

COMMUNIQUÉ

The Research Committee on Sociology of Law of the International Sociological Association Jubilee Ceremonial Conference, University of Warsaw, October 19th–21st, 2012.

Second issue of the 1965 volume of principal sociological journal in Polish language, *Studia Socjologiczne*, carries a three-page piece by Adam Podgórecki, reporting on the 1964 conference of ISA's freshly established Research Committee on Sociology of Law. The report on the meeting, which was held in St. Vincent in Italy, communicates a number of points. First, it contains usual description of meeting's proceedings. Judging by space Podgórecki devotes to individual topics, the discussion focused on Italian "Milan justice project," included presentations of some other empirical studies and touched upon certain theoretical points. Second, the report gives many clues on ongoing organizational efforts within RCSL, particularly certain collaboration projects to be soon realized (some of which sadly never came to fruition). In this way, it clearly, even if inadvertently, reveals Podgórecki's contentment that sociology of law has eventually—thanks to his own efforts and efforts of many others—reached the stage of successful international institutionalization.

The third and final observation Podgórecki makes pertains to the future of RCSL as an organization and sociology of law as a practical science. In his view, in 1964 sociology of law had been on the rise both in terms of quantity of research and its quality. This, he believed, was a result of increased readiness of national governments to accept advice from legal sociologists. Podgórecki then expresses the conviction that sociology of law, having finally reached maturity as an academic endeavor, will be able to make a difference also in practical terms, convincing decision makers that it pays to "translate certain issues, which thus far have been solved by speculative means, to the language of empirically resolvable problems."

Half a century on, RCSL's Jubilee Ceremonial Conference, organized to commemorate the 50th anniversary of Committee's establishment, was hosted by Adam Podgórecki's home university, University of Warsaw. The event was memorable for a number of reasons, including, but not limited to, broad—and somewhat unsurprising, given the milieu—presence of Podgórecki's legacy. First (which is probably most relevant to Polish members of RCSL), it is already the third time (after 1964 and 1999 annual conferences) that University of Warsaw helped organize RCSL's meeting. This demonstrates the continued contribution of Polish sociology of law—much of which still rests on Podgórecki's ideas—to the international community of socio-legal scholarship. Second, despite having principally (or as some would say: merely) ceremonial

aims, the conference gathered more than 50 participants, and—in its scholarly part—initiated genuine and vivid academic discussion. This in turn shows that Podgórecki's, Evans', Treves' and others' efforts in establishing RCSL bore fruit. It also supports the conviction that Podgórecki's optimistic 1965 description of that organization still holds after it reached its 50th Jubilee: the Committee, with its varied activities, continues to animate the worldwide socio-legal community. Third, the academic program of the conference, apart from leaving sufficient space for reflections on RCSL's past and future, was devoted mostly to the discussion of contributions of socio-legal classics, Renato Treves, Leon Petrażycki and Adam Podgórecki.

The first day of the conference was devoted to recollections of RCSL's history and included speeches by Jacek Kurczewski, Jean van Houtte, Vincenzo Ferrari, Mavis Maclean, Anne Boigeol, Klaus Ziegert, Adam Czarnota, Jerzy Kwaśniewski, and Stefka Naumova. While opening talk by Jean van Houtte summarized fifty years of Committee's history, other participants focused on more personal, first-hand experiences of their membership in RCSL. Many of them took the liberty to enrich the discussion by mentions of their professional relationships with earlier generations of socio-legal scholars.

An important event of first day's proceedings was presentation of RCSL's prize for early-career scholarly achievements, named after Adam Podgórecki, to 2012 winners. Fatima Kastner of Hamburg Institute for Social Research was awarded for her work on systems theory and peace and reconciliation commissions. Stefan Larsson of Lund University received the prize for his studies in the field of law and digital communication.

Day two comprised two homage sessions, dedicated to two founding fathers of postwar European sociology of law: Adam Podgórecki and Renato Treves. The Treves commemorative session focused on "Administration of Justice in Liberal Democracy," and mentioned many themes inaugurated to sociology of law by the Italian classic. In her paper Grażyna Skąpska referred to Treves' contributions by discussing the results of empirical research on trust in Polish courts. In her view, the Polish situation continues to be fragile, however certain positive trends can be observed in attitudes towards courts, as well as in evaluations of judges' work. Second Polish speaker, Stanisław Tyszka discussed the influence that the work of Renato Treves had had on his own studies and activities, particularly on his involvement with Polish deregulation projects. The third speaker, and the first of three Italians in the panel, Anna Rosa Favretto, drew on certain strands of Treves' work on judicial ideology when she presented the results of research on the views of Italian judges on family law models, including their general support for alternative forms of dispute resolution. Fourth panel member, Valerio Pocar, embarked on an effort to introduce the work and personality of Treves and in doing that, stressed the necessity of balancing the objective research and the normative commitment in socio-legal studies. The final speaker, Ferdinando Spina, addressed the Trevesian question of legitimacy of judges in the democratic state, pointing at risks posed by search for such a legitimation in the realms of media and politics, as epitomized by the all-too-familiar concept of judicialization of politics.

Also the Podgórecki session was devoted to socio-legal topic strongly influenced by the founding personality—"Totalitarian Law and Transitional Justice." The debate was started with Susanne Karstedt's discussion of role of law, rule of law, and rule by law in totalitarian states, in which she stressed law's oppressive nature and all-pervasiveness, but also the possibility of judges becoming "liberators" from these conditions. Second speaker, Jiří Příbáň, approached the issue of totalitarian law by making references to a number of Podgórecki's concepts, including "totalitarian Grundnorm," "dirty togetherness" and "hidden structures of law." Jerzy Kwaśniewski in his speech closely followed Podgórecki's severe criticism of Polish post-1989 political and legal situation and provided a number of empirical illustrations for his points. Małgorzata Fuszara discussed the evolution of Polish penal regulation over last forty years, making references to opinion research by Podgórecki and his many followers. A similar task was undertaken by Iwona Jakubowska-Branicka, who spoke about the issue of legalistic attitudes, as revealed by comparative studies. Adriana Mica spoke last, to discuss the ideas she put forward in her book on scandals in communist Romania, and to present a number of insights on instrumental usage of scandals by functionaries of the communist party.

Apart from that, on day two of the meeting a special afternoon session on "Adam Podgórecki's Project of Empirical Sociology of Law" was organized. In its course papers were delivered by Jacek Kurczewski and Mark Cooney, sparking vivid discussion on the nature of empirical research in sociology of law. While Jacek Kurczewski, advocated Podgórecki's approach to the subject, Mark Cooney stressed the plausibility and conceptual rigor of Black's pure sociology approach.

The two morning sessions held on the third day of the conference continued some of the Polish-Italian themes and exchanges of the second day. The first session was devoted to the legacy of Poland's Leon Petrażycki and involved Italy's Edoardo Fittipaldi as the main discussant. In his speech, Fittipaldi presented his ideas about possible links between Petrażycki's psychological theory of law, legal realism, Freudian psychoanalysis and linguistic research. This introduction was followed by comments from Krzysztof Motyka and Jan Winczorek. The second session concerned the contributions of early Italian legal sociologist, Carlo Nardi Greco. The principal speaker of that session, Maria Ausilia Simonelli gave an extended presentation of her work on Greco's ideas, further supplemented by comments from Vincenzo Ferrari and Maria Rita Bartolomei. Apart from being very informative on the work of a largely unknown author, this session was significant in that it rightly broke with the widespread custom of using English as the only conference language—Maria Ausilia Simonelli took the laudable decision of giving her paper in ISA's other official language, French.

Two afternoon sessions, held in parallel, which concluded the conference, were devoted to contributed papers. In each session, 8 speeches were delivered. One panel focused on current issues in socio-legal research, and included contributions from Paola Ronfani with Roberta Bosisio, Stefka Naumova, Anna Krajewska, Pierre Guibentif, Aleksandra Niżyńska, Adriana Mica, Paweł Kociszewski, and Stefan Larsson, and raised issues as diverse as same-sex families, discrimination and anti-discrimination law, taxation, financial crisis, formality and informality, methodological innovations

in sociology of law and digital technologies. The other panel was mostly devoted to national variety of sociological studies of law and presented certain insights on the future of socio-legal discipline. Speakers of this session included Anuradha Parasar with Meenakshi Sharma, Germano Schwartz with Dani Rudnick and Renata Almeida da Costa, Dace Sulmane, Takayuki Ii, Håkan Hydén, Flora Di Donato with Francesca Scamardella, Adam Czarnota, and Jan Winczorek. The speakers presented Indian, Brazilian, Latvian, Japanese, Scandinavian and Italian perspectives on development of sociology of law and spared a few words on legal education and the role of procedures.

Confrontation of Podgórecki's hopes and diagnoses of 1965 with realities of sociology of law at RCSL's fiftieth birthday, allows for making three concluding remarks. First, there's no doubt that in 1965 Podgórecki was right when he wrote about sociology of law as an academic field on a rising wave. The fifty years that have passed since establishment of RCSL witnessed bewildering wealth of empirical and theoretical sociological studies of law. This variety of topics and perspectives—but also continuing importance of classics for contemporary works—was clearly reflected by proceedings of the Warsaw conference. Second, it is clear that the role of RCSL in making sociology of law a successful discipline it is today has been absolutely fundamental. Without many RCSL-inspired activities and outcomes (to name one: establishment of International Institute of Sociology of Law in Oñati), the field would be much less robust than it happens to be.

Third, if some of Podgórecki's 1965 observations turned out to be less prophetic, they are his points on the role of cooperation with decision-makers. Even if papers presented in Warsaw cannot be seen as a representative sample of all work done by socio-legal scholars, they were quite telling as to the limited impact socio-legal studies have on governance. Certainly, very successful fields of research do exist, that were indeed created on governmental order (take, for example, legal aid research in certain countries). Still, the normalization of sociology of law as an academic discipline hardly produced normalization of sociology of law as a governance technique. It thus should be hoped that the "translation task," as described by Podgórecki fifty years ago will finally be accomplished, and that this happens sooner than before RCSL's another fifty-years anniversary. This is certainly a birthday wish that one can make on RCSL's fiftieth Jubilee.

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