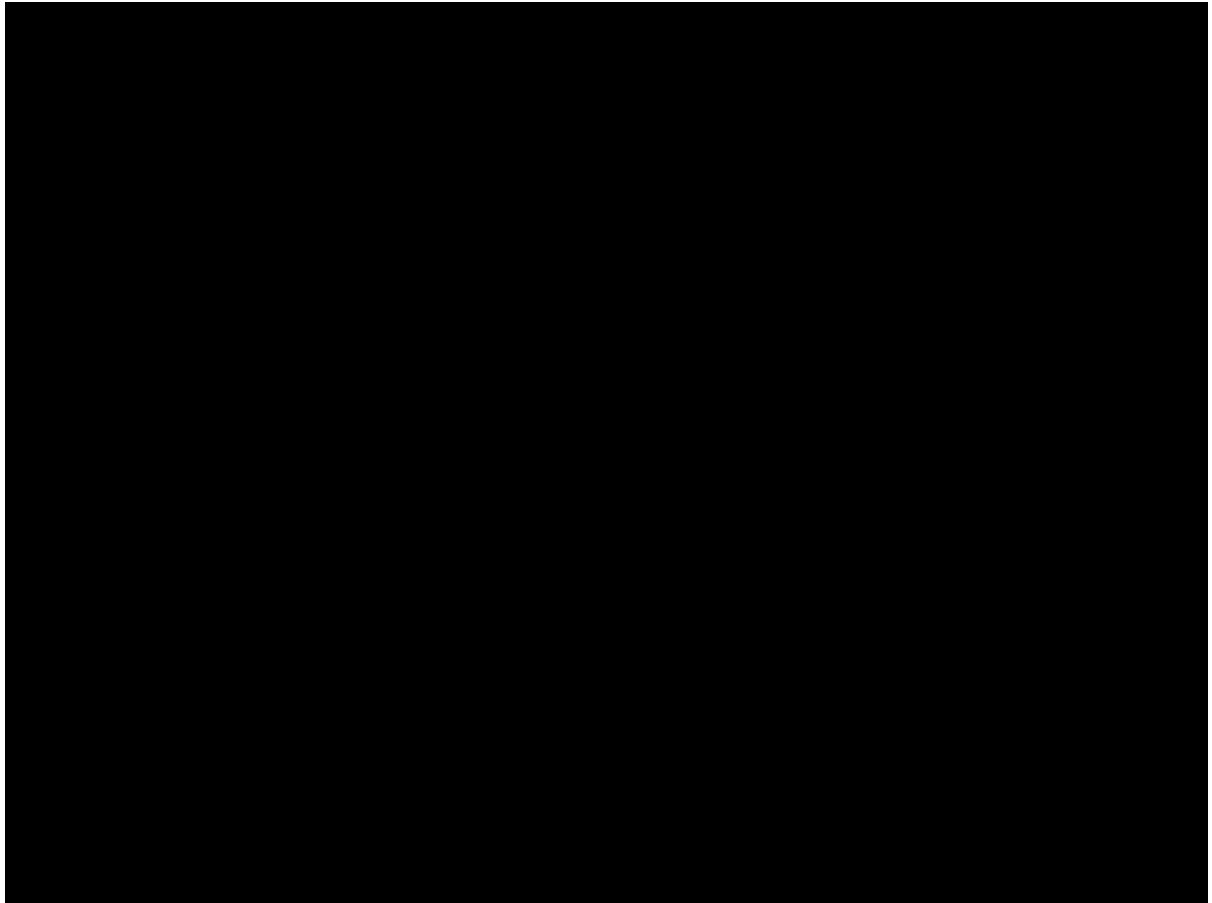


*The Centre of Law and
Society*

*Annual Report
2018-19*



The 2018/19 academic year was the third year of the Centre of Law and Society's (CLS) existence. It was a very successful year during which the CLS significantly expanded its activities and different forms of collaboration across the university and at both national and international levels.

The Centre consolidated its reputation and proved to be popular research platform connecting the most diverse fields of expertise in legal, political and social sciences. It hosted distinguished scholars from all around the world who delivered public lectures, keynote conference speeches and special seminars for the Cardiff University's postgraduate community. These ranged across the socio-legal field with work on the judiciary and judicial decision-making, global justice, law and gender, environmental justice, austerity politics and access to justice, the politics of the rule of law and international relations, law and temporality, criminal justice and public administration.

INTERNATIONAL COLLABORATIONS

The CLS has developed strategic relationships with internationally influential universities and research institutions to broaden the base of research activities. It fundamentally expanded its international collaboration with other socio-legal centres and established formal collaboration with the most prestigious *International Institute for the Sociology of Law* in Oñati, Spain. The CLS organised two special sessions at the IISL/RCSL annual conference in Oñati themed *Linking Generations for Global Justice* in June 2019. Together with international collaborators, Cardiff scholars presented work of the CLS collaborative streams in crime, security and justice ('Constructing the Ideal Defendant' conference panel organised by Stewart Field) and social theory of law ('Sociology of Law and Utopia' panel co-organised by Lyana Francot of the Vrije Universiteit, Amsterdam, and Jiří Přibáň).

Following this success, the CLS and the IISL drafted a memorandum of understanding which is expected to lead to the CLS joining an influential, global network of socio-legal scholars with specific collaborative programmes in both research and postgraduate teaching. The IISL plans to launch new postgraduate programmes in sociology of law and socio-legal studies jointly with universities and research centres in different European countries and, through the CLS, invited Cardiff University to participate in this emerging international network.

DIVERSE EVENTS

The Centre organised a number of conferences, lectures, seminars and workshops in Cardiff bringing together early career and senior experienced academics from our university and other national and international academic institutions. Internally, it also continued to support the school's research environment by organising a special series of presentations of work-in-progress which highlighted the interdisciplinarity and quality of current research at the LAWPL, enabling colleagues to test out ideas as they prepared submissions to journals or completed book projects .



INTERNATIONAL VISITING SCHOLARS

Contributing to the Cardiff University's reputation as a global, respected and outward looking academic institution, the Centre hosted several visiting fellows from different countries and continents to conduct and share their research and learn from the CLS associates and colleagues in Cardiff.

Sharyn Roach Anleu from Australia joined the CLS while contributing to a conference on Remorse and Responsibility in the Constructions of the 'Ideal' Defendant: Comparing Cultural Expectations in Criminal Process organised as part of the crime, justice and security justice research stream. During her stay, she delivered a research seminar and collaborated with Stewart Field and contributed to the CLS Video Conversations Series by a dialogue with Rachel Cahill-O'callaghan of the LAWPL.

Alina Kislova from Russia conducted research in legal clinics and pro-bono schemes and her work was supervised by an experienced team led by Professor Julie Price.

Shiri Regev-Messalem from Israel worked in the field of family and social justice and anti-discrimination laws and collaborated with Pauline Roberts, Lydia Hayes and other colleagues from the CLS.

Gabriella Saputelli from Italy conducted her research in administrative law and politics of governance and her research was supervised by Jiří Přibáň.

BUILDING A RESEARCH COMMUNITY: CONFERENCES

As in previous years, the Centre also continued its strong commitment to LAWPL's postgraduate community and legal education through its scheme of individual PhD workshops on socio-legal methodologies delivered by senior scholars invited to the CLS conferences and lectures.

It was the first year when the Centre's annual conference was organised by our colleagues from the Politics and International Relations department led by Sara Dezalay. The theme was *Wars on law, wars through law?* and the participants discussed work of Rick Abel, one of the most distinguished and influential figures in sociology of law and socio-legal studies, who delivered a keynote lecture at the conference. This was the most global yet event organised by the Centre, with Sara bringing together scholars from different disciplines from the UK, the US and the global South. The presented papers are expected to be published as another special supplement of the Journal of Law and Society in 2020.

SUPPORTING RESEARCH EXCELLENCE: PUBLICATIONS

The 2019 special supplement of the JLS is in print and will be published later this autumn. Its title is *Learning from Elsewhere: from cross-cultural explanations to transnational prescription?* and the volume is another example of the Centre's commitment to fostering international networks and collaborative groups because it was co-edited by Dr Renaud Colson from the University of Nantes and Professor Stewart Field from the CLS. This was also another product of CLS research theme funding with the papers all coming from a preparatory workshop held in Cardiff in May 2017 'Best practice in security and justice: from cross-cultural description and explanation to transnational prescription?' This was jointly organised by the Cardiff Centre for Crime, Law and Justice and the Cardiff Centre of Law and Society.

SETTING THE RESEACH AGENDA: RESEARCH STREAMS

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 streams. These streams were very busy, most notably Crime, Security and Justice, Law and Global Justice, Law and Environmental Justice and Social Theory of Law. In September 2018, Stewart Field and Cyrus Tata (University of Strathclyde) co-organised an international workshop under the title *Remorse & Responsibility in the Constructions of the 'Ideal' Defendant: Comparing Cultural Expectations in Criminal Process*. Outcomes of the workshop attended by scholars from the UK, Australia, Canada, Denmark, Netherlands, Slovenia and the US were subsequently presented at the RCSL conference in Onati.

The successful Law and Global Justice series continued in its engagement with scholars from the Global South and early career researchers by organising a series of workshops on global South socio-legal writing, African feminist judgments and law and development. It also organised its annual Kapila Hingorani lecture to honour the contribution of Pushpa Kapila Hingorani, known as the mother of India's Public Interest Litigation. This year's lecture was

delivered by Professor Siobhán Mullally, Director of the Irish Centre for Human Rights, at NUI Galway in January 2019.

The environmental justice stream 'Imagining the Eco-Social: New Materialist Reflections for the Anthropocene' opened by a conference in September 2018 which was followed by a lecture series and seminars throughout the academic year.

The social theory of law stream organised an international conference *Law and the Utopian Challenge* in June 2019 and invited partners from Vrije Universiteit in Amsterdam to co-lead in this project. Outcomes of this conference were subsequently presented at the RCLS conference in Onati.

All these and other activities of the CLS have led to the Centre's talks with the Policy/Bristol University Press which has proposed to establish a CLS socio-legal series.

COLLEGIALITY: MEMBERSHIP

The steering committee of the CLS reflects the diversity and range of our research interest, expertise and experience. The scale of expansion of the centre's activities has required us to expand the committee membership from five to seven people. Because Lydia Hayes and Leanne Smith left Cardiff University, the Journal of Law and Society (JLS) appointed Natasha Carver and Stewart Field as their replacement to join the team of Ambreena Manji, Katie Richards and Jiří Přibáň. Another JLS appointment is Elen Stokes who will be joining the CLS as the fourth representative of the JLS. The appointment of the seventh member is to be made by the Head of LAWPL in the coming academic year.

The Centre hugely benefited from the administrative support of Clair Buckley who moved to more senior research administration position in spring and her job is now done by newly appointed Kate Whittaker. The social media communication is conducted by Barbara Hughes-Moore.

CONCLUSION

Reflecting on this busy year, the CLS fulfilled its high ambitions and exceeded its initial targets. This success would not be possible without the continuing financial support provided by the Cardiff University's College of Arts, Humanities and Social Science and the Journal of Law and Society. The CLS Committee members and collaborators feel very grateful for this generosity and hope they will be able to demonstrate the value of the Centre's unique multi-disciplinary and interdisciplinary research in law and socio-legal studies in future years and collaborative research projects.



The list of events:

The CLS annual lecture

The lecture entitled 'The Democratic Courthouse' was delivered by Professor Linda Mulcahy, Director of the Centre for Socio-Legal Studies, University of Oxford, on 15th November 2018 and preceded by a PhD workshop 'Lost in the Archives with Foucault: The Day to Day Reality of Discourse Analysis' led by Linda for the Cardiff University's postgraduate students.

The lecture was extremely well attended and received by legal academics and practitioners and thus engaged our university with the wider community of legal professions.

Linda Mulcahy also held an interview with Professor Ben Pontin of the LAWPL for the CLS Video Conversations Series.

The CLS annual conference

The conference entitled 'Wars on law, wars through law? Reflections on the “past of the present” of the “War on terror”' was organised by Sara Dezalay from the Politics and International Relations department of the LAWPL on 30th April and 1st May 2019. The conference was attended by scholars from the UK, Belgium, Brazil, Canada, France and the US and focused on Rick Abel's work to ask: has the war on terror paved the way for the ongoing attacks on the rule of law we are witnessing today in the US and elsewhere in the world, be it in the surge of populism or the “migration” crisis? Debates overwhelmingly respond to this question by seeing in law – and lawyers – an external variable to political exception. There is a tension between what law ought to do to respond to extreme violence and lawfare through “rule by exception.” To go beyond this tension between wars on law and wars through law, this conference questioned the “past of the present” of the relationship between law and political exception: in imperialism, globalization and the current crisis of global capitalism and the nation-state. It brought together an array of scholars from different disciplinary traditions - across Law and Society and Politics - to channel attention towards the specific roles played by lawyers and their relationship not only with politics, but structurally, with the field of state power. Through empirically grounded analyses - focused on North American, Latin American, West- and East-European as well as sub-Saharan African contexts - debates aimed at fostering this inquiry synchronically and diachronically, by exploring how contemporary manifestations of exceptionalism may be rooted in longer structural patterns.





The Crime, Security and Justice research stream

The international workshop 'Remorse & Responsibility in the Constructions of The 'Ideal' Defendant: Comparing Cultural Expectations in Criminal Process' held on 27th and 28th September 2018.

University) and Cyrus Tata (University of Strathclyde)

Key questions:

1. What is and should be the role of remorse in the criminal process?
2. How are and should judgements about defendants (e.g. character) be made in the light of their expressions of guilt and acceptance of responsibility (or otherwise)?
3. How are judgements made about the defendant in different procedural settings (e.g. courts, pre-sentence reports, parole boards, restorative justice)?
4. How should we understand the differences in how expressions of responsibility and remorse are constructed, transmitted and interpreted in different legal cultures?

Format:

The International Workshop will take place over two days (Thursday 27 September to Friday 28 September) in the Law Building Cardiff University. Twelve invited participants will

present and discuss papers. The International Workshop is open to staff and PGR students who would like to attend (space permitting).

Presenters:

1. Susan Bandes (De Paul, USA),
2. Stewart Field (Cardiff, Wales),
3. Jackie Hodgson (Warwick, England),
4. Louise V Johansen (Copenhagen, Denmark),
5. Giuseppe Maglione (Napier, Scotland),
6. Nicky Padfield (Cambridge, England),
7. Mojca Plesnicar (Ljuljana, Slovenia),
8. Sharyn Roach Anleu (Flinders, Australia),
9. Kate Rossmannith (MacQuarie, Australia),
10. Cyrus Tata (Strathclyde, Scotland),
11. Irene van Oorschot (Rotterdam, Netherlands),
12. Richard Weisman (York, Canada).

The Law and Global Justice research stream

Kapila Hingorani Annual Lecture

The lecture marks the contribution of Kapila Hingorani, first South Asian woman to graduate from Cardiff University, to the development of public interest litigation in India. Her son, Dr Aman Hingorani is a close friend of Cardiff Law and Global Justice and hosts students from our law clinic programme in Delhi each summer. We inaugurate the series this year, which will see a senior scholar working on issues of law and global justice deliver a public lecture, organized in partnership with the Welsh Centre for International Affairs and hosted by them at the Temple of Peace. Professor Siobhán Mullally, Director of the Irish Centre for Human Rights, at NUI Galway, delivered the lecture in January 2019.

Global South Socio-Legal Writing Workshops

workshops brought together participating UK journal editors to reflect on lessons learned from the 2018 Socio-Legal Journals Writing Workshops which were held in Accra, Recife, Bangalore and Nairobi. The workshop planned for the next series. In addition, the workshop was an opportunity to reflect on broader issues in UK legal academia and publishing as regards global justice, race and colonialism, including widening access to materials and accessibility of journals to non-European/ North American scholars. The costs were borne by journals with some additional funding by the Centre.

African Feminist Judgments Project

The project was launched as a dedicated stream at the African Studies Association UK conference in Birmingham in September. Draft papers were discussed and the stream was addressed by Prof Erika Rackley, editor of the English Feminist Judgments Project. A follow up meeting in Nairobi was organised in December 2018. The CLS supported the third and final intensive workshop held in Johannesburg in July 2019. The organizers, Dr Sharifah

Sekalala (Warwick), Dr Sibongile Ndashe (Johannesburg) and Prof Ambreena Manji, will edit the papers from the project for book in the series Law, Global Justice and Development, which is co-edited by Cardiff Law and Global Justice.

Law and Development Research Network

This network was founded in 2017 with partner institutions in Argentina, South Africa, Netherlands, Belgium, Germany, Finland and the UK. Our bid to host the Network's 2021 conference has been accepted. This will see around 500 scholars from around the world join us in Cardiff to reflect on the range of issues in law and development scholarship, teaching and engagement. It also offers a showcase for our own work. In preparation for that, John Harrington participated in the 2019 conference in Berlin, organizing panels on substantive research issues and on the Socio-Legal Writing Workshops initiative.

Joint Doctoral Workshop in Law, Global Justice and Development

Run in partnership with Warwick Law School, this project was launched in June 2018 as a forum for students work on these issues to meet, discuss their work and issues in relation to study, fieldwork and so on. Aimed at overcoming the isolation of scholars from (and working on) the global south within the UK legal academy, it proved very popular with Cardiff and Warwick students. This year we hosted the workshop and were joined by students from Kent Law School, as well as Warwick.

The Law and Environmental Justice research stream

The Imagining the Eco-Social: New Materialist Reflections for the Anthropocene series

This speaker series in the Cardiff School of Law and Politics engages with one of the most imaginative, daring and boundary-transgressing responses to the problematic, outdated centrality of the human: new materialism. New materialism, in many ways, renders the traditional sense of human agency impossible—with complex implications for law, politics and the construction of the eco-social. New materialism embraces complexity, hybridity and entanglement—pointing towards the inescapability of intra-relationality, all the way down.

The lecture series programme:

19th September 2018: Opening Event: 'Encountering the Entangled World'

Two lectures followed by round table talks:

'Can Property be Justified in an Entangled World?', Margaret Davies, Matthew Flinders Distinguished Professor of Law, Flinders University, Australia

'A Hyena's Laugh: Sand, Suspension, and Urban Form', Dr Julian Brigstoke, Lecturer in Human Geography, Cardiff University, UK

10th October 2018 'The World is Rooted in Air: Atmosphere, Lawscape, Spatial Justice'

Andreas Phillipopoulos-Mihalopoulos, Professor of Law and Theory, University of Westminster, UK; Founder and Director of the Westminster Law and Theory Lab

14th November 2018 'Out of hand: Biological and artificial intelligence in the crafting of ecological security'

Elizabeth Johnson, Assistant Professor, Department of Geography, Durham University, UK

29th November 2018 'Ethics and the Unfathomable'

Astrida Neimanis, Senior Lecturer in the Department of Gender and Cultural Studies at the University of Sydney, Australia

5th December 2018 'Life and Death by Bugs: International Humanitarian Law, Transgression, and Swarming "Insect Drones"'

Matilda Arvidsson, Postdoctoral Researcher in International Law at the Department of Law, University of Gothenburg

18th March 2019 'Milk-Drinking Cultures at the End of the Age of the Humans'

Yoriko Otomo, Independent Researcher, Author of 'The Gentle Cannibal: The Rise and Fall of Lawful Milk' (Australian Feminist Law Journal) and Co-Editor of Making Milk: The Past, Present and Future of Our Primary Food (Bloomsbury, 2017).

27th March 2019 'New Materialisms and Maori Ways of Sense-Making'

Tarapuhi Vaeau (Ngati Raukawa ki Te Tonga, Te Ati Haunui-a- Paparangi), School of Social and Cultural Studies, Victoria University of Wellington, Aoteroa New Zealand, and Dorothy Kwek, Department of Politics, Cardiff University, UK

4th May 2019 'Dancing with the Dog: Interspecies Cadence and Urban Life'

Teresa Dillon, Professor of City Futures, Bristol UWE—and Resident at the Pervasive Media Studio, Bristol

The Social Theory of Law research stream

The *Law and Utopian Challenge* international conference organised on 14th June 2019.

Abstract:

This international conference organised jointly with partners from Vrije Universiteit in Amsterdam focused on the question whether modern society completely rules out or needs to incorporate utopian thinking in law and politics and beyond. It explores the role of utopian aspirations in tackling current environmental, humanitarian, economic and political crises. Individual contributions identified the utopian imagination within 'the legal imagination', describing the role of moral and political normativity in the system of positive law, assessing its political meaning in the current context of crisis global society, analysing the temporal structure of law and its future-oriented operations, analysing constitutional imaginaries of the utopian idealism and their legitimising role, comparing the symbolic and functional rationality in law and the ontological dimension of the system of positive law.

The conference programme:

Session One: Ideology, Utopia and the Rule of Law

Ideology or Utopia? - Lynne Copson, Open University

The Rule of Law: Between Utopia and Ideology - Bart Van Klink, Vrije Universiteit Amsterdam

Session Two: Temporality and Eternity of Utopias

Temporality of Utopias – Stephen Kirste, Universitat Salzburg

The Utopian Quest for Order, Justice, Peace and the Eternal Challenge of the Unjust Past – Wouter Veraart, Vrije Universiteit Amsterdam

Session Three: Utopia, Global Society and Law

Utopia's of Global Law: 'Complete Symmetric Inclusion' or a 'Law of Pirates and Partisans' – Poul Kjaer, Copenhagen Business School

A Study in Contrast: Utopian Impulses in Contemporary Legal Orders – Neil Walker, University of Edinburgh

Session Four: Law and Dystopia

The Power of Dystopia: Dimensions of Modernization and Law – Lyana Francot, Vrije Universiteit Amsterdam

Dystopian Voices: Silent Claims and the Legal Imagination of Inhumanity – Luigi Corrias, Vrije Universiteit Amsterdam

Session Five: Law, Ethics and Utopia

A Secular Form of Grace: The Role of Utopia in Ethics and Socio-Legal Theory – Leon Van Den Broeke, Vrije Universiteit Amsterdam

Utopia of Legality, Dystopia of Morality: On the Value of Law and its Authority - Jiří Přibáň, Cardiff University

Session Six: Law and Pleasure in Utopia

Anywhere out of the World: Law, Limits, and the Pleasure Problem in Utopian Thought - Nomi Claire Lazar, Yale-NUS College

