Socio-Legal
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APPLYING FOR SLSA RESEARCH GRANTS

John Flood reviews last year's small grant process and provides some valuable advice for members considering future applications to the fund. We also have reports from 2003 grantholders and announce the names and project details of 2004's successful applicants.

There was a strong field of 11 applicants in the 2004 round and the Small Grants Sub-committee supported six of them, awarding £7999 out of a possible £8000. The successful candidates submitted an excellent group of research applications: interesting, original and well thought-out.

However, there were some that didn't make it through the first cut and the sub-committee gave limited constructive feedback to these unsuccessful applicants. Their failure to progress was not due to problems with their ideas, but rather in the way the application was composed and presented. To assist applicants in the 2005 round, we would like to proffer some constructive hints and tips to help your application become one that receives serious attention and possibly wins an award.

First, be aware to whom you are addressing your application. Since the SPTL changed its name, its acronym is now not too dissimilar from ours: SLSA/SLS. Both associations run research grant schemes. Send yours to the correct one. Also, we prefer to fund actual research rather than conferences or seminars. If the research applications outnumber conference/seminar support, the latter will be placed at the bottom of the pile.

Second, you have a single A4 page with 11-point font to present your ideas. It's not much. You need to say what the research is about, give us your theoretical framework (this is socio-legal studies) and specify your methodology. Clarity and succinctness are the watchwords here. We are looking for good ideas (preferably with some originality), interesting theoretical approaches (we are catholic in our views on this) and methods that are spelled out so we know what you are going to do. A vague reference to 'carrying out some interviews with local notables' is insufficient. Tell us whom you are interviewing, why and give some indication of what you might ask. If you are part of a larger network or research group, let us know and tell us how your research fits into this larger pattern.

Third, you may be asking us to give you as much as £1500 to spend on your research. The SLSA is not wealthy and we husband our resources to get the most bang for our buck. Your costings must be precise. It is no good saying you would like £1500 to fly to the Azores where you will study legal pluralism. We need fares, per diems, material costs, etc. If we know how you are going to spend this money, we can give it to you with confidence. Also, let us know if you have funds from other sources – that suggests your research has strength – or if you are applying to other funders. Not having funds from elsewhere is not a drawback. In part, this will depend on whether your project is a self-contained piece of work or part of a larger research activity.

Finally, what will the result be: a monograph, an edited collection, a journal article, a website? Tell us what the outputs will be. After all, it was Karl Popper who said knowledge wasn't objective until it was published. e j.a.flood@wmin.ac.uk

Turn to pp 3–5 for small grant final reports from 2003.

SLSA 2005 LIVERPOOL 30 MARCH–1 APRIL

*Don't miss the opportunity to attend this friendly and welcoming event. Not only are there more than 20 streams – from Access to Justice to Social Theory – it's also a chance to meet fellow members **and** your representatives on the Executive Committee. Plus, there's an opportunity to air your views at the AGM.*

Included in the programme is the *Journal of Law and Society* Annual Lecture, by Professor Mariana Valverde, Professor of Criminology, University of Toronto, The session is entitled **How law knows**. Mariana Valverde did a PhD in Social and Political Thought but then turned her attention to social history and women's studies before becoming a sociologist. She did theoretical and historical work on gender and sexuality from the mid-1980s until the mid-1990s. Two publications from that time are *Sex, Power and Pleasure* (1985) and *The Age of Light, Soap and Water: Moral reform in English Canada 1880s–1920s* (1991).

Since the mid-1990s, she has devoted herself to the sociology of law. Her main current research interest is the deployment of low-level administrative and lay knowledges of vice, sex and race in various legal complexes. Her 1998 book, *Diseases of the Will: Alcohol and the dilemmas of freedom* (Cambridge) won the Law and Society Association's Herbert Jacobs biannual book prize in 2000. Her most recent book is *Law's Dream of a Common Knowledge* (2003) Princeton UP.

She teaches theory at the Centre of Criminology, University of Toronto, and is currently engaged in a socio-legal research project on urban–municipal law and bylaw enforcement.

As well as a full programme during the conference there is plenty of opportunity to explore Liverpool which has many great attractions and places of interest. These include the **Albert Dock** which opened in 1846 and now is one of Liverpool's busiest and most cosmopolitan centres and a top heritage attraction. Here you will also find numerous bars, restaurants and plenty of places to shop. w www.albertdock.com

Tate Liverpool is the region's major centre for contemporary art and houses two main types of exhibits: art selected from the Tate Collection and special exhibitions of contemporary art. w www.tate.org.uk/liverpool

The **Merseyside Maritime Museum** is the largest of its kind in Europe and is hosting the conference reception in the evening of 30 March. w www.liverpoolmuseums.org.uk/maritime

The **Walker Art Gallery** houses one of the best collections of fine and decorative art in Europe. w www.liverpoolmuseums.org.uk/walker

For more information and booking details go to:

w **www**.liv.ac.uk/law/slsa2005

SLSA 2006 – plenary speaker

The *Journal of Law and Society* regularly sponsors the plenary session at the SLSA annual conference. This year Mariana Valverde's lecture is entitled **How law knows**. We are interested in hearing from members with suggestions for SLSA 2006. Those suggestions could include ideas about format, theme and/or suggested participants/speakers. Please email ideas to Carol Black e black@cardiff.ac.uk.

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PROFESSOR HELEN HARTNELL (Golden Gate University School of Law) is a Visiting Scholar at RIZ (Law Centre for European and International Cooperation) at the University of Cologne where she is writing her PhD dissertation in Jurisprudence and Social Policy (JSP) at the University of California, Berkeley.
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PROFESSOR STEPHEN WHITTLE of Manchester Metropolitan University, former member of the SLSA Executive Committee, has been awarded an OBE for services to gender issues.

PROFESSOR ANNE GRIFFITHS has been promoted to a personal chair in anthropology of law at the school of law, Edinburgh University with effect from September 2004.
✉ School of Law, Edinburgh University, Old College, South Bridge EH8 9YL
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New SLSA pg rep needed

SLSA pg rep Morag McDermont will be stepping down at the AGM and we would like to thank her for her hard work during this time. The pg rep role is an important and rewarding one. If you feel that you would like to contribute to the SLSA's activities and would like to find out more about this vacancy, please contact either Morag McDermont e morag.mcdermont@bristol.ac.uk or Sally Wheeler e s.wheeler@qub.ac.uk.

Visit the SLSA website and bulletin board www.kent.ac.uk/slsa

Website

The website contains detailed information about the SLSA and its activities. It is updated regularly and is the best port of call for the latest news from the SLSA.

Areas include:

- bulletin board;
- conferences and events;
- contacts and committees;
- for students;
- joining and membership;
- links;
- research;
- prizes and grants;
- SLSA publications.

Hosted by Kent University, the webmaster is Nick Jackson and the web editor is Marie Selwood.

Bulletin board

The bulletin board is for members and others to post items of interest (eg job advertisements, events) and is now run by Marie Selwood. It can be accessed via a new button on the home page.

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SLSA annual subscriptions

Fees for the academic year 2005-06 will be due on 1 July 2005. Reminder letters will be sent out nearer the date. The fees remain the same, that is £30 (UK/overseas) or £10 for postgraduate membership. Because of the success of our anniversary offer to postgraduates, it has been decided to continue to offer students their first year's membership free.

Members who are no longer postgraduates should remember to increase their subscription in line with their new status. In particular, members who pay by bank standing order are asked to check that their payment is for the correct amount.

Journal discounts

Members can currently get discounts on subscriptions to the following journals: *Entertainment Law*; *Industrial Law*; *Howard Journal of Criminal Justice*; *International Journal of Law, Policy and the Family*; *International Journal for the Semiotics of Law*; *International Journal of Sociology and Law*; *Journal of Environmental Law*; *Journal of Law and Society*; *Journal of Social Welfare and Family Law*; *Modern Law Review; Oxford Journal of Legal Studies*; *Ratio Juris*; *Social and Legal Studies*; *Theoretical Criminology*; and *Legal Ethics*. See the website for details.

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The mobility of migrant researchers in the UK – will they stay or will they go now?

Bryony Gill (Centre for the Study of Law and Policy in Europe, University of Leeds) £600

Migration is set to become one of the most important and contested areas of UK social policy in the run-up to the general election. Debate tends to be polarised around the influx of asylum seekers and the 'brain drain' of skilled professionals from the UK. Refocusing the spotlight on academic researchers we find that the UK is benefiting from a supply of skilled labour from abroad.[1] As migrant researchers make up a substantial proportion of the UK academic labour force it is particularly important to consider what their future plans will be: whether they plan to stay and continue their careers in the UK or move again, either back to their sending country or elsewhere internationally. Some countries are now so concerned about the permanent loss of researchers overseas they are running return mobility schemes to encourage researchers back.[2] This SLSA grant allowed me to revisit 10 Italian scientists based in the UK specifically to explore the return and non-return of researchers.[3]

Migrant researchers underlined the importance of gaining international experience to career progression. In countries with limited research opportunities a spell abroad may be the only way to start a research career. International experience provides an opportunity to make individual networks rather than inheriting those of colleagues or supervisors, vital in establishing an independent career. At the outset most respondents thought they would work abroad for a temporary period, usually in a post-doctoral position. Yet, despite their original intentions, few respondents had concrete plans for return.

It would be over-prescriptive to say that there is an optimal time to do research abroad. A shorter period abroad, early in a career was generally more conducive to a successful return to Italy. Positions for mid-career researchers (as opposed to junior researchers or researchers 'stars') seemed to be the hardest to secure, mostly because they had lost their place in the 'system'. When return occurred it was often through careful maintenance of contacts in Italy. Respondents reported frustration in the contradiction between the need to go abroad for their career and problems in re-entering Italian academia where mobility was often not valued.

The relationship between mobility and balanced regional growth in Europe is an important one. Mobility offers the potential to 'add value' to sending as well as receiving countries both whilst scientists are abroad and upon their return. However, for a number of personal and professional reasons return may not be on the agenda for migrant scientists. Sometimes researchers felt there was an unfortunate trade-off between career opportunities, personal life and returning.

In this era of international labour mobility no country can afford to be complacent about attracting, retaining or drawing back skilled workers. This needs careful policy consideration locally and at pan-European levels. These themes are taken up in a new ESRC Science in Society project featuring return and its associated barriers for Polish and Bulgarian scientists working in the UK and Germany: **w** www.law.leeds.ac.uk/mobex. These findings were presented at the EuroScience Open Forum in Stockholm in August 2004. **e** b.gill@leeds.ac.uk

1. This is most apparent in early career stages; in England almost two-fifths (38%) of staff on research-only contracts in lower research grades were non-UK nationals (HESA Staff Record 2002–03). This does not necessarily mean that the researcher has moved to the UK to take up the job. They may have been domiciled and/or have been educated in the UK prior to taking up a research position in a HEI.
2. Such as the Rientro dei Cervelli scheme in Italy and the Ramon y Cajal Scheme in Spain.
3. From the ESRC Science in Society funded MOBEX project.

A pilot study of community-run prisons in Brazil

Fiona Macaulay (Peace Studies Department, University of Bradford) £1000

In October 2004 I carried out the field research for a pilot study on community-administered prisons in Brazil, generously funded by an SLSA small grant. I visited four so-called 'Rehabilitation Centres' in the interior of São Paulo state where an innovative experiment in prison management and community-prison relations in Brazil has been led by the state authorities. These small, local prisons, holding 250 inmates, are administered through a formal partnership between the state, which retains control over discipline and security, and local NGOs, which take over the day-to-day running of the prison, provision of all social services and rehabilitation activities. Some of the 18 units are purpose-built; others are converted from old public jails. My sample included two new and two converted units and one women's facility. I spent around four days in each, interviewing prisoners, their families, staff, local authorities and representatives of the NGOs that administer the prisons in partnership with the state.

My preliminary conclusions are that these penal facilities are outstanding in a number of areas, namely: protection of the human rights of prisoners and staff; the elimination of violence and drug abuse inside the unit; decent conditions of detention; the potential for significantly reduced levels of re-offending; excellent social, educational, occupational and psychological support given to offenders and their families; value-for-money in terms of quality and costs; increased transparency and checks and balances for both treatment of detainees and use of public resources; and improved community relations with the justice system. In many ways they offer a mirror image of the mainstream prison system and deliberately set out to deconstruct 'prison culture' as a means of reducing re-offending.

I was also struck by the emphasis on supporting family relations (one of the key criteria for allocation of places in these units is that the prisoners has relatives nearby) and by the demonstration effect to local communities, some of which had strenuously opposed the building of a prison nearby. Some units hold a significant number of remand prisoners due to the lack of facilities in the region and this constrains the administration's ability fully to triage incoming detainees and also demonstrates the depth of the institutional change they have been able to effect. The Sao Paulo model is largely secular in orientation but the first experiment in the 1970s in São José dos Campos (now converted into a Rehabilitation Centre) was faith-based. I was able to interview the founders of that movement when I visited that prison and intend to follow up this research trip with another to the neighbouring state of Minas Gerais (where the faith-based model has now taken root) as there are significant differences in terms of the NGO–state relations and principles both of rehabilitation and prison administration. On the institutional dimension, it was evident that many other actors in the criminal justice system were still sceptical, due to territoriality and entrenched views on the nature of offending behaviour. The relationships between state agents, such as the prison director, and the NGO were often very fraught, demonstrating that their understanding of the division of the labour within this partnership was still being negotiated. This is the first ever study of these units and I am working with the state authorities to design a more comprehensive collaborative evaluation. I also intend to give a full paper on my research at the SLSA annual conference. *Small grant reports continued* ▸ ***p4***

The dissemination of technology in a developing nation

Catherine Russell (Manchester Metropolitan University) £467

As a lecturer and researcher at Manchester Metropolitan University with a specific interest in information technology law and issues regarding globalisation, I applied for and received a small grant from the SLSA to fund travel to and research in various educational institutions in Pretoria, South Africa. As a firm proponent of technological development, it is difficult for me not to embrace a utopian perspective of its potential impact, highlighting the fact that, with access to a relatively user-friendly piece of technology, the individual is empowered with the ability to share his or her own cultural identity with others, a circumstance which could lead to the strengthening of communities and participation in a multitude of learning opportunities. However, in the early days of the technology boom the phenomenon of the 'digital divide' was perceived. This saw certain societal groups disadvantaged in the access to the benefits of technologies.

While carrying out work in this area within the UK's disabled community my interest was fuelled in the examination of issues pertaining to the digital divide on an international level. Research (Van Dijk, 1999: 150) has highlighted the widening gap between 'developed' and 'developing' countries at a broad level. My very small-scale study set out to examine attitudes to technology in general and experiences of and access to the internet in particular in a specific area of South Africa. In association with Technikon Pretoria I was given access to a range of educational establishments in the vicinity of Pretoria, mainly in the area of Atteridgeville. The institutions studied were 'resource deprived' and usually had a 100 per cent black cohort.

Small-scale case studies which ranged from primary level to post-16 were carried out in the institutions. These were supplemented with questionnaires responded to by both learners and facilitators. A general overview of the results shows that, while there is a definite perception of information communication technology as an educational force driving development and employment, the vast majority of learners do not have access to the internet even at centres such as libraries or schools. The figures gained should be read alongside the results that 23 per cent of learners interviewed did not have electricity and 48 per cent did not have access to a telephone, either landline or wireless. At an anecdotal level most of the schools did have a small number of computers provided either by Gauteng Online (a governmental initiative to provide school children with IT access and qualifications which has been very slow to realise its target) or by private donations from, for example, Microsoft or IBM. However, these were mostly not harnessed to their full potential due to a lack of facilitators to teach the necessary skills. These problems are addressed in Heeks' 'Digital Divide Bridge' (1999). Within this model the divide obviously has to be highlighted and addressed against the background and resource potential of the developing country. There then has to be physical access provided to technology along with an impetus to sustain this access and provide facilitators for it. My very small-scale research points to a desperate desire and need for access to technology in a specific region which, although certain steps have been made to provide facilities, is not being met at the levels required for sustained development. This, however, has to be taken in the context of the resources available. The results of the study will be published in the *Journal of Law and Society*.

Heeks, R (1999) I*nformation and Communication Technologies, Poverty and Development*, Institute for Development Policy and Management, Manchester

Van Dijk, J (1999) *The Network Society: Social aspects of new media*, Sage, Thousand Oaks CA

Legal education in Bosnia and Herzegovina

Christopher Waters (University of Reading) £990

The SLSA small grant funded field-work in Bosnia and Herzegovina (BiH) as part of a wider project to examine legal education in the Balkans. In BiH I interviewed law professors, students and assistance providers in the international community, including European Union representatives. While tremendous progress has been made in post-war reconstruction and reconciliation efforts in Bosnia since the war in the early 1990s, higher education – including legal education – lags behind the general progress. Two main, related, challenges currently face legal education.

The first is the need for an integrated country-wide approach. As it stands, there is no state-wide curriculum and no system in place for mutual recognition of credits earned by students at the six different universities. Some of the law faculties remain ethnically homogenous and oriented, in the case of Serbian and Croatian dominated-universities, to departments in Serbia and Croatia. This fragmentation hampers attempts at state building as well as efforts to promote a multi-ethnic society. To be clear, however, there has been progress in this field since the 1990s and some good working relationships between universities across the ethnic lines have been made. There are, for example, joint clinical legal programmes.

The second challenge is to Europeanise legal education and, specifically, to engage fully with the Bologna process. Progress has been made with curriculum reform at some law faculties but there has been no systematic country-wide attempt to engage with all of the aspects of the Bologna model. Bosnia's potential membership of the EU appears to be a major incentive for continued progress in terms of both the integration of law faculties and development along Bologna lines.

Conclusions drawn from the situation in BiH will be integrated with prior research done in Kosovo and Albania and a comparative study will be produced. Some early findings on legal education in the Balkans will appear in an article entitled 'Post-conflict legal education' in the forthcoming issue of the *Journal of Conflict and Security Law*.

Small grants 2004: the winners

There were six successful applicants in the 2004 round in which the sub-committee awarded £7999. The grantholders will be summarising their projects in the summer newsletter.

Maurya Chandra (Queen Mary, London) £1095 – *Exploring indicators for access to justice in India* (for funding fieldwork with focus groups in India)

Samantha Currie (Liverpool) £1440 – *EU enlargement and free movement of workers: implications for Polish nationals* (for funding fieldwork in Poland)

Penny Martin (Independent) £1500 – *The impact of human rights in Scotland: five years after devolution* (for funding fieldwork in Scotland)

Hannah Quirk (CCRC) £1415 – *Redressing wrongful convictions: a comparative study of US innocence projects and the CCRC* (for funding fieldwork at the Innocence Project in New Orleans)

Rachel Sieder (Institute for the Study of the Americas, London) £1454 – *Indigenous rights, decentralisation and legal globalisation: Mexico and Guatemala* (for funding fieldwork in Mexico and Guatemala)

David Sugarman (Lancaster) £1095 – *Pursuing Pinochet: a global quest for justice* (for funding transcription of interviews)

Law, complexity and globalisation

Julian Webb (School of Law, University of Westminster) £622

This project involves an exercise in theory construction at the interface between three contested concepts: law, globalisation and complexity. It sets out to bring a 'strong' pluralist conception of law to bear on the question of the 'complexity' of legal globalisation. In this regard it develops the work of key socio-legal scholars, such as Santos and Teubner, who have done much to elaborate the theory of legal pluralism in a global context. However, the originality of this project lies in the attempt to apply complexity thinking systematically to the legal sphere.

Complexity theory has its origins in studies of self-organisation within the biological and cognitive sciences and, more recently, in social and economic theory. While there is still substantial theoretical disagreement about the nature of complex systems, most theorists identify them as dynamic (as opposed to static) social or biological systems constructed out of many heterogeneous parts, interacting locally. Complex systems are largely self-organising, non-hierarchical or 'polycentric', and functionally differentiated from other systems. To date complexity theory has had relatively little impact on the legal field, other than as an underlying current of Luhmann's theory of legal autopoiesis. In exploring complexity as a socio-legal phenomenon, this project offers a number of points of departure from autopoietic approaches which, it is argued, tend, for the most part, to be too highly abstract and prone to treat developments as a product of a purely self-referential functionalism.

In sum the study involves four key phases, as follows:

1. A review of theoretical work on the globalisation of law and its adequacy in dealing with the complexity of the global. A key distinction is made here between the globalisation of law itself and the effects of economic, political and cultural globalisation on state and supra-national law.
2. An explanation of the main tenets of complexity theory and its applicability as a tool of socio-legal analysis.
3. An analysis of the processes of global law construction and development, using four key complexity theory concepts – 'network', 'flow', 'emergence' and 'differentiation'. These will be applied in the context of classical areas of global and transnational legal work such as capital markets, cyberspace regulation, the emergence of the new *lex mercatoria*.
4. In the light of the above, it will conclude by offering a way (or more accurately the beginning of a way, since this is virtually another project in itself) to re-conceptualise the relationship between law and state in a manner that adequately accounts for the complexity of the global.

SLSA funding has provided initial part-time research assistance for help with the extensive literature review which has taken into account both the enormous literature on globalisation and law and the growing literature on social theories of complexity. The project is now being written up with the aim of producing a monograph for UCL Press at the end of 2005.

Two incidental publications have come out of the work so far. 'Turf wars and market control: competition and complexity in the market for legal services' ((2004) *International Journal of the Legal Profession* 11(1–2): 81–102) uses complexity theory critically to re-evaluate the market control theory of professions. The second ('When "law and sociology" is not enough'), delivered at the Current Legal Issues Colloquium on the Sociology of Law at UCL, September 2004 ('work in progress', Complexity and Learning, W www.phineasgagegroup.org) stays closer to the project's underlying themes arguing that, at an epistemological level, a complexity account raises questions about the capacity of more conventional socio-legal analysis to capture the nuances of a world in which many of the most important problems, for example, the regulation of science and technology, are fundamentally transdisciplinary in nature. Further work will be presented at SLSA 2005.

The role of press judges in Dutch courts

Lieve Gies (Keele University) £934

The SLSA grant enabled me to make three trips to the Netherlands to conduct research into media liaison arrangements in Dutch courts. Thirty years ago, courts there gradually started to appoint 'press judges' who combine their normal judicial workload with a role as media spokesperson. Their main contact with journalists occurs when they are asked to explain a court ruling. This sometimes also involves making television appearances. In the late 1990s, communication advisors were recruited to support the work of press judges.

During my first visit in August 2004, I undertook library research and met researchers with specific expertise in this area from Leiden and Utrecht Universities and had a fruitful discussion with staff from the Netherlands Council for the Judiciary in The Hague which co-ordinates media liaison in courts. I was invited to attend the annual colloquium of press judges and communication advisors in October 2004, the theme of which was the importance of image building in contacts with the media, a topical issue which re-emerged during my third visit in November 2004. On this trip, I interviewed five press judges and five communication advisors in nine courts (seven district courts, one appeal court and one special appeals tribunal). I also interviewed a former national communication advisor to the judiciary to gain an insight into the historical and social climate in which the role of press judge was instituted.

Relations between courts and the media are often believed to be uncomfortable and a decline in deference for the judiciary appears to be widespread. Improving the quality of media reporting by giving journalists a helping hand in deciphering judicial discourse is seen in many jurisdictions as the best way forward. Having been in place for a relatively long period, the Dutch model makes for an interesting comparison. Their approach is successful partly because of its unique feature of consociational politics. The crisis (but not the total disappearance) of this social model in the 1960s engendered a decline in public deference for judges and led directly to the creation of press judges to stem the tide of public criticism. Although human rights justifications, more specifically the contribution which media liaison makes to furthering the public character of court proceedings, are also frequently cited today, they were not at the forefront of the debate when the press judge was instituted.

An important finding to emerge is that it is difficult to draw a meaningful distinction between information provision and image building. Impression management is an integral part of the media liaison effort in Dutch courts, but this does not necessarily amount to a cynical attempt at spin-doctoring and manipulation of public opinion. It is a logical consequence of judges' wishes to be seen as impartial and unbiased and, therefore, create the appearance of justice being seen to be done. A potentially greater concern is the creation of a culture of judicial 'spoon-feeding' and its impact on the media's watchdog function, something which has already been extensively documented in analyses of contacts between journalists and police sources. By virtue of their constitutional position, judges are well equipped to withstand misguided criticism while court reporters tend to be highly dependent on the information provided by officials. It is not inconceivable for this to lead to a suppression of legitimate criticism and, ultimately, an erosion of journalistic independence. The enduring influence of the consociational model in Holland, resulting in a relatively uncritical style of court reporting, makes such a scenario not improbable.

Findings from this project will be presented at the SLSA conference 2005. I have also been invited to contribute to a panel on 'Judge, Media, Public' at the 15th European Conference on Psychology and Law in Vilnius in the summer of 2005. Additional dissemination will take place through written publications.

WHY SOCIO-LEGAL STUDIES? THE CHOICE FOR LAW STUDENTS

Introducing students early to socio-legal studies can have a major impact on the way they approach all future research. Michael Salter analyses some of the factors that can influence their choice of methodology when embarking on their thesis or dissertation.

The research for this article drew upon materials gathered over the years of teaching theory and methods-type courses for undergraduate and postgraduate law students, together with issues that have arisen during PhD supervision and will eventually form part of a book.[1] Socio-legal studies is a topic I attempt to introduce to first-year law students on a 'Thinking and Arguing Law' module. The idea for the book was partly borne out of a degree of frustration at the lack of suitable introductory materials providing an overview of the development and continuing evolution of socio-legal studies, in its increasingly diverse and contested forms, to which students can turn for guidance when making choices as to which methodology best suits the aims and objectives of their particular dissertation or thesis project. Whilst there are useful collections of essays applying different interpretations of the meaning and purpose of socio-legal studies to different areas of law, there is a shortage of accessible up-to-date work that provides a more general overview.

However, students looking to examine methodological aspects of socio-legal studies can draw upon an existing literature containing many explicit discussions of the nature, strengths and limitations of different available methodologies.[2] There are even streams in annual SLSA conferences regularly devoted to such discussions and evaluations. Furthermore, many published findings of empirical socio-legal research include express discussions of, and attempted justifications for, the strategy used with respect to, for example, research samples or interview technique.[3] This methodological dimension can, on occasion, generate considerable follow-up discussion and debate in the academic literature.[4]

My project also reflects a conviction that when introducing students to the concept of how to conduct their research, there are certain key standards inherent in a socio-legal approach. In essence, before researchers adopt a specific methodology for the conduct of inquiry, they should engage in a process of informed deliberation upon the pros and cons of different alternatives, weighing up their appropriateness and limits in an explicit way and revisiting the methodological assumptions contained even in the definition of the nature and scope of the research project itself.

It is reasonable to expect students to answer the following questions before deciding to adopt a socio-legal,[5] or any other specific approach, to their dissertation research:

- What is the nature of my research and what are my goals? What methodology is best suited to exploring these questions?
- In what specific areas is there evidence that this methodology proved itself successful in earlier studies, which could therefore provide a helpful precedent for framing my own research questions and practices?
- What are the main arguments for and against adopting this approach both generally and with respect to my own particular dissertation topic?
- Does this methodology currently possess academic credibility within law schools?
- In what ways is a socio-legal methodology distinctive from other approaches, particularly traditional doctrinal research? In other words, what difference would it make with respect to my conduct of research if I decide to adopt a socio-legal rather than, say, a black letter approach?
- If I adopt a socio-legal approach, could I still rely on familiar library-based methods of conducting research? If not, then which new research methods and skills, if any, will I be expected to learn and apply?

These are legitimate questions that law students should ask when deliberating over which approach to adopt when undertaking dissertation research. But we should also assess whether or not dissertation students face a stark either/or choice between black letter and socio-legal approaches assuming that these are two mutually incompatible ways of realising the objectives of their dissertations. Is it feasible for at least certain types of legal dissertation to combine specific aspects of both methodologies? Dissertation students might, for understandable reasons, be tempted to regard socio-legal methodologies as not only different from more traditional black letter approaches but also incompatible, with the result that they face a difficult decision in favour of one or the other. The idea that students face a clear-cut choice between mutually exclusive opposites may, with some dissertation topics at least, represent an oversimplification of a more complex reality.

In this context, there are a number of other issues that also need to be considered. Firstly, is socio-legal studies little more than a supplement which rounds off and provides some helpful background contextual materials for otherwise essentially black letter projects? Secondly, socio-legal studies can be seen as representing a devastating critique of, and total replacement for, these more traditional approaches. Thirdly, it is arguable that any viable type of legal research needs to combine and integrate the technical analytical rigor of black letter expositions of doctrine with the findings of various socio-legal studies of law in action.

Such methodological awareness and self-criticism contrasts markedly with legal research carried out using black letter methodologies where discussion typically remains generally focused on technical 'legal methods' issues relating, for example, to the relative merits of different approaches to the interpretation of statutes, treaties and conventions in different contexts of application. As a longer-established tradition whose customs have become entrenched institutional conventions, the nature, limits and possible future directions of black letter methods of analysis are rarely treated by subscribers as meriting systematic discussion. By contrast, the level of methodological awareness and appreciation of the need to justify with convincing reasons the selection of methodological strategies is one of the distinctive features of the better forms of socio-legal research which dissertation students would do well to emulate, even if only in a modest way.

Students could follow the lead of Nazroo's study of crimes of domestic violence. This includes a self-critical account of the limits of its own chosen methodology (a mixture of semi-structured, open-ended interviewing with quantitative data-gathering) and an analysis of the difficulties that stem from the various methodologies underpinning earlier studies by other researchers. These difficulties have included drawing general inferences from the deployment of a small sample of subjects selected for in-depth interviewing, or using larger-scale survey methods whose questionnaires remain insensitive to differences in how the key terms are likely to be variously interpreted by respondents.[6] On the other hand, the fact that socio-legal studies remains dominated by legal academics whose own undergraduate and postgraduate degrees in law generally contained little coverage of empirical research methods still exerts a negative impact upon the quality of methodological

debate within socio-legal studies. This lags behind that which takes regularly place within social sciences, such as sociology.

There have been various attempts at defining socio-legal studies as a research methodology, for example, as the application of multi- and interdisciplinary research methods drawn largely from the social sciences to law in action. An ongoing dilemma is that attempts at exhaustive definition of the presumed 'essence' of socio-legal studies are shown to founder upon both the diversity of topics and themes addressed by this movement, each of which have to a greater or lesser extent been subject to a wide range of different methodologies, and the open-ended and unpredictable development of future trends.

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If you would like to comment on the issues raised in this article or develop some of the themes introduced here, then please contact the newsletter. e m.selwood@tiscali.co.uk

Notes

1. This project will culminate in a book, co-authored with Julie Mason, critically assessing different approaches to the conduct of dissertation or thesis research in law, including black letter, socio-legal and experiential methodologies.
2. See, for example, Mavis Maclean and Hazel Genn (1979) *Methodological Issues in Social Surveys*, SSRC, Oxford Socio-Legal Studies; Austin Sarat et al (1998) *Crossing Boundaries: Traditions and transformations in law and society research*, Northwestern University Press, Evanston, Part One.
3. Ute Gerhard, 'Women's experiences of injustice: some methodological problems and empirical findings of legal research' (1993) *Social & Legal Studies* 2(3): 303–21 (with reference to research in equal opportunities in employment); Maureen Cain (1986) 'Realism, feminism, methodology, and the law', *Int J Soc L* 14(3–4): 255–67; Ruth Lewis (2004) 'Making justice work: effective legal interventions for domestic violence', *Brit J Criminol* 44(2): 204–24 (with reference to researching restorative justice in the UK); Adrian Grounds and Ruth Jamieson (2003) 'No sense of an ending: researching the experience of imprisonment and release among Republican ex-prisoners', *Theo Crim* 7(3): 347–62 (re-studying the effects of long-term imprisonment on 18 Republican prisoners and their families and associated psychological coping strategies, employment, social integration and family relationships, through interviews and other methods); Reza Banakar (2000) 'Reflections on the methodological issues of the sociology of law', *J Law & Soc* 27(2): 273–95; Trevor Bennett (1996) 'What's new in evaluation research? A note on the Pawson and Tilley article', *Brit J Criminol* 36(4): 567–73 (defending the appropriateness of quasi-experimental design research methods in criminal justice studies and criminology); John Paterson and Gunther Teubner (1998) 'Changing maps: empirical legal autopoiesis', *Social & Legal Studies* 7(4): 451–86 (discussion of the deployment of the theory of self organisation ('autopoiesis') for empirical socio-legal research to issues raised by the health and safety regulation of offshore industry.
4. Michael Faure (1995) 'The future of socio-legal research with respect to environmental problems', *J Law & Soc* 22(1): 127–32; Anita Kalunta-Crumpton (1998) 'Claims making and the prosecution of black defendants in drug trafficking trials: the influence of deprivation', *International Journal of Discrimination and the Law* 3(1): 29–49.
5. Some writers hyphenate 'socio-legal' whilst others note that the approach has become sufficiently established that the hyphen, which suggests a problematic and ad hoc linking of different approaches, has become redundant (Paddy Hillyard (2002) 'Invoking indignation: reflections on the future directions of socio-legal studies', *JLS* 645–56, p 645).
6. James Nazroo (1995) 'Uncovering gender differences in the use of marital violence: the effect of methodology', *Sociology* 29: 475.

POSTGRADUATE NEWS

Suzanne McGuinness, a postgraduate student at Lancaster University, attended our recent conference there. She assesses the event from a user's perspective.

The SLSA Postgraduate Conference 2005, hosted by Lancaster University, provided a genuine opportunity for socio-legal pg students, at varying stages of their theses, to share experiences and, most importantly, to have the rare opportunity of discussing their research interests. In addition to providing an excellent window for the all-important practice of 'academic networking', this event allowed the more seasoned postgraduates to share the benefit of their experiences with the raw recruits. How refreshing to converse with those whose disciplines are in the same academic ball park, albeit perhaps playing a different game.

Thanks are due to Bela Chatterjee for her role as the organisational driving force behind the smooth-running of the event (except for the weather), with practical assistance from the Lancaster University conference team. The friendly and informal atmosphere facilitated interesting discussion from all sides, with the conference primarily taking a practical approach to postgraduate academic life. Topics included, Angela Melville's informative workshop 'Socio-legal Studies', through which socio-legal research was contextualised in terms of where this elusively defined discipline is situated in academia. Dave Cowan and Sally Wheeler's session on 'How to get published' provided practical advice on the significance of publishing etiquette and the targeting of appropriate publishers for the researcher's specific subject area. A key outcome of this discussion was that it initiated the belief, in some delegates, that publication is not only possible, but essential to academic achievement. For those delegates embarking on empirical research, Amanda Cahill's paper 'Preparing for thesis emergencies', presented by Bela Chatterjee, provided a brief, but essential, guide! Finally, 'How to get an academic job' led by Sally Wheeler and Agata Figalkowski provided solid practical advice in respect of interview preparation/technique and CV presentation. An apparently peripheral issue raised here related to the commitment and expectations you have and how 'comfortable' you will be in any given academic employment setting! A fundamental factor which may be forgotten by the eager and newly qualified in their quest for successful academic career progression.

In addition to the practical workshops, what struck me, as a relative newcomer to both postgraduate study and the SLSA, was the willingness of experienced and senior academics to share their practical knowledge in respect of socio-legal study. In other words, this conference provided a rich insight into what is *not* readily available from any 'survival guide' textbook for postgraduates: from Tony Bradney's amusing, yet valuable, session on 'How to give a conference paper' without it ending in career suicide, to Bela Chatterjee's panel on 'Supervising your supervisor'. This latter session was revealing in terms of how we, as postgraduate research students, paradoxically, are negotiated by our supervisors. This practical panel focused on ensuring postgraduate delegates were made painfully aware, thanks to the candour of Sally Wheeler and Angela Melville, of the importance of deadlines, self-discipline and organisation in their research. For me, this discussion revealed that within the parameters of the professional relationship between supervisor and postgraduate research student, time is precious, boundaries are strict and expectations are high. However, I also sensed that supervisors actually take great pride and invest a great deal of themselves in their protégé's progress – although this was never openly articulated. Thus, for the research student trapped between the fear 'of being found out' and tentatively performing the role of academic-in-waiting, the SLSA Postgraduate Conference 2005 provided a much appreciated sense of belonging to the socio-legal academic community. e s.mcguinness@lancaster.ac.uk

BEYOND SEPTEMBER 11

In March 2002, we published an extract from Phil Scraton's introduction to Beyond September 11: An anthology of dissent. *That introduction has now been updated in the light of subsequent events and is reproduced here with the author's permission.*

Beyond September 11 was conceived, written and edited in the immediate aftermath of that fateful day. It was completed as allied forces proclaimed the 'liberation' of Afghanistan from Taliban rule, as over 600 men and boys were flown to be caged in Guantanamo Bay, as thousands of Afghans picked their way through the rubble of their former homes, and as a buoyant US administration flexed its military muscle for the next phase in its self-styled 'war on terror'. The text captures that moment. It records George W Bush projecting the war from the 'focus on Afghanistan' to a 'broader' battlefront. It concludes with a passage on the rewriting of history, the degradation of truth and the pain and suffering 'of death and destruction heightened by the pain of deceit and denial'. Finally, it proposes that unleashing the world's most powerful military force against relatively defenceless states, resulting in thousands of civilian deaths, would promote recruitment to the very organisations targeted for elimination. There was little doubt that next in line would be Iraq; a target made more poignant by the belief among US hawks that the Iraqi regime represented business unfinished by Bush's father.

Barbara Lee, the lone Democrat congresswoman who voted against the action in Afghanistan, exposed the dangerous reality masked by the rhetoric of freedom and liberation:

> I could not ignore that it provided explicit authority, under the War Powers Resolution and the Constitution, to go to war. It was a blank cheque to the President to attack anyone involved in the September 11 events – anywhere, in any country, without regard to nations' long term foreign policy, economic and national security interests and without time limit.[1]

Her fears were soon realised. In September 2002 the White House published the new national security strategy.[2] Penned by Condoleeza Rice, it reflected the confidence of an administration committed to strengthening the power and authority of its military–industrial complex at the expense of the declining influence of an ineffectual UN. In his foreword, the US President affirmed that the 'great struggles of the 20th Century between liberty and totalitarianism' were over, the 'victory for the forces of freedom' had been 'decisive'. The conclusion of the Cold War had left 'a single, sustainable model for national success: freedom, democracy and free enterprise'.[3] There had been no compromise. Advanced capitalism, serviced by social democratic governments committed to the management of inherent structural inequalities, had defeated the Communist alternatives. A new, grave danger had emerged at the 'crossroads of radicalism and technology'.[4] 'Radicalism' was code for 'Islamic fundamentalism' and 'technology' for 'weapons of mass destruction'.

The strategy stated that 'freedom and fear are at war'.[5] In this context US foreign policy would prioritise 'defending the peace, preserving the peace and extending the peace' in the 'battle against rogue states'. These states 'brutalize their own people'; 'reject international law'; 'are determined to acquire weapons of mass destruction'; 'sponsor global terrorism'; 'reject basic human values'. Most significantly, they 'hate the United States and everything for which it stands'.[6] They would be reminded that the 'United States possesses unprecedented – and unequalled – strength and influence in the world'. This would be reflected in the US national security strategy 'based on a distinctly American internationalism that reflects *our* values and our national interests'.[7] For, the 'war on terror is a "global" war' with the US 'fighting for our democratic values and *our* way of life'.[8]

With the 'justification' established, the programme for further military action against rogue states was revealed. The use of pre-emptive offensives was an imperative, but unacceptable in terms of the UN Charter. The 'United States can no longer rely on a reactive posture as we have done in the past'.[9] While previously in international law the legitimacy of pre-emption was predicated on evidence of offensive mobilisation, 'we must adapt the concept of imminent threat to the capabilities and objectives of today's adversaries'.[10] What was proposed, however, was not adaptation but a change of definition, including other states' capacity to threaten:

> The greater the threat, the greater the risk of inaction – and the more compelling the case for taking anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack . . . the United States cannot remain idle while dangers gather.[11]

Even Henry Kissinger was concerned: 'It is not in the American national interest to establish pre-emption as a universal principle available to every nation.'[12]

The US security strategy established four key elements to its 'broad portfolio of military capabilities': defending the US homeland; conducting information operations; ensuring US access to 'distant theatres'; protecting 'critical US infrastructure and assets in outer space'.[13] In providing a framework for action beyond the globe, its reach had become truly universal. According to Bush, the 'moment of opportunity' had arrived.[14] What was this opportunity? To secure the 'battle for the future of the Muslim world'. To succeed in 'a struggle of ideas . . . where America must excel'.[15] The US objectives to 'meet global security commitments' and to 'protect Americans', however, would not be 'impaired by the potential for investigations, inquiry or prosecution by the International Criminal Court, whose jurisdiction does not extend to Americans and which we do not accept'. [16]

Having reconstituted the internationally agreed conditions for pre-emptive military action against nation-states, the US administration formally placed itself and its citizens beyond the reach of international criminal justice. There was one further dimension. How would the US administration respond to dissident former allies within the Western democratic power base? Bush responded by demanding loyalty to its project: 'all nations have important responsibilities: Nations that enjoy freedom must actively fight terror'.[17] If they refused to give the US the mandate for military action it sought, the consequences would be direct: 'we will respect the values, judgement and interests of our friends and partners [but] will be prepared to act apart when our interests and unique responsibilities require'.[18]

There could not have been a more unequivocal rejection of the UN and of US allies' independent political judgement. The 2002 national security strategy revoked the conditional basis of a 'just war' by rewriting the defence of pre-emption. As with other internationally agreed conventions and legal restraints, it rejected outright the ICC. Finally, it delivered an uncompromising declaration of unilateralism. If its military might was to be mobilised, it would be on its own unconditional terms – regardless of legal restriction or the political judgement of its allies and the UN. While weapons inspectors travelled all over Iraq and debate raged over the interpretation and legitimacy of UN resolutions regarding Saddam Hussein's regime, the US administration prepared to invade. As far as the US hawks were concerned, the military offensive was not about establishing Iraq's capacity to mount a serious and imminent threat.

From the outset, whatever the games played with Hans Blix, head of the weapons inspectorate, and the UN Security Council, the invasion was a *fait accompli*. France and Germany, cornered in the Security Council, failed the 'loyalty test'. In representing the case for the military offensive, the US administration had freed itself from the unambiguous boundaries of self-defence laid down in the UN Charter. Pre-emption was now 'anticipatory action'. In its mission to 'secure the future of the Muslim world', regime change – informed and supported by Iraqi exiles with dubious political credentials and judgement – was the sole objective.

On the eve of the invasion, George W Bush attempted to justify the offensive on the grounds of Iraq's weaponry and the

imminent threat it posed. In his address to the nation, the well-rehearsed script was delivered. He stated that 90 days after the UN Security Council passed Resolution 1441 requiring Saddam Hussein to make a full declaration of his weapons programme, he had not done so and had failed to co-operate in the disarmament of his regime. He had never accounted for a 'vast arsenal of deadly, biological and chemical weapons' and had pursued an 'elaborate campaign of concealment and intimidation'.[19] The Iraqi regime not only possessed the 'means to deliver weapons of mass destruction' but also harboured a 'terrorist network headed by an Al-Qaida leader'. The connection of the regime to Al-Qaida was central to the US administration's position. It provided a direct line back to the events of September 11. Bush concluded:

> Resolutions mean little without resolve. And the United States, along with a growing coalition of nations, will take whatever action is necessary to defend ourselves and disarm the Iraq regime.[20]

As the key ally of the US, the UK government was compromised. It had no reconstructed security strategy through which pre-emptive military action could be mobilised. It had to abide by the UN Charter while supporting the US administration's determination to affect regime change in Iraq. The only possible justification for a military offensive was self-defence and for that to apply it needed evidence of the unambiguous, imminent danger posed by Iraq. However it attempted to re-interpret UN resolutions as far back as 1991, the UK government sought an emphatic statement derived in independent sources. The UN Inspectorate had not produced substantiating evidence. Indeed, Hans Blix requested more time. And so the UK Government looked to its intelligence and security sources to produce the necessary evidence. The dossier duly arrived. In his foreword to the dossier, Tony Blair wrote:

> . . . the assessed intelligence has established beyond doubt . . . that Saddam has continued to produce chemical and biological weapons, that he continues to develop nuclear programmes, and that he has been able to extend the range of his ballistic missile programme. I am in no doubt that the threat is serious and current . . . [Saddam] has made progress on WMD [Weapons of Mass Destruction] . . . the document discloses that his military planning allows for some of the WMD to be ready within 45 minutes of an order to use them.[21]

Flying in the face of mass protest against the 'war' in Iraq, Tony Blair used this seriously flawed intelligence to legitimate his determination to support the US administration. He later revealed that the dossier had been drafted by the Joint Intelligence Committee chairman and his staff. They were also the source of the 45 minutes estimation and had drafted the foreword, signed off by the Prime Minister.[22]

Reflecting on the deployment of UK forces, Tony Blair stated that 'we went to war to enforce UN Resolutions'.[23] It was a judgement based on the UK Attorney General's association of UN Resolution 678 (1990) and UN Resolution 1441 (2002). UN Resolution 678 authorised the use of 'all necessary means' to remove Iraq's forces from Kuwait. It included the 'restoration of international peace and security' throughout the region and the destruction of weapons of mass destruction throughout Iraq.[24] It was directed towards the 1990 allied coalition to achieve these ends. What followed was a series of further UN resolutions culminating in 1441. In itself, 1441 sought the Iraq regime's compliance with the weapons inspectorate but its wording could not be interpreted as providing authorisation for invasion or war. As Lord Archer, former UK Solicitor-General, stated: '1441 manifestly does not authorise military action.'[25]

Despite this opinion, shared by many eminent legal academics and practitioners, the US and UK governments continued to overstate Iraq's military capacity and threat while persistently undermining the credibility of Hans Blix and the weapons inspectorate.[26] On the eve of the invasion, the most recent intelligence doubted the veracity of the 2002 dossier's claims. Its concern was that no evidence had been produced to verify that Iraq posed a serious or imminent threat. Lord Boyce, the UK Chief of Defence Staff, was so troubled that he demanded 'unequivocal' legal opinion in support of military action.[27] What he received was the Attorney-General's assertion that 'on the balance of probabilities' Iraq possessed weapons of mass destruction and posed a real and serious threat. More recently, Blair has stated that: 'in fact everyone thought he [Saddam] had them [weapons of mass destruction]'. In remarkable double-speak that recasts his certainty at the time as inference, he commented:

> The characterisation of the threat is where the difference lies . . . we are in mortal danger of mistaking the nature of the new world . . . the threat we face is not conventional. It was defined not by Iraq but by September 11 . . . September 11 for me was a revelation . . . The global threat to our security was clear. So was our duty: to act to eliminate it . . . If it is a global threat, it needs a global response, based on global rules.[28]

The argument presented throughout the US security strategy document is implicit in Blair's few sentences. Because the world beyond September 11 has changed, military invasion of sovereign nation-states is acceptable whether or not a 'threat' is real. His conceptualisation of 'global' is instructive. There is no indication as to who are, or should be, the definers of 'global'. These are sweeping assertions from a Prime Minister without the capacity alone to deliver global security. Given its determination to operate unilaterally if necessary, there is no question that the US administration regards itself as the principal definer.

This has been demonstrated in the decision to hold prisoners at Guantanamo Bay. Despite criticism from other states, NGOs and human rights organisations, the US administration has denied the checks and balances of international conventions. Because soldiers captured in Afghanistan did not wear the uniforms of a recognised army, they were 'undistinguishable from the general population'. Redesignated 'unlawful combatants', Article 4 of the 1949 Geneva Conventions could not be applied as they did not qualify as 'soldiers in action'. Yet Article 5 of the Third Geneva Convention states that, should there be any ambiguity regarding a detainee's status, they should be held as a prisoner of war until a competent tribunal determines their status.

Once again, the White House Press Secretary demonstrated how the 'global rules' have been written to suit US priorities. In a strident response to persistent criticism over the unlawful detention, without legal protection or due process of the law, of over 600 men and boys he stated: 'The war on terrorism is a war not envisaged when the Geneva Convention was signed in 1949. In this war global terrorists transcend national boundaries . . .'[29] Donald Rumsfeld, US Defence Secretary, had already established the guilty status of the captives: 'These people are committed terrorists. We are keeping them off the streets and out of airlines and out of nuclear power plants.'[30] And so, with the Military Order, issued on 13 November 2001 and entitled Detention, Treatment and Trial of Certain Non-citizens in the War Against Terrorism, a new form of stateless detention of the 'enemy' was born.

As the UK brokered a 'special favours' deal to release several UK citizens, it became clear that many of those held at Guantanamo Bay were being held in appalling conditions; enduring abuse and intimidation in the interrogation they received.[31] Their stories preceded the release of photographs of US soldiers, men and women, humiliating and degrading prisoners in Iraq. As was the case in Vietnam 30 years earlier, the much-proclaimed 'most efficient' and 'best disciplined' army in the world, was exposed as brutal and sadistic. US soldiers, the recipients of relentless post-September 11 propaganda before leaving for Iraq, considered those in captivity to be ▸ *p10*

p9 ◂ beneath contempt. Why were politicians, the media and the public surprised? When the enemy is dehumanised, stripped of human identity, it is a small step to strip their clothes, to force them to simulate sexual acts and to coerce them into masturbating for the camera. The degradation inflicted on the body reflects denigration assumed in the mind. Photographs become a visible manifestation and record of subjugation. For all time, they represent the institutional power of personal abuse. In the photographs, the pleasure enjoyed by the captors increases in proportion to the pain endured by their captives. Why the surprise? Perhaps it is because of the pornography of representation; the overt expression of absolute power without responsibility and with assumed impunity.

The torture, degradation and human rights violations at Abu Ghraib prison cannot be dismissed as the shameful acts of a small clique of cowboy soldiers. The techniques used by military intelligence officers were institutionalised. Brigadier General Janis Karpinski, now relieved of her command, was clearly implicated. Her weak, implausible defence was that senior officers frustrated her attempts to exert control on interrogators. The International Red Cross was excluded from visiting the interrogation block and announced that torture, inhuman and degrading treatment were endemic throughout the holding centres for prisoners. At the time of writing, the war crimes before an internal US investigation include cold water treatment, phosphorous liquid from broken lights poured on naked bodies, beatings with broom handles, constant threats of rape and actual rape with instruments.

And the abuses are not confined to soldiers. Private contractors, now working in Iraq, are above the law. Two US companies, Caci and Titan, are contracted to conduct interrogations of prisoners of war. Titan's current 'analytical support' contract is worth $172m, its employees are on salaries in excess of $100,000. There are plans to build two privately run prisons in Iraq. Each will house 4,000 prisoners and the cost of building and staffing is estimated at $400m.

Military personnel can be held accountable for their abuses and crimes. In theory, they are subject to military discipline and military courts. Not so for private contractors. They are not governed by military rules. Iraqi law is in disarray and civilians in Iraq are outside US jurisdiction. Even if they were subject to local law their contracts give them exemption. And, as has been shown, the US explicitly rejects the use of the international criminal court against its citizens. What has happened in Iraq is a situation in which private contracts are running at over $10b per year and the military service industry has legal immunity.

For over a decade the West's demonisation and destruction of Iraq's people and its infrastructure have been relentless. It is 13 years since the appalling massacre of retreating Iraqi troops on the Basra Road. It was a vengeful bombardment of extermination. Since that time, and until the 2003 invasion, over 70,000 tonnes of bombs were dropped on Iraq. Over half a million civilians died as a result of disease, malnutrition and poor medical care. Many were children. Sanctions on essential foods and medicine were maintained alongside indiscriminate and persistent bombing.

The 2003 invasion of Iraq was retribution. It was the final act, the final solution to unfinished business. Of course there was no defence for Saddam Hussein's regime; the brutalisation of his own people and his attempted mass extermination of Kurds and his other opponents. Yet, prior to the 1991 Gulf War, these acts had been implicitly condoned, supported financially and politically by Western states. The 2003 self-styled coalition of liberation was, without question, a coalition of oppression. Effectively, the Alliance's preconditions on inspection; its language of pre-emptive military strikes; its demand for immediate regime change; its deceit over weapons of mass destruction; its propaganda of nuclear capability; its commitment to unilateral action; its vilification of France and Germany; all amounted to a catastrophic end-game. All credibility, any hope of reason and resolution in the context of growing terrorist cells, has been sacrificed in the rubble of Afghanistan and Iraq. As civilian casualties and deaths mount, redefined as unfortunate mistakes, as 'collateral damage' or as necessary sacrifices in a bigger picture, a new generation of armed activists and suicide bombers is recruited. In the UK and USA alike, to be Muslim is to be suspicious and the ideology of 'otherness' that underpins and promotes punitive military offensives abroad, underpins and infects punitive policing and rights abuses at home.

It is appropriate, in the search for the ideological roots of people as 'other', dehumanised and demonised as 'monsters', that the last word is with the late Edward Said:

> Burning in the collective US unconscious is a puritanical zeal decreeing the sternest possible attitude towards anyone deemed to be an unregenerate sinner. This clearly guided US policy towards the native American Indians, who were first demonised, then portrayed as wasteful savages, then exterminated, their tiny remnant confined to reservations and concentration camps. This almost religious anger fuels a judgmental attitude that has no place at all in international politics, but for the US is a central tenet of its worldwide behaviour. Punishment is conceived in apocalyptic terms . . . Sinners are condemned terminally, with the utmost cruelty regardless of whether or not they suffer the cruellest agonies.[32]

Beyond September 11 was first published by Pluto Press in 2002. This preface was published in the Croatian and Arabic editions of the book in 2004.

Notes

1. Barbara Lee (2002) 'Why I voted against the war', in S Hawthorne and B Winter (eds), *September 11, 2001: Feminist perspectives*, Spinifex Press, Melbourne, p 38.
2. *The National Security Strategy of the United States of America* (2002) The White House, Washington, September.
3. President George W Bush, 'Preface', *The National Security Strategy*, unpaginated.
4. Ibid.
5. *The National Security Strategy*, p 7.
6. Ibid, p 14.
7. Ibid, p 1, emphasis added.
8. Ibid, p 7, emphasis added.
9. Ibid, p 15.
10. Ibid.
11. Ibid.
12. *New York Times*, 16 August 2002.
13. Ibid, p 30.
14. Bush, 'Preface'.
15. *The National Security Strategy*, p 31.
16. Ibid.
17. Bush, 'Preface'.
18. *The National Security Strategy*, p 31.
19. George W Bush, Presidential Address to the Nation, 8 February 2003.
20. Ibid.
21. Tony Blair (2003) 'Foreword', *Iraq's Weapons of Mass Destruction: The assessment of the British Government*, The Stationery Office, London, pp 3–4.
22. *Hansard*, 11 July 2003.
23. *The Guardian*, 6 March 2005.
24. Ibid.
25. Quoted by Richard Norton-Taylor, 'A truth too terrible to contemplate', *The Guardian*, 5 March 2004.
26. See Hans Blix, 'Why Blair was convinced by the intelligence in his fight against evil', *The Guardian*, 6 March 2004, pp 4-5.
27. Norton-Taylor, 'Truth too terrible'.
28. *The Guardian*, 6 March 2004.
29. Press Secretary Statement, White House, 28 May 2003.
30. Donald Rumsfeld Statement, 22 January 2002.
31. See David Rose, 'Even death row is preferable to this', *The Observer*, 22 February 2004.
32. Edward Said, 'Apocalypse Now' (2000) *Index on Censorship*, Vol 29(5): 51.

Journal of Legal History student Prize

The *Journal of Legal History*, published by Routledge, has announced that in 2006 it will be awarding a prize for an article, publishable in the journal, by a person who has not previously published, or had work accepted for publication, in a refereed journal or similar publication. The value of the prize will be £500. If you wish to enter for the prize please contact the editor in writing – Dr Neil Jones ✉ Magdalene College, Cambridge CB3 0AG UK **e** ngj10@hermes.cam.ac.uk. The deadline for receipt of submissions is 1 December 2005.

w www.tandf.co.uk/journals/titles/01440365.asp

Globalisation, regulatory competition and audio-visual regulation

Professor Peter Humphreys from the School of Social Sciences at Manchester has recently been awarded an ESRC grant to research globalisation, regulatory competition and audio-visual regulation. The project covers five countries (the UK, France, Germany, Canada and the United States) together with the European Union. It is worth £206,868, started in February 2005 and will last for three years. www.law.manchester.ac.uk/

Kent Law School

Indira Carr has been appointed to the AHRB Law, Philosophy, and Religious Studies panel. Sue Millns has won a European Commission Reintegration Grant award of £38,659.79 for a collaborative project entitled 'Gender auditing the constitution for Europe'. Harm Schepel has won the EUI Alumni Prize for the best interdisciplinary and/or comparative thesis on European issues of recent years. The work, entitled *The Constitution of Private Governance – Product standards in the regulation of integrating markets* was published by Hart in December 2004. Geoffrey Samuel has been appointed Visiting Professor at both the law faculties of the Sorbonne and has been elected to the Chair of the UK National Committee of Comparative Law. Steve Uglow has published the results of several Home Office-funded projects, including: Evaluation of Visual Recording of Police Interviews with Suspects (with Tim Newburn, Tom Cockcroft, and Louise Barnard); Sevenoaks Crime Audit (with Chris Hale, Tony Amatrudo, Tim Mitchell, and Francis Wildman); and Targeting the Markets for Stolen Goods (with Chris Hale, Charlotte Harris, and Robin Saunders). Sophie Vigneron's PhD was awarded the Private Law Prize by Nancy's Faculty of Law. Finally, Kent Law Clinic won two of the six awards at the Solicitors Pro Bono Group Attorney-General's Awards and was the highest placed university entrant in the Institution category.

Criminology in Oxford

The University of Oxford's Centre for Criminological Research has been re-named the Centre for Criminology and has moved from its old building in Bevington Road to a new Social Science Building in Manor Road, Oxford OX1 3UQ. There continue to be fortnightly seminars in criminology, held at All Souls College, and there are also cross-disciplinary seminars in the new social science building. Dr Julian Roberts of the University of Ottawa has been appointed Reader in Criminology from April 2005, and the appointment of the Professor of Criminology is expected soon. The MSc in Criminology and Criminal Justice is now in its fourth year and a considerable range of optional courses are now offered – see **w** www.crim.ox.ac.uk The course's numbers are expanding this year, and so there is an opportunity to take in more high-grade students. The closing date for applications is 27 May 2005. The centre continues to win research contracts and seven new projects have started in the last few months on a range of subjects including legal aid, referral orders, Think First and supervision orders

New survey of public attitudes to youth crime and justice

Recent findings from the first national survey of public attitudes to youth crime and youth justice in England and Wales are presented in a new report by Mike Hough and Julian V Roberts published by The Policy Press. The study, funded by the Nuffield Foundation and carried out by criminologists at King's College London and the University of Ottawa, shows that the public has a more pessimistic view of youth crime than is justified by official crime statistics: 75 per cent believed that the number of young offenders had increased in the previous two years even though the numbers coming to police attention fell by 9 per cent over that period. Forty-two per cent believed that half of all crimes were committed by young people but official statistics suggest a figure between 10 and 20 per cent. In answer to the question 'What makes you think that the number of young offenders has increased?', 64 per cent of respondents cited the media. Two-thirds estimated that the percentage of youth crime involving violence was over 40 per cent when in reality it is probably around 20 per cent. While most people said that they wanted the youth justice system to be tougher on young offenders, many were supportive of restorative or rehabilitative approaches when presented with detail on specific cases. There was strong support for education, treatment and work programmes for young offenders in prison. While most people surveyed held a negative view of youth courts, there was strong support for non-custodial options. According to Mike Hough, 'The report highlights that while most people are demonstrably ill-informed about youth crime and youth justice issues, there is genuine support for new approaches to sentencing young offenders. Like sentencers, the public wants offenders to apologise, accept responsibility, express remorse and to translate this emotion into some form of practical reparation for the victim. The practicalities of putting viable reparative schemes into effect are challenging, but the potential of such schemes is obvious.' **e** mike.hough@kcl.ac.uk. For a copy of the report, please contact **e** helen.bolton@bristol.ac.uk. This report is the first in a new series, Researching Criminal Justice, published by The Policy Press and the Institute for Criminal Policy Research.

Journal of Law and Society 32(1) March 2005

Special issue to be published as a book entitled *The Human Rights Act: A success story?*, Luke Clements and Philip A Thomas (eds)

Introduction – Luke Clements and Philip A Thomas

The rocks or the open sea: where is the Human Rights Act heading? – Sir Stephen Sedley

11 September 2001, Counter-terrorism, and the Human Rights Act – Conor Gearty

Winners and losers – Luke Clements

The Human Rights Act: a view from below – Ruth Costigan and Philip A Thomas

Lost on the way home? The right to life in Northern Ireland – Christine Bell and Johanna Keenan

Convention compliance, public safety, and the social inclusion of mentally disordered people – Phil Fennell

Resources, rights, and environmental regulation – Robert G Lee

Rights and rhetoric: the politics of asylum and human rights culture in the United Kingdom – Shami Chakrabarti

Human rights in the Scottish courts – Tom Mullen, Jim Murdoch, Alan Miller and Sarah Craig

An Equality and Human Rights Commission worthy of the name – Anthony Lester and Lydia Clapinska

Constitutional reform, the Lord Chancellor, and human rights: the battle of form and substance – Roger Smith

New MA in legal aspects of contemporary medicine at Queen Mary

Dramatic developments in medical science pose exciting challenges to lawyers, doctors and policymakers. This MA is designed to meet those challenges. It provides students with an advanced understanding of ethical and legal issues raised by medical and scientific advances and sets them in the context of contemporary medical practice and policy, national and international. The 12-month course can also be taken part-time over two years. Applications are welcome from students with law and non-law backgrounds. There are two compulsory courses, Medical Jurisprudence and the Legal Regulation of New Medical Technologies, and one optional course from a list which includes Intellectual Property Aspects of Medicine, Consent and Contemporary Medicine and Medicine and Civil Justice. In the summer term, students are required to research and write a dissertation on an approved topic of their choosing within the scope of the MA. The course convenor is Professor Emily Jackson e.m.jackson@qmul.ac.uk and teachers include Professor Genevra Richardson, Professor Katherine O'Donovan, Professor Michael Blakeney and Dr Rachel Mulheron from the School of Law at Queen Mary, with further contributions from colleagues in the Barts and London Medical School. w www.laws.qmw.ac.uk/lacm

Call for contributions for publication: literature and the history of civil liberties

Literatures written in English frequently intersect with or engage the history of civil liberties: from portrayals of Sir Thomas More's assassination to Orwell's depiction of a world devoid of civil liberties in *1984*; from Milton's 'Areopagitica' to Arthur Miller's *The Crucible*; from responses to Parliament's suspension of habeas corpus during the American and French Revolutions to responses to Lincoln's suspension of it during the American Civil War; from responses to the Alien and Sedition Acts to responses to the Patriot Act. The 2006 volume of REAL solicits essays devoted to this topic which examine:

(1) literary representations of disputes and debates about civil liberties;
(2) how those disputes and debates have affected and shaped various works, from choice of subject matter to cases of censorship; and
(3) rhetorical and metaphorical analysis of those disputes and debates and how they are staged.

Use MLA style sheet and send essays for consideration to: Brook Thomas ✉ Department of English, University of California, Irvine CA 92697, USA e bthomas@uci.edu by 1 October 2005.

Social & Legal Studies 14(2)

Reforming land rights: the World Bank and the globalisation of agriculture – Elizabeth Forin

On mothers, babies and bathwater: distributive justice, tort law and prenatal duties – Tsachi Keren-Paz

The mysteries of human dignity and the brave new world of human cloning – David Gurnham

Zoora Shah: 'An unusual woman' – Anna Carline

Criminalizing war, criminology as ceasefire – Vincenzo Ruggiero

Debate & dialogue: 'The law school, legal education and the knowledge economy – reflections on a growing debate

Introduction – Richard Collier:

Gothic horror in the legal academy – Margaret Thornton

Gothic horror?: a response to Margaret Thornton – Fiona Cownie and Anthony Bradney

Corporatism and legal education in Canada – Susan B Boyd

***Global Governance and the Quest for Justice Vol IV Human Rights* (2004)** Roger Brownsword (ed) Hart Publishing £22.95/€34.50 256 pp ISBN 1-84113-409-0

This book focuses on human rights in the context of globalisation together with the principle of respect for human rights and human dignity viewed as one of the foundational commitments of a legitimate scheme of global governance. The first part deals with the ways in which globalisation impacts on established commitments to respect human rights. The second part debates the coherence of a global order committed to respect for human rights and human dignity as one of its founding principles. If globalisation aspires to export and spread respect for human rights, the thrust of the papers in this volume is that it could do better, that legitimate global governance demands that it does a great deal better, and that lawyers face a considerable challenge in developing a coherent jurisprudence of fundamental values as the basis for a just global order.

***European Methods of Administrative Law Redress*(2004)** Trevor Buck DCA 2/04

This report examines administrative law remedies in the Netherlands, Norway and Germany and makes observations about the activities of regional European institutions in the field. For each jurisdiction the report provides an overview of the administrative law system and court structure, an outline of ombudsmen schemes and significant developments in ADR. The government's recent White Paper, *Transforming Public Services: Complaints, redress and tribunals* has presented new ideas about how to proceed with the key tasks of preventing and resolving disputes in administrative justice. This report provides an opportunity to reflect on some European approaches that might shed light on the direction and management of such reforms.

Ethnic Minority Magistrates' Experience of the Role and of the Court Environment (2004) Julie Vennard, Gwynn Davis and Julia Pearce DCA 3/04

This study offers a detailed exploration of the experience of magistrates from ethnic minority backgrounds. Taking a qualitative approach, the research seeks to explore: the prevalence of the racist experiences amongst ethnic minority magistrates and attempts by the magistracy to tackle any reported problems; the impact of perceived discrimination and racism upon magistrates' satisfaction with the role; and career progression on the bench of ethnic minority magistrates compared with that of their white colleagues.

Research reports from the UKCLE

The UKCLE has funded a number of research projects into legal education topics. The following reports are now available to download from the UKCLE site: funded by UKCLE's Project Development Fund, *Exploring Comparative Marking* (Final report); *Formative Feedback – Use within law programmes* (final report); *Law Student 2002 – a profile of law students in Scotland* (first year report); *Mapping Best Practice in Clinical Legal Education* (final report); *Practitioner Perspectives on Legal Education and Training* (final report); *Preparing Black Caribbean Students for the Legal Profession* (final report). Other recent research reports include *Hitting the Ground Running? Preparing students for practice* and *Playing Safe: Learning and teaching in undergraduate law*. See w www.ukcle.ac.uk/research for further details of UKCLE research activities.

Filling the Void, Connecting the Piece (2005) Adam Crawford, Sarah Blackburn and Peter Shepherd CCJS Press £15.95

This reports the findings of an evaluation of neighbourhood and street wardens in Leeds. It analyses their contribution to environmental improvement, social cohesion and community safety and places their role within the context of the wider 'extended policing family' and urban regeneration. It explores the development of warden schemes and focuses on five case-study areas and highlights the roles and functions of wardens and their impact upon different elements of community well-being.

From Dependency to Work: Addressing the multiple needs of offenders with drug problems (2004) The Policy Press £14.99 (plus £2.75 p&p)

This new report presents the findings from one of the first evaluations of a British programme to integrate drug and alcohol treatment with mental health services, education, training and employment support – the From Dependency to Work (D2W) programme. It provides an invaluable insight into the challenges and difficulties of integrating services in this way and highlights important lessons for central and regional government on funding and working with the voluntary sector to deliver services. With the recent launch of the Drug Interventions Programme (DIP), statutory and voluntary sector agencies working together across the country will need to develop effective multidisciplinary working in this field. This report provides all those involved, from a strategic level to frontline practitioners, with a clearer understanding of the issues. For a summary of key findings and recommendations, go to w www.policypress.org.uk/d2w_findings.pdf. t01235 465500 or e direct.orders@marston.co.uk.

Plural Policing: The mixed economy of visible security patrols (2005) A Crawford, S Lister, S Blackburn and J. Burnett Policy Press £14.99 ISBN 1 86134 671 9

This book draws together the findings of a two-year study of developments in the provision of visible policing in England and Wales, funded by the Nuffield Foundation. Exploring the dynamic relations between different public and private providers, it combines an overview of national developments with an analysis of six focused case studies, including two city centres, one out-of-town shopping centre, an industrial park and two residential areas. It considers the role of community support officers, neighbourhood wardens and private security guards, amongst other plural policing personnel; outlines the policy implications of the research findings, particularly with regard to the government's current police reform agenda; and provides important insights and recommendations regarding the organisation, co-ordination and regulation of the future mixed economy of visible security patrols. It is relevant to those interested in community safety and the changing face of modern policing.

Consultation Paper on Review of Civil Judicial Statistics (2005) Scottish Executive Justice Department

This paper seeks views on potential changes to the way the Justice Department collects and provides information and statistics about the civil justice system. The Justice Department is reviewing current arrangements with a view to making recommendations for change. As part of the review, it wishes to obtain views from a wide range of individuals and organisations on ways in which the current system can be improved. At present, information on the civil justice system is made available through the publication Civil Judicial Statistics (ISBN 0-7559-4067-9) which is published annually 9–15 months after the end of the calendar year to which the statistics relate. w www.scotland.gov.uk/consultations/justice/cprcjs-00.asp

Centre for Criminology publications

Last year researchers at the Oxford Centre for Criminology produced 30-plus publications including: R Burnett and C Roberts (eds), *What Works in Probation and Youth Justice: Developing evidence-based practice* (Willan), containing many contributions by centre researchers; R Burnett and C Appleton, 'Joined-up services to tackle youth crime' (2004) *BJ Crim* 44: 34; M Feilzer and R Hood, *Differences or Discrimination: Minority ethnic young people in the youth justice system,* Youth Justice Board; R Moore, E Gray, C Roberts et al, *National Evaluation of the Intensive Supervision and Surveillance Programme*, Home Office; F Varese, 'Varieties of protectors', in A Amin and NJ Thrift (eds), *The Blackwell Cultural Economy Reader,* Blackwell; A Wilcox, R Young and C Hoyle, T*wo Year Resanctioning Study: a Comparison of Restorative and Traditional Cautions*, Home Office.

- **FINAL CONFERENCE OF THE MIP PROJECT**
  Centre d'Estudies Juridics, Department of Justice, Catalan Government, Barcelona: 8 April 2005

To disseminate the final results of the project Women, Integration and Prison: an analysis of women prisoners in Europe. The conference is free but delegates should register. e projectes@surt.org w www.surt.org/mip

- **SECOND BIRKBECK ANTHROPOLOGY OF LAW WORKSHOP**
  Birkbeck College, University of London: 25-27 April 2005

Theme – 'Space, territoriality and Time'. No registration fee, limited financial support is available for students. Contact Peter Fitzpatrick e peter.fitzpatrick@clickvision.co.uk. w www.bbk.ac.uk/law/workshops/anthro2005-birkbeck.shtml.

- **EXPLORING KEY CONCEPTS IN FEMINIST LEGAL THEORY: THE STATE, GOVERNANCE, AND CITIZENSHIP RELATIONS**
  Keele University: 12-13 May 2005

The third in a series of five workshops funded by the British Academy and the Feminism and Legal Theory Project. The subject for consideration is changing conceptions of the state, governance, and citizenship relations and the implications for law revision and reform. Key issues include: how is the relationship between state and citizen understood in the two jurisdictions? To what extent and in what ways can this relationship be understood as gendered? What implications are there for feminist strategising and legal reform? Contact Michael Thomson e m.o.thomson@keele.ac.uk, Martha Fineman e mfineman@law.emory.edu or Joanne Conaghan e jafc@kent.ac.uk

- **WOMEN AND HUMAN RIGHTS: CONFLICT, TRANSFORMATION AND CHANGE**
  Transitional Justice Institute: 19-20 May in Belfast

The conference seeks to explore multiple issues of women's human rights in the transitional context of Northern Ireland and beyond. For further details on registration for the conference, please contact Lisa Gormley at the Transitional Justice Institute t 028 9036 8963 e l.gormley@ulster.ac.uk.

- **SECOND INTERNATIONAL GRADUATE SUMMER SCHOOL AND SEMINAR: THE SCIENCES AND HUMANITIES IN A CHANGING WORLD**
  Institute of Communication, Lund University Campus, Helsingborg, Sweden: 4-17 June 2005

Last year's participants found the course an exceptional opportunity to think horizontally about the social sciences, addressing issues beyond the normal scope of their dissertations or research projects, and globally about the variety of practices and experiences confronted by the social sciences in different national contexts. There is no course fee, although participants need to cover their own travel and accommodation. Anyone interested should consult the website w www.icomm.lu.se/summerschool. For information on academic matters, offers of invitation and admission procedures, please contact Alf Bång e alf.bang@icomm.lu.se. For information and advice on practical matters, submission of papers, housing, travel, social events etc, please contact Arne Gunnarsson e arne.gunnarsson@icomm.lu.se

- **ESRC RESEARCH SEMINARS WORKSHOP: DEVELOPING ANTHROPOLOGY OF LAW IN A TRANSNATIONAL WORLD: SPACE, TERRITORIALITY TIME**
  School of Law, Edinburgh University: 9-11 June

Building on discussions about the transnational nature of law which were centred last year on governmentality, the 2005 workshops will explore questions of: how to approach the temporal and spatial 'existence' of 'law in society;' how to conceive law's existence in time and space, other than through an assertion of normative validity based upon legal or socio-legal dogmatices; how to address the problem of scale and the relationship between 'micro-action' and 'macro-structures' and between micro-processes and macro-scale processes and outcomes in the field of law; how to talk about the existence and maintenance of law at a larger geographical scale than the time-and-space-bound scale at which single processes of reproduction take place; and what the social consequences are of the ways in which law and rights are actually localised in places? Professor Anne Griffiths ✉ School of Law, Edinburgh University, Old College, South Bridge EH8 9YL t +44 131 650 2057 e anne.grififths@ed.ac.uk

▸ *p14*

- **BRITISH ASSOCIATION FOR CANADIAN STUDIES LEGAL STUDIES GROUP ANNUAL CONFERENCE**
  Canada House, London: 17 June 2005

Theme – 'Canada–UK perspectives on international law'. The keynote speaker is Stephen Toope, Professor of Law at McGill University and President of the Trudeau Foundation. Contact Christopher Waters, School of Law, University of Reading e c.p.m.waters@rdg.ac.uk.

- **WG HART LEGAL WORKSHOP 2005: EMPIRICAL RESEARCH IN LAW AND LEGAL PROCESS**
  28 June-30 June 2005

Academic Directors: Professor Hazel Genn CBE, FBA, Professor of Socio-Legal Studies, UCL; and Professor Martin Partington CBE, University of Bristol, on secondment to the Law Commission.

This WG Hart Legal Workshop will be devoted exclusively to discussion of empirical research on law, legal process and the role of law in society from a wide range of disciplinary perspectives. The Academic Directors also want to ensure that the Workshop has the opportunity to consider the implications of the report of the Nuffield Foundation's Inquiry into Empirical Research in Law.
e h.genn@ucl.ac.uk or
e martin.partington@lawcommission.gsi.gov.uk

- **COLLOQUIUM ON INTERNATIONAL COMMERCIAL ARBITRATION, ADR AND AFRICAN STATES**
  Central London: 6-7 July 2005

Contact Lauretta Alexander, Colloquium Administrator
t (+44) (0) 20 7848 2265 f (+44) (0) 20 7848 2465
e l.a. alexander@kcl.ac.uk w www.kcl.ac.uk/law/events/colloquium.

African Regional Series Senegal (March–April 2005), Tunisia (December 2005). Contact Dr Amazu A Asouzu, Lecturer in Law ✉ King's College London, London WC2R 2LS t (+44) (0) 20 7848 1159 f (44) (0) 20 7848 2465 w www.kcl.ac.uk/law/events/colloquium.

- **EUROPEAN WAYS OF LAW: 1ST EUROPEAN SOCIO-LEGAL CONFERENCE**
  International Institute for the Sociology of Law, Oñati, Guipuzkoa, Spain: 6-8 July 2005

The purpose of the conference is a broad view of the socio-legal enterprise to include law's relations with all the social sciences; a multi-cultural outlook, a strong focus on attracting young researchers and enabling them to meet like-minded scholars and a contribution to a real strengthening of European identity in socio-legal studies.
w www.iisj.es

- **BRITISH SOCIETY OF CRIMINOLOGY CONFERENCE 2005: RE-AWAKENING THE CRIMINOLOGICAL IMAGINATION**
  University of Leeds: 12-14 July 2005

Plenary Speakers: Richard Ericson (University of Toronto); Mike Levi (Cardiff University); Tim Newburn (LSE); Lucia Zedner (University of Oxford). Special Sessions to include: Zygmunt Bauman; Feminist Contributions to Criminology Reconsidered; Public and Popular Representations of Crime. ✉ BSC Conference Office, Centre for Criminal Justice Studies, School of Law, University of Leeds, Leeds LS2 9JT t 0113 343 5037 f 0113 343 5056 e BSC2005@leeds.ac.uk w www.leeds.ac.uk/law/bsc2005/

- **THE POWER OF STORIES: INTERSECTIONS OF LAW, CULTURE & LITERATURE**
  Gloucester, England: 24-26 July 2005

Celebrating the 400th anniversary of the tale of Dick Whittington and his cat (1605) the theme of the conference comes from this famous rags to riches tale of the poor Gloucestershire orphan who became a thriving merchant and eventually served three terms as Lord Mayor of London. Examples of the types of sessions we expect to organise include: the Dick Whittington story, its influences and impacts; mercantile versus post-colonial legal stories; the role of stories in structuring economic relations; narrativity in law; rhetoric in law; metaphor and meaning in law; legal stories of empowerment/disempowerment; ethics and the law; legal themes in children's literature; excluded stories. Papers from the conference will be published by the *Texas Wesleyan Law Review* in a special symposium issue. Susan Ayres e sayres@law.txwes.edu
w www.gloucesterconference.com

- **THE INTERNATIONAL SOCIETY OF CRIMINOLOGY: 14TH WORLD CONGRESS OF CRIMINOLOGY**
  University of Pennsylvania, Jerry Lee Center of Criminology: 7-12 August 2005

Theme – 'Preventing crime and promoting justice: voices for change'. All criminologists are welcome: all topics, methods, languages, disciplines and political views. e mrossner@sas.upenn.edu.
w www.worldcriminology2005.org

- **AHRB CENTRE FOR LAW, GENDER AND SEXUALITY EVENTS**

Centre LGS Annual Lecture: If There Is Such a Thing: Race, sex and the politics of enjoyment in the killing state
University of Westminster: 18 March 2005
Speaker Kendall Thomas is Nash Professor of Law, Co-Director of the Center for the Study of Law and Culture at Columbia University in the City of New York and Visiting Professor at Stanford Law School and Princeton University. His publications include *Critical Race Theory: The key writings that founded the movement* (The New Press, 1996) and *What's Left of Theory?* (Routledge Press, 2000).
Centre LGS Postgraduate Workshop
University of Westminster: 20 March 2005
Speakers and titles include: Ruth Fletcher (Keele), socio-legal methods; Lieve Gies (Keele), cultural studies; Matthew Weait (Keele), law as strategy; Rosemary Auchmuty and Andrea Jarman (Westminster), historical methods; Joanne Conaghan (Kent), doctrinal analysis; Maria Drakopoulou (Kent), philosophy and legal theory.
Theorising intersectionality
University of Keele: 21–22 May 2005
The workshop aims to address broad themes relating to intersectionality and will feature: Sherene Razack, 'Why is torture sexualized?: An interlocking analysis of prisoner abuse' and Iris Marion Young 'Structural inequality and the politics of difference'.
AHRB Centre Co-Ordinator ✉ Eliot College, University of Kent CT2 7NS t+44 (0)1227 824474 e centre-lgs@kent.ac.uk.

- **LAW, DISCOURSE AND MORAL JUDGMENT SEMINAR**
  University of Hull: 14 October 2005

An international debate between two prominent strands of legal theory: the Sheffield School's Professor Deryck Beyleveld (Sheffield) and Professor Roger Brownsword, (King's College London) and Discourse Theory's Professor Robert Alexy (Kiel), with comment by Professor Massimo La Torre (Hull), Professor William Lucy (Cardiff), Professor Peter Koller (Graz) and Professor Aleksander Peczenik (Lund). The Sheffield School and Discourse Theory represent two different kinds of philosophy of law, though both are inspired by the Kantian tradition. This seminar is a unique opportunity for these two important constituents of contemporary jurisprudence to confront one another and explore their divergences and similarities. Further details w www.hull.ac.uk/law. Attendance will be primarily by invitation but a limited number of unallocated places will be available. Prospective attendees may email Bev Clucas e b.r.clucas@hull.ac.uk or Mike Feintuck e m.j.feintuck@hull.ac.uk with expressions of interest.

- **UKCLE EVENTS**

Events for postgraduates and new academic staff – UKCLE has designed a series of regional events in association with UK GRAD to bring together postgraduates from different law schools to share ideas and develop their teaching skills. Basic and advanced levels are offered. w www.ukcle.ac.uk/events/postgraduates

- **BUFFALO LAW SCHOOL EVENTS**
  Baldy Center for Law & Social Policy, SUNY Buffalo Law School
  w www.law.buffalo.edu/baldycenter/events

Immigration Policy and Practice Post 9/11: Impacts, historical precedents, and future directions: *15 April 2005*
Workshop presentations on recent developments in US immigration policy and practice and their implications, particularly for US communities of Middle Eastern and South Asian origin. Details from Michael Lichter e mlichter@buffalo.edu
Law and Buddhism Project conference: *10–12 June 2005*
Two-part conference ('Structure and governance in Buddhist states' and 'A case of theft: insights from law and Buddhism') convened by Rebecca French of the Law and Buddhism project.
Modern Histories of Crime and Punishment: *11–12 June 2005*
Workshop organised by Markus Dubber (SUNY Buffalo Law School) and Lindsay Farmer (University of Glasgow Law School).


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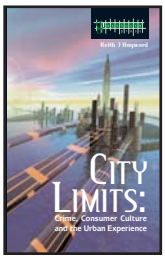
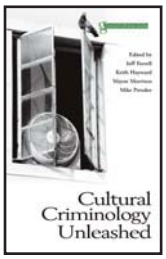


City Limits: Crime, Consumer Culture and the Urban Experience

Keith Haywood

Criminology has always enjoyed a highly productive relationship with the city. But all too often the human experience and pluralistic fabric of city life are transformed into the demographics and rationality. This book looks at the crime-city nexus in a way that makes sense of criminology's past and contemporary engagements including both administrative criminology and the work of Mike Davis.

Available Now! **ISBN: 1 90438 503 6**
272 Pages **Price: £28.00**

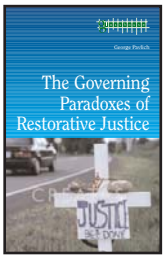


Cultural Criminology Unleashed

Edited by Jeff Ferrell, Keith Hayward, Wayne Morrison & Mike Presdee

The new core book on cultural criminology, *Cultural Criminology Unleashed* brings together cutting-edge research across the range of meanings of the term 'cultural', from anthropology to art and the media to theories of meaning. Global in scope, contributions take in the US, UK, Europe, Australia, New Zealand and Japan.

Available Now! **ISBN: 1 90438 537 0**
316 pages **Price £28.00**

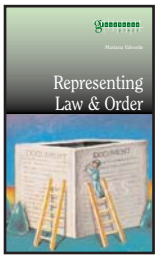


Governing Paradoxes of Restorative Justice

George Pavlich

Restorative justice is the policy of eschewing traditional punishments in favour of group counselling involving both victims and perpetrators. This book is the first critical analysis of governmental rationales that legitimise restorative practices over traditional approaches and is sure to be of interest to both participants and observers of restorative justice.

Due April 2005 **ISBN: 1 90438 519 2**
300 pages **Price £25.00**



Representing Law and Order

Mariana Valverde

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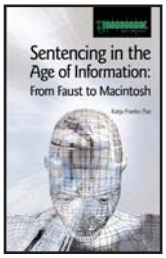

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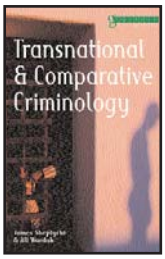

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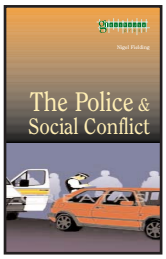

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