

“Representing Law”

RCSL Conference 3-6 September 2024 at Bangor University

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– Call for Papers –

Law is an abstract concept that requires representation in everyday knowledge and opinion, in theories, as well as representation within professions such as judges, lawyers, police and other officers, and not least representations in architecture and even products of popular culture. This applies in whatever ways we understand law: as a specific social system (*Niklas Luhmann*), as a distinct area of legal expertise, as law-in-the-books, or as “living law” beyond state law (*Eugen Ehrlich*).

“Representing law”, the theme of the RCSL conference in Bangor (Wales/UK), from 3 to 6 September 2024, is a cross-cutting topic for sociologists of law and others interested in the analysis of law in society. Lay-people and the legally trained alike have implicit and explicit ideas about the law that guide their actions, from everyday economic interactions to political engagement. Some of these are influenced by training at school or university. Not only lawyers receive such training, but also thousands of managers in business, and state servants such as social workers, even if theirs is concentrated on aspects of the law. Employee representatives will learn about law from their workers’ unions. The media circulate images of law, be that accurate in a lawyerly sense or rather not. Some of this is part of political struggles, when for example a newspaper declares judges as “enemies of the people” for their ruling in a high-profile case. For centuries there is with every new media development a concern that people are misled and manipulated. The latest are issues with social media, the filter bubbles it creates, the extremism social media algorithms cultivate. In contrast, many observe that media cling to conservative messages and are becoming effectively mouth-pieces for existing institutions and interests. Nevertheless, media messages need not be evaluated as negatively necessarily. Fictional portrayals of law, of legal professions and institutions often suggest that they can indeed be trusted to some extent at least and they suggest legal reforms or better practicing of law. For example, lawyers should not be guided by economic self-interest, or judges and prosecutors not by political ambitions. Aesthetic and representational understandings of law may guide people as to what law means for them. In addition, personal experiences and those of trusted others like family and friends may be very decisive for how people are imagining law.

Scholars of law and neighbouring subjects have investigated law from different perspectives and dealt with it differently in their teachings. For some, law is to be harnessed as a force for social change, to strengthen the position of e.g., employees or of victims of crime. Others value the law especially because it provides a system of check and balances for political power. For example, law can prevent administrations from interfering with individual rights. Scrutiny has been applied to the grass-roots usage of law, how members of society unite or differ in their legal actions. Prominent are also analyses of apex courts and other high-level legal institutions, as well as the ways in which they proceed. Theories of law highlight social, political, and economic inequalities which are produced by law and reproduced in law, but also the potential for reform presenting itself through law. Successful examples for the latter include the championing of human rights. Other analysts have pointed out how procedures and daily routines in legal institutions have consequences for the application of law, and even self-legitimise the law (*Luhmann*). Theories of law have become powerful ways of representing law.

Who speaks for the law? Who decides legal conflict and provides legal advice? Who is best placed to adapt law to changing social conditions? Such questions also form part of the conference theme. In some ways, the legally trained and especially those in legal offices, are privileged interpreters of the law, at least in modern states relying on a differentiated-out legal system. This raises issues of legitimacy and of democratic representation. Critics question why graduates of leading universities, those with long family tradition in law, why males rather than females in high legal offices, are still dominant. Some social groups are underrepresented in law, and some are described as discriminated against by holders of legal offices. This may affect national minorities and those discriminated on “racial” and ethnic grounds. The economically marginalised can suffer from further disadvantages inflicted by the way the law operates.

Representations of English and U.S. law are more prominent than representations of other legal systems. On a very basic level, it follows from English being the language of global communication and commerce. The U.S. media industry has cultivated a world-wide market of ideas, notions of U.S. law and legal institutions travel in every corner of the world with popular TV shows, film, and other cultural products. For better or for worse, international audiences may learn about a law that is not the one prevailing in their home country. On a different level, in academia, concepts and perspectives from the common law countries are often reaching wider than those from countries with other legal arrangements, social and political backgrounds. The RCSL conference provides an opportunity for academics from countries with different histories and systems to exchange their ideas and to enrich their own thinking with insights from joint discussions.

Bangor University, hosting the RCSL conference in 2024, is located in a Welsh-speaking area and the conference offers the opportunity to discuss as one of the strands issues around bilingual provision of legal services. Local courts proceed in Welsh and English. Welsh speakers can have all legal communication in their mother tongue. Other countries are discussing to develop a similar service for minorities and the conference offers a unique opportunity to learn about bilingualism in the legal sphere.

As demonstrated, the conference theme “Representing Law” covers a wide area of academic interests. However, the RCSL working groups are invited to organise their own panels on whatever topics they want to discuss, as well as their business meetings. Invited are also single papers on topics of sociology of law / socio-legal studies.

In addition, the Journal of Law and Society (JLS) and the Centre of Law and Society at Cardiff University as co-sponsors of the conference are organising a stream/session on socio-legal studies in Wales and the UK and invite young colleagues to submit their papers to this stream. The Journal will support selected paper presenters with their conference fees. Details of how to apply will be announced in due time on the conference homepage.

Deadline for proposals of papers, roundtables or panels is 15 February 2024. Submissions are requested through the conference website: <https://www.bangor.ac.uk/events/representing-law-rctl-conference-2024>

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