodology
4-4.15	<b>Break</b>		
4.15-5	<i>Session Four continued</i>	Fernanda Pirie	Discussant
5.00	<b>Time for a chat: Grab a glass of wine or coffee</b>		



**CARDIFF WORKSHOP: Friday 21<sup>st</sup> May 2021 – Venue: Zoom/venue to be confirmed**

<b>Session</b>		<b>Speakers</b>	<b>Paper title / role</b>
9.45-10	Introductions		
10-11.30	<i>Session one:</i> Time and Space	Emma Rowden	Spatial methodologies
		Linda Mulcahy and Meredith Rossner	Researching sociologies of time: Waiting for justice
		Jessica Smith	Journeying a Building: Movement as method
		Les Moran	Discussant
11.30-12	Break		
12-1.00	<i>Session Two:</i> Listening	Ellie Whittingdale	‘Feminist epistemology and sensitivities: researching sexual violence support services’
		Sharifah Sekalala and Moses Mulumba	Decolonising approaches to health and human rights
		Susan Silbey (TBC)	Discussant
1-2.00	Lunch		
2-3.00	<i>Session Three:</i> Vulnerabilities	Rosie Harding	Involving Mentally Disabled People in Research
		Nathan Emmerich and Fiona McDonald	The Ethics of Socio-legal Research: Beyond the Notion of Human Subjects Research
		Anna Bryson	Discussant
3-3.30	Break		
3.30-4.30	<i>Session Four:</i> Identities	Mark Masood	Standpoint theory: Revealing hidden vulnerabilities and identities
		Renisa Mawani	Cross racial encounters
		Florian Grisel	Discussant
4.30-5.00	Break		
5-6.00	<i>Session Five:</i> Text and Archives	Emma Nottingham	Digging into legal archeology
		Emily Grabham	Mixed methods around the production of statutes
		Rachel Cahill-O’Callaghan	Discussant
6-6.30	Brain Tamanaha: Reflections on the field		

Zoom's link to be announced soon!



Universidad Complutense de Madrid  
Facultad de Filosofía  
Departamento de Filosofía y Sociología



UiO : Universitetet i Oslo

The series of webinars "Dissenting voices" is organised jointly by Birkbeck College, Cardiff University, Universidad Complutense and ARENA, University of Oslo.

## Dissenting Voices

European thought between  
tradition and rupture



### A Webinar Series: #3: Feb 12th, 2021

## Webinar#2

February 12th, 2021

⌚ 12:00-12:05 Opening by Jiří Příbáň

⌚ 12:05-12:35

• Marija Bartl (Amsterdam), *Imaginarities of Progress as Constitutional Imaginaries*

⌚ 12:35-13:05 Discussion led by Agustín Menéndez

⌚ 13:05-13:35

• Paul Blokker (Bologna), *Populism, Constituent Power and Constitutional Imagination*

⌚ 13:35-14:05 Discussion led by John Erik Fossum

⌚ 14:05-14:15 Short Break

⌚ 14:15-14:45

• Domenico Siciliano (Firenze), «Wem von Ihnen baette das Gewissen geschlagen, wenn sie gewonnen baetten?» (Hannah Arendt): Rudolf Wietboelter and the Post-Second World War German Law

⌚ 14:45-15:15 Discussion led by Christian Joerges

*Pencil down the date!*  
Third webinar series will take place on  
March 12<sup>th</sup>, 2021, at 12:00 am Rome time

## In the previous webinar...

January 8th, 2021

⌚ 12:00-12:05 Opening, Christian Joerges

⌚ 12:05-12:35

• Roger Cotterrell (Queen Mary, London), *Harold Laski*

⌚ 12:35-13:05 Discussion led by Agustín Menéndez

⌚ 13:05-13:35

• David Fraser (Nottingham) and Kathryn McMahon (Warwick), *The hidden legal history of the movement from the Volksgemeinschaft to the "more economic approach" within European regulatory (competition policy) practice*

⌚ 13:35-14:05 Discussion led by Christian Joerges

⌚ 14:05-14:15 Short Break

⌚ 14:15-14:45

• Rafał Mańko (Amsterdam), *Coping with the analytical legacy of the Polish academic culture by anti-formalist and anti-positivist legal theorising of contemporary Polish dissenters*

⌚ 14:45-15:15 Discussion led by Jiří Příbáň

# Dissenting Voices

European thought between tradition and rupture

Webinar#3: Looking for alternatives

February 12<sup>th</sup>, 2021, 11:00 Cardiff, 12:00 Rome

## Full Programme

⌚ 12:00-12:05 *Opening by Jiří Přibáň*

⌚ 12:05-12:35

● Marija Bartl (Amsterdam), *Imagaries of Progress as Constitutional Imaginaries*

⌚ 12:35-13:05 Discussion led by Agustín Menéndez

*This presentation explores two questions: what constitutional imaginaries are, that is, what is that they express, and where should we look for them. Are they part of constitutional texts? For instance, were they a part of the 2004 proposal for a Constitutional Treaty, which as the 'last utopia' features prominently in the introduction to this volume? Or were they instead to be found in the governmental practices that followed the demise of the Constitutional Treaty? What to make in this context of critiques, such as that of Hans Micklitz, who suggests that while the Constitutional Treaty invokes well-rehearsed statist imaginaries, it fails to engage with the problems state constitutions tried to solve, such as fostering solidarity – and thus was preordained to failure?*

⌚ 13:05-13:35

● Paul Blokker (Bologna), *Populism, Constituent Power and Constitutional Imagination*

⌚ 13:35-14:05 Discussion led by John Erik Fossum

*In this presentation, I will first discuss the phenomenon of populist constitutionalism as a reaction to the post-WWII hegemonic model of anti-totalitarian liberal constitutionalism as well as global legalism. Subsequently I will explore the relationship between populism and constituent power, to, in the final part, discuss the populist imaginary and mindset as a negation of liberal legalism, and the populist pretension of an alternative legal mindset, grounded in the constituent power of the people.*

⌚ 14:05-14:15 Short Break

⌚ 14:15-14:45

● Domenico Siciliano (Firenze), «Wem von Ihnen haette das Gewissen geschlagen, wenn sie gewonnen haetten?» (Hannah Arendt): Rudolf Wietboelter and the Post-Second World War German Law

⌚ 14:45-15:15 Discussion led by Christian Joerges

# Dissenting Voices

## European thought between tradition and rupture

### Webinar#4: Looking for alternatives

March 12<sup>th</sup>, 2021, 11:00 Cardiff, 12:00 Rome

## Full Programme

⌚ 12:00-12:05 *Opening by Jiří Přibáň*

⌚ 12:05-12:35

● Bojan Bugarič (Sheffield): *Work, family, Fatherland: the political economy of populism in central and Eastern Europe*

⌚ 12:35-13:05 Discussion led by Jiří Přibáň (Cardiff)

*Since 2008, Hungary and Poland have developed a distinctive populist economic program, which has begun to spread to other Central and East European Countries (CEECs). This article develops a theory of the political economy of populism in CEECs, arguing that these countries' dependence on foreign capital constrained them to follow (neo)liberal economic policies. After the global financial crisis, populist parties began to break from the (neo)liberal consensus, 'thickening' their populist agenda to include an economic program based on a conservative developmental statism. Case studies of Hungary, Poland, and Serbia describe these policies and show that they exhibit a particular form of economic nationalism that emphasizes workforce activation, natalism, and sovereignty. This shift has gone hand-in-hand with attempts to attract investments from Eastern authoritarian states, illustrating the connection between CEEC development strategies and sources of foreign capital.*

See the full article, now published in JEPP:

<https://www.tandfonline.com/doi/abs/10.1080/13501763.2020.1832557?journalCode=rjpp20>

⌚ 13:05-13:35

● Petr Agha (Charles University): *The Forgotten Voices of the Velvet Revolution(s)*

⌚ 13:35-14:05 Discussion led by Jan Komárek (Copenhagen University)

*The paper will focus on the dissenting voices of the Velvet Revolutions in the CEE region, voices which didn't embrace the total impositions of the "end of history" paradigm which we find mostly expressed in the current architecture of the European project. Through the examination of different critical voices (sidelined mostly by the mainstream academic outlets), this contribution will try reconstruct an alternative story of the so called transition from communism to democracy. Why is this important? This paper will identify a different trajectory of transition from communism to democracy by way of demonstrating the already existing tensions between the European project and its ideology of (ordo)liberalism which*

*might help us understand the seemingly recent surge of alternative (constitutional) projects in the CEE region.*

⌚ 14:05-14:15 Short Break

⌚ 14:15-14:45

👤 Isabel Feichtner (Würzburg): *Helmut Ridder (1919-2007), Resisting with Law the Legal Mutilation of Democratic Potential*

⌚ 14:45-15:15 Discussion led by Stefan Auer (Hong Kong)

*After a promising start of his academic career, with an early invitation to hold a lecture at the German Staatsrechtslehrervereinigung (German society of public law professors) in 1951, Helmut Ridder in later years was (in his own words) "abhorred" by many colleagues or "treated as non-existent" for allegedly "left errations." Nonetheless, he significantly impacted the thinking of his students, a number of whom became prominent jurists and law professors – among them Germany's acting Federal President Frank Walter Steinmeier; former Federal Minister of Justice Brigitte Zypries, Ulrich K. Preuß and Karl-Heinz Ladeur. My presentation introduces Helmut Ridder as a political and democratic law professor and activist, his interpretation of German basic law as a democratic constitution of society and of fundamental rights not primarily as shields against "the state", but as "impersonal rights" that enable the democratization of society. Today, Ridder's writings, including his monograph "Die soziale Ordnung des Grundgesetzes", based inter alia on his engagement in educating teachers, tend to be forgotten. Yet, they should not be. Thus, one focus of my presentation will be on what we may learn from Ridder about the role of law and lawyers in societal transformation.*

*See Isabel Feichtner, Riddern in der Pandemie, Kritische Justiz 53 (2020) 200-211*

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### **The Law and ... mini-series of staff seminars**

10th February 2021: Chloe Kennedy, University of Edinburgh. Law and History - 'Inducing Intimacy: critical lessons from law and history'

3rd March 2021: Sol Picciotto, Lancaster University. Law and Economics - "Technocracy in the Era of Twitter: Between intergovernmentalism and supranational technocratic politics in global tax governance".

24th March 2021: Emilie Cloatre, University of Kent; Martyn Pickersgill, University of Edinburgh 'Law and Science'

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