

Socio-Legal NEWSLETTER No 69 SLSA

THE NEWSLETTER OF THE SOCIO-LEGAL STUDIES ASSOCIATION

SPRING 2013

SOCIO-LEGAL PRIZES

The SLSA Executive Committee is delighted to announce the winners of this year's SLSA prizes.

The book prize goes to Nicola Barker for *Not the Marrying Kind: A feminist critique of same-sex marriage* (2012) published by Palgrave Macmillan (Socio-Legal Studies series).

The article prize goes to Marie Fox and Michael Thomson for 'The new politics of male circumcision: HIV/AIDS, health law and social justice' (2012) *Legal Studies* 32(2): 255-81.

The prizes will be awarded at the SLSA's annual dinner on Wednesday 27 March 2013 at the National Railway Museum, York, during our annual conference. At the same event Professor Phil Thomas will receive his special award for Contributions to the Socio-Legal Community.

Nicola Barker, Marie Fox and Michael Thomson will be taking part in author-meets-reader sessions during the conference to discuss their winning publications. The prizewinning book will be featured in the Gender, Sexuality and Law stream and the prize-winning article in the Medical Law and Ethics stream. Please consult the conference programme for specific times.

SLSA ONE-DAY CONFERENCE

Legal biography: doing, showing, knowing

15 May 2013, Institute of Advanced Legal Studies, London

This one-day conference is jointly organised by the SLSA, the British Library and the Institute for Advanced Legal Studies. It will bring together researchers interested in undertaking legal biographies and archivists of specialist collections relevant to the work of legal biographers.

Further details will be announced on the SLSA website and via the weekly e-bulletin when available.

The newsletter needs you

News and feature articles are always needed for the newsletter, plus information about books, journals and events. The next deadline is 20 May 2013. Contact the editor Marie Selwood [e marieselwood@btinternet.com](mailto:marieselwood@btinternet.com) or [t 01227 770189](tel:01227770189).

JOIN US AT SLSA 2013 YORK

At York Law School, we are very much looking forward to hosting the annual conference from 26-28 March 2013. With over 250 abstracts already submitted, plus other exciting activities such as the postgraduate poster competition and the book reading group, together with Lady Hale as our plenary speaker, it promises to be a lively and interesting conference.

There will also be an opportunity to hear the book and article prize winners speaking about their award-winning ideas. There is just time to book for the conference at the standard rate which closes on 11 March 2013. Bookings details can be found at: www.york.ac.uk/law/news/conferences/#tab-5.

Caroline Hunter, conference organiser

SLSA GRANTS: LATEST AWARDS ANNOUNCED

This year the Research Grants Committee is pleased to have been in a position to award six research grants amounting to a total of £9045.32.

Details of the awards are as follows:

- Sarah Lamble, School of Law, Birkbeck College, University of London, £1070 - 'Transforming community justice? Exploring non-state, community-based safety and accountability strategies for addressing sexual, racial and interpersonal violence'
- Catherine O'Rourke, Transitional Justice Institute, University of Ulster, £1443.72 - 'Understanding costs and benefits in feminist engagement with international law'
- James Sweeney, School of Law, University of Durham, £1991.60 - 'From traditional to transitional justice, and back again'
- Lisa Vanhala, School of Public Policy, University College London, £1,710 - 'Legal mobilization and the diffusion of disability rights in France'
- Rebecca Dudley, School of Law, Queen's University Belfast, £1000 - 'Women with no recourse to public funds and domestic violence: where human rights cannot reach'
- Edward Mowlam, School of Law, Bradford University, £1000 - 'EU migration and homelessness: are some citizens more equal than others?'

Short summaries of these projects will appear in the summer issue of the newsletter. Please see page 5 for Daniel Monk's final report on his research project.

Jane Scoular, chair SLSA research grants committee

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2012–2013**

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Meetings

The next Executive Committee meeting will be on **28 March 2013** in York.

SLSA members are invited to propose items for inclusion on the agenda of future meetings; email SLSA secretary, Amanda Perry-Kessaris, e a.perry-kessaris.soas.ac.uk. Minutes and papers from past meetings are available at w www.slsa.ac.uk/content/view/105/269/.

Social media

You can follow the SLSA on Twitter @SLSA_UK and on Facebook w www.facebook.com/groups/55986957593/.

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www.slsa.ac.uk

The SLSA website contains comprehensive information about the SLSA and its activities and is also the home of the SLSA Membership Directory. The news webpages are updated almost daily with socio-legal news, events, publications, vacancies etc. To request the inclusion of a news item and for queries about the content of the website, contact Marie Selwood e marieselwood@btinternet.com.

Disclaimer

The opinions expressed in articles in the *Socio-Legal Newsletter* are those of the authors and not necessarily those of the SLSA.

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Newsletter sponsorship

The *Socio-Legal Newsletter* is sponsored by a consortium of law schools interested in promoting socio-legal studies in the UK.

If you think that your institution would like to become involved in this initiative, please contact SLSA chair Rosemary Hunter e r.c.hunter@kent.ac.uk.

Newsletter sponsors 2010–2013 are: Birkbeck; Cardiff Law School; Centre for Socio-Legal Studies, Oxford; University of Exeter; University of Kent; University of Liverpool; London School of Economics; University of Nottingham; Queen's University Belfast; University of Warwick; and University of Westminster.



Department of Law



The University of Nottingham

UNIVERSITY OF WESTMINSTER



SLSA EXEC NEWS

Members of the SLSA Executive Committee will be attending the annual conference in York. As usual, we will have a stand located near the publishers' displays and members are welcome to come and meet committee members, find out more about what they do or just have a chat – especially if you're a new member or it's your first time at the conference. We look forward to meeting you.

Annual general meeting

The SLSA's annual general meeting (AGM) will take place on **27 March 2013** at York Law School. If you would like to suggest agenda items for either the AGM, or the next Exec meeting in York on **28 March 2013**, please send details to e.a.perry-kessariss@soas.ac.uk by **21 March 2013**.

A number of vacancies on the Exec will arise at the AGM. If you are interested in being nominated or nominating a colleague then it is important that you attend the AGM where nominations will be taken and a secret ballot held if nominations exceed the number of seats available.

Thanks to committee members

Julie McCandless, Linda Mulcahy, Vanessa Munro and Amanda Perry-Kessariss will be standing down from the Exec at the AGM. Thanks are due to all four for their excellent contributions over recent years. Julie has been membership secretary since 2010 and apart from her day-to-day responsibilities she has also been responsible for liaising with technical experts to completely update our systems. Linda has dedicated many hours as SLSA treasurer since she took over the role in spring 2010 and Amanda has done sterling work as SLSA secretary over the same period. Vanessa has also lent her talents to a number of projects on the Exec since 2009. The three officers posts will need to be filled at the AGM.

MEMBERSHIP NEWS

Members are reminded that membership fees are due on **1 July** each year and that the annual fee is now £40. If you have not yet increased your standing order to reflect the increase in membership fees, please inform your bank directly as soon as possible. A standing order form is available on the SLSA website.

Members who have **not** adjusted their standing orders for the 2013–2014 membership year will eventually be removed from the membership directory and email list and their payment considered as a donation to the SLSA

PayPal facility

For members without a UK bank account, there is now a PayPal facility available for membership payments. There is a small administrative charge for this but we are hoping that it will be a convenient option.

For full details about all membership and joining issues, please visit www.slsa.ac.uk/join-the-slsa-now.

people . . .

Professor BRONWEN MORGAN has been appointed as Australian Research Council Future Fellow at the University of New South Wales
 e b.morgan@unsw.edu.au.

Professor CARL STYCHIN has taken up the post of dean at the City Law School, City University London
 e carl.stychin.1@city.ac.uk.

JACKIE GULLAND has been appointed to a Leverhulme Early Career Fellowship at the University of Edinburgh on the subject of 'Constructing incapacity for work: conditionality in sickness benefits since 1911'
 e jackie.gulland@ed.ac.uk.

OPEN ACCESS: LATEST DEVELOPMENTS

Following the Finch Review on Open Access (OA) that last summer recommended the gold version of OA (see the winter 2012 issue of the newsletter, *SLN* 68:6–9), the SLSA Executive Committee has been monitoring the situation and responding as appropriate. As discussed by SLSA chair Rosemary Hunter in the winter newsletter article, there are concerns that the gold OA model is unsuitable for socio-legal studies, and law generally, because it was originally designed for scientific journals whose profiles are markedly different from specialist law journals. In the light of these concerns, the SLSA responded to the latest consultation by the Business, Innovation and Skills Select Committee with the following recommendations:

- that the embrace of gold OA as the preferred, 'one-size-fits-all' model for the publication of research produced in UK higher education institutions be rethought;
- that Research Councils UK (RCUK) and the Higher Education Funding Council for England (HEFCE) undertake consultation on a discipline-by-discipline basis, taking into account the economy and ecology of peer-reviewed journal publishing within each discipline, and determine which model or models are most likely to produce sustainable and equitable OA to UK research within each discipline;
- that RCUK and any future HEFCE mandates specify that the aspiration of making UK research freely available does not restrict the ability of UK researchers to publish in the best available journal for their work, where that journal is a high quality international journal which does not offer an OA option. In this situation, publication of a pre-print on an institutional repository or the Social Science Research Network should be sufficient to meet grant and any Research Excellence Framework requirements.

The full text of the SLSA's submission to the Select Committee is now available on the SLSA website where we have set up an OA page to post information relevant to OA as the situation develops. See www.slsa.ac.uk/content/view/307/. Feedback on this issue from members is most welcome. We would be particularly interested to hear the views of journal editors and members of journal editorial boards.

As the newsletter goes to press, HEFCE's website states that it is planning to launch a consultation in 'early 2013'
www.hefce.ac.uk/whatwedo/rsrch/rinfrastruct/openaccess/.
 And RCUK has now published its policy on OA
www.rcuk.ac.uk/research/Pages/outputs.aspx.

SLSA membership benefits

Benefits of SLSA membership include:

- three 16-page newsletters per year
- personal profile in the SLSA online directory
- discounted SLSA conference fees
- weekly e-bulletin
- eligibility for grants, competitions and prizes
- members' priority in newsletter publications pages
- discounted student membership (with first year free)
- free annual postgraduate conference
- student bursaries for SLSA annual conference
- discounts on subscriptions to a selection of law journals
- 20 per cent discount on Ashgate books bought online
- special membership category for retired members

. . . and much more. Visit www.slsa.ac.uk for full details.

SLSA POSTGRADUATE CONFERENCE 2013

Every January, the SLSA hosts a free postgraduate conference. This year's took place from 9–10 January 2013 at the University of Leicester. Charlotte Bendall was there and reports back for the newsletter.

I would first like to introduce myself as the new postgraduate representative on the Executive Committee. I welcome communications from postgraduate members with regard to any SLSA-related matters that they may wish to raise. Such members are also warmly invited to sign up for the new SLSA postgraduate mailing list by sending me their name and email address.

I was fortunate enough in January to have attended the latest two-day SLSA postgraduate conference, which was co-hosted by the universities of Keele and Leicester and located at the latter. The conference was attended by 59 students, the vast majority of whom were also present at the social event (a delicious meal at a local Indian restaurant) that took place at the end of the first day. Prominent socio-legal academics Dave Cowan, Rosemary Hunter, Linda Mulcahy, Vanessa Munro and Sally Wheeler joined conference organisers Tony Bradney and Fiona Cownie in offering their invaluable advice.

Having only recently been appointed to my position, I was unsure as to what to expect from the conference, apart from looking forward to liaising with other researchers and academics within the socio-legal field. I was certainly not disappointed in this respect; my fellow attendees were only too keen to discuss their (extremely varied) research interests, and the academics were approachable, warm and welcoming.

What I could not have anticipated, however, was quite how much useful information I would glean from my attendance. Sessions were held on a variety of topics including: supervising

your supervisor; giving a conference paper; getting published; and surviving the viva. The content of the sessions was extremely accessible and delivery was informal, with interaction between the speakers and attendees being encouraged throughout. As a first-year PhD student, I was extremely grateful to obtain such relevant advice at such an early stage, and I will now proceed to make use of it during the course of my studies. I was, moreover, particularly delighted to be provided with such an excellent opportunity to engage with the academics present, who appeared both knowledgeable and enthusiastic about their own research and genuinely interested in that being conducted by the conference attendees.

A further session was held on obtaining an academic job. On a practical level, this was of enormous benefit in terms of informing attendees how to write an appropriate covering letter and academic CV. On a more general level, this session was extremely heartening in that it conveyed the message to us that, despite the current pressure on university resources, there are still legal academic jobs 'out there'. As a result, I have been encouraged to look ahead and to start planning my academic career.

Feedback from fellow attendees included: 'It was a very useful conference. Thank you so much! Great opportunity to talk to a lot of other students and academics in an informal setting.' and 'Excellent. A very positive experience and a privilege to be part of it.'

The SLSA postgraduate conference was the first conference that I have attended and, I have to say, I could not have imagined a better one. I really enjoyed meeting so many new people and hope to see them again in York in March. Many thanks to the organisers and academics for doing such a wonderful job!

*Charlotte Bendall is a PhD candidate at the University of Birmingham and the SLSA postgraduate representative
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THE ETHICS OF TWEETING

The explosion in the use of Twitter – the 140 character social media tool – has led to the perhaps inevitable appraisal of it, and specifically the use of it, at conferences, writes Chris Ashford.

Twitter offers exciting opportunities for individuals to share ideas, conference programme information, photos and short movie clips of events that they might be attending or participating in. In doing so, an event can reach out to a global audience as individuals seek to share that information, and also respond and interact with those sharing. As a presenter, you are no longer merely presenting to an audience of 15 or 20 people, but a global audience of hundreds, or more.

Yet, with these exciting possibilities come fears. *The Times Higher* reported in December on a row around the role of live tweeting at conferences. When confidences are breached, rules broken, or boundaries unclearly set, conflict inevitably follows.

Take for example, the scholar presenting work at a conference which might relate to a sensitive subject – such as child pornography – and who uses language and shares thoughts in the academic surrounding of a conference in a different way to how they might present similar thoughts in an academic publication or in the media. A quote is tweeted, retweeted and eventually seen by a member of the media who finds it irresistible to print – albeit in a very different context – with unfortunate repercussions for the original presenting academic.

Alternatively, think of the individual presenting work at an early stage which they do not wish to be shared or known about beyond the narrow audience hearing the paper. They too might feel disgruntled and misrepresented by inappropriate tweets.

These are perhaps exceptions to the conference norm, but they highlight the importance of clearly setting boundaries at the start of a paper presentation. By doing so, papers can be presented with confidence, whilst still enabling the exciting opportunities of Twitter to be used in a sound and appropriate way.

At the 2013 SLSA annual conference in York, we will be using, and encouraging the use of, Twitter in and around the conference, but guidance notes will be prepared for stream and theme chairs. Hopefully, this will mean, not only that we're thinking about social media, but thinking about how we use it ethically.

Chris Ashford is reader in law and society at the University of Sunderland and SLSA social media officer

Social and Legal Studies 22(1)

Satire and the politics of corruption in Kenya – John Harrington & Ambreena Manji

Powers of reach: legal mobilization in a post-apartheid redress campaign – Akin Akinwumi

Stop in the name of who's law?: Driving and the regulation of contested space in central Australia – Harry Blagg

Sex, crime and the city: municipal law and the regulation of sexual entertainment – Phil Hubbard & Rachela Colosi

Regretting it after?: Focus group perspectives on alcohol consumption, non-consensual sex and false allegations of rape – Clare Gunby, Anna Carline & Caryl Beynon

Linking corporate power to corporate structures: an empirical analysis – Andrea Boggio

MEET YOUR EXEC

In this occasional series that introduces SLSA Executive Committee members to the wider membership, Vanessa Munro charts her intellectual and geographical journey from Glasgow to Nottingham – via the SLSA annual conferences

If someone had told me six months into my LLB degree – when I was spending most of my time wishing that I had chosen to study English literature instead – that I would one day be a professor of socio-legal studies, I would have considered them quite mad.

Unlike many of my student peers, I never could see the fascination in ‘black-letter’ or doctrinal approaches, but I was saved by the fact that, in the final two years of my four-year LLB at the University of Glasgow, I was able to specialise exclusively in legal theory. During that time, I learned about a wide range of traditional and critical theories – including feminism, which has continued to be such an important influence upon my work. I also took modules on law and culture, law and state, and legal philosophy, which have undoubtedly framed my interdisciplinary interests ever since.

While my PhD was largely theoretical, its feminist underpinnings and its engagement with norms around rape, reproduction and consent meant that it was inevitably also socio-legal. But it was only really when I embarked on my first journey into the realm of empirical fieldwork – after I took up a

lectureship at the University of Reading – that I began to self-identify as a socio-legal scholar more than a jurist. The whole process of data collection, on a project exploring responses to sex-trafficking, was a steep learning curve. But I loved gathering and analysing my own data, and the feeling of never quite knowing what it was going to reveal. It was an experience that changed the trajectory of my research. Since then, I have continued to keep the more abstract theoretical work that I do on feminist legal and political theory in close conversation with a range of more concrete, empirical projects exploring phenomena such as jury decision-making in sexual assault cases or the handling of claims for asylum lodged by women who allege rape.

I’ve been attending SLSA conferences since 2000. For me, the SLSA has provided an incredibly supportive environment. In a context in which I have spent so much of my research life working at the boundaries of law and other disciplines (variously, philosophy, psychology, sociology and political theory), I have really benefited from the opportunity that the SLSA offers to engage with like-minded scholars and to learn about how others have negotiated the challenges of empirical fieldwork, as well as interdisciplinary and multidisciplinary frameworks of analysis.

As a member of the Exec, I have tried to work hard to ensure that the SLSA continues to do the same for other scholars in the future.

Vanessa Munro is professor of socio-legal studies at the University of Nottingham

WRITING WILLS/DEALING WITH INTESTACY: GAY AND LESBIAN PERSPECTIVES

Daniel Monk received £717 from the SLSA grants scheme. Here, he reports back on how his research progressed and what some of his findings were.

The starting point for this research was the idea that interviewing solicitors who write wills and advise about inheritance might be an effective way of beginning an enquiry into how gays and lesbians negotiate and ‘do’ kinship. This premise was informed by the realisation that the sort of questions that a solicitor asks a client when instructed to write a will are remarkably similar to the questions that sociologists ask (indirectly and explicitly) in research about intimate citizenship and kinship studies. More directly, it drew on my own experience as a volunteer solicitor/will-writer for the HIV/AIDS charity Terence Higgins Trust in the early 1990s; a moment of a particular form of gay activism that has never been written about.

By both drawing on my contacts within the profession and by putting myself in the position of someone looking to write a will I located 10 solicitors to interview. On the positive side, the interviewees were a diverse group: men and women, different sexualities, young, middle-aged and recently retired, and from three cities and from very different types of firms. Together they had written over a thousand wills. While, indeed, a potentially rich source, being attuned to the complexity of memory as an archive, that the interviews were also, in effect, conversations between lawyers and, in particular, that the instructions of the clients were being heard indirectly through their lawyers were significant factors to take into account in interpreting the data.

While the data has implications for a variety of issues, here I want to provide a snapshot of what it provides for kinship studies. A theme that recurred consistently was the greater

importance of friendship for gay and lesbian testators. But while this mirrors sociological research about intimate citizenship, caution is crucial here. Arguably, those who instruct lawyers are more likely to favour friends over biological relatives (indeed, in many cases, it was certainly the motive for writing a will). Moreover, a tentative finding is that the centrality of friendship in the lives (and wills) of gay and lesbian testators is shifting as people become more accepting of gay and lesbian children (and siblings). In other words, the centrality of friendship is not simply a reflection of ‘individualisation’ in a post-modern age of ‘liquid love’; for, where they are accepted and included, the traditional family appears as central to the lives of gays and lesbians as it is for other testators. This ambivalent and creative relationship with, as opposed to a rejection of, the traditional family is also evident in the manner in which gay and lesbian testators without children of their own establish cross-generational narratives within their wills. While the inclusion of nephews and nieces is not unusual, it is also far from routine and often appears to be conditional on the acceptance of the testator’s sexuality by his or her sibling. Moreover, alongside nieces and nephews and often in equal terms, are ‘God children’ (official or otherwise).

As feminist thinking has long argued, there is a danger that formal legal equality masks difference. But there is also a tendency in some work on ‘alternative families’ – reinforced by queer theory too often imposing another identity as opposed to providing a critical tool – to overemphasise and uncritically celebrate difference. One of the challenges of working with this data is recognising, reflecting on and resisting the ease with which one could impose a particular interpretation on it. That both a ‘traditional’ and ‘radical’ reading is possible demonstrates that empirical work can trouble and complicate as much as justify and confirm.

This was my first empirical research project (something that the SLSA grants scheme is ideal for) but I hope to build on it in the future.

Daniel Monk is a reader in law at Birkbeck, University of London

THE AcSS AND SOCIO-LEGAL RESEARCHERS

The Academy of Social Sciences (AcSS) calls on member societies twice a year for nominations for new academicians. SLSA academicians, Fiona Cownie and Robert Dingwall, provide an overview of the academy's role to illustrate why it is important for SLSA members to be involved.

Readers may have noticed that a number of SLSA members have recently been elected to the AcSS. The academy was established in 1999 out of a loose association of learned societies that had been functioning since the 1980s to exchange ideas and co-ordinate lobbying and responses to consultations from the social science community as a whole. The learned societies are still an important element of the academy: currently 44 are members, including the SLSA. However, since 1999, the academy has been greatly strengthened by the election of individual academicians, who are defined as 'distinguished scholars and practitioners from academia and the public and private sectors'. There are about 850 of these, roughly 1 per cent of the combined membership of the affiliated societies.

The academy's mission is to promote social sciences in the UK. It does not compete with individual learned societies but provides a forum for sharing experiences, aggregating voices and encouraging interdisciplinary communication and public engagement. Where there is broad agreement, the academy can be a focus for communications with government, Research Councils UK or funding councils, which carries more weight than individual lobbying. Where there is a common issue, as currently with open access publishing or research governance, the AcSS is able to organise events where ideas and experiences can be shared to better inform both public policy and professional thinking. From this, shared positions may evolve.

As importantly, the AcSS also undertakes a significant amount of public engagement through its interdisciplinary journal, *Contemporary Social Science*, and a series of booklets about the impact of social science research called 'Making the Case', which are given high-profile launches two or three times a year. All the booklets are available on the academy's website at www.acss.org.uk/publication.htm where reports of the launches can also be found (including a video of the launch of the booklet on 'Management' by Vince Cable MP last June). The academy is always pleased to hear from anyone in its member organisations whose research has had a policy impact and who might like to be included in a future booklet (contact the assistant director (Secretariat) of the academy, Madeleine Barrows on [e m.barrows@acss.org.uk](mailto:m.barrows@acss.org.uk)).

The academy's Campaign for Social Science has now run more than 20 events in different parts of the UK, increasing awareness of the contributions of the social sciences among local audiences, not least to university leaders in the nations and regions. The campaign is intended to ensure that social science is publicly valued and appreciated, as well as better understood both within policy-making circles and by the public at large, as a necessary core ingredient of a successful economy and society (for more information, see Tony Trueman's article, right).

The academy is rapidly growing in influence, and is now regularly consulted by government on a wide range of issues relating to the social sciences. It is important that socio-legal studies is well represented in these discussions. Academicians can be nominated twice a year, so there are plenty of opportunities to become involved (see box, right, for information about SLSA nominations for the next round).

*Fiona Cownie, professor of law, Keele University;
Robert Dingwall, Dingwall Enterprises/Nottingham Trent University*

CSS: YEAR TWO

The Campaign for Social Science (CSS) has just celebrated its second birthday making this a good time to reflect on progress, says Tony Trueman, CSS press officer

The second year of the CSS was always going to pose some important challenges because the organisation is still being built up, yet at the same time it has to be effective in carrying out its main tasks. The evidence shows that we met those challenges, not least in that we doubled the number of our institutional supporters during the year – from 30 to over 60 – as universities, publishers and learned societies joined us. Having the support of valued institutions such as the SLSA is not just a means of raising funds, vital though that is: the more organisations and individuals that back us, the more powerful is our voice when we speak out about social science to the government and the public.

There is no doubt that our voice is necessary: unlike the natural sciences, social science does not always present a clear image in the minds of the public, and sometimes politicians do not value our work sufficiently.

To tackle this, in 2012 we organised meetings with Vince Cable, the Business, Innovation and Skills Secretary, and his team. These are ongoing and we have raised a number of important issues, including advocating the reinstatement of the position of Government Chief Social Scientist, which was scrapped two years ago.

We have continued our work in other ways too: we published more in our 'Making the Case for Social Science' series of publications on influential research, bringing out booklets on 'Management' and on 'Scotland'. Our series of events to help our member organisations carry out their work has continued, including a seminar on the art of political influencing that we ran in London. We also began the task of promoting social science in the media by setting up a list of experts available to comment to the media. Any researchers in the SLSA are welcome to put their names on the list – please contact me at the email address at the end of this article.

This year will see our organisation grow and our work continue. We remain dedicated to the aims that we set at the beginning of the campaign: to inform and influence public policy with social science; to be regularly in the media with news and comment on social science issues; to speak with authority on the state of social science; and to promote the benefits of investment in social science research and objectives.

If we can realise these aims, our chances of effecting important changes are much better: we want to see positive references to social science in political party manifestos at the next general election; we want the retention of longitudinal studies including the national census; and we want to see funding for postgraduate social science teaching and research protected. We can achieve these goals and more in the next few years with the help of organisations such as the SLSA. 2013 should prove interesting and productive.

For more details of our work please see: www.campaignforsocialscience.org.uk or contact Tony Trueman [e t.trueman@acss.org.uk](mailto:t.trueman@acss.org.uk).

AcSS call for nominations summer 2013

The SLSA Executive Committee is calling for nominations for the next round of academicians. If you would like to nominate one of your SLSA colleagues, please email their name to SLSA chair Rosemary Hunter and include up to 500 words on why they are eminent in their field and giving details of their contribution to social science by **3 May 2013**. [e r.c.hunter@kent.ac.uk](mailto:r.c.hunter@kent.ac.uk)

GRAPHIC JUSTICE

Graphic justice is a new research alliance, focusing on the intersection of comics and graphic fiction with the concerns of law and justice. Thomas Giddens introduces it.

Graphic justice aims to bring together practitioners and researchers, artists and academics, and to promote discourse and engagement on the use of comics in tackling the complex problems of justice.

Comics, graphic novels and other visual narratives have had a considerable impact on books, cinema and the internet, and form a significant – and growing – element of popular culture. From mainstream western comics, to the diverse world of Japanese manga, to the rich history of French-language *bandes dessinées*, comics have permeated our global society. From comics themselves, to TV series, films, clothing, games and other merchandise, all over the world graphic storytelling inspires, moves and entertains millions. One need only consider *Superman*, *Dragon Ball*, or *Tintin* to see the extent of this cultural impact. But despite this promulgation, the significance of comics to the concerns of law and justice has received little critical attention.

Comics are a rich and diverse medium, navigating many concerns important to law and justice. Themes of public protection, justice and punishment are widespread in mainstream comics. One of the most prominent examples is perhaps *Batman*, swooping down and enacting his idealised justice on the corrupt streets of Gotham. Indeed, as a vigilante superhero, Batman navigates deep, complex tensions between practical laws and moral ideals and challenges state monopolies on legitimate violence. And what does *Superman*, an interstellar alien standing up against the immoralities of Earth's civilisation, suggest about moral objectivism or the global role of law? What do the overtly masculine physiques of *Thor*, *Aquaman* and *Captain America*, or the femininity of *Wonder Woman* and *Elektra*, tell us about the gendered dimensions of justice?

Moving beyond the spandex-wearing mainstream, a wealth of graphic literature exists that deals with all walks of human life and moral experience: Los Bros Hernandez' *Love and Rockets*, for example, examines twentieth-century American Latin and punk subcultures; Spiegelman's Pulitzer prize-winning *Maus* examines holocaust survival and its intergenerational impact.

There is Miyazaki's epic tale of war, leadership, and our relationship with nature in *Nausicaä*, or Shirow's exploration of the boundaries of 'human' in *Appleseed*. There is even a whole movement of comics analysis focused upon representations of medicine, health and the experiences of doctors, patients, and patients' families; surely such work is of profound relevance to medical law? See www.graphicmedicine.org.

Comics also have significance beyond the substantive stories they tell. By communicating at the intersection of words and images, their very form questions the limitations and interpretation of textual language. As a highly text-dependent discipline, in both function and analysis, these are surely fundamental issues for law and legal theory. This collaborative and methodologically varied medium also involves complex intellectual property issues. There are various contributing roles in comics production (colourists, pencillers, inkers, illustrators, writers); just as words and images are integrated on the comics page, the moral rights of ownership are similarly tangled. More generally, the medium's history taps into themes of censorship and socio-cultural development. Indeed, stemming from its controversial history, the Comic Book Legal Defence Fund acts to protect the industry's rights to free speech. From underground comix movements, to the recent explosion of high-profit films based on graphic works, the history and context of the medium is of great significance to both artistic regulation and the social role of law.

Whether you work in legal studies, philosophy, cultural studies, law enforcement, art, criminology, legal practice, sociology, or literary studies, if you're interested in comics and the concerns of justice – get in touch. An international and collaborative space can be found at www.graphicjustice.blogspot.com, and you can make contact by emailing thomas.giddens@smuc.ac.uk or following [@ExplodingCanon](https://twitter.com/ExplodingCanon). The aim is to gather together academics, artists and other interested parties and to promote discourse and engagement on this expansive and under-researched area. There is a one-day seminar in the offing (on **11 September 2013**, see above blogspot for details of call for papers) and, depending upon the levels of interest, the future may hold further seminar events, a dedicated journal space, conference streams, or even a full graphic justice conference. Let's make it so!

Thomas Giddens is a lecturer at Queen Mary's University College, Twickenham

REVALUING CARE: PERSPECTIVES FROM GENDER, SEXUALITY AND LAW

The ReValuing Care Research Network, funded by the Arts and Humanities Research Council (AHRC), is developing an international, interdisciplinary network of academics and related third-sector professionals working together to interrogate contemporary and future approaches to conceptual and normative understandings of care. The network is being led by Rosie Harding (Birmingham), Ruth Fletcher (Keele) and Chris Beasley (Adelaide), supported by the project administrator, Tracey Harrison ([e revaluingcare@keele.ac.uk](mailto:revaluingcare@keele.ac.uk)).

Members of the network include academics working on issues related to care from a variety of different sites, disciplines and contexts, including healthcare, childcare, eldercare, environmental issues, animal welfare and other related fields. Anyone with an interest in these issues is very welcome to get involved in the network. The network builds on academic connections initially developed through the AHRC-funded Research Centre for Law, Gender and Sexuality (CentreLGS, funded 2004–2009) and will facilitate the strengthening of links

between CentreLGS partner institutions (Keele, Kent and Westminster) and the creation of new research collaborations with the Fay Gale Centre for Research on Gender at the University of Adelaide, alongside other new international and interdisciplinary academic collaborations that arise through the network's activities.

If you are interested in getting involved, please visit our website to find out more about who is involved. We've launched an open blog space, to which anyone with an interest in 'care' (whether conceptually, empirically, or tangentially) is welcome to contribute. All you need to do to be able to post on the blog is sign up to be a network member using the 'Join Our Network' form on the website. Members will also be added to the network email list and have access to the private discussion forum space.

The next workshop 'Caring about social interconnection' will take place at the University of Adelaide, 1–2 September 2013. All socio-legal scholars with an interest in care are warmly invited to join us at the workshop.

Further information is available on the ReValuing Care website www.revaluingcare.net. We look forward to welcoming you to this exciting new network – if you have any questions about the project, workshops or website, you are very welcome to contact Rosie Harding at [e r.j.harding@bham.ac.uk](mailto:r.j.harding@bham.ac.uk).

Rosie Harding is a senior lecturer at the University of Birmingham

SCOTTISH CONSTRUCTION CONTRACTORS AND SUBCONTRACTORS' EXPERIENCES OF MEDIATION

This short article summarises findings gleaned from a recent questionnaire and interview-based, Royal Institute of Chartered Surveyors (RICS) Research Trust-funded study of Scottish construction industry contractors and sub-contractors' views on mediation by Andrew Agapiou and Bryan Clark.

Introduction

We collected responses from 63 small and medium-sized construction firms in September and October of 2011 – a response rate of around 18 per cent. Nine follow-up interviews were conducted with professionals drawn from the construction contractor/subcontractor field.

Knowledge levels

Eighty per cent of survey respondents professed awareness of mediation. Given decades of publicity and promotion of mediation, the finding that one in five respondents had apparently not heard of the process may be surprising. Furthermore, we might speculate that many who did not respond to the survey were also unaware of mediation.

Those in the know about mediation had gathered information from a wide variety of sources including the press/media, professional bodies, lawyers, colleagues and mediation organisations. Interviewees generally espoused a sophisticated appraisal of the utility of construction mediation borne out through experience but often lamented the lack of such appreciation amongst their colleagues.

Mediation experience

The majority of respondents (around two-thirds) had no direct experience of mediation. We tracked a mere 37 cases in which mediation had taken place. The most common case types were change to scope of work and payment (both 11 cases).

In general, the mediations that did occur speak of success. From the reported cases, some 24 settled with another 5 partially settling. Parties also seemed generally satisfied with mediation, in terms of speed, cost, the mediator and outcomes produced. Interviewees generally regaled positive tales of their mediation exposure, including enriching and eye-opening experiences therein. They were especially keen to emphasise the role of mediation in providing a fruitful environment in which meaningful communication with one's opponents, problem-solving and creative, harmonious solutions to disagreements could be reached.

For those survey respondents who had declined offers to mediate, pertinent reasons included the costs of mediation, a belief in the strength of their legal case, the idea that negotiation could settle the matter and a belief that the opponent would not mediate in good faith. Interviewees echoed such concerns by pointing to the suspicion that mediation was regarded within many sectors of the construction industry as well as a jaundiced perception of the process held by lawyers, whose advice very rarely seemed to be in favour of recourse to mediation.

Attitudes to mediation

Most survey respondents favoured some sort of institutional pushing of mediation to put wind in its sails. Seventy-six per

cent agreed that judges should refer more cases to mediation. Similarly, 76 per cent agreed that rendering mediation a mandatory first step in court litigation procedures was an attractive proposition. Interviewees were generally more cautious about mandatory referral, arguing both from a practical perspective that it would simply not work, and also with the principled argument that the court as a public service should be available to all.

With regard to other, more long-standing means of resolving construction disputes, a mixed bag of responses was revealed. It is particularly notable that statutory adjudication did not fare well with our respondents. Only 25 per cent viewed it an appropriate forum for resolving construction disputes. Similarly, our interviewees could hardly be described as queuing up to sing adjudication's praises. Concerns voiced included quality problems with adjudicators, high costs, its adversarial nature and the potential for abuse by unscrupulous parties. Both interviewees and survey respondents did note, however, that adjudication's default position as well as the favourable view of lawyers thereto led to it being a barrier to mediation's uptake in the industry.

In terms of other barriers, respondents saw both a lack of awareness of mediation and a negative perception of the process in the construction industry and legal circles as relevant.

Conclusion

Our research suggests that, at the industry user level, mediation may remain largely unnoticed, its potential unrealised. Take-up is modest and sophisticated awareness of the process scant. It seems that when parties do try mediation, they generally enjoy it and often settle their cases. Crossing the Rubicon is the hard part, however. Much more needs to be done on the ground in selling mediation to the client base. In this sense, there is a key role to play for professional bodies such as the RICS in disseminating mediation messages to their members. This could perhaps be best achieved through case studies in which industry players who have tried mediation, speaking the same language as potential users, convey their own positive experiences in the process in a manner which strikes a chord.

The full report can be accessed at www.rics.org/uk/knowledge/research/research-reports/construction-clients-and-mediation/.

Andrew Agapiou is senior lecturer, Department of Architecture, University of Strathclyde, and Bryan Clark is a professor at the School of Law, University of Strathclyde

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Articles

The common law clean up of the 'workshop of the world': more realism about nuisance law's historic environmental achievements – Ben Pontin

Choreographing justice: administrative law judges and the management of welfare disputes – Vicki Lens, Astraea Augsberger, Andrea Hughes & Tina Wu

Juridification and the construction of social citizenship – Anne-Mette Magnussen & Even Nilssen

Homosexuality and the African Charter on Human and Peoples' Rights: what can be learned from the history of the European Convention on Human Rights? – Paul Johnson

Replacing provocation in England and Wales: examining the partial defence of loss of control – Kate Fitz-Gibbon

Book reviews

Emily Jackson, *Law and the Regulation of Medicines* – Phil Fennell

Heather Douglas & Mark Finnane, *Indigenous Crime and Settler Law* – by Tim Rowse

'TWO CUPS OF TEA' FOR THE PIRACY OF COURSE PACKS

In India, a court case is ongoing concerning students' access to copyrighted material. Dwijen Rangnekar summarises the story so far.

Concern about access to educational materials has regularly been in the news. Whether it is the 'cost of knowledge' campaign focusing on Elsevier's blanket licence policy¹ or the suicide of Aaron Swartz.² Also significant was Harvard University's announcement that it couldn't afford the price hike demanded by journal publishers.³ For that matter, initiatives like those contained in the Finch Report have invited criticism that they divert research monies – already a dwindling resource – as 'article processing charges' whilst not dealing with the problem of blanket licences.

These struggles are legion; yet, I want to shift attention to the analogue world of books and photocopied course packs. The case in Delhi High Court has Oxford University Press (OUP), Cambridge University Press and Taylor & Francis litigating Delhi University and Rameshwari Photocopy Services for copyright infringement. Not only is the thought of a university press litigating a university problematic; but this case comes with a fair dose of colonial-era inequities.

Much of the petition is directed at Rameshwari Photocopy Services, which is alleged to engage in 'cover-to-cover' copying and preparing 'unauthorised compilations', which are 'stocked . . . for immediate sales'. For that matter, faculty aren't spared any opprobrium, for they are 'directly encouraging students to purchase course packs instead of legitimate copies'. Moreover, outlining a 'nexus' between the library and Rameshwari, the petition alleges that the library 'stands to illegally profit' and sees a 'clear case of profiteering'. Urging swift action to contain their 'insurmountable and incalculable' loss at the start of the academic term, the petitioners were successful in securing an interim injunction in October 2012. Ultimately, the petition seeks to argue that course packs do not constitute fair dealing and has the ambition of introducing a reprographic licence system; thus, the right in copyright is limited by and hostage to exceptions.

The Berne Convention houses exceptions that 'permit the reproduction of such works in certain special cases' (Art 9(2)) and 'certain free uses of work' for 'teaching, provided such utilization is compatible with fair practice' (Art 10(2)). Not only are there no prescribed limits, Berne also leaves it to national governments to define 'fair practice'. And, India's Copyright Amendment Act 2012 in s 52 spells out a number of a statutory exceptions, such as fair dealing of any work, excluding computer programs, for the purposes of private or personal use, including research (s 52(1)(a)). Further, there is an 'educational use' exemption that allows for the reproduction of any work by a teacher or a pupil in the course of instruction (s 52(1)(i)). The petition seeks to read the provisions in a very narrow sense: in that the physical act of making the copy was not performed by either the student or the teacher. However, it is quite easy to see course packs as secure in these statutory exceptions.

Prompted by the petition, which finds that 'extracts from a single publication form part of different course-packs', the case has attracted discussion on the amount of a work that is copied. To an extent, this is a false question as neither domestic statutory exceptions nor international law prescribe specific quantitative limits. In contrast, this may exist in 'fair use' jurisdictions like the USA, where 17 USC § 107 requires several assessments, including the amount of the work used and the effect of this on the potential market for the work. Case law in the early 1990s

witnessed course packs as a breach of this – partly as they were produced by for-profit corporations. Consequently, the architecture of payment mediated, through copyright clearance agencies, a 10 per cent guideline amount for photocopying. Even on this non-issue as far as India is concerned, a variety of commentators have scoured the course packs to find that of the 19 books, 11 were below this threshold of 10 per cent.

Course packs have a particular logic – they are not some random collection of articles, nor an unintended assemblage, but a playlist of selected reads for specific instruction. For that matter, readers are invited to peruse the course packs implicated here – and may find something to copy and be inspired by. With inadequately stocked libraries, books priced well beyond the reach of the average student, the absence of local editions and insufficient distribution channels across the country, photocopying is the only available means of circulating educational material.

Delhi University, in its written submission, notes these logistics of the publishing market, which necessitate photocopied course packs. In this respect, studies on the comparative cost of educational material establish two striking facts: first, the absolute price of books in the global South tends to be higher than in the North; and, secondly, that consumers in the South contribute a higher share of their incomes for books. The estimated cost of one of the course packs at INR82,000 places it at 20 per cent above the Indian per capita annual income.

Yet, course packs are more than just carefully curated playlists. They reflect the obligation of duty of academics and academia. In a public petition, faculty members, many of them authors for these publishing houses, explain that 'course-packs . . . ensure that students have access to the most relevant portions of the book without which [their education] would be seriously [compromised]'. Framing course packs as piracy, as OUP's petition alleges, is what Margaret Chon calls a 'top-down' approach and 'represents a failure in access to essential learning materials'.⁴

The publisher's petition argues that these actions are 'licensed the world over by Reprographic Rights Organisation . . . on payment of a nominal license fee'. Soon after the Delhi High Court interim injunction in October 2012, news circulated of a leaked letter from one of the lawyers representing the publishers, which announced this as a 'test case' and that the order would 'pave the way for the Delhi University to formally negotiate a license from the IRRO (the Indian Reprographic Rights Organisation). One of the public claims made by IRRO is that the licence fee amounts to a mere two cups of tea or coffee per semester. Yet, doing the mathematics, this could work out at a 100 per cent increase in the cost of a course pack.

More could be said about how this solution seeks to limit fair dealing and educational use exceptions, or how it initiates the slippery slope of blanket licences, which brings this note back to the paradoxical situation where the struggle to lower the cost of educational material in the North has made some hesitant advances while in the South prices are still beyond the reach of most ordinary students.⁵

Dwijen Rangnekar is associate professor in law at the University of Warwick

Notes

- 1 <http://thecostofknowledge.com/>
- 2 www.guardian.co.uk/technology/2013/jan/13/aaron-swartz
- 3 www.guardian.co.uk/science/2012/apr/24/harvard-university-journal-publishers-prices
- 4 Margaret Chon (2007) 'Intellectual property "from below": copyright and capability for education' *UC Davis Law Review* 40:803.
- 5 Other useful links: the public petition from faculty and others www.change.org/en-IN/petitions/academics-appeal-to-publishers-to-withdraw-suit-filed-against-delhi-university; and the Facebook page of the Campaign to Save D School Photocopy Shop www.facebook.com/groups/478306365527423/.

H L A Hart in conversation with David Sugarman

Oxford University Press has digitalised the audio version of Professor David Sugarman's (Lancaster University Law School) interview with H L A Hart of 1988 and posted it on the internet as part of the 50th anniversary celebrations marking the publication of Hart's *The Concept of Law* and a new (third, 2012) edition. The interview, and a blog about the interview, can be accessed at <http://blog.oup.com/2012/12/h-l-a-hart-in-conversation-with-david-sugarman/>.

AHRC Research Networking Scheme

The Research Networking Scheme is intended to support forums for the discussion and exchange of ideas on a specified thematic area, issue or problem. The intention is to facilitate interactions between researchers and stakeholders through, for example, a short-term series of workshops, seminars, networking activities or other events. The aim of these activities is to stimulate new debate across boundaries, for example, disciplinary, conceptual, theoretical, methodological, and/or international. Proposals of up to £30,000 should explore new areas, be multi-institutional and can include creative or innovative approaches or entrepreneurship. Proposals must justify the approach taken and clearly explain the novelty or added value for bringing the network participants together. Proposals will need to be submitted by an eligible research organisation but must involve collaboration with at least one other organisation, as well as having significant relevance to beneficiaries in the UK. A highlight notice is currently in place under the scheme for international collaboration with one or more of the following countries: Brazil, China, India and Taiwan. This is a rolling programme with no closing date. See www.ahrc.ac.uk/Funding-Opportunities/Pages/Research-Networking.aspx.

British Academy news

Open access

On 29 January 2013, the British Academy (BA) submitted evidence to the House of Lords Science and Technology Select Committee inquiry into open access (OA). The BA's submission is available for download at www.britac.ac.uk/news/news.cfm/newsid/861. The BA believes that the current Research Councils UK policies are being implemented too quickly and without a full understanding of the likely impact on humanities and social sciences disciplines.

Graduate quantitative skills qualification

As part of the BA's programme on quantitative skills, the academy is to consult with stakeholders on how a national system of recognition of levels of achievement of graduates in quantitative skills in the social sciences could be established. The aim would be to signal to employers that graduates have a solid command of these skills and to signal to students their significant employability and career benefits. It could also drive curriculum change and innovation by encouraging universities to introduce new course options or revised degree programmes to enable students to achieve these skills. See: www.britac.ac.uk/policy/Quantitative_Skills.cfm.

New research into student debt

The BA has commissioned new research (by NUS Services Ltd) to examine the impact of debt on students' decisions to take on postgraduate study. With tuition fees of up to £9000 per year, the level of debt incurred during an undergraduate degree may deter many from pursuing postgraduate study at a time when the UK needs more and more highly qualified individuals to be competitive in the global economy. As part of the research, approximately 50,000 current students and 15,000 recent graduates will be invited to contribute their views. See www.britac.ac.uk/news/news.cfm/newsid/855.



SOCIO-LEGAL STUDIES ASSOCIATION • CONFERENCE 2014

The Department of Law at Robert Gordon University are delighted to announce that we will be hosting the Socio-Legal Studies Association Conference in 2014. Based in Aberdeen, the Department is situated in a purpose-built campus on the banks of the River Dee with modern facilities throughout.

The conference organisers are Sarah Christie (s.christie@rgu.ac.uk) and Margaret Downie (m.downie@rgu.ac.uk) and the conference will run from Wednesday 9th to Friday 11th April 2014.

We look forward to welcoming you!



Matching Organs with Donors: Legality and kinship in transplants (2012) Marie-Andrée Jacob, University of Pennsylvania Press £42.50 248pp

While the traffic in human organs stirs outrage and condemnation, donations of such material are perceived as highly ethical. In reality, the line between illicit trafficking and admirable donation is not so sharply drawn. Those entangled in the legal, social and commercial dimensions of transplanting organs must reconcile motives, bureaucracy and medical desperation. This book examines the tensions between law and practice in the world of organ transplants – and the inventive routes patients may take around the law while going through legal processes. In this sensitive ethnography, Jacob reveals the methods and mindsets of doctors, administrators, grey-sector workers, patients, donors and sellers in Israel's living kidney transplant bureaux. The study describes how suitable matches are identified between donor and recipient using terms borrowed from definitions of kinship. Jacob presents a subtle portrait of the shifting relationships between organ donors/sellers, patients, their brokers and hospital officials who often accept questionably obtained organs. Jacob's incisive look at the cultural landscapes of transplantation in Israel has wider implications. It deepens our understanding of the law and management of informed consent, decision-making among hospital professionals and the shadowy borders between altruism and commerce.

The Law–Science Chasm: Bridging Law's Disaffection with Science as Evidence (2012) Cedric Charles Gilson, Quid Pro Books £22.99 238pp

The Law–Science Chasm is a socio-legal study that takes seriously the varying approaches to science that physicians and scientists use, as compared to legal actors such as judges and lawyers. Offering a way to mediate and translate their different perspectives and assumptions, Gilson uses sociological and philosophical methodologies to explain each discipline to the other. Recognizing the incommensurability of science and law in legal contexts, the book takes seriously the idea of the autopoietic closure of society's communicative subsystems and works out the consequences in particular for science and law. This analysis both lends support to the credibility of the approach adopted and sheds light on the problems and the direction in which potential solutions might lie. The book consequently makes an important contribution not only to the literature dealing with the relationship between science and law but also to the literature dealing with the application of autopoietic systems theory to tangible concerns. It is therefore of clear significance to those continuing to wrestle with the challenges thrown up by science for law and policy, even when the spotlight of public attention is directed elsewhere.

Socio-Legal Integration: Polish post-2004 EU enlargement migrants in the United Kingdom (2012) Agnieszka Kuba Ashgate £65 258pp

This book examines how contemporary migrants form and transform their involvement with the law in their host countries and which factors influence this relationship. It suggests a more comprehensive insight into the socio-legal integration of migrants by analysing the interplay between the new legal environment and migrants' existing culturally derived values, attitudes, behaviour and social expectations towards law and law enforcement. Acknowledging the superdiversity of migration as a global issue, the book uses the case study of Polish post-2004 EU enlargement migrants to examine values and attitudes to the rules that govern their work and residence in the UK and to the legal system in general. With wider international relevance than just Poland and the UK, this book makes a case for the meaningful employment of legal culture in socio-legal integration research and suggests far-reaching consequences for host countries and their immigrant communities.

The Illicit Trade in Art and Antiquities: International recovery and criminal and civil liability (2012) Janet Ulph and Ian Smith, Hart £78 352pp

Art and antiquities are stolen every day, not only from the UK but from countries around the world, such as Iraq, Egypt, Libya, China and India, and are smuggled from one country to another. This text focuses upon the extent to which laws can protect vulnerable countries and considers what further steps could be taken in the future. This involves an analysis of not only international laws but also English criminal and civil laws to determine whether enough is being done to deter the illicit trade in art and antiquities and to recover stolen items. In particular, as there is evidence that international criminal syndicates are involved in this trade, there is discussion of recent legislation dealing with money-laundering, serious organised crime and corruption. This book provides practical guidance on the modern law relating to cultural objects which have been stolen, looted or illegally exported. It explains how English criminal law principles, including money-laundering measures, apply to those who deal in cultural objects in a domestic or international setting. It discusses the recovery of works of art and antiquities in the English courts where there are competing claims between private individuals, or between individuals and the UK government or a foreign state. Significantly, this text also provides an exposition of the law where a British law enforcement agency, or a foreign law enforcement agency, is involved in the course of criminal or civil proceedings in an English court. The growth of relevant international instruments, which include not only those devoted to the protection of mankind's cultural heritage but also those concerned with money-laundering and serious organised crime, provide a backdrop to this discussion.

Socio-Legal Approaches to International Economic Law: Text, context, subtext (2012) Amanda Perry-Kessaris (ed) Routledge £75 314pp

This collection explores the analytical, empirical and normative components that distinguish socio-legal approaches to international economic law both from each other, and from other approaches. It pays particular attention to the substantive focus (what) of socio-legal approaches, noting that they go beyond the text to consider context and, often, subtext. In the process of identifying the 'what' and the 'how' (analytical and empirical tools) of their own socio-legal approaches, contributors to this collection reveal why they or anyone else ought to bother – the many reasons 'why' it is important, for theory and for practice, to take a social-legal approach to international economic law.

Managing Family Justice in Diverse Societies (2013) Mavis Maclean and John Eekelaar (eds), Hart Oñati International Series in Law and Society, £55 326pp

The aim of this book is to explore what response the law has or should have to different family practices arising from cultural and religious beliefs. The issue has become increasingly debated as Western countries have become more culturally diverse. Although discussion has frequently focused on the role Islamic family law should have in these countries, this book seeks to set that discussion within a wider context that includes consideration both of theoretical issues and also of empirical data about the interaction between specific family practices and state law in a variety of jurisdictions ranging from England and Wales to Bangladesh, Botswana, Spain, Poland, France, Israel, Iran and South Africa. The contributors approach the subject matter from a variety of perspectives, illustrating its complex and often sensitive nature. The book does not set out to propose a definitive strategy that should be adopted, but provides material on which researchers, advocates and policy-makers can draw in furthering their understanding of and seeking solutions to the problems raised by this significant social development.

The Right to Housing: Law, concepts, possibilities (2013) Jessie Hohmann, Hart £50 266pp

A human right to housing represents the law's most direct and overt protection of housing and home. Unlike other human rights, through which the home incidentally receives protection and attention, the right to housing raises housing itself to the position of primary importance. However, the meaning, content, scope and even existence of a right to housing raise vexed questions. Drawing on insights from disciplines including law, anthropology, political theory, philosophy and geography, this book is both a contribution to the state of knowledge on the right to housing and an entry into the broader human rights debate. It addresses profound questions on the role of human rights in belonging and citizenship, the formation of identity, the perpetuation of forms of social organisation and, ultimately, of the relationship between the individual and the state. The book addresses the legal, theoretical and conceptual issues, providing a deep analysis of the right to housing within and beyond human rights law. Structured in three parts, the book outlines the right to housing in international law and in key national legal systems, examines the most important concepts of housing (space, privacy and identity) and, finally, looks at the potential of the right to alleviate human misery, marginalisation and deprivation.

Not the Marrying Kind: A feminist critique of same-sex marriage (2013) Nicola Barker, Palgrave Macmillan £24.99 (\$40) 248pp new paperback edition

Winner of the Hart Socio-Legal Book Prize 2013, *Not the Marrying Kind* is a new and comprehensive exploration of the contemporary same-sex marriage debates in several jurisdictions including Australia, Canada, South Africa, the UK and the USA. It departs from much of the existing scholarship on same-sex marriage, which argues either for or against marriage for same-sex couples. Instead, this book begins with a critical analysis of the institution of marriage itself (as well as separate forms of relationship recognition, such as civil partnership, *pacte civile de solidarité*, domestic partnership) and asks whether and how feminist critiques of marriage might be applied specifically to same-sex marriage. In doing this, the author combines the theories of second-wave feminism with insights from contemporary queer theory.

Tort Law and the Legislature: Common law, statute and the dynamics of legal change (2012) TT Arvind and Jenny Steele (eds), Hart £78 546pp

The study of the law of tort is generally preoccupied by case law, while the fundamental impact of legislation is often overlooked. At a jurisprudential level, there is an unspoken view that legislation is generally piecemeal and at best self-contained and specific; at worst dependent on the whim of political views at a particular time. With a different starting point, this volume seeks to test such notions, illustrating, among other things, the widespread and lasting influence of legislation on the shape and principles of the law of tort; the variety of forms of legislation and the complex nature of political and policy concerns that may lie behind their enactment; the sometimes unexpected consequences of statutory reform; and the integration not only of statutory rules but also of legislative policy into the operation of tort law today. The apparently sharp distinction between judicially created private law principles and democratically enacted legislative rules and policies is therefore questioned, and it is argued that to describe the principles of the law of tort without referring to statute is potentially highly misleading. This book shows that legislation is important not only because of the way it varies or replaces case law, but because it also deeply influences the intrinsic character of that law, providing some of its most familiar characteristics. The book provides the first extended interpretation of legislative intervention in the law of tort.

Intersections of Law and Culture (2012) Priska Gisler, Sara Steinert Borella and Caroline Wiedmer (eds), Palgrave Macmillan £40, 232pp

Law, once one of society's most powerful voices, may have lost some of its edge. Competing discourses in areas of popular culture increasingly influence and challenge the way law is understood and applied. This multidisciplinary collection sets out to examine the mutual influences between law and culture by means of a series of sophisticated case studies set across Europe and North America. The relationship is revealed as a porous one that operates along three axes – how cultural phenomena are brought under legal regulation, how those disciplinary processes are resisted through cultural practices and how those cultural practices then shape how law operates. By generating a dialogue between well-known scholars from a variety of backgrounds across law, cultural studies, the social sciences and literature, transdisciplinary affinities emerge that offer valuable perspectives, both on the subjects discussed and on the relationship between law and culture in general.

Organised Crime and the Law: A comparative analysis (2013) Liz Campbell, Hart £35 316

This book presents an overview of the laws and policies addressing organised crime in the UK and Ireland, assessing the degree to which these systems have been recalibrated in terms of the prevention, investigation, prosecution and punishment of organised criminality. While the notion of organised crime itself is contested, states' legal responses often treat it and its constituent offences as unproblematic in a definitional sense. The author advances a systematic doctrinal critique of relevant criminal laws, laws of evidence, and civil processes and constructs a theoretical framework on which an appraisal of these legal measures may be based, focusing on the tension between due process and crime control, the demands of public protection and risk aversion and other adaptations. In particular, this book identifies parallels and points of divergence between the UK and Ireland, bearing in mind the shared history of subversive threats and counter-terrorism policies and examines the extent to which policy transfer is evident in terms of emulating the US in the reactions to organised crime.

Intoxication and Society: Problematic pleasures of drugs and alcohol (2012) Jonathan Herring, Ciaran Regan, Darin Weinberg and Phil Withington (eds), Palgrave Macmillan £24.99 320pp

Intoxication and Society sets out to supplement the contemporary discourse surrounding intoxication with a more nuanced appreciation of the history and nature of what is very much a multidimensional problem. It does so by employing an interdisciplinary framework and cutting-edge sociological, scientific, legal and ethical analysis in contributions from the fields of law, sociology, anthropology, history, literature, neuroscience and social psychology.

Palgrave Macmillan Socio-Legal Studies series: call

The Palgrave Macmillan Socio-Legal Studies series is going from strength to strength. In addition to the books already published, the following titles will be coming out over the next few months: *Resisting Economic Globalization* by David Schneiderman, *Exploring the 'Socio' of Socio-Legal Studies* edited by Dermot Feenan, *The Politics of Freedom of Expression* by Mark J Richards and *Pills for the Poorest* by Emilie Cloatre. We are keen to expand our list and are actively looking for new projects. Our aim is to produce two different types of books – a pedagogical resource for socio-legal teachers, and monographs of cutting-edge scholarship – which in the best tradition of socio-legal studies will reach out to a wide audience. We are assisted by a distinguished editorial board of luminaries in the field, and all our proposals and manuscripts are reviewed either 'in-house' by that team or by established experts in the field. Please contact Dave Cowan e d.s.cowan@bris.ac.uk.

Dave Cowan is general editor of the Socio-Legal Studies series

- **EUROPEAN CONSORTIUM FOR POLITICAL RESEARCH: 41ST JOINT SESSIONS OF WORKSHOPS**

11–16 March 2013: *University of Mainz, Germany*

The Joint Sessions of Workshops have been hosted annually in different European cities since 1973 and are recognised as one of the highlights of the political science calendar. Please visit website for further details: www.ecpr.eu/Joint%20Sessions/Default.aspx.

- **WORKSHOP: 'VULNERABLE DEMONS?': MORAL RHETORIC AND THE CRIMINALISATION OF SQUATTING**

18 March 2013: *Durham Law School*

The programme is organised around four themes: the state: critical perspectives on criminalisation and responsibility; the squatter: vulnerability, lifestyle, protest and political rhetoric; the land owner: protecting property and adverse possession; comparative perspectives and international experiences. The workshop will also reflect on the broader political, legal and social issues. See website for details.

www.dur.ac.uk/law/events/lawevents/?eventno=14102&aggregated=1.

- **'ADDICTIVE PERSONALITY': MYTH OR REALITY?**

18 March 2013: *British Library, London*

Part of the Myths and Realities series of public debates. Addictions to legal and illegal drugs, alcohol and tobacco are generally considered to be serious social problems. But what drives addiction? Join experts from the sciences and social sciences for informed and lively discussion and debate. Please see website for booking

www.bl.uk/whatson/.

- **ECONOMIC RIGHTS AND REGULATORY REGIMES: IS THERE STILL A 'RIGHT' TO WATER?**

19 March 2013: *Haldane Room, Wolfson College, Oxford*

Organisers: Bettina Lange and Mark Shephard. This one-day workshop will examine whether and how farmers' rights to access and use water in England are changing in the light of the transformed environmental policy context. Farmers have been subject to environmental stewardship obligations for a long time, in particular legal duties not to pollute water courses. But the expansion of these stewardship obligations to include water conservation presents a new challenge. This workshop therefore addresses the following core question: through which socio-legal processes do water stewardship obligations become embedded in the interpretation of water rights? More information is available on the website: www.fljs.org/water-19March.

- **DECIDING BY DEFAULT: HOW LAW MAKES THINGS AUTOMATIC**

19 March 2013: *British Academy, London*

Speaker: Professor Cass Sunstein. This lecture explores why many of our most important decisions are made by default, whether or not we notice them. Please visit website for details: www.britac.ac.uk/events/2013/The_Maccabaeian_Lecture_in_Jurisprudence.cfm.

- **WORKSHOP: PRIVATE LAW AND THE SUBJECT OF HUMAN RIGHTS**

22 March 2013: *University of Warwick*

This workshop is part of the ESRC Series: The Public Life of Private Law. Please see website for details of venue, speakers and previous workshop recordings: <http://publicprivatelaw.wordpress.com/>.

- **ANNUAL MEETING OF THE ASSOCIATION FOR THE STUDY OF LAW, CULTURE AND THE HUMANITIES**

22–23 March 2013: *Birkbeck, University of London*

Theme: 'Sculpting the human: law culture and biopolitics'. Please see website for full details. www.regonline.com/builder/site/Default.aspx?EventID=1112745.

- **ART AND HERITAGE DISPUTES**

24–25 March 2013: *Maastricht University, The Netherlands*

This conference aims to identify, map and assess art and heritage disputes. The return of cultural artifacts to their legitimate owners, the recovery of underwater cultural heritage and the governance of sites of outstanding and universal value are just some of the issues which have given rise to art and heritage related disputes. www.maastrichtuniversity.nl/web/Faculties/FL/Theme/ResearchPortal/Conferences/ArtAndHeritageDisputes1.htm

- **INTERNATIONAL GRADUATE LEGAL RESEARCH CONFERENCE**

8–9 April 2013: *King's College, London*

The conference provides early career researchers with an unparalleled opportunity to present their work and engage in academic debate.

The subject panels will be chaired by eminent scholars and practitioners in each subject field. Please see website for full details: www.kcl.ac.uk/law/eventrecords/IGLRC6.aspx.

- **CONCEPTUALISING 'CONSUMERS' OF FINANCIAL SERVICES: A NEW APPROACH?**

12 April 2012: *Durham Law School*

Convenors: Professor Lorna Fox O'Mahony and Dr Folarin Akinbami. Please see website for details: www.dur.ac.uk/law/events/lawevents/?eventno=14414&aggregated=1.

- **LAW AND THE SENSES: CALL FOR PROPOSALS**

18–19 April 2013: *University of Westminster School of Law*

Please see SLSA website for full details of call. Closing date: 15 March 2013. www.slsa.ac.uk/content/view/281/291

- **ASSOCIATION FOR LAW, PROPERTY AND SOCIETY ANNUAL MEETING**

26–27 April 2013: *University of Minnesota, USA*

Please see website for full details:

www.alps.syr.edu/meetingsandconferences.aspx.

- **WORK TO LIVE OR LIVE TO WORK?**

29 April 2013: *British Library*

We're working longer hours than ever before and can expect to work for longer. The cost of living is increasing and wages for low and middle-income earners may not stretch as far as they once did. Yet, at the same time, there is increasing job satisfaction within many sectors, retirees become volunteers and older workers are often reluctant to retire at all! Within this context, can we really say that most of us simply work to live? This event explores some of the myths and realities in our relationship to work. Please see website for booking:

www.bl.uk/whatson/.

- **CIVIL MEDIATION COUNCIL ANNUAL CONFERENCE: LIVING MEDIATION**

2 May 2013: *Senate House, London*

This year there are two keynote speeches: the Reverend Mpho Tutu and Peter Adler. Please see website for booking:

www.civilmediation.org/newsletters-online.

- **LOCATING RESTORATIVE JUSTICE WITHIN CRIMINAL JUSTICE: CHALLENGES IN THEORY AND PRACTICE: CALL**

2–3 May 2013: *Durham Law School, Centre for Criminal Law and Criminal Justice*

This conference will examine the role of restorative justice within criminal justice and considers the intersection between theory and the practical delivery of justice. Please see website for details:

www.dur.ac.uk/cclcj/events/. Closing date: 15 March 2013.

- **VULNERABILITY AND CULTURAL HERITAGE I: ILLICIT TRADE, ETHICS AND STEWARDSHIP**

8–10 May 2013: *Leicester Law School*

This is an international and multidisciplinary conference relating to vulnerability and cultural heritage. It will focus upon combating the illicit trade in cultural property and issues relating to ethics and stewardship of heritage items. For details, contact conference organiser Janet Ulph [e ju13@leicester.ac.uk](mailto:ju13@leicester.ac.uk).

- **FORMALITY AND INFORMALITY: FROM DECOUPLING TO ENTANGLEMENT**

13–14 May 2013: *University of Warsaw, Poland*

Please see website for details of this workshop. www.pts.org.pl/strona/pl/187/formality-and-informality.

- **WESTMINSTER GRADUATE CONFERENCE, LONDON: CALL FOR PAPERS**

16 May 2013: *University of Westminster, London*

Theme: Crossing the Rubicon: regulation, space and human rights.

For details please contact the organisers Pravin Jeyaraj

[e pravin.jeyaraj@my.westminster.ac.uk](mailto:pravin.jeyaraj@my.westminster.ac.uk) or Serhat Yilmaz

[e erhat.yilmaz@my.westminster.ac.uk](mailto:erhat.yilmaz@my.westminster.ac.uk).

● **14TH INTERNATIONAL ROUNDTABLE FOR THE SEMIOTICS OF LAW**

25–29 May 2013: Zhejiang University, Hangzhou, China

Organised by the International Roundtable for the Semiotics of Law and the *International Journal for the Semiotics of Law*. See website for full details: www.zjzjxy.cn/meeting/default.html.

● **LAW AND SOCIETY ASSOCIATION ANNUAL MEETING**

30 May–2 June 2013: Boston Sheraton, Boston, Massachusetts, USA

Theme: 'Power, privilege and the pursuit of justice: legal challenges in precarious times'. Details available at www.lawandsociety.org/boston2013.html.

● **4TH ANNUAL QUEEN MARY POSTGRADUATE RESEARCH CONFERENCE**

6 June 2013: Centre for Commercial Law Studies, Queen Mary, University of London

This event provides a unique opportunity for presenters and participants from across the UK and international research community to exchange ideas on contemporary legal issues. Selected papers will be published in a special 2013 volume of the *Queen Mary Law Journal*. For information, see the conference website:

www.law.qmul.ac.uk/events/items/86944.html.

● **ROUND TABLE: TOWARDS A CRITICAL THEORY OF TRANSNATIONAL JUSTICE**

13 June 2013: University of Hamburg, Germany

Speaker: Rainer Forst (Johann Wolfgang Goethe University, Frankfurt am Main). Event organised by the editorial team of *Global Constitutionalism* and hosted by Maximilian Steinbeis. Contact: Sassan Gholiagha [e sassan.gholiagha@wiso.uni-hamburg.de](mailto:sassan.gholiagha@wiso.uni-hamburg.de).

● **MEDICO-LEGAL SEMINAR ON AUTOMATISM**

14 June 2013: Keele University

This seminar is aimed at lawyers, doctors and other expert witnesses. There will be eminent speakers from legal and medical/scientific fields to provide an interdisciplinary perspective on the defence of automatism and the provision of medical evidence for this defence. To register, please email Tracey Wood [e t.wood@keele.ac.uk](mailto:t.wood@keele.ac.uk).

● **2ND ANNUAL INTERNATIONAL CONFERENCE ON LAW, REGULATIONS AND PUBLIC POLICY**

17–18 June 2013: Singapore

Theme: 'The laws of the land lay the foundations of peace and order, and to ensure people progress in all aspects of their lives – whether in business, education, travel, health or recreation'. Please see website for details: www.law-conference.org/.

● **INTERNATIONAL WHISTLEBLOWING RESEARCH NETWORK CONFERENCE**

20–21 June 2013: Middlesex University, Hendon Campus, London

This year's conference will feature four full lectures and 13 short papers presented by speakers from a variety of countries and scholarly disciplines. It is open to anyone interested in whistleblowing research, for example, academics, students, trade union officials, practising lawyers and managers. For further information, please contact David Lewis [e d.b.lewis@mdx.ac.uk](mailto:d.b.lewis@mdx.ac.uk).

● **INFORMATION AND COMMUNICATIONS TECHNOLOGY FOR ENVIRONMENTAL REGULATION: DEVELOPING A RESEARCH AGENDA: CALL**

20–21 June 2013: National University of Ireland, Galway

Keynote speaker: Professor Bradley C Karkkainen (University of Minnesota, School of Law). Papers are invited from scholars and practitioners across all disciplines on the application of information and communications technology for environmental regulation. Closing date: 15 March 2013. See website: www.conference.ie/Conferences/index.asp?Conference=205.

● **NORTH SOUTH IRISH CRIMINOLOGY CONFERENCE: CALL**

20–21 June 2013: University College Cork, Ireland

General theme: 'Rights, responsibilities, and wrongdoings: continuity and change'. Call closes: 28 March 2013. Please email enquiries to ucclawconf@gmail.com. The conference incorporates the Centre for Criminal Justice and Human Rights Postgraduate Conference.

● **INTERNATIONAL CONFERENCE ON PUBLIC POLICY**

26–28 June 2013: Grenoble, France

Panel: Experimenting with public policy: issuing of design and effectiveness. See website for details: <http://icpublicpolicy.org/>.

● **LAW ON THE EDGE**

1–4 July 2013: University of British Columbia, Vancouver, Canada

This conference is jointly presented by the Canadian Law and Society Association, the Law and Society Association of Australia and New Zealand and hosted by the University of British Columbia. See website for details, including keynote and plenary speakers. www.law.ubc.ca/events/law_on_the_edge/.

● **INTERNATIONAL POSTGRADUATE LEGAL CONFERENCE: FUTURE LAWYERS TACKLING TOMORROW'S LEGAL CHALLENGES: CALL**

4 July 2013: University of Liverpool

An opportunity for postgraduates to showcase research into pressing national and international legal issues and discuss ideas with a skilled audience of fellow postgraduates, researchers, established academics legal practitioners and members of civil society. Closing date: 22 March 2013. See www.liv.ac.uk/law/events/event/44249/instance_id/56165.

● **11TH INTERNATIONAL JOURNAL OF CLINICAL LEGAL EDUCATION CONFERENCE/12TH AUSTRALIAN CLINICAL LEGAL EDUCATION CONFERENCE: CALL FOR PAPERS**

16–18 July 2013: Griffith University, Brisbane, Australia

The conference will bring together academics, lawyers, students and social activists with an exciting mix of keynote speeches, panel discussions, formal presentations and interactive workshop sessions. Call closes: 1 April 2013. See website: www.numyspace.co.uk/~unn_mlif1/school_of_law/IJCLE/index.html.

● **APPLIED LEGAL STORYTELLING CONFERENCE: CHAPTER 4 BACK TO WHERE WE STARTED**

22–24 July 2012: City Law School, London

Conference series fostering innovative collaboration and invigorating dialogue about the use of story across the spectrum of lawyering skills. This conference will bring together academics, judges and practitioners to explore the role of narrative in legal practice and discuss curricular strategies for the use of story and narrative. Contact Robert McPeake [e r.j.mcpeake@city.ac.uk](mailto:r.j.mcpeake@city.ac.uk).

● **ROYAL GEOGRAPHICAL SOCIETY ANNUAL CONFERENCE: LEGAL GEOGRAPHY STREAM**

28–30 August 2013: Royal Geographical Society, London

See website for details of conference and the legal geography stream. www.rgs.org/WhatsOn/ConferencesAndSeminars/Annual+International+Conference/Annual+international+conference.htm.

● **REVALUING CARE WORKSHOP: CARING ABOUT SOCIAL INTERCONNECTION**

1–2 September 2013: University of Adelaide, Australia

Following on from the Resourcing Care workshop at Keele University in September 2012, Caring about Social Interconnection will take forward conversations about care from theoretical, conceptual and empirical perspectives. See <http://revaluingcare.net/events/>. There is some funding support for UK participants. Follow same link.

● **INTERNATIONAL COMMISSION FOR THE HISTORY OF REPRESENTATIVE AND PARLIAMENTARY INSTITUTIONS ANNUAL CONFERENCE: CALL**

4–7 September 2013: Dublin

Papers are invited on the following themes: 'Parliaments, lawyers and the law – making and judging law in parliament'; 'Parliaments and political culture'; 'Sources and methodology for the study of parliamentary history'; 'Parliaments and nation-building'. Call closes: 31 March 2013. See website: www.ichrpi.com/meeting2013.html.

● **8TH ANNUAL LEGAL RESEARCH SYMPOSIUM: RICS COBRA RESEARCH CONFERENCE**

10–12 September 2013: New Delhi, India

This Royal Institute of Chartered Surveyors (RICS) event is organised by the International CIB Working Commission on Law and Dispute Resolution. See website: www.cobra2013.com/.

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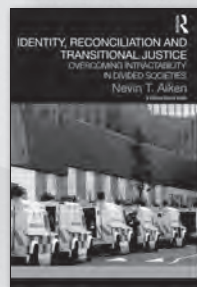
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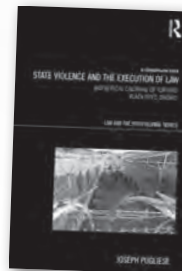
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