

Report February 2023

RCSL Working Group on the Comparative Study of the Legal Professions (WGLP)

Chair of WGLP- Avrom Sherr (Avrom Sherr was elected Chair of the Working Group at the 2022 Meeting in Coimbra).

The most important work and achievement of the Group over the last three years has been the publication of the two volumes - Lawyers in 21st Century Societies, Vol. 1 National Reports 2020, Vol. 2 Comparisons and Theories 2022, under the Editorship of Working group members Richard Abel, Hilary Sommerlad, Ole Hammerslev and Ulrike Schultz. This work took forward a current view of the original "Lawyers in Society", then Edited by Abel and Lewis in 1988 and expanded the overview into civil law countries and a large number of national jurisdictions. The National Reports cover 46 countries, with broad coverage of North America, Western Europe, Latin America, Asia, Australia, North Africa and the Middle East, sub-Saharan Africa, and former communist countries. The second volume looks at Comparisons and theories under headings such as: sociology of lawyers and other professions (medicine, accountancy), state production, the rule of law, regional bodies, large law firms, access to justice, technology, casualisation, cause lawyering, diversity (gender, race, and masculinity), corruption, ethics regulation, and legal education. Together these two volumes provide a history of developments in the legal professions over the last thirty years and a clear photograph of the state of the legal professions of the world at this time. The volumes also prove the worth of the Working Group and its ability to come together in expert delivery.

Other developments of individual sub-groups include the following publications, and other publications are included within the sub-group reports below:

Ulrike Schultz, Gisela Shaw, Margaret Thornton, Rosemary Auchmuty (eds) Gender and Careers in the Legal Academy (2021);

Mavis Maclean, Bregje Dijksterhuis(eds) Digital Family Justice:From Alternative Dispute Resolution to Online Dispute Resolution? (2019);

International collaborations via a CRN on gender and judging

Sub-group Reports

As an Addendum to this Report please find the Final Programme for the Coimbra Meeting in July 2022 together with the Paper Abstracts for each sessional paper given.

Sub-group 1: Legal Ethics

Chair: Tamara Butter

Tamara Butter has taken over the chair position from Leny de Groot-van Leeuwen in 2021. At the 2022 WGLP meeting in Coimbra the sub-group has been renamed Legal Ethics (formerly: Ethics and Deontology). At the 2022 meeting the sub-group had two panels: one on judges and one on lawyers. One of the future plans for this sub-group is to encourage collaboration between (Western European) civil law scholars with a view to further developing an empirically grounded civil law theory of lawyers' ethics as our current understanding of the topic is largely based on studies from the common law world. In 2022 during the WGLP biennial meeting in Coimbra the Legal Ethics subgroup had two sessions:

- On lawyers -Presenters: Rick Abel, Trevor Clark, Tamara Butter
- On judges -Presenters: Derk Venema, Ezgi Özlü, Jos Hoevenaars

2023-2024 Book project: Research Handbook on the Sociology of Legal Ethics
The subgroup currently facilitates international collaboration on the book project:
'Research Handbook on the Sociology of Legal Ethics' (Publisher: Elgar)
Editors: Scott L. Cummings, Ole Hammerslev, Tamara Butter, Sergio Anzola

2023 RCSL conference in Lund

At the 2023 RCSL conference in Lund the Legal Ethics subgroup plans to have several sessions:

- 1 or 2 sessions on the book project 'Research Handbook on the Sociology of Legal Ethics'

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- 1 session on in which (civil law) scholars respond to a paper Rick Abel presented in Coimbra.

- 1 general session covering other legal ethics papers **

*This depends on the number of abstracts received before the deadline (13 February)

** This depends on the number of abstracts I receive before the conference deadline. For now

There is one individual paper. There might also be room for individuals with legal ethics papers, who are not aware of this subgroup and have submitted an abstract only to conference organisers.

Sub-group 2: Family, Policy and the Law.
Chairs: Benoit Bastard and Mavis Maclean.

The next workshop is planned to be on litigation friends in family related matters.

During the past 4 years our main activities have been

1. to hold a Workshop on line in 2020 on the purpose of family justice system in a number of jurisdictions , and the resulting book was published in August 2022, see flyer attached for "What is a family justice system for?" examining the relationship between welfare and justice in times of austerity.
2. to hold an online workshop in June 2022 on access to family justice for those who lack legal capacity through youth or health related conditions . The workshop was a great success, and we have arranged to hold a second workshop in July 2023 in person to discuss the projects now in progress with a view to planning a publication.

Sub-group 3: International lawyering and large law firms.
Chair Gabriele Plickert.

This group was represented in 2020 and participated in the 2022 workshop.

Subgroup 4 Judiciary
Chairs: Nina Holvast and Luca Verzelloni

2022 WGLP biennial meeting in Coimbra

In 2022 during the WGLP biennial meeting in Coimbra the Judiciary subgroup had one session with speakers: Doornbos; Paterson & Roach Anleu

2023 RCSL conference in Lund

At the 2023 RCSL conference in Lund the Judiciary subgroup plans to hold at least one session. We hope to have Sophie Turenne so see if we can hold a session related to her book project on 'judges and the judiciary'. Also, we hope to put together another session with judiciary related papers.

Other projects/activities -The subgroup chairs will hold a meeting to discuss options for additional projects or activities.

Sub-group 5: Lawyers and Clients.

Chair: Avrom Sherr

The work of this workgroup has become pervasive throughout a range of the sub-groups and so this sub-group is no longer a separate group. Avrom Sherr noted the work of Eyal Katvan in this regard: Lawyers and their Clients, Too Many Lawyers?; Too Few Judges?. Eyal thanked the Onati Institute for its support of his work. The sub-group's influence on the 2018 Project was also noted.

Sub-group 6: Access to Justice and Legal Aid.

Chair: Alan Paterson.

This group will be participating in the 2022 working group meeting and had representation at this one. The group has been very involved in dealing with issues of Covid-19 in the context of courts and legal aid, and a major report is shortly to be released on this.

Sub-group 7: Legal Education.

Chair: Fiona Cownie succeeded by Avrom Sherr

The sub-group is growing in number and there was a full session at this meeting. Since the meeting Avrom Sherr has been confirmed as the new chair of this sub-group. We are very grateful to Fiona for all her fabulous work as chair over many years.

Sub-group 8: Professional Identities.

Chair: Hilary Sommerlad

Speakers in 2022:

Stefanie Lemke: 'Human Rights Lawyering and Access to Justice in Europe'

Elke Hindina Olthuis: 'Does it matter which judge handles your case? Insights from interviews with judges'

Anne Southworth: 'The Campaign to Unleash Big Money in American Politics'

2023 RCSL conference in Lund

At the 2023 RCSL conference in Lund I am happy to convene the Sub-group 8: Professional Identities depending on receipt of abstracts I receive before the deadline (13 February)

Sub-group 9: Regulatory Reform

This group has been subsumed into the work of other groups.

Sub-group 10: Women/Gender in the Legal Profession

Chair: Ulrike Schultz.

This group has been very active including an in-person workshop on 2019, representation at the LSA in 2020 and 2021, two international research collaborations working towards the Lisbon conference, a special issue of the IJLP, the launch of their book Gender and Careers in the Legal Academy, work as part of an LSA CRN on gender and judging.

Sub-group 11: Project 2018

Chairs Hilary Sommerlad & Ole Hammerslev, with Rick Abel and Ulrike Schultz

Speakers:

Hilary Sommerlad & Ole Hammerslev: 'Lawyers in 21st century societies - reflections on

results, and theoretical and methodological issues'

Lynn Mather: 'Lawyers and Lawmaking: Other Methodological Approaches'

Sub-group 12 Legal Histories

Chair: Eyal Katvan

Prof. Katvan was granted the Chair of this Group in June 2022.

Session on legal history initiated for Coimbra, Portugal Conference (Amir; Ben Ze'ev; Katvan; Sagy).

Chairing the steering committee of the annual Israeli History & Law Association meeting held jointly with The Ben-Zvi Institute and Berg Foundation Institute for Law and History (Tel-Aviv University). This year's theme is: "The legal profession and professionals". The meeting took place on 18.10.2022. Attached is the program.

Two exhibitions at Peres Academic Center, as part of the Institute for the Study of the Professions:

1. "Being a Lawyer" (historical artifacts and documents on the history of lawyers in Israel and pre-state Israel);

<https://www.israeliana.org/industry-crafts/%D7%9C%D7%94%D7%99%D7%95%D7%AA-%D7%A2%D7%95%D7%A8%D7%9A.%D7%AA-%D7%93%D7%99%D7%9F/d702583d-cdc0-441a-9f31-ea7ac1fa113d>

2. "Being a Professional Woman" (historical artifacts and documents on the history of women professionals in Israel and pre-state Israel).

<https://www.israeliana.org/industry-crafts/%D7%9C%D7%94%D7%99%D7%95%D7%AA-%D7%90%D7%A9%D7%AA-%D7%A4%D7%A8%D7%95%D7%A4%D7%A1%D7%99%D7%94/dc5941f6-7628-4b74-8e13-e83961c8f039>

Sub-group 13 Lawyers and Imperialism

Chair: Sara Dezalay.

This sub-group did not meet at this but there are plans to continue which will be reviewed

Sub Working Group on Law and Popular Culture

Chair: Stefan Machura

Latest publications:

Machura, Stefan (2022, in print). Laypeople's Attitudes towards and Experiences with the Law. In Ulrike Zeigermann, Andrea Kretschmann and Guillaume Mouralis (eds.), *Laypersons in Law – Social Science Perspectives on Legal Practices of Non-professionals*. Abingdon: Routledge.

Machura, Stefan (2022). Visual Criminology in International and Comparative Context. In Edna Erez and Peter Ibarra (eds.), *Oxford Encyclopedia of International Criminology*. Oxford: Oxford University Press, pp. 1331–1347.

Machura, Stefan, Almjnoni, Salim, Vavrik, Boris, and Williams, Einir (2022). Welsh Nationalism, Language and Students' Trust in the UK Police. *International Journal of Politics, Culture, and Society* 35, 67–84.

Machura, Stefan, Litvinova, Olga, and Cunningham, John (in print). Analysing Law in Opera. *Law and Humanities*.

Sub Working Group on Notaries.

A new sub-group on Notaries is being formed after a mini conference in 2022.

WGLP 10th-12th July 2022 Papers Information

Full Name	Email	Paper Details	Please provide an abstract for your paper (up to 250 words)	Preferred Sub-group for Paper	Availability	In person/zoom
Prof. Richard Abel	abel@law.ucla.edu	"Should Ethics Restrict the ENDS Lawyers Pursue?"	Legal ethics concerns itself exclusively with the means lawyers deploy, such as evidence, argument, negotiation, and drafting. That self-limitation originates in liberal political theory, whose radical skepticism about ultimate values compels us to agree, instead, on processes to resolve value disagreements: elections, adjudication, the market. We have reached a moment when such confidence in process is no longer tenable. We confront three existential crises: climate change, which is irrevocably transforming the earth we inhabit; inequality, which corrupts the processes by which we resolve value differences; and direct attacks on the processes themselves—adjudication and elections. Lawyers are implicated in all three crises: obstructing regulation of those who produce and consume fossil fuels; magnifying resource inequalities (through the promulgation and enforcement of tax and antitrust laws); and helping to pack courts and undermine democratic elections (disenfranchising,	Sub-group 1: Ethics and Deontology Chair Tamara Butter		In person

			gerrymandering, invalidating). I argue that we must enlarge legal ethics to include the ends lawyers may pursue and devise strategies to limit their ability to exacerbate those three existential crises.			
Lígia Maria Rosas Afonso	ligiaafonso@yahoo.co.uk	Inconvenient dialogs: The multiple outlines of gender and power asymmetries in Portuguese legal professions.	While most of the research on gender imbalance(s) in the legal professions focuses on patterns of inequality pertaining salaries, areas of practice and career progression, the subjective experiences of sexism encountered by women in their professional interactions with colleagues and clients has seldom been a topic of research. This paper draws on original research conducted with Portuguese judges, prosecutors and lawyers examining their daily work-life experiences. Using interview transcripts from the project we explore how sexism manifests in their work practices, in particular the multiple forms it assumes and the more overt or subtle forms in which is expressed, depending on the context and the interlocutors. The respondent's reluctance to be associated with stigmatised labels, and the fact that promoting justice (and therefore preventing discrimination) is at the core of legal professions render such enquiries inconvenient. Our findings convey an opportunity to further explore how gender intersects other forms of power asymmetries, and the ways in which individuals are multiply positioned through differences in	Sub-group 10: Women /Gender in the Legal Profession Chair Ulrike Schultz	Not attending Tuesday	In person

			professional roles and power status.		
Dr. Gal Amir	agal39@yahoo.com	From Kol-Ha'am to Kardush - Palestinian legal tactics in the struggle for human rights in Israel 1948 - 1966	<p>Al-Ard was a Palestinian movement in Israel in the 1960's, perceived by Israeli authorities as a serious danger from its beginning. The movement was involved in numerous court cases, resulting from the government's intentions to use whatever legal tools to shut it down. One of these cases, Kardush turned into leading legal precedent, used by the courts to establish human rights to this day.</p> <p>Ron Harris writes that the legal struggles of the al-Ard movement in the 1960s were influenced by the tactics adopted by the lawyers who represented the American Civil Rights movement in the 1960s. Both minorities understood that they were not perceived as a legitimate partner in the executive or the legislature, and preferred to fight in court. Harris attributes this form of activity to the legal thinking of attorneys Yardor and Jiryis who represented the movement. But this is a form of legal battle that took root and was successful back in the 1950s, with the activities veteran lawyers al-Hawari and Nakkarah.</p> <p>The Kardush ruling is a deliberate result of a concentrated legal effort, designed to bring about a precedent-setting ruling that extends the petitioners' legal and political freedom. This strategy has been used and enhanced by Palestinian lawyers since the early</p>	Sub-group 12: Histories of the Legal Professions Rosemary Auchmuty and Eyal Katvan	Zoom

			1950s and later successfully adopted in many struggles of different weakened groups in Israel. In this type of struggle, the court's recognition of the fundamental right, and not the implementation of the said right is in itself the desired social change.			
Dr. Sara Araujo	sara@ces.uc.pt	Gender, equality and the right to difference in legal pluralist societies. Lessons from East-Timor and Mozambique.		Gender in Customary and Indigenous Law and Proceedings IRC	In person	
Dr. Susan Bartie	susan.bartie@utas.edu.au	The First Environmental Law Teachers	While much has been written about the changing and dynamic nature of environmental law, few have studied key legal actors – practising and academic environmental lawyers – alongside these changes. This paper will introduce a large-scale socio-legal history of Australian environmental lawyering over a 50-year period (1970 to 2020). It will advance some preliminary findings from research into six members of the founding generation of academic environmental lawyers. This research explores their motivations and alliances, relationships to one another, the resources afforded to them, their status, how they recruited members to their field and how they shaped (and were shaped by) their habitus. This project is funded by a DECRA award from the Australian Research Council of Australia.	Sub-group 7: Legal Education. Chair Avrom Sherr; Sub-group 12: Histories of the Legal Professions Rosemary Auchmuty and Eyal Katvan	Zoom	
Dr. Maria Rita Bartolomei	mariaritabartolomei61@gmail.com	"Hidden traditions and women rights. Beading practice among	According to the beading tradition the warriors (Morans) are allowed to have a temporary marital relationship with a very young girl from the same clan as the warrior. The moran buys red beads for	Gender in Customary and Indigenous Law and	Not attending Sunday; Not attending	In person

		the samburu and its impact on girls sexual and reproductive health".	the girl after getting the mandate from her family. When the beading relationship is negotiate the opinion of the girl does not matter: the negotiation is held between the warrior and the mother and brothers of the chosen girl and there is not informed consent. In addition to life threatening early pregnancies and abortions, the practice of beading exposes young girls to physical, mental and sexual violence, and also leads to school drop outs. The Constitution of Kenya protects the economic, social and cultural rights and also the right to education. Many Samburu people do not know that many of their cultural traditions towards women are harmful as well as human rights violations and also illegal according to the national law.	Proceesdings IRC	Monday	
Benoit Bastard	benoit.bastard1@gmail.com			Sub-group 2: Family, Policy and the Law. Chairs Benoit Bastard and Mavis Maclean;		In person
Dr. Na'ama Ben Ze'ev	nbenzev@zahav.net.il	Palestinian-Arab lawyers in political careers	Only twelve Palestinian lawyers remained in Israel after the nakba, a remnant of the vibrant Palestinian-Arab lawyer communities in the towns of Palestine until 1948. During the first two decades of the State of Israel, some turned to political activism within political parties, municipal councils, and extra-parliamentary political organizations. Members of this group who entered politics gained considerable attention from the Palestinian public, as well as from the Israeli authorities. This was	Sub-group 12: Histories of the Legal Professions Rosemary Auchmuty and Eyal Katvan		Zoom

			<p>at a time when the Palestinian citizens in Israel were subjected to the control and limitations of military rule. The paper examines the relations between the diverse political activity of these lawyers and the legal profession. Specifically, qualities attributed to the legal profession, such as proficiency in law, rhetorical skills, charisma, and social prestige benefitted those aspiring to the political arena. Such qualities were a major asset for members of a discriminated minority, compensating for their lack of power in the political arena. I will argue that the Palestinian lawyers leveraged their position as mediators between their clients and the law to support their claim of suitability to mediate between the state and the Palestinian minority as political activists.</p>		
Prof. Anthony Bradney	a.bradney@keele.ac.uk	The Marginalisation of Legal Academics in Twenty-First Century UK Universities	<p>The twentieth century and early twenty-first century saw legal academics in the United Kingdom slowly struggle to establish themselves as having a legitimate place in universities. There was no single defining moment in this process. Change in universities is usually gradual. Some things are significant though none is determinant. For example the normal entry into the profession is now through doctoral study rather than via having first acquired a practitioner qualification. The pursuit of scholarship is now central to the life of legal academics. The process of qualification for the minority of law graduates who become</p>	Sub-group 7: Legal Education. Chair Avrom Sherr	Zoom

			<p>solicitors or barristers has become less and less the concern of undergraduate law schools. Yet the early twenty-first century has also attempts to move academics, including legal academics, away from the centre of life in universities. For example heads of university law schools are increasingly asked to view themselves as “managers”. Administrators have been re-designated “professional staff”. Perhaps most significantly new appointments in universities are now more frequently to non-academic rather than academic positions.</p> <p>This paper will ask what consequences these changes have for the lives of legal academics. If legal academics are not an important part of the bureaucracy of the university is that to be seen as a welcome release from involvement in matters that are peripheral to academic life? Yet how sustainable is a model of an academic institution where academics are not at its core?</p>		
Dr. Tamara Butter	t.t.butter@uva.nl	Towards a Civil Law Theory of Lawyers’ Ethics in Practice	I would like to present the research project I am developing, entitled: 'Towards a Civil Law Theory of Lawyers’ Ethics in Practice: Dutch Lawyers’ Ethical Reasoning in Context.' The bulk of the research on lawyers’ ethics in practice stems from the common law world. This project intends to contribute to the body of empirical, in-context research on lawyers’ ethics from a civil law perspective. It answers to	Sub-group 1: Ethics and Deontology Chair Tamara Butter	In person

			<p>Woolley's call: 'to develop a robust theory of the lawyers role that incorporates morality and meaning in the varying contexts within which lawyers work requires further research and, in particular, research into the nuances and challenges of different sorts of legal practice.'</p> <p>Given increasing global connectedness and the role of lawyers operating transnationally a theory of the lawyer's role requires research into non-common law jurisdictions as well.</p> <p>This study examines the ethical reasoning of Dutch lawyers operating in different practice areas: corporate law and family law, and compares this to my earlier research on lawyers working in asylum law.</p>			
Dr. Paula Casaleiro	pcasaleiro@ces.uc.pt	House on Fire: Gender Issues in Working Conditions on Portuguese Courts	<p>The performance of courts is commonly evaluated by court proceedings. The working conditions of judicial professionals are rarely questioned. An effective, swift, fair, and balanced justice depends not only on the legislative framework but also on the conditions provided to its professionals to achieve such goals. Within this context, the existence of problems related to sexual and labor harassment and labor discrimination remains "invisible" to public entities and judicial management bodies.</p> <p>This paper presents the final results of the project QUALIS, based on, among other methodologies, 90 interviews and an online questionnaire survey</p>	Sub-group 10: Women /Gender in the Legal Profession Chair Ulrike Schultz	Not attending Sunday;	In person

			<p>applied to the judicial professions (judges, public prosecutors and court clerks) in Portugal, aiming to identify their perceptions regarding working conditions in courts. The survey had a response rate of 15.8% in a total universe of 10,978 professionals. Aiming to reflect on the judicial professionals' working conditions, this paper focuses particularly on the gender issues related to sexual and labor harassment and labor discrimination, where data shows that, in the "house of justice", there are relevant problems, with differences according to each profession. The conclusions highlight the importance of implementing gender equality plans, with the necessary mechanisms of complaint and intervention at courts, to protect judicial professionals and guarantee a safe working environment. Courts must be an example of working conditions to be able to ensure impartial and fair justice for all. Therefore, this is a case where the "house is on fire" and where public policies cannot wait anymore to face and solve the identified problems.</p>			
Dr. Victor Chimbwanda	vicchim@gmail.com	What does culture have to do with legal education?	This paper explores the relevance of skills in customary/indigenous law in legal education and practice in Africa. I argue that in plural legal systems, there is need to reform the law curriculum to integrate skills that are based on	Sub-group 7: Legal Education. Chair Avrom Sherr		Zoom

			<p>customary/indigenous law because practising lawyers routinely encounter cases that require them to be proficient in dispute resolution mechanisms that are rooted in indigenous customs, such as Ubuntu which is prominent in the South African legal system. The findings show that in a majority of cases in those legal systems that recognise customary/indigenous law, the legal profession now needs lawyers who are skilled in cultural processes to resolve some legal issues, even though formal courts and most legal education have been traditionally focusing on skills associated with the practice of English common law. The question then is, "Should the curriculum at undergraduate level include elements of cultural process and customary/indigenous law?" The research shows that this is a problem not just for Africa but for other countries which recognise indigenous legal systems, including the USA and Canada; and may have implications for Australia and New Zealand also</p>			
Trevor Clark	t.g.clark@leeds.ac.uk	I will be joining the legal ethics panel led by Dr. Tamara Butter		Sub-group 1: Ethics and Deontology Chair Tamara Butter		In person
Prof. Richard Collier	richard.collier@ncl.ac.uk					Zoom
Fernanda Maria Costa de Jesus	fcostajesus@ces.uc.pt	House on Fire: Gender Issues in Working Conditions on	The performance of courts is commonly evaluated by court proceedings. The working conditions of judicial professionals are rarely questioned. An effective, swift, fair, and	Sub-group 10: Women /Gender in the Legal	Not attending Sunday;	In person

		Portuguese Courts	<p>balanced justice depends not only on the legislative framework but also on the conditions provided to its professionals to achieve such goals. Within this context, the existence of problems related to sexual and labor harassment and labor discrimination remains “invisible” to public entities and judicial management bodies. This paper presents the final results of the project QUALIS, based on, among other methodologies, 90 interviews and an online questionnaire survey applied to the judicial professions (judges, public prosecutors and court clerks) in Portugal, aiming to identify their perceptions regarding working conditions in courts. The survey had a response rate of 15.8% in a total universe of 10,978 professionals. Aiming to reflect on the judicial professionals’ working conditions, this paper focuses particularly on the gender issues related to sexual and labor harassment and labor discrimination, where data shows that, in the “house of justice”, there are relevant problems, with differences according to each profession. The conclusions highlight the importance of implementing gender equality plans, with the necessary mechanisms of complaint and intervention at courts, to protect judicial professionals and guarantee a safe working environment. Courts must be an example of working conditions to be able to ensure impartial and fair justice for all. Therefore,</p>	Profession Chair Ulrike Schultz		
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Prof. Fiona Cownie	f.cownie@keele.ac.uk					Zoom
Dr. Ab Currie	abcurrie@sympatico.ca	A Rural Mobile Law Van	This outreach project was started in rural Wellington County in May 2019 by the Legal Clinic of Guelph and Wellington County. It had long been evident based on clinic intake data that the rural area outside the City of Guelph was underserved. Wellington County is located about 100 Km west of Toronto, Canada. It has a population of about 100,000 and covers an area of approximately 2700 square km. The project has been extended for an additional three years from 2021 to 2023, this time including fixed winter venues in the same towns visited by the summer mobile van. The three-year project was expanded to include adjacent North Halton Region and a second community legal clinic, Halton Community Legal Services. In 2019 the Law Van made regular visits to 12 small towns, parking for the day in high visibility locations intended to attract people driving or walking by. Visits were announced using posts on community Facebook pages, in community newspapers and by means of posters in places such as gas bars, fast food restaurants and grocery stores. In the summers of 2021 and 2022, the Law Van visited 7 towns, 5 in Wellington County that had experienced high volumes of visitors in 2019	Sub-group 6: Access to Justice and Legal Aid. Chair Alan Paterson		In person

			<p>plus two towns in North Halton. In the summer of 2019, the Law Van attracted a total of 450 people seeking assistance and 500 individuals in 2021. During late fall and winter of 2021-22 the winter venues were held at various locations, including libraries, church halls and at offices of local social services. The winter venues attracted a total of 160 users during a six-month period. In both summer and winter locations the vast majority of people seeking assistance have had no previous contact with the community legal clinics. As both community clinics consider how to integrate this outreach initiative into their overall service delivery model, the project team is examining how to assess success and what is required to carry out effective outreach.</p>		
Prof. Maria da Gloria Bonelli	gbonelli@uol.com.br	<p>Legal professionals and democracy : Local-global struggles to reshape professional forces in the judicial and public safety systems</p>	<p>The relationship between legal professions and politics occupies a central place within Brazilian social science and political debate. Classical studies converge in their understanding that legal professionals comprise an ambiguous group which generally shares a moderate liberalism, tending towards conservatism. Contemporarily, this pendulum has swung in an antidemocratic direction. This suggests the emergence of conflicts around legal and public safety professions' relationship to democracy. Our point of departure here are contemporary developments within the sociology of professions,</p>	<p>Combined sub-group papers session (sub-group 13)</p>	<p>In person</p>

			<p>and in particular, the understanding that the social construction of professions occurs not only through the establishment of tight boundaries to demarcate a professional practice, but also a sort of blurring of boundaries - between the professional and the political, or between different established types of profession. Our proposal aims at a better understanding of this intriguing scenario. We work with the image of a "tug-of-war" between democratic and antidemocratic positions, seeking to observe and understand the different meanings that such tensions may acquire on the boundaries between professions and politics, between professional segments or between justice and public safety professionals. For these purposes, we propose the use of multiple methods, including a survey of justice and public safety elites, collection and analysis of documents, inquiry into media and social networks, observation of institutional practices and semi-structured interviews with legal and public safety professionals.</p>		
Dr. Nienke Doornbos	N.Doornbos@uva.nl	Community Courts as Legal Transplants: A Case Study from The Netherlands	<p>Aiming for a responsive and socially relevant approach to court cases, judiciaries have initiated innovative projects, such as problem-solving community courts, over the last three decades. Community courts were first formed in the early 1990s in the USA and can now also be found in Canada, Israel, and several</p>	Sub-group 4: Judiciary. Chairs Nina Holvast and Luca Verzelloni	In person

			<p>European countries. In 2019, a district court in the Netherlands has started to conduct trials with this multidisciplinary person-centred approach in a community courthouse setting.</p> <p>In this paper, I analyse the 'legal transplantation' of the concept of a community court from the USA to the Netherlands. The research question, 'how does the context (more specific: court practices, rules, academic debate) shape the reception, implementation, and transformation of the concept of a community court?' is answered by drawing from 18 months of ethnographic field work (interviews, observations, and file research).</p> <p>The study shows that during the 'transplantation process' the goal of serving the neighbourhood has receded to the background while the goal of solving the problems of defendants has gained even more prominence than it already had at the inception of the court. The conditions that have played a role in the path that the court has carved out to legitimise its activities differ from its American counter partners. This illustrates the importance of the legal setting in how community courts strategically legitimise their actions.</p>		
Dr. João Paulo dos Santos Dias	jpdias@ces.uc.pt	House on Fire: Gender Issues in Working Conditio	The performance of courts is commonly evaluated by court proceedings. The working conditions of judicial professionals are rarely questioned. An	Sub-group 10: Women/Gender in the Legal Profession Chair Ulrike Schultz	In person

		ns on Portuguese Courts	<p>effective, swift, fair, and balanced justice depends not only on the legislative framework but also on the conditions provided to its professionals to achieve such goals. Within this context, the existence of problems related to sexual and labor harassment and labor discrimination remains “invisible” to public entities and judicial management bodies.</p> <p>This paper presents the final results of the project QUALIS, based on, among other methodologies, 90 interviews and an online questionnaire survey applied to the judicial professions (judges, public prosecutors and court clerks) in Portugal, aiming to identify their perceptions regarding working conditions in courts. The survey had a response rate of 15.8% in a total universe of 10,978 professionals.</p> <p>Aiming to reflect on the judicial professionals’ working conditions, this paper focuses particularly on the gender issues related to sexual and labor harassment and labor discrimination, where data shows that, in the “house of justice”, there are relevant problems, with differences according to each profession. The conclusions highlight the importance of implementing gender equality plans, with the necessary mechanisms of complaint and intervention at courts, to protect judicial professionals and guarantee a safe working environment. Courts must be an example of working conditions to be able to ensure impartial and fair</p>		
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			justice for all. Therefore, this is a case where the “house is on fire” and where public policies cannot wait anymore to face and solve the identified problems.			
Martha Gayoye	m.m.gayoye@keele.ac.uk	Constitutionalism and Living Customary Law: Comparative Lessons from Kenya and South Africa'	<p>Aims: This is a comparative tale of living customary law from two African countries: South Africa and Kenya. The tale is based on the 1995 South African Constitution, and Kenya’s 2010 Constitution. Both constitutional frameworks require that customary law is developed and adapted to ensure that it conforms to the values of the Constitution. This gives rise to the notion of a living, rather than static customary law.</p> <p>Methodology: The study involves a textual analysis of the two constitutional frameworks and court judgments from both countries that lay down and apply the principles of a living notion of customary law.</p> <p>Significance: Public (constitutional) law’s regulation of personal law (including customary law) and private relationships seriously puts to the test and busts the myth of the public-private distinction of law. This is a significant departure from the approach within independent constitutions that steered clear of personal laws, no matter how discriminatory. As these independent constitutions were inherited from or imposed by colonial authorities, this ‘ostrich-in-the-sand’ approach reflected the colonial distinction of public and private law.</p> <p>Findings: There is evidence</p>	Gender in Customary and Indigenous Law and Proceedings IRC	Not attending Sunday;	Zoom

			<p>of case law that the South African Constitutional Court and Kenyan courts have sought to lay down principles for a living notion of customary law that not only sustains and develops customary law so that it is not static, but also conforms to the values and purposes of the Constitution, particularly on equality and human rights.</p> <p>Conclusion: Public law's regulation of the private sphere through a living notion of customary law blurs (and busts the myth of) the public-private distinction of law to ensure that constitutional values of equality and human rights are upheld even through personal (including customary) laws.</p>			
Prof. Margaret Hall	margaret_hall@sfu.ca					Zoom
Prof. Ole Hammerslev	ohv@sam.sdu.dk	LAWYERS IN 21ST CENTURY SOCIETIES - REFLECTIONS ON RESULTS, AND THEORETICAL AND METHODOLOGICAL ISSUES	<p>Lawyers in 21st-Century Societies (https://www.bloomsburyprofessional.com/uk/lawyers-in-21st-century-societies-9781509915156/) is a comparative, international, cross-disciplinary project which examines the development of lawyers in relation to, among other issues, the state, law and power hierarchies in 46 jurisdictions around the world. The project is inspired by Abel and Lewis's comparative study of national legal professions (1988a; 1988b; 1989). This session discusses both the continuities and dramatic changes which characterised the last 30 years. The scale of change and its impact on everything - from the geo-</p>	Sub-group 11: Project 2018 Chairs Ole Hammerslev, Hilary Sommerlad with Rick Abel and Ulrike Schultz	Not attending Sunday;	In person

			<p>political order, the nation state and its legal architecture to the production and re-production of professional hierarchies and law - has eroded the conditions supporting the classical (ie Western) professional model, and its underpinning scholarship. While this conjuncture underlined the importance of revisiting the Abel and Lewis project, it also exacerbated the difficulty they had encountered in establishing a workable concept of legal profession. The challenge this posed was accentuated by differences in professional cultures generated by diverse understandings of 'law' and 'legal' practice, which spanned the transnational professional fields of corporate and international human rights law to more local modalities of legal professionalism and law work affected by a colonial or transnational circulation of law, ideas and professional practices. This session will highlight some of the project's results and reflects on the theoretical and methodological issues it posed.</p>			
Prof. Helen E. Hartnell	hhartnell@gmail.com					Zoom
Ms. Ayako Hatano	ayako.hatano@law.ox.ac.uk				Not attending Tuesday	In person and Zoom
Dr. Jos Hoevenaars	hoevenaars@law.eur.nl	Between party autonomy and inequality compens	This paper focuses on the impact of the (increasing) possibility for parties in Dutch civil cases to litigate without the guidance of a legal aid provider on Dutch	Sub-group 1: Ethics and Deontology Chair Tamara Butter		Zoom

		<p>ation: How Dutch subdistrict judges deal with unrepresented parties.</p>	<p>civil procedure. It analyses the extent to which such self-representation influences the role of the judge in the context of Dutch subdistrict court procedures, where representation is not mandatory. Through empirical data, collected through semi-structured interviews with 26 subdistrict judges, more insight is gained into the dilemmas that the lack of representation of parties presents to judges, and the ways in which they deal with these dilemmas. The interviews show how judges seek a balance between their role as neutral arbitrator in a dispute and a more active role necessitated by parties not being represented by a legal aid provider. In doing so, they navigate between process and content. Within this dynamic, judges must constantly balance the trade-off between acting more actively to gather sufficient information for a substantive handling and assessment of the case, on the one hand, and safeguarding the limits of party autonomy and their own (perceived) neutrality, on the other. Full party autonomy is viewed by judges as unrealistic and, moreover, contrary to truth-finding.</p>		
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Dr. Nina Holvast	holvast@law.eur.nl	Professional identity formation in law school: How law students cope with identity consonance or dissonance during legal education.	In law school students become socialized in the norms, values and reasoning practices of the legal profession (Mertz, 2007). In this process they form a (new) professional identity. However, for several students – especially ones with a non-traditional background – this process may also result in dissonance with their personal identity (Costello, 2005). Providing students with a proper preparation for entering the profession and at the same time minimizing identity dissonance and fostering diversity and inclusion is a complex task. In our paper we focus on students' experiences and views of their professional identity formation and how these experiences and views develop during their first years in law school. We are especially interested in the extent that law students experience identity consonance and how they cope with identity dissonance. This paper is based on data collected in a longitudinal study in which three rounds of interviews were conducted with law students during their first years at Erasmus School of Law, Rotterdam, the Netherlands. We supplement these data with results from focus groups and student-evaluations.	Sub-group 7: Legal Education. Chair Avrom Sherr		In person
Luis Fernando Perez Hurtado	luisph@ceead.org.mx	Significant Growth of Mexican Legal Education	As part of my article published in the Lawyers in 21st-Century Societies anthology, this presentation analyses the legal education in Mexico and how it has changed over the last 30 years. It examines the basic training	Sub-group 7: Legal Education. Chair Avrom Sherr		In person

			of law professionals, law schools, students, and faculty.			
Verda Irtis	verdairtis@gmail.com			Sub-group 2: Family, Policy and the Law. Chairs Benoit Bastard and Mavis Maclean		In person
Dr. Emma Jones	emma.j.jones@sheffield.ac.uk					Zoom
Eyal Katvan	drkatvan@gmail.com	Lawyer's signboards as a teaching tool	The proposed presentation is a multidisciplinary and methodological journey following the brass signboard of the first woman advocate in Mandate Palestine. I will demonstrate how the signboard and the materials it is made of, might tell the history of Israeli law, and therefore can set as an example of a valuable teaching tool. The signboard represents the result of the women's struggle for the right to serve as lawyers. But on a deeper level, the journey following the signboard teaches what the material can tell about the law and legal system and vice versa. For example, the caption, the wording, on the sign, in three languages: Hebrew, Arabic and English, teaches a lesson about the legal profession in a multicultural and multinational locus. The signboard indicates the rules of ethics associated with the advertisement of lawyers (rules that are valid to this day, which determined the wording on the signboard). The sign indicates the legislation and auxiliary legislation regarding signs and municipal taxation, which also determined the size of the signboard (the	Sub-group 12: Histories of the Legal Professions Rosemary Auchmuty and Eyal Katvan		Zoom

			material). The purpose of the presentation is to demonstrate an exploration methodology of objects and materials - for research and teaching purposes, using a variety of research tools. These tools are examined along a specific narrative: the question of the signboard's production date.			
Prof. Matthias Kilian	matthias.kilian@uni-koeln.de	"From exponential growth to steady decline?: Experiences from the German Bar"	For decades, if not centuries societies have become accustomed to an ever growing number of lawyers. While the legal profession is still growing in most developed countries, in Germany the number of practising members of the bar has been shrinking for the fifth year in a row. Germany, which has one of the oldest populations in the world, is already experiencing a development that is likely to affect other countries at some point in the future. The paper will explore the reasons why the German bar is losing the war for talents and what effects a reduced number of legal service providers has, based on the German experience, on the legal services market.	Session for combined sub-groups		In person
Dr. Adelheid Kuehne	kuehne.adelheid@web.de					In person
Dr. Stefanie Lemke	contact@stefanie-lemke.com	Human Rights Lawyering and Access to Justice in Europe	The volume "Human Rights Lawyering in Europa", published in 2020, explores the relationship between affordable access to justice and the provision of legal services to vulnerable groups from a comparative perspective. Due to the quasi non-existence of human rights lawyering in Germany, Lemke's home country, the 337-page	Sub-group 8: Legal Professional Values and Identities. Chairs Hilary Sommerlad and Steven Vaughan		Zoom

			<p>volume looks at the conditions under which lawyers are able and willing to practice human rights law and to support those in need in a relevant sample of European countries, including England and Wales and France. Based on surveys and interviews with law schools, prominent law firms, international NGOs and professional bodies from across Europe, the book provides a concise and contextual in-depth study of civil and common law systems where lawyers are known for their strong commitment to human rights and explores what it takes to establish a successful human rights culture within the legal profession.</p>		
Monika Lindekk	monika.lindbekk@uib.no	<p>Islamic divorce in Denmark : Men and Women Navigating Rights and Duties</p>	<p>Islamic divorce in Denmark: Men and Women Navigating Rights and Duties</p> <p>This paper examines practices surrounding so-called 'religious divorce' among the Muslim diaspora in Denmark and other European countries. The road to divorce, often long and winding, does not always lead to a satisfactory conclusion (Sportel 2020). Building on growing literature on sharia in practice in Europe, the paper traces how Islamic legal practices among the growing Muslim community are structured by what Pettersen (2020) calls the Islamic 'juridical vacuum'. This means that not only is the power to determine the outcome of Islamic divorce cases often located outside Islamic institutions, but sharia is also in many</p>	<p>Gender in Customary and Indigenous Law and Proceedings IRC</p>	<p>In person</p>

			<p>cases defined by the social dynamic of communities rather than by religious authorities. This has led to a fragmentation of religious authority. This situation of flux is amplified by the interpenetration of various normative orders, religious interpretations, and customs heightened by the diversity of the origins of Muslim diasporas in Denmark. This creates a situation of what Santos (187, 279) calls 'interlegality' where the Islamic state law of the country of origin - when applicable – of Denmark, classical conceptions of marriage and divorce, and customs all co-exist. To this should be added that not all immigrants who are nominally Muslim are motivated by religion (see also Giunchi 2014). Taking the issue of 'religious divorce as its vantage point, the paper looks at the legal agency of men and women who resort to religious divorce. In addition to the gender implications of resorting to so-called Islamic divorce, the paper examines how the Islamic legacy is employed by new actors and authorities.</p>		
Mavis Maclean	mavis.maclean@sp i.ox.ac.uk			Sub-group 2: Family, Policy and the Law. Chairs Benoit Bastard and Mavis Maclean	In perso n
Dr. Julieta Marotta	julieta.marotta@m aastrichtuniversity. nl				Zoom
Prof. Lynn Mather	lmather@buffalo.e du	Lawyers and Lawmaki ng:	When and why do lawyers attempt to change law, either by creating new law or by blocking laws they oppose? In volume II,	Sub- group 11: Project 2018	In perso n

		Future Research	Leslie Levin and I explored these questions through the prism of formal lawyer organizations. Here I will explore other ways these questions could be investigated.	Chairs Ole Hamme rlev, Hilary Somme rlad with Rick Abel and Ulrike Schultz;		
Mirabelle Chi Epse Okezie	m.chiokezie@utas.edu.au	The Interplay Between Customary Law on Inheritance in Southern Cameroons and the Human Rights Principle of Gender Non-Discrimination	Abstract: Like most Sub-Saharan African countries, Cameroon runs a plural legal system which consists not only of western legal models introduced by the French and the British during colonialism, but also of municipal legislation and human rights principles, all existing side by side with a fragmentary system of norms based on native laws and customs – customary law. Among these rules, the relationship fostered between customary law and human rights principles is particularly characterized by tension, friction, and conflict, resulting from their divergent features. Customary law in Cameroon is imbued with a discriminatory structure that is highly patriarchal and disadvantageous to women, while human rights values, on the other hand, are imbued with humanity and usually advocate egalitarian principles that presuppose gender equality and non-discrimination between men and women. Under customary law in Southern Cameroons for example, women are regarded as legal minors who can only enjoy usufruct rights in	Gender in Customary and Indigenous Law and Proceedings IRC;Sub-group 10: Women /Gender in the Legal Profession Chair Ulrike Schultz	Not attending Tuesday;	Zoom

		<p>property but can neither freely contract nor acquire and dispose of property, thus disempowering them in the area of inheritance. Efforts to discourage such discriminatory customary laws include the adoption of the repugnancy and the incompatibility tests (Section 27(1) of the Southern Cameroons High Court Laws) in the enforcement of customary law by the ordinary courts in Southern Cameroon. However, these have only led to a divergence in customary laws rather than solve the problem. What the ordinary courts recognize as customary law is different from what the society including unofficial customary courts considers as such. This is because, when the ordinary courts reject the enforcement of a particular custom which is said to conflict with human rights values, nothing is done to further prevent the continuous observance of such customary law in society. Thus, because customary justice in Southern Cameroon is equally exercised by unofficial customary courts (local chiefs empowered to settle disputes using native laws and customs) which tend to be more widely used in most rural and poor urban areas, the observance of discriminatory customary laws and practices remains a huge problem and warrants attention. Drawing from existing literature on customary laws in Cameroon, this article seeks to investigate the interplay between customary law on</p>			
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			inheritance in the Southern part of Cameroon and the human rights principle of gender non-discrimination. It suggests that the government of Southern Cameroon should adopt a more proactive approach to confront customary stereotypes in society, as well as ensure the practical translation of the egalitarian jurisprudence of the courts into reality.		
Elke Hindina Olthuis	e.h.olthuis@uva.nl	Does it matter which judge handles your case? Insights from interviews with judges	<p>“Nothing less than colonialism” was Dutch lawyer Gerard Spong’s response (Heck, 2021) to a judicial decision that profiling on ethnicity by the Dutch Military Police is allowed. This response implies an accusation that the decision was based on certain (colonial) prejudices, giving rise to the question whether a different judge – or a different panel of judges – would have come to a different decision. Judges are expected to be unbiased, to be impartial (at 2.1 Bangalore Principles of Judicial Conduct) and expected to steer away from arbitrariness (para. 1.1; 2.2 NVvR-rechterscode). The question however is whether in practice it matters for litigating parties which judge (or panel of judges) handles their case. Interviews with 78 judges at courts of first instance in the Netherlands reveal that all of them think it does matter which judge (or panel of judges) handles the case. The reasons brought forward for this relate to (perceived) procedural justice, obtained information</p>	Sub-group 8: Legal Professional Values and Identities. Chair Hilary Sommerlad	In person

			<p>during a hearing and the outcome. Some judges see these differences as problematic, some see them as valuable and some see them as inevitable. The place for these differences and whether a judge should be impartial is discussed.</p> <p>Keywords: professional judicial decision-making, personal attitudes, impartiality, interviews</p>		
Ezgi Özlü	ezgi.ozlu@mpi.lu	<p>A need for Ethical Standards for Counsels at the Strasbourg level? Concerns about Costs and Expenses Claims of the Representatives of Applicants</p>	<p>This paper examines the questions of judicial ethics around the reimbursement of costs and expenses claims of applicant representatives at the European Court of Human Rights ('ECtHR', 'Court'). On the one hand, ethical standards of counsels have been raising attention at the international level. 'Hague Principles' of the International Law Association (2010), 'International Principles on Conduct for the Legal Profession' of the International Bar Association (2011 updated in 2018) and 'Core Principles of the Legal Profession of the International Association of Lawyers (2018) are some examples in this regard. On the other hand, Article 41 ECHR provides the Strasbourg Court with the discretion to award reimbursement of costs and expenses to the victims. So far, this topic has not gained attention of the legal scholarship. This study analyses whether certain representatives of applicants raise ethical concerns with their costs</p>	<p>Sub-group 1: Ethics and Deontology Chair Tamara Butter</p>	<p>In person</p>

		<p>and expenses claims at the Strasbourg level. Building upon my PhD dissertation, which analyses the relevant jurisprudence, public documents, and scholarship supported by semi-structured interviews, this paper argues the following: Certain ECtHR judges are worried that some representatives inflate their costs and expenses claims. The discrepancy in claims between cases having comparable complexity appears to raise some concerns. I examine whether one can explain this discrepancy with the difference in the fees of lawyers in the different Member States. It is well known that the fees of lawyers are particularly high in some western European States in comparison to the Eastern European States. Also, an essential point of reflection emerges if the practice of charging high fees reveals that the ECtHR litigation is considered to be a 'profitable business' as argued by some Governments, ECtHR Judges and Registry lawyers.</p> <p>This paper also explores whether the Court uses the mechanism of reimbursement of costs and expenses to discourage lawyers who make their 'business strategy on the ECHR system'. I analyse the leading and repetitive cases concerning excessive length of proceedings in Italy and the 'blanket ban of prisoners' voting rights' in the United Kingdom as case studies. In both instances, the Court</p>		
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			awarded important sums for reimbursement of costs and expenses in its first judgments. This policy of the Court encouraged a massive flood of new applications in the following years. The Court then changed its approach and lowered the awards. It is therefore essential to examine whether, in these cases, the Court used the mechanism of reimbursement of procedural costs as a 'gatekeeper' against lawyers who see the ECtHR litigation as a 'profitable business'.			
Dr.Garima Pal	garimapal21@gmail.com	yes	The significance of Article 12 and 16 of Indian Constitution seems to have faded, when it comes to the role of women in India society. Discrimination on the bases of sex and gender is not hidden. However what's more disappointing is the usage of the term 'equality', which differs depending upon the situation and people involved. The underrepresentation of female judges within Higher Judiciary in India is also a reflection of how inadequately represented women are in virtually every aspect of public and private domain. Recently even the Chief Justice of India, Justice NV Ramana highlighted low representation of women in Higher Judiciary. Statically speaking ,only eleven female judges have made it to the Supreme Court of India, so far. Out of which, three judges were appointed in the same year - 2021. Even the Global Gender Gap Report (2022) points underrepresentation of	Sub-group 10: Women /Gender in the Legal Profession Chair Ulrike Schultz	Not attending Sunday or Tuesday	Zoom

			<p>women in India at higher positions- Legislators, senior officials and Managers (14.6%) compared to men (85.4%). The current paper thus, is an attempt :</p> <ul style="list-style-type: none"> -To Understand how far gender biasness affects the appointment of female judges at higher judiciary in India. - Enumerate the factors leading to, underrepresentation of females at higher judiciary in India. - To study whether the term 'gender' affects the Judicial ruling in Indian system. -To suggest alternative measures to counter underrepresentation of females within the Judiciary. <p>The researcher will be using doctrinal study and secondary sources will be used for this purpose. The present paper will probe into the gender discrimination and stereotypical attitude persistent in Indian Judiciary.</p> <p>Keywords: Underrepresentation, gender, discrimination and sex</p>			
Prof. Alan Paterson	prof.alan.paterson@strath.ac.uk	Squaring the Legal Aid Circle ; Surviving the Perfect Storm	COVID has had a significant impact on legal aid programmes globally, especially those that are provided predominantly by private practitioners. COVID interrupts the courts and litigation and so legal aid cases decline and with it the income of the profession. As remote hearings are brought in to tackle the backlog the	Sub-group 6: Access to Justice and Legal Aid. Chair Alan Paterson	In person	

			private profession once again struggles to cope with the demand not only from clients but from the Judiciary and Court Service. For the Courts, remote hearings have many advantages, however, they are often less helpful for litigants, especially the vulnerable, deprived and digitally excluded. Ironically, it is just when the system is at its most stretched that the need for quality assurance is at its most clamant - yet such programmes were among the first to be suspended during COVID. Policymakers are struggling to resolve these conundrums. This paper will explore some of the options for professionals and policymakers alike.		
Prof. Dr. João Pedroso	jpedroso@fe.uc.pt	Mutations of customary law and state law in south of Mozambique 2021: paths of hybridisation on gender and family matters	In this paper We'll present our research of 2021 about mutations of customary law and state law in south of Mozambique on gender and family matters. We analyze paths of hybridization between state and customary law.	Gender in Customary and Indigenous Law and Proceedings IRC	In person
Dr. Filipa Queirós	filipaqueiros@ces.uc.pt	House on Fire: Gender Issues in Working Conditions on Portuguese Courts	The performance of courts is commonly evaluated by court proceedings. The working conditions of judicial professionals are rarely questioned. An effective, swift, fair, and balanced justice depends not only on the legislative framework but also on the conditions provided to its professionals to achieve such goals. Within this	Sub-group 10: Women /Gender in the Legal Profession Chair Ulrike Schultz	Not attending Sunday;Not attending Monday;Not attending

		<p>context, the existence of problems related to sexual and labor harassment and labor discrimination remains “invisible” to public entities and judicial management bodies. This paper presents the final results of the project QUALIS, based on, among other methodologies, 90 interviews and an online questionnaire survey applied to the judicial professions (judges, public prosecutors and court clerks) in Portugal, aiming to identify their perceptions regarding working conditions in courts. The survey had a response rate of 15.8% in a total universe of 10,978 professionals. Aiming to reflect on the judicial professionals’ working conditions, this paper focuses particularly on the gender issues related to sexual and labor harassment and labor discrimination, where data shows that, in the “house of justice”, there are relevant problems, with differences according to each profession. The conclusions highlight the importance of implementing gender equality plans, with the necessary mechanisms of complaint and intervention at courts, to protect judicial professionals and guarantee a safe working environment. Courts must be an example of working conditions to be able to ensure impartial and fair justice for all. Therefore, this is a case where the</p>		<p>Tuesday;</p>	
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			“house is on fire” and where public policies cannot wait anymore to face and solve the identified problems.			
Assoc. Prof. Dr. Merike Ristikivi	merike.ristikivi@ut.ee	“Judge’s work is too hard for them”: Aspirations of Estonian women lawyers to become a judge in the interwar period	<p>Estonian women were allowed to study law already in the early years of the twentieth century and the possibilities to obtain a law degree expanded with the foundation of the Republic of Estonia in 1918. Nevertheless, it turned out to be much harder to start working in the chosen field: before the Second World War, out of 143 women who had graduated the faculty of law, only 42 were practising attorneys. The first female notary started to work in 1936.</p> <p>In the 1920s, two Estonian female lawyers tried to run for the judicial office. Auguste Susi-Tannebaum and Olli Olesk had graduated from the Faculty of Law at the University of Tartu and were the members of Estonian Bar Association. However, their applications (from 1924 and 1929) for the candidacy to the judge’s profession were rejected. Both women contested the negative decisions in the Supreme Court. The Supreme Court was guided by the principle of gender equality and expressed implicitly its opinion that women lawyers cannot be excluded from the candidacy on the grounds of gender. Regardless of the Supreme Court’s opinion, it was possible to exclude women from the competition for judge’s position on the basis of the law which granted the</p>	Sub-group 10: Women/Gender in the Legal Profession Chair Ulrike Schultz	In person	

			President of the National Court of Appeal an exclusive right to decide on the suitability of candidates, without the obligation to justify the decision. As a result, no women lawyer did become a judge in Estonia before the Second World War.		
Prof. Sharyn Roach Anleu	sharyn.roachanleu@flinders.edu.au	Reflecting on Judicial Work and Emotion Work	The growing field of law and emotion has extensively challenged the emotion/reason dichotomy. Recent empirical research demonstrates the ways emotion infiltrates work in the legal sphere for lawyers, prosecutors, and judges. Judicial officers engage in emotion work as part of their everyday work, especially in court. They must manage the emotions of laypeople and professionals as well as regulate their own feelings to maintain a detached, emotionless demeanour, to be (and appear to be) impartial. Emotions can be valuable resources in judicial work, for example when communicating decisions. Even so, recognition of emotion remains unsettling for judicial professionals and the courts as institutions. There are two streams of discomfort: First, because judicial officers must suppress their feelings and manage emotionally challenging situations and evidence while retaining a poker face, emotion in judicial work can lead to stress and burnout, compromising wellbeing. Second, a display of emotion that departs from the enduring script of judicial dispassion can lead to complaints, discipline of individual judicial officers,	Sub-group 4: Judiciary. Chairs Nina Holvast and Luca Verzelloni	In person

			<p>and the perceived need for more professional education. Both streams characterise emotion as an individual, easily recognisable quality that must remain incidental, minimised, and disavowed. Yet, emotion is relational, requires interaction and emerges in social contexts, including legal settings. Impartiality must be performed, and this necessarily entails emotion work shaped by feeling rules and situational demands. Emotions are practices that enable judicial officers to do their work, but the repertoire of emotions is limited by the professional context, the institution of law, and the ideals of judging</p>		
Prof. Peter Robson	peter.robson67@icloud.com	Alternative Routes to Justice for Women	<p>The goal of those engaged in studies into law and popular culture is to throw light on how and why the justice system works/fails to work. Starting from a concern with law in the courtroom, the ambit extended to any situations where law interfaces with the public. For some time there has also been a focus on films about ways of achieving justice outwith formal legal structures. This has looked at the developments since the early 1970s of vigilante films. Most have been fronted by men from Paul Kersey (1974 - Charles Bronson) via Nick Hume (2007 - Kevin Bacon) and Robert McCall (2014 - Denzel Washington) to Paul Kersey (2018 - Bruce Willis). Women though have always taken an empowering vigilante role from Coffy (1973 - Pam Grier) via Karen McCann (1995 - Sally Field) and</p>	Sub-group 10: Women/Gender in the Legal Profession Chair Ulrike Schultz	In person

			<p>Erica Bain (2007 - Jodie Foster) to Riley North (2018 – Jennifer Garner). They all show how the vigilante can achieve justice where the law fails. A quite separate group of films starting in the 1970s has emerged dealing with revenge for the act of rape by strangers. These have been predominantly bloodbaths focusing on the acts of revenge offering no perspective on the justice system. Starting with the "rape revenge comedy" Elle (2016) and more recently with Promising Young Woman (2020) and Violation (2020) we have a shift to a more nuanced view involving rape by an acquaintance and where the revenge is problematic. This work explores these developments.</p>		
Prof. Robert Rosen	rrosen@law.miami.edu	Mindfulness and the Practice of Justice	<p>Our perceptions provide us with information. Properly interrogated, perceptions inform our moral judgments. Knowledge of how justice can be embodied emerges from our perceptions. There are different disciplines and practices that cultivate perception. How we are present affects what we perceive.</p> <p>Louis Dembitz Brandeis cultivated his perceptions. He was cool and calm. He was detached not only from his clients, but from himself. He, not alone in Victorian elite culture, practiced “renunciations” of self to understand what justice demands. Brandeis studied Matthew Arnold, the leading theorist of cultural perception from 1860-1950. Since the 1960’s, Arnold has been rightly criticized for ignoring his own cultural</p>	Combined sub-group papers session	In person

			<p>construction. Yet, he had strengths on which Brandeis drew. While Brandeis used his perceptions to influence the situational ordering of values, Arnold's project was through aesthetics to enable moral perception. While Brandeis overvalued individualism, Arnold too finely honed aesthetic perceptions. Today criticisms of Brandeis, and of lawyers generally, focus on client disempowerment (and empowerment). Examining Brandeis's and Arnold's accounts of how to be present reveals two additional challenges that must be resolved, in one way or the other, when lawyers pursue justice. How do you perceive others and groups? How do you value justice when it is compromised?</p>			
Dr. Yair Sagy	ysagy@law.haifa.ac.il	Hoist by the Colonizer's Own Device: Law Reporting in Mandatory Palestine	The proposed article tells the history of the Palestine Law Reports series ("PLR"), introduced in 1934 to Mandate-ruled Palestine. It unearths discussions that preceded the PLR's publications following a campaign for authorized law reporting launched by lawyers in Palestine in the 1920s-30s. Canvassing a broad institutional context for the emergence of the PLR, we argue that in launching the campaign local lawyers sought not only to render Palestinian common law more predictable and amenable to professional handling, but also to approximate the role granted in the metropole and the common law tradition to practicing lawyers in propagating binding precedents. Local lawyers	Sub-group 12: Histories of the Legal Professions Rosemary Auchmuty and Eyal Katvan	In person	

			<p>wanted to have a slice of the action of creating a local common law and in designing the Palestinian legal landscape.</p> <p>Unsurprisingly, they were met with the opposition of Chief Justice McDonnell, who sought to control the PLR enterprise, resisting non-judicial involvement in its editing and production. Finally, the article argues that, regardless of McDonnell’s motivations, from an institutional point of view, his achievement in laying down a foundational institution for the generation of a local common law is momentous. He therefore emerges from our analysis as one of the chief architects of the common law in Palestine, and—to this day—in Israel.</p>		
Prof. Ulrike Schultz	Ulrike.Schultz@FernUni-Hagen.de	Knowledge and Opinion About Law – The Importance of Law Related Education	<p>The first international comparative socio-legal projects in the 1960s and 1970s had the aim to measure knowledge and opinion about law in the population. They also tried to find out whether there are differences between men and women. While legal consciousness as part of legal culture had always stayed on the agenda of sociology of law, research on KoL gained a new momentum in the past ten years. In our increasingly diverse societies various legal cultures clash, a growing distrust in democracy, the state and institutions is observed. It is therefore important to tie up with the former research and learn about problems and deficits in KoL to react with measures of legal education particularly for pupils at school.</p>	<p>Sub-group 7: Legal Education. Chair Avrom Sherr; Sub-group 10: Women/Gender in the Legal Profession Chair Ulrike Schultz</p>	In person

Prof. Avrom Sherr	avrom.sherr@gmail.com				Zoom
Dr Hilary Sommerlad	h.a.k.sommerlad@leeds.ac.uk	LAWYERS IN 21ST CENTURY SOCIETIES - REFLECTIONS ON RESULTS, AND THEORETICAL AND METHODOLOGICAL ISSUES	<p>LAWYERS IN 21ST CENTURY SOCIETIES - REFLECTIONS ON RESULTS, AND THEORETICAL AND METHODOLOGICAL ISSUES</p> <p>Lawyers in 21st-Century Societies (https://www.bloomsburyprofessional.com/uk/lawyers-in-21st-century-societies-9781509915156/ and https://www.bloomsbury.com/uk/lawyers-in-21st-century-societies-9781509931231/) is a comparative, international, cross-disciplinary project which examines the development of lawyers in relation to, among other issues, the state, law and power hierarchies in 46 jurisdictions around the world. The project is inspired by Abel and Lewis's comparative study of national legal professions (1988a; 1988b; 1989). This session discusses both the continuities and the dramatic change which have characterised the last 30 years. The scale of change and its impact on everything from the geopolitical order, the nation state and its legal architecture to the production and reproduction of professional hierarchies and law, has eroded the conditions supporting the classical (ie Western) professional model, and its underpinning scholarship. While this conjuncture underlined the importance of revisiting the Abel and Lewis project, it also exacerbated the difficulty which they had</p>	Sub-group 11: Project 2018 Chairs Ole Hammerslev, Hilary Sommerlad with Rick Abel and Ulrike Schultz	In person

			<p>encountered in establishing a workable concept of legal profession. The challenge this posed was accentuated by the differences in professional cultures generated by diverse understandings of 'law' and 'legal' practice, which spanned the transnational professional fields of corporate and international human rights law to more local modalities of legal professionalism and law work affected by a colonial or transnational circulation of law, ideas and professional practices. This session will highlight some of the project's results and theoretical and methodological issues it posed.</p>			
Prof. Ann Southworth	asouthworth@law.uci.edu	Speech: The Campaign to Unleash Big Money in American Politics	<p>How did the U.S. Constitution become a major obstacle to regulating big money in American politics? This paper summarizes findings of my forthcoming book (University of Chicago Press) on the question. It draws primarily from interviews with fifty-two lawyers who participated in major U.S. Supreme Court cases challenging campaign finance laws, as well as public records and archival materials. It describes a litigation campaign, modeled on a strategy for legal change pioneered by the NAACP Legal Defense Fund, to establish that the First Amendment protects the rights of individuals and corporations to spend unlimited amounts to influence elections. In the early years of the campaign, a small group of lawyers, interest groups,</p>	Sub-group 8: Legal Professional Values and Identities. Chair Hilary Sommerlad	Not attending Sunday;	In person

			<p>and patrons developed some of the ideas necessary to create new law, and then took the issue to the courts. The campaign gained momentum and expanded participation in the 1990s, as its leaders invested in specialized expertise, strategic case selection, and evocative rhetoric. These investments eventually led to major litigation victories. Changes in the Supreme Court's composition made it receptive to these challenges, but the wins also required advocates to develop arguments and litigation strategy, resources to fund the advocacy, and a broad coalition prepared to vouch for those claims about constitutional meaning. This paper explores issues of accountability for lawyers and leaders behind this campaign.</p>			
Dr. Derk Venema	derkvenema76@gmail.com	Reasons, Not Truths: Method and Purpose of Professional Ethics Instruction for the Judiciary	<p>Reasons, Not Truths Method and Purpose of Professional Ethics Instruction for the Judiciary</p> <p>What is the point of teaching judges Kantian, utilitarian, or virtue ethics? What is the real practical use of ethics for judges? Partly from my experience as an ethics instructor for the judiciary in the Netherlands, I claim that the value of these theories does not lie in their claims to general moral truth or superiority, nor in their use as a tool for the discovery of morally correct action in any specific case. Rather, the real value of moral and ethical theories lies in their combination: used</p>	Sub-group 1: Ethics and Deontology Chair Tamara Butter	In person	

			together, they help to discover as many relevant perspectives and factors as possible for a well-balanced decision. I will argue the usefulness of this approach by applying it to the latest judicial scandal in the Netherlands, pertaining to the judicial assessment (in retrospect) of rights to childcare benefits (see the impressive Wikipedia lemma in English).		
Luca Verzelloni	luca.verzelloni@unimib.it	TBC	TBC	Sub-group 4: Judiciary. Chairs Nina Holvast and Luca Verzelloni	Zoom
Prof. Lisa Webley	L.C.Webley@bham.ac.uk				In person
Dr. Barbara Willenbacher	mail@willenbacher.eu				Zoom

FINAL PROGRAMME

WGLP and IRC Gender and Customary Law Workshop 10th-12th July, University of Coimbra
NB Sunday we shall be at: **Centre for Social Studies, University of Coimbra, Colégio de S. Jerónimo, Largo D. Dinis, 3000-995 Coimbra, Portugal (Room 1)**
Monday and Tuesday we shall be at: **Faculty of Economics, University of Coimbra, Av. Dr. Dias da Silva 165, Coimbra, Portugal**

	Sunday 10 th	Monday 11 th	Tuesday 12 th
9.30-11.00		Sub-group session B Room 1 (Room 4.3) Sub-group 1 Session 2: Ethics and Deontology Chair Tamara Butter Speakers: Abel; Clark; Butter Zoom link: https://bham-ac-uk.zoom.us/j/92107147070?pwd=eFZmb0ZtNWR1NGhjbjBBZWdZN05qdz09	Sub-group session E Room 1 (Room 4.3) Sub-group 7 Session 2: Legal Education. Chair Avrom Sherr Speakers: Bartie; Bradney; Chimbwanda Zoom link: https://bham-ac-uk.zoom.us/j/92107147070?pwd=eFZmb0ZtNWR1NGhjbjBBZWdZN05qdz09

		<p>Room 2 (Room 4.4) Sub-group 7 Session 1: Legal Education. Chair Avrom Sherr Speakers: Perez Hurtado; Holvast; Schultz Zoom link: https://us02web.zoom.us/j/6105807830?pwd=Z0k5MHIXeUQ3WUIQVUpMY3czOEiPUT09</p>	<p>Room 2 (Room 4.4) Sub-group 4: Judiciary. Chairs Nina Holvast and Luca Verzelloni Speakers: Doornbos; Paterson; Roach Anleu; Verzelloni Zoom link: https://us02web.zoom.us/j/6105807830?pwd=Z0k5MHIXeUQ3WUIQVUpMY3czOEiPUT09</p>
11.00-11.30		<i>Coffee</i>	<i>Coffee</i>
11.30-13.00		<p>Sub-group session C</p> <p>Room 1 (Room 4.3) Sub-group 10 Session 2: Women/Gender in the Legal Profession Chair Sara Araújo Speakers: Afonso; dos Santos Dias, Queirós, Casaleiro and Costa de Jesus Zoom link: https://videoconf-colibri.zoom.us/j/83024527145</p> <p>Room 2 (Room 4.4) Sub-group 12: Histories of the Legal Professions Chairs: Eyal Katvan Speakers: Amir; Ben Ze'ev; Katvan; Sagy Zoom link: https://bham-ac-uk.zoom.us/j/92107147070?pwd=eFZmb0ZtNWR1NGhjbjBBZWdZN05qdz09</p>	<p>Sub-group session F and Gender in Customary and Indigenous Law and Proceedings IRC</p> <p>Room 1 (room 4.3) Gender in Customary and Indigenous Law 1 Chair: Ulrike Schultz Speakers: Araujo; Gayoye; Okezie Zoom link: https://videoconf-colibri.zoom.us/j/85447626668</p> <p>Room 2 (Room 4.4) Sub-group 6: Access to Justice and Legal Aid. Chair Alan Paterson Speakers: Currie; Paterson Zoom link: https://us02web.zoom.us/j/6105807830?pwd=Z0k5MHIXeUQ3WUIQVUpMY3czOEiPUT09</p> <p>Room 3 Papers from multiple sub-groups Chair Lisa Webley</p>

			Speakers: Bonelli; Rosen; Kilian Zoom link: Zoom link: https://bham-ac-uk.zoom.us/j/92107147070?pwd=eFZmb0ZtNWR1NGhjbjBBZWdZN05qdz09
13.0 0- 14.3 0		<i>Lunch at Restaurant Santo António dos Olivais</i> 39 p https://www.facebook.com/restsantoantonio/	<i>Lunch Restaurant Santo António dos Olivais</i> 39 p https://www.facebook.com/restsantoantonio/
14.3 0- 16.0 0		Sub-group session D Room 1 (room 4.3) Sub-group 11: Project 2018 Chairs Ole Hammerslev, Hilary Sommerlad with Rick Abel and Ulrike Schultz Speakers: Hammerslev; Mather; Sommerlad Zoom link: https://bham-ac-uk.zoom.us/j/92107147070?pwd=eFZmb0ZtNWR1NGhjbjBBZWdZN05qdz09 Room 2 (Room 4.4) Sub-group 2: Family, Policy and the Law. Chairs Benoit Bastard and Mavis Maclean <i>Business Meeting</i> https://us02web.zoom.us/j/6105807830?pwd=Z0k5MHlXeUQ3WUIQVUpMY3czOEiPUT09	Sub-group session G and Gender in Customary and Indigenous Law and Proceedings IRC session 2 and Room 1 (room 4.3) Gender in Customary and Indigenous Law 2 Chair: Sara Araujo Speakers: Joao Pedroso and Elisa Samuel; Bartholomei; Lindbekk Zoom link: https://videoconf-colibri.zoom.us/j/87445905487 Room 2 (Room 4.4) Sub-group 8: Professional Values Chair Hilary Sommerlad Speakers: Lemke; Olthuis; Southworth; Zoom link: Zoom link: https://bham-ac-uk.zoom.us/j/92107147070?pwd=eFZmb0ZtNWR1NGhjbjBBZWdZN05qdz09

16.0 0- 16.3 0	Registration	Tea/Coffee	Close
	Sub-group session A		
	Room 1 Sub-group 1 Session 1: Ethics and Deontology Chair Tamara Butter Speakers: Hoevenaars; Özlü; Venema Zoom link: https://bham-ac-uk.zoom.us/j/92107147070?pwd=eFZmb0ZtNWR1NGhjbjBBZWdZNO5qdz09		
16.3 0- 18.0 0	Room 2 Sub-group 10 Session 1: Women/Gender in the Legal Profession Chair Ulrike Schultz Speakers: Pal; Ristikivi; Robson https://fernuni-hagen.zoom.us/j/65091182085?pwd=eINqZHpRalZiejE1WVZlTXVvdC93UT09	5 pm – Visit to the University (7.5 euros each)	
18.0 0- 19.1 5	WGLP Welcome (Room 1) https://bham-ac-uk.zoom.us/j/92107147070?pwd=eFZmb0ZtNWR1NGhjbjBBZWdZNO5qdz09	WGLP Business meeting (Sala Gonçalves da Silva) https://bham-ac-uk.zoom.us/j/92107147070?pwd=eFZmb0ZtNWR1NGhjbjBBZWdZNO5qdz09	
	Dinner at Restaurant Papa (39 P) https://papa.eatbu.com/?lang=en#	Dinner at Diligência (House of Fado) (45 p) https://www.facebook.com/DiligenciaBar/	

