



LAW AND CITIZENSHIP BEYOND THE STATES

RCSL | SDJ ANNUAL MEETING | LISBON - PORTUGAL

10 - 13 SEPTEMBER 2018

Complete Programme (10th version; final)

DINÂMIA'CET-IUL – The Local Organizing Committee

Lisbon, July 2018

RCSL-SDJ Lisbon 2018 – Complete Programme
(version 10; final)

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Contents:

Preliminary Note	6
Room Distribution	6
Overview	7
Monday 10 September, since 9:00am	8
Reception of participants	8
Monday 10 September, 10:00am-10:45am	8
Opening Ceremony	8
Monday 10 September, 11:00am-12:30am	9
Plenary session I: Researching Law and Justice in Portugal: national trends, international connections	9
Monday 10 September, 1:30pm-3:15pm.....	9
1101 Lawyers in the 21st Century Society I – Featured Session	9
1102 Constitutional populism or new wave of constitutionalism. Socio-theoretical and comparative perspectives I	10
1123 Gender stereotypes, violence against women and citizenship	12
1132 Socio-Legal Journals in a Changing Global Editorial Field	13
1142 The Judiciary and Democracy.....	14
1145 As paisagens das Justiças em Moçambique : 15 anos depois	16
1151 Developments in Popular Legal Culture.....	17
1152 Tribunais, acesso ao direito e ensino jurídico	17
1153 Violência no Brasil	18
1155 Justiça criminal em mutação I - delação, negociação e reparação	18
1156 The Politics of Legal Regulation.....	19
Monday 10 September, 3:30pm-5:15pm.....	20
1201 Lawyers in the 21st Century Society II – Featured Session	20
1202 Constitutional populism or new wave of constitutionalism. Socio-theoretical and comparative perspectives II	21
1232 Mediation and restorative justice	21
1251 Developments in Popular Legal Culture II.....	22
1255 Justiça criminal em mutação II - violências de género e amnistia	22
Monday 10 September, 5:30pm-7:15pm.....	23

RCSL-SDJ Lisbon 2018 – Complete Programme
(version 10; final)

1302 Constitutional populism or new wave of constitutionalism. Socio-theoretical and comparative perspectives III	23
1322 Female Crime and Delinquency in Portugal - Book Presentation	24
1325 The Oñati International Institute for the Sociology of Law	24
1398 Board Meeting.....	25
Tuesday 11 September, 9:30am-11:15am	25
Plenary Session II Prison and State: intersections and (re)configurations.....	25
Tuesday 11 September, 11:30am-12:30am	25
WG Business Meetings.....	25
Tuesday 11 September, 1:30pm-3:15pm.....	26
2101 Mapping the current state of socio-legal studies I – Featured Session	26
2102 Constitutions and Regionalisms beyond the State	27
2122 Inclusion and Exclusion in the Penal Domain.....	27
2123 Reproductive justice, bodily autonomy & citizenship.....	28
2124 Gender/Women in the Legal Profession I: Gender and Judging	28
2125 Oñati Session I - The Local and its Multidimensionality.....	29
2132 Access to Justice	30
2141 Citoyenneté, État, mobilisations du droit à l’heure de la mondialisation.....	30
2142 Construction of Citizenship, Citizen Participation and Rights	31
2143 Law, Justice, and Urban Space	32
2145 Laws and rights in a plural world: challenges and debates on legal pluralism and interlegality in the 21st century I	32
2151 Peripheral Countries Perspectives on Sociology of Law.....	33
2152 Direito do Trabalho, empresarial e Direitos Humanos	34
2153 Direito e Justiça: um apelo à comunidade	35
2155 Direito(s) e privação de liberdade: desafios ético-metodológicos na investigação I....	36
Tuesday 11 September, 3:30pm-5:15pm.....	38
2201 Mapping the current state of socio-legal studies II – Featured Session	38
2202 Constituição e Mudança Socioeconómica - Quatro Décadas da Constituição da República Portuguesa – Apresentação do livro	38
2223 Gender and the Courts.....	39
2224 Gender/Women in the Legal Profession II	39
2225 Oñati Session II - Beyond State Law: the power of Normativities and Discourse	40

RCSL-SDJ Lisbon 2018 – Complete Programme
(version 10; final)

2232 Dispute resolution	41
2241 Sociologie du droit du travail	41
2242 Political Decisions within the State Powers	42
2243 Migration, Integration and Law	43
2245 Laws and rights in a plural world: challenges and debates on legal pluralism and interlegality in the 21st century II	43
2253 Direito: o controlo, violência e exceção	44
2256 Algorithms	45
Tuesday 11 September, 5:30pm-7:00pm.....	45
Plenary Event Legacy of an empiricist: Critical perspectives of law and procedure - In Memory of Erhard Blankenburg.....	45
Tuesday 11 September, 7:00pm-8:00pm.....	46
2498 Meeting of the Oñati 2019 RCSL Conference Programme Committee.....	46
Wednesday 12 September, 9:30am-11:15am	46
Plenary Session III Law and Citizenship above the States: A World to be Constitutionalized	46
Wednesday 12 September, 11:30am-12:30am	47
RCSL Business Meeting.....	47
Wednesday 12 September, 1:30pm-3:15pm	47
3101 Better regulation and its importance for citizens and companies in Portuguese- speaking countries and regions - Projeto de investigação Regras comuns de legislação nos Estados e Regiões – Featured Session	47
3102 Transconstitutionalism and the New Symbolic Dimensions of Constitutions I	48
3122 From the Outside In: Prisons dynamics beyond the States	49
3123 Legal professions 1	50
3124 Gender/Women in the Legal Profession III: Gender and Careers in the Legal Academy	50
3125 In the Midst of the Paradox: Citizenship and State.....	51
3132 Disputing Behavior and Judicial Policy in the Super-Aging Society: Preliminary Report on the Civil Justice Research Project in Japan.....	52
3141 Sociologie de la justice	53
3142 Democracy, Recent Global Social Movements and Technopolitics: An international and interdisciplinary research project from the South.....	54
3143 Family, Honour and Migration	55
3145 Citizenship between cosmopolitanism and globalization.....	56

RCSL-SDJ Lisbon 2018 – Complete Programme
(version 10; final)

3151	Perspectivas Brasileiras na Sociologia do Direito I	57
3152	Meios adequados de Resolução de Conflitos e acesso à justiça: um novo olhar através da experiência brasileira	58
3153	Legislar, regulamentar, aplicar. As instituições enquanto lugares de tensão e confronto entre a lei abstracta e a realidade objectiva I	60
3155	Penal system and violence	60
3156	Uncertainty and Development.....	61
3171	Tribunais no séc. XXI: independência, eficiência e cidadania	62
Wednesday 12 September, 3:30pm-5:15pm		63
3202	Transconstitutionalism and the New Symbolic Dimensions of Constitutions II	63
3222	The “cross-link-type” of legal education	64
3223	Legal professions 2	65
3224	Gender/Women in the Legal Profession IV: Gender and the Judicial Behavior of the Japanese Judiciary.....	65
3225	Oñati Session III - Courtrooms and the Judicial Field: a locus for enforcement or contestation?	67
3241	Sociologie du droit et constitutionnalisme sociétal	68
3242	The far from undisputed role of NGOs and other international civil society actors.....	68
3243	Issues of Citizenship	69
3245	Law, Neoliberalism and the Political Economy I	69
3251	European Central Countries Perspectives on Sociology of Law	70
3256	Legal Education, Reasoning, and Science.....	71
3271	Estado de Direito e de Exceção: o direito e a democracia em questão	71
Wednesday 12 September, 5:30pm-7:15pm		72
3371	The Epistemologies of the South in the Sociology of Law: Can the law be post-abysal?	72
Thursday 13 September, 9:30am-11:15am		73
Plenary Session IV Individual and Collective Legal-Political Agency: from Interpersonal interactions to ethical relations		73
Thursday 13 September, 11:30am-1:15pm		74
4101	A justiça criminal no debate do Estado de direito e da cidadania: a experiência de um instrumento de cooperação internacional (PACED) – Featured Session	74
4102	Legal Encounters: When People Meets the Law.....	75
4122	Challenges on penal techniques / Gendered Crime.....	76

RCSL-SDJ Lisbon 2018 – Complete Programme
(version 10; final)

4123	Legal professions 3	77
4124	Contextualising Law in Action: The Legal Culture Approach.....	77
4125	Oñati Session IV - The subjective and collective other: recognition, precariousness and reflexivity.....	78
4132	Between Political Choices and Citizen's Perception.....	79
4141	Democracia e cidadania: crise de legitimidade e participação política - Impacto das tecnologias	79
4142	The politics of Law: Democracy in transition or a setback?	80
4143	Governance in the Periphery	80
4145	Law, Neoliberalism and the Political Economy II	81
4151	American and Japanese Perspectives on Sociology of Law.....	81
4152	Políticas públicas sob a ótica da teoria dos sistemas. Pesquisa empírica sobre casos de inclusão e exclusão no brasil.....	82
4153	Legislar, regulamentar, aplicar. As instituições enquanto lugares de tensão e confronto entre a lei abstracta e a realidade objectiva II	83
4155	Violence in the world and Human Rights.....	84
4156	Contemporary Challenges to Law and Development: Sustainability and Resistance... 85	
	Thursday 13 September, 2:00pm-3:30pm	85
	Closing Session: The future of RCSL: Visions from around the world	85

Preliminary Note

This is still a provisional document. The final version will include indexes, maps of ISCTE-IUL, etc.

Room Distribution

Rooms here indicated are where the major part of sessions of a WG takes place, and which are available for the WG for their Business Meeting.

A set of sessions sponsored by CES will take place in the facilities of CES-Lisbon.

Plenary Sessions	Grande Auditório
Featured Sessions	Auditório J.J. Laginha
WG Civil Justice and Dispute Resolution	C3.02
WG Comparative Legal Culture	C4.08
WG Comparative Studies of Legal Professions	B2.02
WG Gender, Law and Society	B2.01
WG Human Rights	C5.08
WG International Research Group on Law & Urban Space	C5.06
WG Law and Development	C5.09
WG Law and Migration	C4.06
WG Law and Politics	C4.02
WG Law and Popular Culture	C5.01
WG Social and Legal Systems	C2.05
WG Sociology of Constitutions	Auditório Mário Murteira
ST-APS Sociologia do Direito e da Justiça	Auditório J.J. Laginha
ABraSD	C5.02
CR03-AISLF Études socio-juridiques	C4.01
Oñati Sessions	C2.05
Thematic Sessions on Prisons and Crime	C4.08
Sessions sponsored by CES	Auditório do CIUL (Centro de Informação Urbana de Lisboa)

RCSL-SDJ Lisbon 2018 – Complete Programme
(version 10; final)

Overview

	Monday 10 Sept.	Tuesday 11 Sept.	Wed. 12 Sept.	Thursday 13 Sept
9:00am	Reception			
9:30am		Plenary 2 (9:30-11:15)	Plenary 3 (9:30-11:15)	Plenary 4 (9:30-11:15)
10:00am	Opening Ceremony (10:00-10:30)			
	(Coffee Break)			
11:00am	Plenary 1 (11:00-12:30)	(Coffee Break)	(Coffee Break)	(Coffee Break)
		Business Mt. WG	Business Mt. RCSL	Paper sessions
		Business Mt. TS-SLJ-PSA	11:30-12.30	11:30pm-1:15pm
12:00pm		11:30-12.30		
	(Lunch)	(Lunch)	(Lunch)	
1:00pm				
	Paper sessions 1:30pm-3:15pm	Paper sessions 1:30pm-3:15pm	Paper sessions 1:30pm-3:15pm	(Lunch)
2:00pm				Closing Session 2:00pm-3:30pm
3:00pm	(Coffee Break)	(Coffee Break)	(Coffee Break)	
	Paper sessions 3:30pm-5:15pm	Paper sessions 3:30pm-5:15pm	Paper sessions 3:30pm-5:15pm	
4:00pm				
5:00pm				
	RCSL Board Meeting 5:30pm-7:15pm	In memory Blankenburg 5:30pm-7:00pm	Plenary organized by CES at CES Lisbon 5:30pm-7:15pm	
6:00pm	+ Book Presentation + Oñati introd. session			
7:00pm		RCSL 2019 Conference Programme Committee		
	Reception ISCTE-IUL	7:00pm-8:00pm		
8:00pm		Dinner	Social Event	[Closing Dinner] [Organizers & staff] [By invitation only]

Monday 10 September, since 9:00am

Reception of participants

Building Atrium II

Monday 10 September, 10:00am-10:45am

Opening Ceremony

Grande Auditório

Maria de Lurdes Rodrigues, Rector of ISCTE-IUL

Ulrike Schultz, President of RCSL

Masayuki Murayama, Past President of RCSL

President of the Portuguese Sociological Association [to be elected in July 2018]

Pedro Costa, Director of DINÂMIA'CET-IUL

Pierre Guibentif, Board of the Sociology of Law and Justice Section of the Portuguese Sociological Association / Chair of the Organizing Committee

Monday 10 September, 11:00am-12:30am

Plenary session I: Researching Law and Justice in Portugal: national trends, international connections

Since the conference is being held in Portugal, this session gathers personalities who played a crucial role in the development of sociology of law in the country. The aim is twofold: (i) introducing the participants to the state of the field of Sociology of Law and Justice in Portugal, and (ii) revealing possible connections between current trends in Portugal and issues of global relevance.

Grande Auditório

Boaventura de Sousa Santos, CES Coimbra

Opening Statement

Helena Machado, Universidade do Minho

Security and global threats. Challenges to justice in Portugal

Maria João Leote Carvalho, Interdisciplinary Centre of Social Sciences (CICS.NOVA),
Faculty of Social Sciences and Humanities (NOVA FCSH)

Critical Perspectives on Children's Rights and Justice for Children

António Manuel Hespanha, Prof. Catedrático Jubilado da FD-UNL - Honorary
Researcher ICS-UL

The impact of social sciences in Legal History

Chair: Pierre Guibentif, DINAMIA'CET-IUL, ISCTE-IUL

Monday 10 September, 1:30pm-3:15pm

1101 Lawyers in the 21st Century Society I – Featured Session

WG Comparative Studies of Legal Professions

This session presents some of the 60 chapters of a forthcoming global comparison of lawyers, 'Lawyers in 21 century society', which is a 30 years follow up on Abel & Lewis' 'Lawyers in Society'. Both projects examine lawyers comparatively, their histories and status and offer different approaches to understand lawyers. Since the original books globalisation and neoliberal structures have affected lawyers' work, organisation, education and demography. At one level, legal expertise and legal services become global, at another level transnational legal institutions and law develop and require new forms of legal expertise, while at a national level populations still need legal services. This session take such developments into consideration when examining how lawyers and access to justice are affected by globalization and neoliberal structures in different nation-states (Session organized by Ole Hammerslev).

Room: Auditório J.J. Laginha

Chair: Ole Hammerslev, University of Southern Denmark

Jan Kober, Charles University in Prague; Institute of State and Law of the Czech Academy of Sciences

The Transformation of Czech Legal Professions between Two Economic Systems and the Privatisation of Bailiffs

Isabel Boni-Le Goff, University of Lausanne

Eléonore Lépinard, University of Lausanne

Nicky Le Feuvre, University of Lausanne

Lawyers in Switzerland. The End of Prosperity in the Age of Globalization?

Ulrike Schultz, FernUniversität in Hagen

The Legal Profession in Germany – Resistance and Reactions to Demands of Modernization

Ole Hammerslev, University of Southern Denmark

Lawyers in Denmark

1102 Constitutional populism or new wave of constitutionalism. Socio-theoretical and comparative perspectives I

WG Sociology of Constitutions

In Eastern and Western Europe, Asia, the Americas, Africa, populist parties have recently challenged traditional ones, and in several countries, they have overwhelmed them. Contemporary waves of populism have taken many people by surprise, particularly since they so soon follow the much-lauded triumph, as it seemed, of third

wave democracies, in some of the places where they had seemed to have gained their greatest successes. The latest wave is so widespread and consequential that it has begun to generate a burgeoning literature particularly in social and political science, and to a much lesser extent in constitutional studies, often drawing on comparisons with earlier forms of populism and other sorts of pre-and anti-democratic authoritarianism. However, the new populisms have distinctive relationships with, and elements of, democracy not shared by traditional authoritarian regimes, yet unlike the forms of democracy within which many of them were spawned, they are involved in changing liberal constitutional practices, and institutions. Unlike earlier populisms, the new populists in power engage closely with law, principles of the rule of law and liberal constitutionalism. It is those engagements that the proposed panel seeks to understand. More specifically, we seek to understand the deliberate change of constitutional institutions that have taken place in some of the most prominent of these new democracies around the world.

The panels will focus on the interrelations between modern forms of populism and liberal democracy, authoritarianism, politics, and law, particularly constitutional law. Our specific focus is on a selection of countries that were in the forefront of the 'third wave' of democratic transformation (Session organized by Adam Czarnota).

Room: Auditório Mário Murteira

Chair: Michał Paździora, Centre of Legal Education and Social Theory (University of Wrocław)

Adam Czarnota, University of New South Wales
Constitutional populism in CEE or constitutional correction?

Michał Stambulski, Centre for Legal Education and Social Theory, Uniwersytet Wrocławski
Populist constitutionalism and neoauthoritarianism on the example of Poland

Anna Sobaczewska, The Institute of Law Studies, Polish Academy of Sciences
Constitutional moment theory in Polish reality - the consent, identity, and change of constitution

Jack Meakin, University of Glasgow
Populism, Constitutional Change, and the Autonomist's Example

1123 Gender stereotypes, violence against women and citizenship

WG Gender, Law and Society

The themes chosen for the RCSL/SDJ Lisbon meeting particularly echo the research interests of the Gender, Law and Society WG of the RCSL. The current international context sadly provides for endless examples of gendered and sexualized violence across borders, as well as of the reproduction of gender-based bias, subordination and oppression both at local and global levels. An un-exhaustive list may include: the ‘global gag rule’ reinstated by Donald Trump, that poses a very real health threat on women needing an abortion; the persistence of the pay gap and the glass ceiling; the ‘glass cliff’ phenomenon in the political sphere; the issue of human trafficking notably for the purposes of forced labour, sexual slavery, or commercial sexual exploitation, that disproportionately and adversely affects women; the conditions hindering access to citizenship and related rights; the everyday harassment and violence suffered by women and LGBT communities.

The power structures and justice systems across the world, despite decades of feminist/antidiscrimination struggles for equality, seem to perpetuate patriarchal and heteronormative ways of exercising power and in/justice beyond the nation-state borders. In this session, we would like to welcome papers analysing these phenomena from a theoretical, historical or field-based perspective, that shed light on the intersectional, transnational and global dimensions of gender-based violence as well as the colonial legacy that is embedded in them, especially in times of a ‘migration crisis’. We are particularly interested in ways, stakes and practices enacted by women and sexual minorities – individually or in coalitions – to challenge, articulate, resist and contrast these forms of oppressions.

Room: B2.01

(May be extended to the next time slot; same room)

Chair: Alexandrine Guyard-Nedelec

Ana Guerreiro, FDUP/ISMAI/UMAR

Pedro Sousa, FDUP

Sílvia Gomes, CICS.NOVA - UM

Women and organized crime: what role do gender studies play?

Marina Oliveira Guimarães, Universidade de Coimbra

Quem são essas “mulheres”? Uma releitura sobre as mulheres protegidas pela Lei brasileira 11. 340/2006, Lei Maria da Penha

Tiago Ribeiro, CES/FEUC

Da origem da tragédia sexual: uma contribuição sócio-histórica

Mafalda Ferreira, FMUP - Faculdade de Medicina da Universidade do Porto

Sofia Neves, ISMAI/ CIEG

Sílvia Gomes, ISMAI/U.Minho

'Kill or be killed': Narratives of female victims of gender violence condemned by the murder of their partners

Monica N. Acosta, Basque Country University

From 'private' silences to 'public' truth: Violence against indigenous women in Colombia

Sara Araújo, Centro de Estudos Sociais – UC

Descolonizar e despatriarcalizar em contextos juridicamente plurais. Reflexões sobre direito à igualdade e o direito à diferença a partir dos casos de Moçambique e Timor-Leste

Barbara Giovanna Bello, Università degli Studi di Milano

Intersectionality in theory and practice in migrant women's everyday life

Discussant: Anne-Claire Sanz-Gavillon

1132 Socio-Legal Journals in a Changing Global Editorial Field

Journals have played a crucial role in the institutionalization of modern scientific activity. The dramatic changes in their ways of functioning over the last twenty years may be linked to profound changes in the very nature of science. So there are strong reasons for scientists to dedicate some attention to them. A debate by representatives of the editorial boards of various academic journals could be an appropriate setting for such a discussion. This meeting could tackle many topics, and in particular the following, some of which are particularly pressing in the field of sociology of law:

- The impact of the fact that journals are now most often consulted on line, with a probable focus on individual papers, after centuries of consultation in libraries, where collections and issues were the most visible structure.
- The articulation with new media of scientific communication, such as blogs, discussion groups, social media, and so on.

- The increasing influence of big players, such as multinational publishers, indexing agencies, governmental agencies supporting financially scientific publications, and so on.
- The relationship – possible new types of alliances – with non-academic media, which are exposed to similar changes, and are challenged to defend professionally produced information in the face of the heterogeneous contents that circulate on the social media.
- The challenge to publish in languages other than English, at a time when impact factors favour publications written in the most widespread languages, and thus likely to address a numerically broader audience. And the challenge, under these conditions, to publish specialized journals.
- The relevance of disciplinary identities now that innovation, flexibility, and sensitiveness to public demands are first stage criteria in the evaluation of scientific activity.
- The challenge to maintain practices of – to imagine new forms of – cooperation in a field increasingly conditioned by the competition between authors, and between journals.

Room: C3.01

Chair: Pierre Guibentif, DINÂMIA'CET-IUL, ISCTE-IUL

Laurence Dumoulin, *Droit et Société*

Jiri Priban, *Journal of Law and Society*

Susan Sterett, *Law & Society Review*

Artur Stamford da Silva, *Revista Brasileira de Sociologia do Direito*

Letizia Mancini, *Sociologia del Diritto*

Michelle Cottier, *Zeitschrift für Rechtssoziologie*

1142 The Judiciary and Democracy

WG Law and Politics

When we speak of the judiciary we refer to the branch of the State that carries out every process pertaining to justice administration. This entity allows the government, through specific authorities, to be in charge of protecting the fundamental rights and obligations of citizens. It is also in charge of carrying out law suits where the latter elements are observed. In this sense, conducting studies on the judiciary and its political role implies analysing the practices of its agents and of society. The court houses, ministers and judges are the juridical bodies whose function is completing that task. However, it is important to understand the context in which they perform to carry out their juridical decisions.

The main objective of this panel is to present works that focus on the analysis and observation of the judiciary branch and its relations with politics in the development of democratic societies.

In many countries, the politicization of the judiciary branch has incorporated practices that in some cases exceed the functions of judges and magistrates.

To what extent does the politicization of the judiciary branch contribute to the maturation of democracies or, could it prevent the institutions from strengthening?
(Session organized by Angélica Cuéllar).

(May be extended to the next time slot, same room)

Room: C4.02

Chair: Angélica Cuéllar, Universidad Nacional Autónoma de México

Claudia Maria Barbosa, Pontifícia Universidade Católica do Paraná - PUC/PR
A Juristocracia brasileira e o risco da erosão da democracia no país

Karina Ansolabehere, IIJ-UNAM
Diffusion of doctrinal innovations in Latin American Judiciaries

Alberto Abad Suarez, UNAM Instituto de Investigaciones Jurídicas [[to be confirmed]]
The Mexican Supreme Court as protector of human rights: New uses of amparo trial (2011-2018).

Josafat Cortez Salinas, UNAM-FCPyS
La innovación organizacional de la Suprema Corte de Justicia como explicación del cambio en las decisiones judiciales.

Andrea Pozas, IIJ-UNAM
Julio Ríos, DEP-CIDE

Anatomy of an Informal Institution: The “Gentlemen’s Pact” and Patronage Networks in the Mexican Judiciary, 1917-1994

Germán Silva García, Universidad Católica de Colombia
Justice and politics in Colombia. Struggles and paradoxes concerning the independence of Justice

Andrei Koerner, Universidade Estadual de Campinas, SP, Brasil
Celly Cook Inatomi, Universidade Estadual de Campinas, Unicamp, Brasil
O Jurídico e a democracia nos trinta anos da Constituição brasileira

Sandra Serrano, FLACSO México
The interaction of the Inter-American Court of Human Right and constitutional courts in Mexico and Colombia

1145 As paisagens das Justiças em Moçambique : 15 anos depois

Centro de Estudos Sociais

Desde o estudo de Santos e Trindade et. al. (2003) e nos últimos 15 anos os Tribunais Judiciais em Moçambique, num contexto de pluralismo jurídico, por um lado, têm estado em mutação no sentido de aprofundar a independência, a eficiência e a acessibilidade. Por outro lado, os Tribunais comunitários foram abandonados pela política pública de justiça, mas mantêm-se como uma das instâncias de resolução de litígios mais próximas das comunidades e das pessoas. Por último, as ONGs (organizações não governamentais) têm uma representação muito crítica do direito e das Justiça(s) (sessão organizada por João Pedroso).

Room: C4.08

Chair: João Pedroso, FEUC/CES

Elisa Samuel , CFJJ - Centro de Formação Jurídica e Judiciária de Moçambique
Os Tribunais Judiciais: Independência, eficiência e acessibilidade

Joaquim Fumo , CFJJ - Centro de Formação Jurídica e Judiciária de Moçambique
Os Tribunais comunitários: a resistência

Carmino Machavane , CFJJ - Centro de Formação Jurídica e Judiciária de Moçambique
Os Tribunais Judiciais Moçambicanos em números

Denise Mangué , CFJJ - Centro de Formação Jurídica e Judiciária de Moçambique
As crianças, o direito e a justiça: um olhar das ONGs

1151 Developments in Popular Legal Culture

WG Law and Popular Culture

Room: C5.01

Chair: Sam Hillyard

Stefan Machura, Bangor University

Theoretical Tools to Understand Law in Film and Television

Peter Robson, University of Strathclyde

Ethnicity, Gender and Diversity and Justice on TV: the British perspective

Ferdinando Spina, University of Salento

Developments in Popular Legal Culture: an Italian perspective

David S.Wall, Centre for Criminal Justice Studies, University of Leeds

Changes in the business model of creative arts: towards the theft of ideas as a cybercrime?

1152 Tribunais, acesso ao direito e ensino jurídico

ST Sociologia do Direito e da Justiça

Room: C5.02

Chair: Ana Oliveira, Centro de Estudos Sociais - Coimbra

Bruna Gisi, Núcleo de Estudos da Violência - Universidade de São Paulo (NEV-USP)

Giane Silvestre, Núcleo de Estudos da Violência - Universidade de São Paulo (NEV-USP)

Gorete Marques, Núcleo de Estudos da Violência - Universidade de São Paulo (NEV-USP)

A construção da auto-legitimidade no judiciário brasileiro: o caso do Estado de São Paulo

Vera Martins, DINÂMIA'CET-IUL e IPRI-Nova
Housing and the rule of law in portuguese foreclosures

Gizlene Neder, Universidade Federal Fluminense
Gisálio Cerqueira Filho, Universidade Federal Fluminense
Formação Jurídica, Poder, Violência e Arbítrio

Patrícia André, Universidade Nova de Lisboa
A dupla face do défice de legibilidade do direito

1153 Violência no Brasil

WG Human Rights
Room: C5.06

Chair: Katya Kozicki

Katya Kozicki, Universidade Federal do Paraná e Pontifícia Universidade Católica do Paraná

Vera Karam de Chueiri, Universidade Federal do Paraná

Bianca M. Schneider van der Brooke, Pontifícia Universidade Católica do Paraná
A crise do sistema carcerário brasileiro e o papel dos atores sociais entre o litígio estratégico e o litígio estrutural

Carolina Rispoli Leal, Universidade de Coimbra

Dignidade precária: análise de indenização por situação degradante no sistema penal brasileiro

Fiammetta Bonfigli, UniLasalle

Rodrigo Luz Peixoto, UFRGS

Marcos Jurídicos contra o Desaparecimento Forçado e Movimentos Sociais: A nova lei sobre desaparecimentos do México.

1155 Justiça criminal em mutação I - delação, negociação e reparação

ST Sociologia do Direito e Justiça
Room: C5.08

Chair: Sara Leitão Moreira

Criziany Machado Felix, Centro de Estudos Sociais da Universidade de Coimbra/PT
A Emergência e a Institucionalização da Justiça Restaurativa no Brasil: Inovações, Possibilidades e Desafios – Um estudo documental (2005/2010 e 2016/2017)

Cristina Rego de Oliveira, Universidade de Coimbra - Centro de Estudos Sociais
Tensões e desafios da Mobilização do Direito no campo da Mediação Penal de Adultos: uma análise da justiça restaurativa em Portugal

André Ferreira de Oliveira, Faculdade de Direito da Universidade de Coimbra
Negociação de sanções penais: “maravilhoso mundo novo” ou brecha no Estado de Direito Democrático?

Vera Ribeiro de Almeida S. Faria, Programa de Pós-graduação em Sociologia e Direito - UFF e InEAC - Instituto de Estudos Comparados em Administração Institucional de Conflitos

Pesquisa empírica sobre a colaboração e a delação premiadas na construção da verdade jurídica do processo penal democrático, em perspectiva comparada – Brasil e Itália

1156 The Politics of Legal Regulation

WG Law and Development

Room: C5.09

Chair : Pedro Rubim Fortes

Dr. Anis Farida, Shariah and Law Faculty, State Islamic University of Sunan Ampel Surabaya

Dr. Priyo Handoko, Shariah and Law Faculty, State Islamic University of Sunan Ampel Surabaya

Does the Law Protect Society? – The Implication of Increasing Cigarette Excise Tariff in Controlling Illicit Cigarette Distribution in Indonesia

Kaleo Dornaika Guaraty, University of Sao Paulo

Rubens Becak, University of Sao Paulo

Political consciousness and politization in the philosophy of Eric Voegelin

Stine Piilgaard Porner Nielsen, University of Southern Denmark

Acting Together – the role of local normativity and state law in the interactions between caseworkers and long-term unemployed citizens

Discussant: David Restrepo Amariles

Monday 10 September, 3:30pm-5:15pm

1201 Lawyers in the 21st Century Society II – Featured Session

WG Comparative Studies of Legal Professions

Room: Auditório J.J. Laginha

Chair: Ole Hammerslev, University of Southern Denmark

Luca Verzelloni, Centro de Estudos Sociais, Universidade de Coimbra

Stefanie Gustafsson, University of Bath

N. Holvast,

Hilary Sommerlad, University of Leeds

Casualisation and proletarianization of the legal profession

Hilary Sommerlad, University of Leeds

Shaun Ossei-Owusu,

Marijke ter Voert, WODC

Angela Melville,

Lisa Hanson,

Ethnicity diversity and the legal profession: 4 case studies of ethnically ‘non-normative’ lawyers

Rosemary Hunter, Queen Mary University of London

Annette Olesen, Aalborg University

Rebecca L. Sandefur, University of Illinois

Lawyers and Access to Justice

Richard Abel, UCLA Law School

Comparative Sociology of Legal Professions: a 30-year perspective

1202 Constitutional populism or new wave of constitutionalism. Socio-theoretical and comparative perspectives II

WG Sociology of Constitutions

(May be extended to the next time slot 5:30pm-7:15pm, same room)

Room: Auditório Mário Murteira

Chair: Adam Czarnota, University of New South Wales

Samir Forić, Faculty of Political Science, University of Sarajevo

Marko Mrakovčić, Faculty of Law, University of Rijeka

Post-Yugoslavia, Continuous Populism and Constitutionalism

Alexandra Mercescu, West University of Timisoara

Lucian Bojin, West University of Timisoara

The Populists against "The People": Romania's New Culture of Protest

Bogdan Iancu, University of Bucharest

"The Rule of Law" vs. "Populism"- Liberal and Illiberal Tropes in Current European Debates

Ursus Eijkelenberg, International Institute for the Sociology of Law

False Promises: Why democracy is not helped by weak constitutionalism

1232 Mediation and restorative justice

WG Civil Justice and Dispute Resolution

Room: C3.02

Chair: Luigi Cominelli, Università degli Studi di Milano

Charlotth Back, Universidad Pablo de Olavide

Tribunal Internacional para a Aplicação da Justiça Restaurativa em El Salvador: justiça e memória a contrapelo

Inês Inverno, Mediating Families

Mediating cross-border family conflicts: complying with the law and improving the exercise of citizenship beyond the States

Tsuneo Niki, Osaka University

The mimetic gesture in a facilitative mediation process

Ana Paula Rocha do Bomfim, Universidade Federal da Bahia

Míris Jaira Silva, Universidade Federal da Bahia

Mediação Comunitária: Por uma Prática Transformadora

1251 Developments in Popular Legal Culture II

WG Law and Popular Culture

Room: C5.01

Chair: Peter Robson

Sam Hillyard, Durham University, UK

David S. Wall, Leeds University, UK

Safe and legitimate use? The case for private firearms ownership in civil society.

Nancy Marder, Chicago-Kent College of Law

What Hollywood, U.S.A. Teaches the World (Incorrectly) about American Juries

Stefan Machura, Bangor University

Consumption and effect of law-related media: Changing patterns?

1255 Justiça criminal em mutação II - violências de género e amnistia

ST Sociologia do Direito e da Justiça

Room: C5.08

Chair: Cristina Rego de Oliveira

Sara Leitão Moreira, Universidade de Coimbra/Coimbra Business School/Instituto Jurídico Portucalense

Decisões de hoje, com um pé no passado e com (pouco) futuro à vista: a violência doméstica sob escrutínio judicial

Ana Oliveira, Centro de Estudos Sociais
Os domínios imaginário e normativo do assédio

Mariana Farias Silva, Universidade Federal de Pernambuco (UFPE)
Artur Stamford da Silva, Universidade Federal de Pernambuco (UFPE)
Prostituição na América Latina: observações sob a ótica da teoria dos sistemas de Niklas Luhmann

David Oliveira, UFC/UECE
Análise de Discurso Crítica da anistia política de militares: um estudo teórico, metodológico e prático

Monday 10 September, 5:30pm-7:15pm

1302 Constitutional populism or new wave of constitutionalism. Socio-theoretical and comparative perspectives III

WG Sociology of Constitutions
Room: Auditório Mário Murteira

Chair: Michał Stambulski, Centre for Legal Education and Social Theory, Uniwersytet Wrocławski

Karolina Kocemba, Centre for Legal Education and Social Theory, University of Wrocław

Human Rights in the Populism Times

Jakub Łakomy, University of Wrocław

Legal Interpretation in Agonistic Democracies. Hegemony, Populism and the Political

Michał Paździora, Centre of Legal Education and Social Theory (University of Wrocław)

Beyond Harmony and Disagreement. How to Teach Rule of Law in Post-Communist Poland

Jola Sawicka, Center for Legal Education and Social Theory; Oñati International
Institute for the Sociology of Law [[to be confirmed]]

Democracy Without Constitution

Adam Sulikowski, University of Wrocław

*The Argument from the “Common Good” in Contemporary Constitutional Democracies:
Between Populism, Axiology and Politics*

1322 Female Crime and Delinquency in Portugal - Book Presentation

Public presentation and debate of : Sílvia Gomes & Vera Duarte (Ed.). *Female Crime
and Delinquency in Portugal: In and Out of the Criminal Justice System*. London:
Palgrave Macmillan, 2018.

Room: C4.08

Presentation of the book: Ana Ballesteros Pena

Discussion: Catarina Frois

With the participation of the authors

1325 The Oñati International Institute for the Sociology of Law

Oñati Opening Session

Introduction to the Oñati IISL and to its activities, by the current Scientific Director,
Noe Cornago, and by his predecessor, Vincenzo Ferrari. Kick-off session of the Lisbon
Oñati sessions, where current and former students of the Institute present their RCSL
Master's dissertation (Tesina) project (the session ends at 6:30pm).

Room: C2.05

Chair: Gabriela Farinha , DINÂMIA'CET-IUL, ISCTE-IUL

Vincenzo Ferrari, IISL Scientific Director 2016-2018

Noe Cornago, IISL Scientific Director in office since September 2018

1398 Board Meeting

(RCSL Board members only)

Room: B1.02

Tuesday 11 September, 9:30am-11:15am

Plenary Session II Prison and State: intersections and (re)configurations

Prison is the place where the State assumes its utmost authority over the individual, communities and the society. Power, resistance, violence, legality and illegality are deeply enmeshed in what is an ambivalent and ambiguous relationship that develop simultaneously within and beyond State apparatus, inside and outside walls. Through the lens of diverse theoretical and empirical approaches, this session discusses the complex and particular relationship between prison and State, by critically establishing its interconnections and (re)configurations.

Grande Auditório

Dario Melossi, Università di Bologna

Poor People's Bastilles: States and Prisons Compared Across the (Atlantic) Ocean

Yvonne Jewkes, University of Kent

Developments in Prison Design in Europe: are normalcy, rehabilitation and legitimacy achievable goals?

Manuela Ivone Cunha, CRIA, Uminho

State, and the sociology of care

Chair: Catarina Frois (CRIA, ISCTE-IUL)

Tuesday 11 September, 11:30am-12:30am

WG Business Meetings

Business Meetings of RCSL Working Groups and of the Sociology of Law and Justice Section of the Portuguese Sociological Association. Rooms: see in this programme, section "Room Distribution".

Tuesday 11 September, 1:30pm-3:15pm

2101 Mapping the current state of socio-legal studies I – Featured Session

In Mexico City, we discussed the current state of the sociology of law as an empirical field of study. In Lisbon, we would like to expand the scope of our discussion and focus on wider cross-disciplinary field of socio-legal studies including the sociology of law. The panelists will explore the configuration of social science disciplines studying law in different countries that together shape the profile of the subject-matter that can be placed under the umbrella of socio-legal studies, together with the balance between theoretical and empirical approaches and the philosophical grounding that supports the field intellectually. For instance, in some countries the sociology of law is used interchangeably with socio-legal studies whereas in others it is an insignificant stream of it; some countries display a strong empirical orientation, while in other places the move is towards theoretical discussions of the nature of law, blending with jurisprudence. In this roundtable, we hope to examine developments in different countries and explore the drivers that influence the direction they take (Sessions organized by Masayuki Murayama).

Room: Auditório J.J. Laginha

Chairs: Marina Kurkchyan, University of Oxford, Masayuki Murayama, Meiji University

Marina Kurkchyan, University of Oxford

Masayuki Murayama, Meiji University

Mapping the current state of socio-legal studies in Japan and in the U.K.

Håkan Hydén, Department of Sociology of Law, Lund University, Sweden

Sweden regarding Current State of Socio-Legal Studies

Ralf Rogowski, Warwick University

The current state of socio-legal studies in the UK

Luigi Cominelli, Università degli Studi di Milano

The current state of socio-legal studies in Italy

Pedro Fortes, Oxford

The Current State of Socio-Legal Studies in Brazil

2102 Constitutions and Regionalisms beyond the State

WG Sociology of Constitutions

The presence of communities provided by cultural identities and strong political ambitions in long established states is a problem which seems to be increasingly important even in well organised union of states provided by a sort of meta-sovereignty. Is this ambiguous “glocalism” a real threat to the established international order despite the limited dimension of these re-emerging entities? (Session organized by Alberto Febbrajo).

Room: Auditório Mário Murteira

Chair: Alberto Febbrajo, University of Macerata; CSISC

Alberto Febbrajo, University of Macerata; CSISC

The EU and its regional dimension

Marco A. Quiroz Vitale, University of Milan

Constitutions and culture of human rights

Enrico Damiani di Vergada Franzetti, University of Milan [[to be confirmed]]

Constitutions and judicial culture of human rights

2122 Inclusion and Exclusion in the Penal Domain

Room: C4.08

Chair: Marília de Nardin Budó, Faculdade Meridional (IMED-Brazil)

Letizia Mancini, University of Milan - Italy

Protecting vulnerable subjects and/or increasing social exclusion? Some remarks on the use of ‘culture’ in penal law in European societies

Barbara Smith, Hartwick College

Public perceptions about the sex offender registry website and community protection policies

Lucero Ibarra Rojas, CIDE

Elena Alejandra Ibarra, UMSNH

Mariana A. Manzo, Universidad Nacional de Córdoba

Law, rights and political mobilization, without justice? The case studie of “gender violence alert” in México

Javier Cigüela Sola, UAO / UOC
Citizenship and Criminal Law in a Globalized World

2123 Reproductive justice, bodily autonomy & citizenship

WG Gender, Law and Society

Room: B2.01

Chair: Annick Masselot

Silvana Beline, Universidade Federal de Goiás
Riva de Freitas, UINESP/UNOESC
Autonomy of the will in times of setbacks

Natalia Broniarczyk, University of Warsaw
Małgorzata Fuszara, University of Warsaw
Abortion law in Poland- the awakening of Polish women

Anne-Claire Sanz-Gavillon, Université Paris 8
Women's fight for Abortion Rights in Spain and Chile: Equal Citizenship and the Construction of Democracy in Post-Dictatorship Societies.

Alexandrine Guyard-Nedelec, Paris 1 Panthéon-Sorbonne University
Unwanted court ordered C-sections: what of women's consent?

2124 Gender/Women in the Legal Profession I: Gender and Judging

WG Comparative Studies of Legal Professions

The session deals with various aspects of gender and judging: career aspects of women in the judiciary, gender aspects in judging and specific feminist judging. It combines information on four continents of the world: Africa, Australia, USA and Europe (Germany) (Sessions organized by Ulrike Schultz).

Room: B2.02

Chair : Ulrike Schultz, FernUniversität in Hagen

Rosemary Hunter, Queen Mary University of London

Kathy Mack, Flinders University

Sharyn Roach Anleu, Flinders University

Feminist Judging in Australian Magistrates Courts: Empirical Findings

Kathleen Mahoney, University of Calgary

Taking Down a Sexist Judge – How Feminist Methodology Removed a Judge from the Bench

Ulrike Schultz, FernUniversität in Hagen

Women Lawyers under the Swastika

Rania Maktabi, Østfold University College, Norway

*Female Citizenship and Patriarchal Nationality Laws in the Middle East
Pressures for Reform between Faith and Nation in Lebanon and Kuwait*

2125 Oñati Session I - The Local and its Multidimensionality

In this session we bring together studies that have Oñati in common, assumed herein not only as a shared academic foundation and an enrich personal experience for all Onati Session's participants but as a site worth of study itself, where the town's particular interests and cultural and economic dynamics are uncovered to reveal a multidimensionality that opens up the town to far-reaching connections and intersections.

Room: C2.05

Chair: Gabriela Farinha, ISCTE-IUL, DINÂMIA'CET-IUL

Ihintza Palacin Mariscal, European University Institute

Basque speakers and their linguistic rights: (dis)empowerment by law

R. Leopoldo Cruz Balbuena, Euskal Herriko Unibertsitatea

Conceptions of Freedom in the Use of the Open Public Space: The Foruen Enparantza in Oñati as an Illustration

Patara McKeen, Onati International Institute for the Sociology of Law
Pakistani Migration and Integration in the Basque Country: A Case Study of Oñati.

2132 Access to Justice

WG Civil Justice and Dispute Resolution

Room: C3.02

Chair: Paula Casaleiro, University of Coimbra

Srun ChhunVoleak, Nagoya University

The civil caseload issue in Cambodian first instance courts: lessons from the Japanese judiciary

Daniela Marques de Moraes, Universidade de Brasília

Benedito Cerezo Pereira Filho, Universidade de São Paulo

O exercício do direito, por suas formas de utilização, requer atores capazes de fomentar um acesso à justiça vocacionado ao desenvolvimento pleno da cidadania

Marijke ter Voert, WODC, Dutch Ministry of Justice and Security

Carolien Klein Haarhuis, WODC

Trends in Paths to Justice in the Netherlands: Justiciable Problems and Actions Taken over the years

Jan Winczorek, University of Warsaw

Karol Muszyński, University of Warsaw

Uncertainties of law and laws of uncertainty. Polish SMEs on using law in business.

2141 Citoyenneté, État, mobilisations du droit à l'heure de la mondialisation

AISLF-CR03

Room: C4.01

Chair: Julie Paquin

Simona Andrini, Università degli Studi di Roma Tre

Fedele Cuculo, Università degli Studi di Chieti G. D'Annunzio
Legal institutions and new citizenship: spaces and paths of the multitudes

Francesca Carocchia, Università degli Studi dell'Aquila - DIIIIE (dipartimento di
Ingegneria e dell'Informazione e di Economia)
Ordre public and private law. Managing cultural conflicts in the age of mondialization

Camara Fodé, Idetcom
*Migrations "south north", from liquid right to solid borders
Portuguese and French examples*

Marta Roca i Escoda, Université de Lausanne
*The recognition of homosexual filiation beyond the national framework: the legal
actions of gay fathers in Spain*

Arnold Martial Ateba, Université de Yaoundé II/DReSPS
*Implementing rights: the mobilization of the consumer protection associations in
Cameroon*

2142 Construction of Citizenship, Citizen Participation and Rights

WG Law and Politics

Room: C4.02

Chair: Karina Ansolabehere, IIJ-UNAM

Mirosław Michał Sadowski, University of Wrocław
*Citizens of what? Local identities, the Mainland, collective memory: The question of
citizenship in Hong Kong and Macau*

Carolina Vestena, University of Kassel
The ambivalent role of law in mobilisations of social movements in times of austerity

Ainhoa Montoya, Institute of Latin American Studies, University of London
Citizens as Lawmakers: Banning Mineral Extraction in El Salvador

Shozo Ota, The University of Tokyo
Junko Kato, The University of Tokyo

Takeshi Asamizuya, The University of Tokyo

The Neuro-cognitive Structure of Lay Perception and Judgments on Legal Problems: Standard of Proof and Defendant's Repentance in Criminal Procedure

2143 Law, Justice, and Urban Space

International Research Group on Law and Urban Space

Room: C4.06

Chair: Patrícia Branco

Bruno Franco Alves, Universidade Federal de Juiz de Fora / Universidade de Coimbra
A judicialização das lutas urbanas por moradia em Belo Horizonte-MG

Patrícia Branco, Centro de Estudos Sociais

The Multiple Geographies of Justice on the 21st Century: Reflections about what Courts represent within Territory and Space

María Novo, Universidade da Coruña

Carmen Lamela, Universidade da Coruña

Social versus legal process in cases of local urban corruption

Veronica Pecile, École des Hautes Études en Sciences Sociales (EHESS)

The strategic use of law in the social movements for the commons. The case study of Palermo, Sicily

2145 Laws and rights in a plural word: challenges and debates on legal pluralism and interlegality in the 21st century I

"Legal pluralism is not a recent concept in Social Sciences and its recognition today is hardly problematic. Many questions however still lack final answers and discussions on accommodating diversity in a non-Eurocentric way remain extremely relevant. Debates are not only legal but also political. They may technically focus on how to accommodate the rule of law with soft law, international law and local law or go further and critically discuss what is justice and fairness and the balance between the right to be different and the right to be equal. The aim of this panel is to discuss how to address legal pluralism and interlegality in order to democratise 21st century societies.

We challenge participants to move beyond the conceptual discussion and the mapping of the various forms of legal pluralism and invite them to raise legal and political

relevant questions and contribute to embedded debates on how to deal with interactions between legal orders and, therefore, contribute to informed policy making. We welcome both empirically grounded and theoretically informed contributions capable of thinking about, and beyond, the forms of contemporary legal pluralism in the world in a forward-looking but historically based and non-Eurocentric perspective.

The set of issues and questions we intend to discuss includes, but is not limited to: the relation between human rights, rule of law and legal pluralism; legal pluralism, criminal law and violence(s); legal pluralism and the problematic bifurcated state; legal pluralism and access to justice; legal pluralism and feminisms; legal pluralism and access to water; legal pluralism and access to land; legal pluralism and decolonizing the law and the state; politics of state informalisation; legal pluralism and intercultural constitutionalism; legal pluralism and legal education (Session organized by Sara Araújo and Marta Patrício).

Room: C4.08

Chair: Sara Araújo, Centro de Estudos Sociais - UC

Marta Patrício, CEI-IUL

Contemporary legal pluralism in rural Mozambique: intersections between legal orders and access to justice

Laura Edith Saavedra Hernández, Centro de Investigación y Estudios Superiores en Antropología Social (CIESAS)

The Participatory Legal Defense: a proposal to build intercultural dialogues between tseltal women and the legal systems in the legal context of Chiapas, Mexico

Helene Maria Kyed, Danish Institute for International Studies

The politics of Legal Pluralism in Mozambique

Antônio Carlos Wolkmer, UNESC-SC, UNILASALLE-RS.

Maria de Fatima S. Wolkmer, UNESC-SC

Para uma Alternativa Pluralista e Descolonial: a cosmovisão cultural do buen vivir | For a Pluralist and Decolonial Alternative: the cultural worldview of good living

2151 Peripheral Countries Perspectives on Sociology of Law

WG Social and Legal Systems

Room: C5.01

Chair: Germano Schwartz, UniRitter

Maciej Pichlak, University of Wrocław

Doubled Reflexivity of Law: The Condition and the Limit of Reflexive Regulation

Loreto Quiroz Rojas, Universidad de Santiago de Chile

Lynching in Chile, an expression of the relationship between laypersons and right

Shin Teramoto, Kyushu University, Faculty of Law

Yuriko Haga, Kanazawa University, Faculty of Law

The Essential Role of Objections from Outsiders in Improving the Quality of Information that is Curated and Disseminated by Websites

Discussant: João Pedroso, CES

2152 Direito do Trabalho, empresarial e Direitos Humanos

WG Human Rights

(May be extended to the next time slot, same room)

Room: C5.02

Chair: Tiago Muniz Cavalcanti, Universidade Federal de Pernambuco

Tiago Muniz Cavalcanti, Universidade Federal de Pernambuco

Juliana Teixeira Esteves, Universidade Federal de Pernambuco

Reformas e retrocessos: o controle difuso de convencionalidade derivado do dever estatal de proteger direitos humanos

Cinthia Obladen de Almendra Freitas, Pontifícia Universidade Católica do Paraná - PUCPR

Danielle Anne Pamplona, Pontifícia Universidade Católica do Paraná - PUCPR

A complexa relação entre Negócios e Direitos Humanos: as violações dos direitos de personalidade por meio de tracking e profiling em serviços online

Amélia Sampaio Rossi, Pontifícia Universidade Católica do Paraná

A Constitucionalização do Direito Internacional dos Direitos Humanos e as novas estruturas protetivas fortalecidas pela possibilidade de construção de um diálogo multinível.

Marina Henriques, Centro de Estudos Sociais

Constitucionalismo global e proteção dos direitos humanos do trabalho

Teresa Maneca Lima, Centre for Social Studies

The Portuguese workers' compensation system: when experiences challenge the Law

Andreia Santos, Faculdade de Economia da Universidade de Coimbra/Centro de Estudos Sociais

Uma análise sociojurídica do trabalho e seus direitos: austeridade versus trabalho digno

2153 Direito e Justiça: um apelo à comunidade

ST Sociologia do Direito e da Justiça

Room: C5.06

Chair: Vera Martins

Cristiane de Souza Reis, Instituto Comparado em Administração de Conflitos -
Universidade Federal Fluminense

As vozes e discursos que ecoam nos Conselhos Comunitários de Segurança Pública do Rio de Janeiro

Arkeley Xênia Souza da Silva, UFRN (Universidade Federal do Rio Grande do Norte)

Lore Fortes, UFRN (Universidade Federal do Rio Grande do Norte)

Adriana Cláudia Câmara da Silva, IFRN (Instituto Federal de Educação, Ciência e Tecnologia do Rio Grande do Norte)

A mediação como instrumento transformador do conflito e a possibilidade da criação de um espaço público à prática dialógica

Helga Castro, CIEC-UMinho

Entre a utopia e as vivências nos tribunais de família e da criança: que lugar para a cidadania da infância?

2155 Direito(s) e privação de liberdade: desafios ético-metodológicos na investigação I

ST Sociologia do Direito e da Justiça

A equipa Direitos, Vulnerabilidade e Justiça do CICS.NOVA promove uma abordagem crítica e plural sobre a efetivação dos Direitos humanos que destaca a ordem jurídica e a governação integrada enquanto garantias fundamentais para o desenvolvimento sustentável e coesão social. Em articulação com redes nacionais e internacionais, a investigação centra-se na análise das dinâmicas sociais que afetam grupos mais vulneráveis da população (i.e., crianças, jovens, mulheres, migrantes, grupos étnicos e reclusos) na experiência e acesso aos sistemas de ação social e administração da justiça, problematizando os contextos e as condições que constroem a sua inclusão e o exercício de uma cidadania ativa.

A realização de investigação no campo das ciências sociais tem de estar ancorada num quadro ético cujos valores e princípios que o informam assegurem necessariamente a conjugação dos interesses de investigadores e de participantes que constituem os sujeitos ou o objeto de estudo. Neste âmbito, a realização de pesquisas sobre as pessoas sujeitas a medidas ou penas que determinam a privação do seu direito à liberdade, que pode assumir várias formas e ser concretizada em diferentes graus, bem como sobre os sistemas de justiça juvenil ou de justiça penal responsáveis pela execução das mesmas, coloca um conjunto de importantes desafios éticos e metodológicos à comunidade científica e aos operadores judiciais e sociais que importa melhor compreender e publicamente debater. Entre eles incluem-se os relativos às fontes de informação utilizadas, aos tempos da investigação, ao posicionamento de quem investiga, à negociação e ao acesso às pessoas e aos contextos de privação de liberdade, às formas de consentimento e de participação e às dimensões dos impactos da investigação.

À luz deste enquadramento, neste painel pretende-se discutir alguns dos principais desafios ético-metodológicos que se colocam à investigação no campo das ciências sociais quando a privação do direito à liberdade é o eixo orientador da análise. A discussão a promover a partir da experiência de diversos investigadores posiciona-se no interface entre o(s) Direito(s), a justiça e as pessoas que, por se encontrarem privadas da sua liberdade, sob alçada do Estado, no âmbito da intervenção dos sistemas de justiça juvenil e de justiça penal, são necessariamente consideradas em situação de vulnerabilidade (sessão organizada por Sílvia Gomes, Maria João Leote de Carvalho, Vera Duarte, Ana Manso e Manuela Ivone Cunha [coord.]).

(May be extended to the next time slot, same room)

Room: C5.08

Chair: Sílvia Gomes / Maria João Leote de Carvalho / Vera Duarte / Ana Manso /
Manuela Ivone Cunha (coordenação), CICS.Nova UMinho / ISMAI

Maria João Leote de Carvalho, CICS.NOVA.FCSH/UNL Centro Interdisciplinar de Ciências Sociais da Universidade Nova de Lisboa

“Aos olhos dos outros nós somos sempre o problema!” Questões éticas e dilemas metodológicos na investigação com jovens com medidas de privação de liberdade

José Eduardo Gonçalves, Faculdade de Letras (FLUC)/ e de Economia (FEUC) / CES - Universidade de Coimbra

Poetic inquiry within prisons: a reflection on inmates’ voice and silence

Catarina Frois, Centro em Rede de Investigação em Antropologia

Distância e proximidade no fazer etnográfico em contexto penitenciário

Sílvia Gomes, CICS.Nova UMinho / ISMAI

Rafaela Granja, CECS UMinho

(Dis)trusted Outsiders: Conducting ethnographic research on prison settings

Sílvia Gomes, CICS.Nova UMinho / ISMAI

Vera Duarte, ISMAI / CICS.Nova UMinho

What about ethics? Developing qualitative research in confinement settings

Marco Ribeiro Henriques, FDUNL/FCT

Novamente o consentimento livre e esclarecido. Revisitar institutos e lançar novos desafios às metodologias de investigação em meio prisional. Existe uma reflexão ético-jurídico a fazer?

Raquel Matos, Research Centre for Human Development - Universidade Católica Portuguesa

Desafios metodológicos da investigação com cidadãos estrangeiros detidos em Portugal

Tuesday 11 September, 3:30pm-5:15pm

2201 Mapping the current state of socio-legal studies II – Featured Session

Room: Auditório J.J. Laginha

Chair: Marina Kurkchian, Masayuki Murayama (Co-Chair), Meiji University

Stefan Machura, Bangor University

The current state of socio-legal studies in Germany

Adam Czarnota, University of New South Wales

I will discuss on the current state of socio-legal studies

Alberto Febbrajo, University of Macerata; CSISC

The current state of socio-legal studies in Italy

Marina Kurkchian, University of Oxford

The current state of socio-legal studies in the UK

2202 Constituição e Mudança Socioeconómica - Quatro Décadas da Constituição da República Portuguesa – Apresentação do livro

Lançamento do volume organizado por Maria Eduarda Gonçalves, Glória Rebelo e Pierre Guibentif, *Constituição e Mudança Socioeconómica - Quatro Décadas da Constituição da República Portuguesa* Oeiras: Príncípa, 2018.

Room: Auditório Mário Murteira

Apresentação do volume: [[TBA]]

Discussão: [[TBA]]

Com a participação dos autores

2223 Gender and the Courts

WG Gender, Law and Society

Room: B2.01

Chair: Barbara Giovanna Bello

Madalena Duarte, Centre for Social Studies

Law and gender violence: a typology of judging narratives

Tanja Herklotz, Humboldt Universität zu Berlin

Feminist Legal Activism in India

Annick Masselot, University of Canterbury, New Zealand

Roberta Guerrina, University of Surrey

Walking into the Footprint of EU Law: Unpacking the Gendered Consequences of Brexit

Anne Michelle Schneider, Universidade Fernando Pessoa

A (i)legitimidade das decisões judiciais na sociedade da informação

2224 Gender/Women in the Legal Profession II

WG Comparative Studies of Legal Professions

The focus of the session is on timely gender issues in legal practice and the notariat: differences in attractiveness of legal occupations for women and men, coping strategies for young lawyers under professional pressure, wellbeing as an uprising subject in management strategies, now also applied to the legal profession, and cultural capital as a key factor for success in the profession (Sessions organized by Ulrike Schultz).

Room: B2.02

Chair : Ulrike Schultz, FernUniversität in Hagen

Isabel Boni-Le Goff, University of Lausanne

Eléonore Lépinard, University of Lausanne

Grégoire Mallard, Graduate Institute Geneva, IHEID

Finding meaning in lawyering? Gendered alienation and coping strategies in France and Switzerland

Peter Robson, University of Strathclyde

Women in the Scottish Legal Profession in the 21st century

Hilary Sommerlad, University of Leeds

Pete Sanderson, University of Huddersfield

Valorising cultural capital: understanding occupational stratification in the legal profession

Julie Paquin, University of Ottawa

The feminisation of notariat in Quebec: Accounting for the differential attractiveness of notarial law for female and male law students

2225 Oñati Session II - Beyond State Law: the power of Normativities and Discourse

In this session we bring together studies that deal with the erosion of State Law and/or challenge State Power as the only force able to delimit and restrict normative principles and concepts of justice and law. They then look at how non-State sources of normativities intersect, compete and push for the former's redefinition.

Room: C2.05

Chair: Lucero Ibarra Rojas, CIDE

Lucero Ibarra Rojas, CIDE

Looking at Latin America from the Oñati IISL

Francesco Forzani, University of Westminster

The Living Law of Farmed Animals: a spatio-temporal analysis of animal welfare as a normative concept

Yance Arizona, Leiden University

The Return of Adat: An enigma of indigeneity in Indonesian Law

Marília de Nardin Budó, Faculdade Meridional (IMED-Brazil) [[to be confirmed]]

Alexandre Marques Silveira, Faculdade Meridional (IMED-Brazil)

Movements of victims of corporations in Brazil and beyond: a struggle for truth and justice

Myrta Morales-Cruz, Inter American University of Puerto Rico School of Law [[to be confirmed]]

Lawyering and Social Movements: Stories from Puerto Rico

Jack Meakin, University of Glasgow

The Political and Legal Strategies of Worker-Recuperated Enterprises in Argentina

2232 Dispute resolution

WG Civil Justice and Dispute Resolution

Room: C3.02

Chair: Jan Winczorek, University of Warsaw

Paula Casaleiro, University of Coimbra

Experts impact in and beyond the child custody judicial decision

Luigi Cominelli, Università degli Studi di Milano

Claudio Lucchiari, Università degli Studi di Milano

Raffaella Folgieri, Università degli Studi di Milano

Brain-in-Negotiation: How to Test and Improve Cooperative Problem Solving Skills among Law Professionals through the Brain Computer Interface

Michael Dusche, University of Heidelberg

Beyond the Law: The Justice Regime of the Spritits of Tulunadu

Toshihiro Hayase, Nagasaki University

Negative common right and conservation easement —The grove of the village shrine living in the location of Kaminoseki nuclear plant as example

Susana Atalaia, ICS - Instituto de Ciências Sociais

Stepfamilies and the law: the Portuguese case

2241 Sociologie du droit du travail

AI SLF-CR03

Room: C4.01

Chair: Laurence Dumoulin

Michel Coutu, School of Industrial Relations, Université de Montréal
The New Constitution of Labour: Its Impact on Worker's Rights in Canada

Thierry Kirat, CNRS (IRISSO, Paris Dauphine) [[to be confirmed]]
Economists and labour courts in France. Empirical criticisms of labor litigation criticisms

Claude Didry, CNRS, France
The plurality of the national juridical answers to Uber drivers claim for labor contracts

Diane Gagné, Université du Québec à Trois-Rivières
La conception polymorphique de la discrimination systémique et le parler « frileux » : deux barrières à une citoyenneté inclusive au Québec.

Laurence-Léa Fontaine, UQAM

Simon St-Onge, UQAM

L'extension des conventions collectives : les magasins d'alimentation Couche-Tard - Pour une mise à l'épreuve de la théorie des insiders/outsideers

2242 Political Decisions within the State Powers

WG Law and Politics

Room: C4.02

Chair: Alberto Abad Suarez [[to be confirmed]]

George Pavlich, University of Alberta, Canada
Criminalization and Settler-colonial State Formation

Claudia Maria Barbosa, Pontifícia Universidade Católica do Paraná
Fabiane Lopes Bueno Bessa, Pontifícia Universidade Católica do Paraná
A ausência de accountability social que facilitou o Golpe no Brasil

Marfisa Cysneiros de Barros, Faculdade de Ciências Humanas de Pernambuco
The significance of social rights on constructing citizenship in Brazil

2243 Migration, Integration and Law

WG Law and Migration

Room: C4.06

Chair: Nina Amelung, University of Minho

Iker Barbero, University of the Basque Country

Are duty immigration lawyers in the Industry? Public Legal Aid and Deportation procedures in Spain

Jan Bazyli Klakla, Jagiellonian University in Cracow

Applying biographical method in the field of sociology of law. Acculturation strategies among foreigners in Poland - preliminary report of a pilot study

Yasmine Bouagga, CNRS

Negotiating legality in the informal refugee camp (Calais Jungle)

2245 Laws and rights in a plural word: challenges and debates on legal pluralism and interlegality in the 21st century II

Centro de Estudos Sociais

Room: C4.08

Chair: Sara Araújo, Centro de Estudos Sociais - UC

Lívia Gimenes Dias da Fonseca, Universidade de Brasília

Decolonial feminism and the struggle for rights in an intercultural perspective

Marisa Ramos Gonçalves, Centro de Estudos Sociais, Coimbra

Maria Paula Meneses, Centro de Estudos Sociais, Coimbra

Sara Araújo, Centro de Estudos Sociais, Coimbra

“Sé mak tesi lia?”— Interlegalidade e Hibridismo dos Sistemas de Justiça em Timor-Leste

Marta Patrício, CEI-IUL

The dynamics and intersections between law and the customary in Mossurize: a case study on legal pluralism

Luisa Acabado, CES

Crossroads and meanings of law and rights in Guinea-Bissau

Tomas Ledvinka, Charles University, Prague, Faculty of Social Sciences

James M. Donovan, University of Kentucky

Unsettled law, anxious legal modernity: negotiating non-state law in the international civil trials in Europe

2253 Direito: o controlo, violência e exceção

ST Sociologia do Direito e da Justiça

Room: C5.06

Chair: Cristiane de Souza Reis

António Pedro Dores, ISCTE-IUL

The role of the people in the modern legal system

Paulo Incott, Centro Universitário Internacional

Rui Dissenha, Centro Universitário Internacional

The ambivalent criminal control of universal citizenship: analysis of the Brazilian case

Raiane Ataíde de Meneses, Faculdade de Direito da Universidade de Lisboa

Crise, biopolítica e estado de exceção: uma análise da Portaria Normativa 3.461/md como instrumento da exceção soberana

Ana Oliveira, Centro de Estudos Sociais

A perseguição política nas políticas de asilo

2256 Algorithms

WG Law and Development

Room: C5.09

Chair: David Restrepo Amariles

Tilen Cuk, Université libre de Bruxelles (Perelman Centre)

How algorithms make law: the curious case of ICOs (Initial Coin Offerings) and altcoins (alternative coins)

Pedro Fortes, Oxford

A Case Study of Geo-Discrimination: How Algorithms Discriminate Based on Geographical Location of Consumers.

Håkan Hydén, Department of Sociology of Law, Lund University, Sweden

Algorithms as Norms

Gregory Lewkowicz, Université libre de Bruxelles

Traduttore, traditore: The transformation of legal concepts in automated decision-making

Discussant: David Restrepo Amariles

Tuesday 11 September, 5:30pm-7:00pm

Plenary Event

**Legacy of an empiricist: Critical perspectives of law and procedure
- In Memory of Erhard Blankenburg**

Room: Auditório J.J. Laginha

Chair: Masayuki Murayama, Meiji University Tokyo

Ralf Rogowski, University of Warwick

Alfons Bora, University of Bielefeld

Marc Hertogh, University of Groningen

Vincenzo Ferrari, IISL Oñati

Ulrike Schultz, FernUniversität in Hagen, President of the RCSL Board

Tuesday 11 September, 7:00pm-8:00pm

2498 Meeting of the Oñati 2019 RCSL Conference Programme Committee

(Members only)

Room:B1.02

Wednesday 12 September, 9:30am-11:15am

Plenary Session III Law and Citizenship above the States: A World to be Constitutionalized

The notion of citizenship developed narrowly related to the democratization of national states, and it was formally recognized in a first period by documents drafted in the course of national political processes. Since the emergence of this notion, however, its discussion did involve people from many different countries, giving rise to a transnational intellectual process. In recent decades, an increasing number of international or regional mechanisms aiming at protecting human rights were set up, likely to favour individual action taking place in arenas that transcend national borders. Under such conditions, community oriented individual agency – which might be a definition of citizenship – could gain power beyond national settings, at a moment when large organizations already succeeded in establishing themselves as relevant players at that level. The discussion we would like to open is to what extent this is the case, what tensions it may generate, and what impact it is likely to have on actors and movements, forms of pressure and regulation, beyond and within the states.

Grande Auditório

Christopher Thornhill, University of Manchester

The citizen and the state - a paradoxical relation

David Whyte, University of Liverpool

Law, citizenship and the corporation

Vital Moreira, University of Coimbra Law School
Na linha da frente do constitucionalismo transnacional: o caso dos direitos humanos

Chair: Maria Eduarda Gonçalves, DINÂMIA-CET-IUL, ISCTE-IUL

Wednesday 12 September, 11:30am-12:30am

RCSL Business Meeting

Grande Auditório

Wednesday 12 September, 1:30pm-3:15pm

3101 Better regulation and its importance for citizens and companies in Portuguese-speaking countries and regions - Projeto de investigação Regras comuns de logística nos Estados e Regiões – Featured Session

Projeto de investigação Regras comuns de logística nos Estados e Regiões
Lusófonas<<https://www.icjp.pt/cidp/investigacao/4462/projectos/11618>> / Rules for legal drafting in Portuguese-speaking countries/regions research project - Lisbon Centre for Research in Public Law - University of Lisbon School of Law

This session will approach the importance of better regulation for the citizens and companies of nine Portuguese-speaking countries and regions: Angola, Brazil, Cape Verde, Guinea-Bissau, Macao Special Administrative Region, Mozambique, Portugal, São Tomé and Príncipe and Timor - Leste . The Portuguese-speaking countries and regions represent a relevant geographical area where more than 250 million people speak the same language and nine different legal systems coexist. The approach will be done by presenting four papers on the following topics: i) Rules for legal drafting in Portuguese-speaking countries/regions research project ii) the Portuguese Legislation Observatory (Observatório da Legislação Portuguesa) and the quantitative assessment of legislation as an exercise of citizenship iii) Social norms: its importance for regulatory impact assessment iv) Regulatory impact assessment in the Government legislative process: the Portuguese case. Whilst presenting these topics, the researchers intend to show how better regulation can improve the life of citizens and

the activity of companies within and, perhaps, beyond nine specific States and Regions
(Session organized by Inês Inverno).

Room: Auditório J.J. Laginha

Chair: João Tiago da Silveira, Faculdade de Direito da Universidade de Lisboa

João Tiago da Silveira, Faculdade de Direito da Universidade de Lisboa

Inês Inverno, Centro de Investigação de Direito Público - Instituto de Ciências Jurídico-
Políticas - Faculdade de Direito da Universidade de Lisboa

Rui Tavares Lanceiro, Faculdade de Direito da Universidade de Lisboa

Rules for legal drafting in Portuguese-speaking countries/regions research project

Sónia Rodrigues, Faculdade de Direito da Universidade Nova de Lisboa

Sónia Rodrigues, Faculdade de Direito da Universidade Nova de Lisboa

Inês Inverno, Faculdade de Direito da Universidade de Lisboa

*Observatório da Legislação Portuguesa - a análise quantitativa da lei e outras
ferramentas para o exercício da cidadania*

Raquel Franco, Faculdade de Direito da Universidade de Lisboa

As normas sociais: sua relevância para a avaliação de impacto legislativo

Mariana Melo Egídio, Faculdade de Direito da Universidade de Lisboa

Gonçalo Carrilho, CIDP - Faculdade de Direito da Universidade de Lisboa

António Delicado, CIDP - Faculdade de Direito da Universidade de Lisboa

A avaliação de impacto no processo legislativo governamental: o caso português

3102 Transconstitutionalism and the New Symbolic Dimensions of Constitutions I

WG Sociology of Constitutions

Nowadays even advanced constitutions appear affected by a general democratic crisis and show from a theoretical perspective their own paradoxical nature. Consequently, the real impact of the norm of the norms on the life of people is increasingly perceived as a variable with a high level of volatility. Is this the general result of the slow decline of politics and/or of the increasing role of new collective actors in an uncontrollable transnational horizon? (Session organized by Alberto Febbrajo).

Room: Auditório Mário Murteira

Chair: Alberto Febbrajo, University of Macerata, CSISC

Alberto Febbrajo, University of Macerata, CSISC

The constitution and its paradoxes

Lasha Bregvadze, Ilia State University

"Transnational and Local Constitutions in Collision: Lex Constructionis against Spontaneous Constituencies of Locality and the Center/Periphery Dilemma of Modernity"

Ferdinando Spina, University of Salento

Political activities of judges and the symbolic dimensions of Constitutions

Francesco Bilancia, University "G. d'Annunzio" of Chieti-Pescara

The constitutional dimension of democracy within a democratic society

Marta Maroni, University of Helsinki

The right to access the Internet: political encounters between law and Internet communication technologies

3122 From the Outside In: Prisons dynamics beyond the States

Room: C4.08

Chair: António Pedro Dores

Annette Olesen, Department of Sociology and Social Work

Structural and financial tensions met by Voluntary Sector Organisations offering rehabilitative debt advice to prisoners and ex-prisoners in Denmark and Norway

Giovanni Torrente, University of Torino

The role of NGOs in resisting prison expansion: the Italian case

Ana Ballesteros-Pena, Ph.D. Independent researcher

The role of the third sector in the Spanish penitentiary system in the 21st Century

Cláudia Resende, Independent researcher / DGRSP [[to be confirmed]]

Meeting the religious needs: Firsthand experiences of Muslim inmates in a Portuguese prison

3123 Legal professions 1

WG Comparative Studies of Legal Professions

Room: B2.01

Chair: Rosemary Auchmuty

Cecilia Blengino, Università degli Studi di Torino (Italy)

Silvia Mondino, Università degli Studi di Torino (Italy)

The role played by the clinical movement converting legal education into justice education: clinical legal education's transformative power

Richard Collier, Newcastle University, UK

Surviving or Thriving? Wellbeing and Mental Health in the Legal Community - Making the Connections Between Legal Practice and Law Schools

José Querino Tavares Neto, Universidade Federal de Goiás e Pontifícia Universidade Católica de Goiás

Cinthia Obladem de Almendra Freitas, Pontifícia Universidade Católica do Paraná

Applying the Bourdieusian Theory to Technology as a Scientific Field and Social Domination

3124 Gender/Women in the Legal Profession III: Gender and Careers in the Legal Academy

WG Comparative Studies of Legal Professions

The session combines papers which result from a current research project on gender and careers in the legal academy for which a publication in the Onati series at Hart publishing is prepared (Sessions organized by Ulrike Schultz).

Room: B2.02

Chair : Rania Maktabi, Østfold University College, Norway

Maria da Gloria Bonelli, Federal University of Sao Carlos -Brazil

Women, difference and identities in the Brazilian legal professoriate

Córa Hagino, CES/Unifoa

Gender and LGBT studies at Coimbra Law School: a sociology of absence?

Harriet Silius, Åbo Akademi University

Inkeri Anttila, legal reformist and Scaninavian feminist of the 1960s

Hilary Sommerlad, University of Leeds

The reasonable man and how patriarchal discourses persist in the feminised legal academy

Jan Kober, Charles University, Prague / Institute of State and Law of the Czech Academy of Sciences

The Position of Women in the Czech Legal Academia between 1945 and 2015

3125 In the Midst of the Paradox: Citizenship and State

Room: C2.05

Chair: Susana Santos, ISCTE-IUL

Trevor Purvis, Carleton University

Sovereignty and the Limits of Citizenship

Susan M. Sterett, University of Maryland, Baltimore County

Law, Time, Displacement: Extending Disaster in Law

Vasco Barroso Gonçalves, DINÂMIA-CET-IUL/ISCTE-IUL

Uncertain risk assessment and management: analysis of judicial cases of the application of the precautionary principle in Portugal

Begoña Dorronsoro, CES Centro de Estudos Sociais, Universidade de Coimbra

Is there such a thing as international nationalism? Beyond the modern nation-state failed system.

Khadija Ahmed, University of Toronto

For Security's Sake: Muslims' Mobility and Citizenship Rights in Canada and the U.K.

3132 Disputing Behavior and Judicial Policy in the Super-Aging Society: Preliminary Report on the Civil Justice Research Project in Japan

WG Civil Justice and Dispute Resolution

Contemporary Japanese society faces a formidable challenge, namely the challenge of “super aging society.” As of October 2016, the people who are 65 or older are as high as 27.3% of the population. It is expected that the proportion of aged population exceed 1/3 in 2035. The super-aging society will cause the increase of the number and the complexity of new types of disputes, e.g., guardianship, care/nursing/medicine, housing, family, asset/property management, pension, consumer protection, inheritance etc. But little evidence has been gathered about the realities of these problems.

With the special focus on people’s disputing and litigation behavior in the super-aging society, we started 5 years project of large-scale surveys (Civil Justice Research Project: CJRP) in 2016, comprised of many socio-legal scholars throughout Japan. CJRP conducts 2 nation-wide surveys through 2017 to 2018: Disputing Behavior Study (DBS) and Litigation Behavior Study (LBS). DBS is on people’s dispute experience and disputing behavior in their everyday life and conducted through November to December 2017. The sample consists of 12,000 individuals randomly selected from the national population. LBS is on people’s civil litigation behavior and will be conducted through January to March 2018. The sample consists of about 3,000 individual litigants and 2,500 lawyers randomly selected from 1,500 civil cases which completed in 2014. As an additional study of LBS, Internet survey for ordinary citizens will be carried out in February 2018.

This session aims to give preliminary report on these surveys, while comparing its results with those of the previous studies in Japan and in other countries.

Many developed countries will face the problems of aging society sooner or later. Many more countries share similar challenges with Japan in the 21st Century. CJRP will give many invaluable findings and theoretical suggestions to the global socio-legal studies in the field of empirical study on disputes and litigation in the [super-]aging society (organized by Iwao Sato).

Room: C3.02

Chair: Iwao Sato, The University of Tokyo

Iwao Sato, The University of Tokyo

Masaki Abe, Osaka City University

Shozo Ota, The University of Tokyo

Disputing Behavior and Judicial Policy in the Super-Aging Society: Backgrounds and Research Design of the Civil Justice Research Project in Japan

Masaki Abe, Osaka City University

A Nationwide Survey on the Experience of Disputes among Japanese People

Aya Yamaguchi, The University of Tokyo, Japan Society for the Promotion of Science
An analysis on Japanese experiences of disputes Involving elderly people

Shozo OTA, The University of Tokyo

Takayuki II, Senshu University

Survey of Civil Litigants and Their Lawyers 2018: Its Outline and Early Findings

Daisuke MORI, Kumamoto University

Tomohiko MAEDA, Meijo University

Kiyoshi HASEGAWA, Tokyo Metropolitan University

How are Japanese people seeing the aging society as legal issues? Findings from Internet Survey of General Public Regarding Civil Litigation 2018.

Discussant: Marijke ter Voert, WODC, Dutch Ministry of Justice and Security

3141 Sociologie de la justice

AISLF-CR03

Room: C4.01

Chair: Jean De Munck

Cristina Ferreira and Ludovic Maugué, Haute Ecole de santé Vaud (HESAV)

Ludovic Maugué, Haute école de santé Vaud

Les justices de paix et la protection des droits des adultes vulnérables en Suisse

Julie Paquin, University of Ottawa

Emmanuelle Bernheim, Université du Québec à Montréal

Access to justice in Quebec: A comparative inquiry into the non-use of law in four legal areas

Faiza Kadri, Université du Québec à Montréal

Andreea Popescu, NA

Legal Education: A mirage of the empowered citizen or the antechamber for fulfilled citizens to be?

Laurence Dumoulin, CNRS – PACTE, Univ Grenoble Alpes

Le jugement juridictionnel en question : verdict, jugement et décision

Laurence Dumoulin, CNRS – PACTE, Univ. Grenoble Alpes

Cécile Vigour, CNRS, Sciences Po Bordeaux, Centre Emile Durkheim

Les rapports au droit et à la justice de citoyens Français. Les apports d'une approche à partir d'entretiens collectifs

3142 Democracy, Recent Global Social Movements and Technopolitics: An international and interdisciplinary research project from the South

Information and communication technologies (ICTs) are strategic when attempting to understand the upsurge of global social movements emerged in recent years on the basis of a new academic-scientific field: technopolitics. Defined here as the appropriation of ICTs by social movements for political purposes and its impact on the institutional sphere in the technological transition. These processes has been remarkably since 2011 in the global South under the heterogeneous and diverse flagships of the spring of the movements and their claims for a truly commons-based democracy: highlighting Portuguese M12M and Spanish 15M movements. The analysis of communication as a strategic dimension has break with research focused on leveraging resources (Della Porta, Snow, Klandermans and McAdam, 2013) to delve deeper into the technopolitical dimension (Sampedro, 2011; Gerbaudo, 2012; Howard and Hussain, 2013; Milan, 2013; Candón, 2013; Treré, Jeppessen and Mattoni, 2017 and Pavan, 2017), opening up a new path for research. The increase use of transmedia narratives (Ryan and Thon, 2014) linked to the development of the “connectography” (Khanna, 2016) of multiple and hybrid cross-media platforms has subsumed the traditional communication flow of the media, individually consumed as a sort of collective narrative constantly co-created by prosumers (Fuchs, 2014), generating an enormous contingent of data, seen currently as a strategic source to be mined across the use of algorithms in politics. The lack of studies in this new field of research makes necessary praxis-centred actions and empirical data collection on terrain throughout the complex mixed up of diverse methodologies.

Our aim with this session is continuing the discussion initiated in the last Forum ISA in Wien and the 1st Portuguese Association of Sociology in Lisbon in 2016 to develop a new multi-methodological model of research of the impact in the public awareness of the political digital communication in the ISM, in order to generate specific politics of communication based on participatory processes and communication dialogues for democratic innovation based in the experiences of the Recent Global Social

Movements , as a tool linked to processes of community social innovation and co-creation using new digital technologies faced to the challenge for inclusive societies in Europe (Session organized by Jesús Sabariego).

Room: C4.02

Chair: Jesús Sabariego, Centre for Social Studies of the University of Coimbra [[to be confirmed]]

Wanda Capeller, SciencesPo Toulouse

Beyond Democracy. Technopolitics on the Penal Field

Cicero Krupp da Luz, Sul de Minas Law School- FDSM (Faculdade de Direito do Sul de Minas)

Human rights under attack in the era of technopolitics: symptoms of deglobalization or transformation of national arrangements?

Lucía Benítez-Eyzaguirre, UNiversidad de Cádiz

Mapeo de la legislación colaborativa en España

Mar Llera , Universidad de Sevilla

The impact of media narrative on Catalonia's independence in the Asian context

Jose Candon-Mena, Universidad de Sevilla – COMPOLÍTICAS

Tecnopolítica y cultura digital global en los movimientos sociales contemporáneos

Discussant: Francisco Sierra, Universidad de Sevilla [[to be confirmed]]

3143 Family, Honour and Migration

WG Law and Migration

Room: C4.06

Chair: Ralf Rogowski

Joanna Ptak, Jagiellonian University

What if law is not enough? Strategies of combating honour-related violence in Europe.

Arianna Jacqmin, Università degli Studi di Milano
Family Connection Beyond State Borders: a Red Cross Project

Virginia Passalacqua, European University Institute
Reactive or proactive courts? Two case-studies on legal mobilization for migrants' rights from Italy and the UK

Arturo V Bustamante, University of California, Los Angeles
Jie Chen, UM-College Park
Alexander N. Ortega, Drexel University
Health care access and utilization among US immigrants before and after the Affordable Care Act

3145 Citizenship between cosmopolitanism and globalization

According to Beck, cosmopolitanism is a “Global sense, a sense of boundarylessness. An everyday, historically alert, reflexive awareness of ambivalences in a milieu of blurring differentiations and cultural contradictions. It reveals not just the ‘anguish’ but also the possibility of shaping one’s life and social relations under conditions of cultural mixture. It is simultaneously a skeptical, disillusioned, self-critical outlook” (Beck U. 2006, *Cosmopolitan Vision*, Cambridge, Polity Press). In other words, a cosmopolitan way of life is the necessary consequence of a globalized world, where the *Lebenswelt* more and more depends on immaterial and disembedded (Giddens, *The consequences of modernity*, 1991) processes. In such a context, more and more individuals are developing self-representations and life-styles characterizing by weak local ties and high rates of mobility, both geographical and professional. Also due of the growing flows of migrants and refugees, the need is strong for supranational norms (such as the case of European Union) that grant the opportunity for individual to move across different areas of the world, beyond national legislations. This entails deep changes in the notion of citizenship, whose traditions link with nation-states sounds more and more anachronistic.

This panel welcomes theoretical reflections, case studies, empirical research or scenario analyses on law-making and policy modelling processes related to the evolution of the norms on citizenship into a cosmopolitan and global direction. It aims to analyze some social changes derivatives on globalization process, their interdependence and global consequences.

More in details, the focus will be the concept of citizenship and its evolution since the fall of the Berlin Wall. The processes of definition of citizens are always more dependent on models, patterns relationships and situations that occur in distant places with respect to the physical space within which their biography is materially lived (Session organized by Sara Petroccia).

Room: C4.08

Chair: Sara Petroccia, Gabriele d'Annunzio University, Chieti-Pescara-Italy

Andrea Pitasi, Gabriele d'Annunzio University, Chieti-Pescara, Italy
Emilia Ferone, Gabriele d'Annunzio University, Chieti-Pescara, Italy
Sara Petroccia, Gabriele d'Annunzio University, Chieti-Pescara, Italy
Reforming the 1948 UN Declaration – Towards a supranational citizenship

Emilia Ferone, Gabriele d'Annunzio University, Chieti-Pescara, Italy
Andrea Pitasi, Gabriele d'Annunzio University, Chieti-Pescara, Italy
Sara Petroccia, Gabriele d'Annunzio University, Chieti-Pescara, Italy
Global, transnational and cosmopolitan sociology

Massimiliano Ruzzeddu, Università Niccolò Cusano
Active citizenship, urban regeneration and law-making.

Sara Petroccia, Gabriele d'Annunzio University, Chieti-Pescara-Italy
Emilia Ferone, Gabriele d'Annunzio University, Chieti-Pescara, Italy
Global resilience in European Societies

Discussant: Luigi Cominelli, Università degli Studi di Milano

3151 Perspectivas Brasileiras na Sociologia do Direito I

WG Social and Legal Systems

Room: C5.01

Chair: Germano Schwartz, UniRitter

Cinthia Obladen de Almendra Freitas, Pontifícia Universidade Católica do Paraná - PUCPR

Charles Emmanuel Parchen, Pontifícia Universidade Católica do Paraná - PUCPR

Jussara Meireles, Pontifícia Universidade Católica do Paraná - PUCPR

O contrato eletrônico na era digital e o vício de consentimento por meio do neuromarketing: uma internet fragmentada e personalizada

Sergio Duarte Cademartori, Universidade La Salle

Jose Alberto Antunes de Miranda, Universidade La Salle

Instituições internacionais versus Estados nacionais: onde está a sociedade internacional e seus problemas comuns no âmbito da governança global.

Germano Schwartz, UniRitter

Renata Almeida da Costa, Universidade La Salle

As Constituições Estão Mortas? Comunicações Constitucionalizantes e Momentos Constituintes dos Novos Movimentos Sociais do Século XXI

Antonio Carlos Wolkmer, Universidade La Salle, Canoas-RS, Brasil

Maria de Fatima S. Wolkmer, UNESCO,SC, Brasil

For a Pluralist and Decolonial Alternative: the cultural world view of good living

Leonel Pires Ohlweiler, Universidade La Salle

Pessoas com Deficiência e Vulnerabilidades: perspectivas sociológicas da autonomização por meio direito à educação.

3152 Meios adequados de Resolução de Conflitos e acesso à justiça: um novo olhar através da experiência brasileira

ABraSD

A necessidade de garantia do acesso à justiça enquanto direito do cidadão vem a cada dia reforçando a ideia que o acesso ao judiciário não pode mais ser entendido como um meio único de solução de controvérsias. O desenvolvimento dos Meios Adequados de Solução de Conflitos, e sua capacidade de prevenção e resolução pacífica e consensual é crescente e pode ser percebido pela presença de experiências diversas, bem como, por meio da ampliação do número de especialistas que têm se dedicado ao tema; esclarecimento e análise da sua aplicação, diante de uma perspectiva jurídica, com a positivação e a utilização judicial ou extrajudicial, de uma perspectiva social, com a disseminação e aceitação no meio social, ou de uma perspectiva transdisciplinar ao desenvolver e sistematizar e habilidades, competências e ferramentas para esses meios de prevenção e resolução de conflitos. O foco do presente GT residirá na discussão sobre a experiência brasileira com o experimento da cultura do consenso e o alcance de novos horizontes, fortalecendo o novo paradigma de atendimento aos anseios e necessidades da sociedade por meio dos Meios Adequados de Resolução de

Conflitos. Pretende-se permear essa reflexão, independente da escola (Harvard, Transformativa, Circular-narrativa, etc.), da área (familiar, escolar, universitária, comunitária, empresarial, etc.), da modalidade em relação ao judiciário (extrajudicial ou judicial), da vinculação dos especialistas (mediador ou conciliador - institucional ou ad hoc), ressaltando que, o instituto dos MASCS tem o poder de empoderamento social, uma vez que proporciona às partes a possibilidade de serem protagonistas da solução das controvérsias existentes, resultando em um efetivo formato de acesso à justiça, pois que decorrente da autonomia da vontade de todo e qualquer cidadão (organizado por Ana Paula Bomfim; a sessão poderá ser estendida para o módulo horário seguinte; mesma sala).

Room: C5.02

Chair: Ana Paula Rocha do Bomfim, Universidade Federal da Bahia

Ana Paula Rocha do Bomfim, Universidade Federal da Bahia

Da mediação escolar à comunitária: o caráter sistêmico da mediação a partir da experiência do Observatório da Pacificação Social.

Fernanda Levy, Instituto D´accord

O papel do Conselho Nacional das Instituições de Mediação e Arbitragem – CONIMA no cenário brasileiro dos meios privados de solução de controvérsias

Maria Victória Rodrigues, Universidade Federal do Oeste da Bahia

A Ouvidoria Pública como espaço de transformação de conflitos e incentivo à paz: a experiência da Universidade Federal do Oeste da Bahia

Ana Paula Araujo de Holanda, Universidade de Fortaleza

Projeto pedagógico humanizado do curso de graduação em Direito da Universidade de Fortaleza: uma prática de cultura de Paz

Murilo da Silva Vilas Boas, Universidade Federal da Bahia

Ana Paula Rocha do Bomfim, Universidade Federal da Bahia

Jane Márcia Lemos Luz, Universidade Federal da Bahia

Mediação Escolar como instrumento de acesso à Justiça e empoderamento social: a experiência do Observatório da Pacificação Social.

3153 Legislar, regulamentar, aplicar. As instituições enquanto lugares de tensão e confronto entre a lei abstracta e a realidade objectiva I

ST Sociologia do Direito e da Justiça

Apesar de o Estado figurar como um dos objetos que mais fascínio tem suscitado na academia e nas ciências sociais, é frequentemente representado de forma monolítica a nível macro e de maneira simplista a nível micro. Este painel procura superar estas representações, propondo uma análise etnográfica da construção, aplicação e regulamentação da legislação no contexto português, focando contextos institucionais cujo funcionamento – ainda que determinado em primeira instância pelo Estado – vai para além das normas legais pré-estabelecidas e pré-determinadas. Seja no momento em que é construída, interpretada ou aplicada, a lei é sempre um espelho de conflitos e acordos, interpretações dissonantes, tensões e parcerias, histórias de vida, emoções e motivações dos seus intervenientes.

Neste painel apelamos a contributos que discutam de forma crítica e sustentada empiricamente a gestão do quotidiano institucional enquanto lugar de fronteira entre a lei abstracta e a realidade material; as tensões entre o dever ser e a prática do dia-a-dia; as possibilidades objectivas e as necessidades particulares; as estratégias de resistência formais e informais que evidenciam a tensão e o confronto entre o ideal e o possível (Sessão organizada por Catarina Frois).

Room: C5.06

Chair: catarina frois, CRIA - Centro em Rede de Investigação em Antropologia

João Mineiro, CRIA-IUL

A feitura da lei: uma abordagem etnográfica

Afonso Bento, CRIA-IUL

“We do not believe we are going to save all these people”: the ethical reasoning of Portuguese reeducation officers.

Fernanda Rivas Oliveira, CRIA-IUL

Relação, constituição e agência. Uma reflexão sobre a interdependência do formal e do informal num contexto nacional de crise.

3155 Penal system and violence

WG Human Rights

Room: C5.08

Chair: Sozaburo Mitamayama

Sozaburo Mitamayama, Osaka University of Tourism

A Case Study of the Misconduct of Police Officer in Law Enforcement in Japan : When the action of a citizen is physically impossible to be recognised, can the state punish the citizen? The answer is “Yes” in Japan.

Jessica Carvalho Morris, Center for Social Studies, University of Coimbra

How Law Has Been Used to Curtail Democratic Spaces and Criminalize Social Movements and Protesters

Julie Ringelheim, F.R.S.-FNRS / UCLouvain

Adjudicating Identity. International Judges and the Redefinition of Race and Ethnicity in the Human Rights Era

Vanessa Ribeiro Rodrigues, Universidade Lusófona do Porto

Luís Miguel Loureiro, Universidade Lusófona do Porto

Journalism and Human Development: how media in Portugal is covering development issues

3156 Uncertainty and Development

WG Law and Development

Room: C5.09

Chair: Gregory Lewkowicz

Juan Antonio Gaviria, Universidad Pontificia Bolivariana

Cathalina Sánchez Escobar, Universidad Pontificia Bolivariana

Excessive Judicial Interference and Economic Development - The Colombian Case

Håkan Hydén, Department of Sociology of Law, Lund University, Sweden

The Relation Between Legal and Societal development

Karol Muszyński, University of Warsaw

Jan Winczorek, University of Warsaw

Access to justice of small and medium enterprises at the periphery. Is law a source or an answer to uncertainty?

David Restrepo & Bruno Deffains, HEC Paris & Paris II

David Restrepo Amariles, HEC Paris

Bruno Deffains, Paris II Panthéon Assas (CRED)

Revisiting the Law Matters Thesis: The Legal Certainty Index

Discussant: Pedro Rubim Fortes

3171 Tribunais no séc. XXI: independência, eficiência e cidadania

Centro de Estudos Sociais

Os tribunais são organizações fundamentais e específicas, difíceis de estudar, uma vez que, por um lado, é necessário examinar uma estrutura complexa, que tem que assegurar ao mesmo tempo a independência dos juízes e, por outro, gerir as interações com o ambiente externo, ou seja, instituições centrais, outros tribunais, entidades territoriais, profissionais e, acima de tudo, cidadãos, na sequência de um processo de busca contínua de legitimidade, envolvendo todas as articulações do “sistema de justiça”. Analisar o funcionamento e a gestão dos sistemas judiciais significa, portanto, colocar várias questões, que dizem respeito à independência, eficiência e as relações com os cidadãos e a sociedade. O objetivo desta sessão é refletir criticamente sobre o poder judicial e as políticas públicas da administração da justiça e analisar o papel e as funções dos tribunais nas sociedades contemporâneas, designadamente em Portugal e na Europa do Sul (sessão organizada por Luca Verzelloni).

Room: Auditório do CIUL (Centro de Informação Urbana de Lisboa)

Chair: Luca Verzelloni, Centro de Estudos Sociais, Universidade de Coimbra

Patrícia Branco, Centro de Estudos Sociais

O direito ao tribunal como direito fundamental a um espaço de justiça com dignidade

Conceição Gomes, Centro de Estudos Sociais

Tribunais em democracia: desafios à formação dos magistrados

Paula Casaleiro, CEF/UC, CES

A colonização tribunais de família pelos/as peritos/as

Luca Verzelloni, Centre for Social Studies, University of Coimbra
Territories of (in)justice: the paradox of judicial innovation in Southern Europe

Discussant : João Pedroso

Wednesday 12 September, 3:30pm-5:15pm

3202 Transconstitutionalism and the New Symbolic Dimensions of Constitutions II

WG Sociology of Constitutions

Room: Auditório Mário Murteira

Chair: Alberto Febbrajo, University of Macerata; CSISC

Jiří Přibáň, School of Law and Politics, Cardiff University
A Sociology of EU Constitutional Pluralism

Malgorzata Fuszara, ISNS University of Warsaw
Jacek Kurczewski, ISNS University of Warsaw
How People Use the Courts in Poland

Marta Bucholc, Käte Hamburger Kolleg "Recht als Kultur" Bonn; University of Warsaw
State Sovereignty, Constitution and Post-Colonial Syndrome: the Case of Poland 2015-2018

António Carlos dos Santos, Universidade Europeia [[to be confirmed]]
Há cidadania de não contribuintes?

Hobeth Martínez, IISL - UNAL - Dejusticia
Delicate balance: how the Colombian Constitutional Court has acted upon the current transition using the theory of "Unconstitutional Constitutional Amendments"

3222 The “cross-link-type” of legal education

Legal education is getting more attraction not only among educators engaged in higher education but also among those engaged in secondary education. This is a global trend. However, their interest is generally domestic. This is because they tend to focus on educating domestic law to students of the same nationality. Although this should not be criticized at all, legal education needs to be more developed in our global world where we need to conduct dialogues among people having different ethnicities or religions.

Thus, our panel will name a new legal education to connect the domestic society to the global world as “the cross link type of legal education,” and discuss about how this new type of legal education should be planned and implemented. As the main target of this cross link type of legal education is foreign students or children raised by foreign people, we would like to focus on raising life skills to survive in a society having different cultures or religions.

We started a project funded by Japan Society for the Promotion of Science, which aims to develop innovative programs and materials utilizing ICT or a method of gaming. We plan to develop a program for negotiation or mediation among people having diverse cultures and religions. Also, we are considering to develop multilingual contents. Although a direct target of our project would be foreign people preparing for work or studying in Japan, the programs developed through our project can be utilized by all foreigners living in Japan or having interest in staying in Japan as well as Japanese people who work with or support foreigners.

Our project team consists of experts of legal education. We are staying or stayed in Mongolia, Vietnam, Cambodia or Uzbekistan, and engaged in legal education on Japanese law to students of these countries. Based on our experiences as global legal educators, we would like to discuss what kind of cross link type of legal education can be promoted especially in Asia (organized by Rikiya Kuboyama).

Room: C4.08

Chair: Rikiya Kuboyama, Oita National College of Technology, Japan [[to be confirmed]]

Rikiya Kuboyama, Oita National College of Technology, JAPAN [[to be confirmed]]
The concept and way of “bridge-type education of law”

Shohei Sugita, Graduate school of law, Nagoya University and Keio University Law School
Legal education for foreigners in Japan

Satoshi Yamamoto, University of Tokyo and Seikei University
Straddling Boundaries: Teaching Japanese Law in Mongolia

Hiroshi Matsuo, Keio University Law School [[to be confirmed]]
Legal Cooperation toward the Inclusive Legal Education

3223 Legal professions 2

WG Comparative Studies of Legal Professions

Room: B2.01

Chair: Richard Collier

Kay-Wah Chan, Macquarie University
What Wrong Have They Done? Veteran Lawyers' Ethical Misconduct in Japan

Susana Santos, ISCTE-IUL, CIES-IUL
Women lawyers and the professionalization of Pro Bono activities in large law firms

André Carneiro Leão, Universidade Federal de Pernambuco
Beyond the jail: uma cartografia do movimento de resistência ao encarceramento em massa no Brasil

Pedro Fortes, Oxford
The Legal Network: Examining the Multiple Dimensions of the Legal Profession

Benoit Bastard, Institut des sciences sociales du politique, ENS Paris-Saclay
Who benefits from discipline? Reflection on the role of bar associations and the segmentation of the profession

Cecilia Blengino, Università degli Studi di Torino (Italy)
Silvia Mondino, Università degli Studi di Torino (Italy)
The role played by the clinical movement converting legal education into justice education: clinical legal education's transformative power

3224 Gender/Women in the Legal Profession IV: Gender and the Judicial Behavior of the Japanese Judiciary

WG Comparative Studies of Legal Professions

There is possibility that the constitution of the panel or the organization of social movement has something to do with the decisions.

Second, we look at the gender-bias in the rulings and how the reasoning justify the bias.

The constitution of Japan clearly prohibits sex discrimination and the Supreme Court in some points positively has created judicial doctrines which lead the elimination of discrimination. But, there are still tacit norms or motives which preserve and promote gender discrimination or prejudice.

Akiko Tejima: How the Criminal Liability in a DV Case is Judged (Considered) in Japan: a Glimpse of a Gender Bias

She analyze the sentencing of the recent criminal domestic violence cases consider the cause of variation of sentencing.

Keiko Sawa: On a Supreme Court Decision on the Same Surname System: What Can Be Expected of Gender Diversity of Judiciary in Japan

She analyzes the 2015 Grand Bench case which issued the same surname rule as constitutional.

Kayo Minamino: Disputing the indirect discrimination against women in Japan: gender bias in the court's fact finding and consideration of scientific evidence

How do Justices evaluate gender equality in recent labour law cases?

She will take up a typical case on the indirect discrimination and examine how the courts have failed to consider "scientific evidence" based on researches in several academic experts and preferred their "common sense" on working women pervasive in the Japanese society.

Chihara Watanabe: Gender and Science: Institutional and discourse analysis of the recent Supreme Court rulings of family law cases

I will focus on the use of scientific evidence or scientific fact in the Supreme Court rulings. The supreme court issued some rulings which decide parental relationship against biological fact. I try to look on the strategic judicial behavior which substantively nullify the doctrines of family law. (Session organized by Chihara Watanabe).

Room: B2.02

Chair: Chihara Watanabe, Ritsumeikan University

Akiko Tejima, Kyoto Women's University

How the Criminal Liability in a DV Case is Judged in Japan: a Glimpse of a Gender Bias.

Kayo Minamino, Kyoto Women's University

Disputing the indirect discrimination against women in Japan: gender bias in the court's fact finding and consideration of scientific evidence

Chihara Watanabe, Ritsumeikan University

Gender and Science: Institutional and discourse analysis of the recent Supreme Court rulings of family law cases

Keiko SAWA, Kyoto Women's University

On a Supreme Court Decision on the Same Surname System : What Can Be Expected of Gender Diversity of Judiciary in Japan

3225 Oñati Session III - Courtrooms and the Judicial Field: a locus for enforcement or contestation?

In this session we bring together studies under the common theme of Courtrooms as stages where the ideals of justice, neutrality and due process intersect and confront with the performative nature of its rituals and discourses as acts and enactments of state power.

Room: C2.05

Chair: Alexander Kondakov, European University at St. Petersburg

Aída Araceli Patiño Álvarez, University of Antwerp

The institutional behavior of constitutional courts in hybrid regimes. An assessment of the societal accountability function of constitutional courts of Colombia, Costa Rica and Mexico.

Erika Bárcena Arévalo, Centro de Investigaciones y Estudios Superiores en Antropología Social (CIESAS-CDMX) [[to be confirmed]]

The economies of vernacularization of international human rights law in the Mexican Supreme Court

Xenia Chiaramonte, Independent

Criminalization of protest

James Campbell, Onati International Institute for the Sociology of Law
Neither Here Nor There: Towards a Theory of the Court as Liminal Space

3241 Sociologie du droit et constitutionnalisme sociétal

AISLF-CR03

Room: C4.01

Chair: Pierre Guibentif

Jean De Munck, Université catholique de Louvain
International Trade Agreements in the Light of Societal Constitutionalism

Lukas K. Sosoe, University of Luxembourg
Citizenship beyond the States : A Reality or a Purpose of the History of Mankind

Elisabeth Lefort, Université du Luxembourg
Esteban Kaipl, Universidad Nacional del Litoral / Universidad Nacional de Rosario
Contingency and Emptiness: The Populist Drifts of Contemporary Democracies.

3242 The far from undisputed role of NGOs and other international civil society actors

Room: C4.02

Chair: Ana Guerreiro FDUP/ISMAI/UMAR

Moara Crivelente, Faculty of Economics and Centre for Social Studies, University of Coimbra
Civil society participation and struggle at the UN Human Rights Council: Palestinian and Saharawis reach Geneva

Elena Maslovskaya, Sociological Institute of FCTAS Russian Academy of Sciences
Counteracting Illegal Violence: the Case of Russian Human Rights NGOs

Danilo Vuković, University of Belgrade, Faculty of Law
Politics Banned, Informalism Strengthened: Transnational Actors and the Rule of Law in Contemporary Serbia and Cambodia

Ryoko Takahashi, Kanazawa University

Disabled people's organizations as agencies for the reform of disability policy and legislation in Asian countries

Yuriko Haga, Faculty of Law, Kanazawa University

Privacy right in the era of big data

3243 Issues of Citizenship

WG Law and Migration

Room: C4.06

Chair: Iker Barbero, University of the Basque Country

Tobias Eule, University of Bern

Convenient citizenship: an ethnography of naturalisation processes

Eddie Kolla, Georgetown University

Passport Unions and the Present and Future of Citizenship

Iker Barbero, University of the Basque Country

Ana Lopez Sala, CSIC-Spain

Activists in the crimmigration debate

Deborah De Felice, University of Catania

Legal contexts, citizenship and HT investigation

3245 Law, Neoliberalism and the Political Economy I

Neoliberalism and its political economy has radically changed the way in which we conceive the state, the law and the socio-political relationship among citizens, states and corporations. Additionally, neoliberalism has redefined the concept of rights and the notion of humanity. However, neoliberalism is not a monolithic concept, but rather it represents a series of ideas, practices and manifestations of power and capitalist-economy that need to be analysed from a socio-legal perspective. This session aims to reflect on the nature of the ideological, legal and political processes of transformations neoliberalism entails and on the effects that this set of ideas has had in the Global North and Global South. Drawing from case studies and historical experiences, the

session will discuss the multiple dimension that neoliberalism, law and political economy entails. Experiences, such as the uses of the state of exception as a strategy to tackle economic crisis; the analysis of the intimate relationship between neoliberalism and exceptionality in both the Global North and South; the exclusive inclusion of workers within the Labour laws and regulations; corporate power and corporate criminality; the effects of austerity measures on society; and the systematic uses of laws to generalized the violence of austerity are some of the examples of the cases and exercises of economic-legal power this session aims to discuss (Session organized by Jose Atilas and David Whyte).

Room: C4.08

Chair: Jose Atilas, CES/FCT

Vickie Cooper, Open University, UK
Political Economy, Law and Banishment

Anne Alvesalo-Kuusi, University of Turku
Juha Lavapuro, University of Turku
Elina Pirjanniemi, Åbo Akademi
Well-founded fear before and after the "refugee crisis"

Daniel Jimenez, Universidad de Zaragoza
Alejandro Forero-Cuéllar, Universitat de Barcelona
Spain. On the Neoliberal Ban and the Production of Political Automats

3251 European Central Countries Perspectives on Sociology of Law

WG Social and Legal Systems

Room: C5.01

Chair: Renata Almeida da Costa

Chandni Basu, Albert-Ludwigs-University of Freiburg
The juvenile justice system in India - creating the new ethic of the 'child' in Indian society

Susana Costa, Centro de Estudos Sociais

Travelling to Prüm: Between and beyond borders – Perspective of Portuguese Judges

Sandrine Brachotte, Sciences Po Law School, Paris

Combining legal pluralism as a normative concept with private international law techniques to deal with 'unsolvable' cases? The example of the UK arbitration case Jivraj, an imbroglio of state law, Ismaeli law, and commercial arbitration principles

Discussant: Adam Czarnota

3256 Legal Education, Reasoning, and Science

WG Law and Development

Room: C5.09

Chair: David Restrepo Amariles

Agata Cebera, Jagiellonian University in Cracow Poland

Mgr. Jakub Firlus, MA, Jagiellonian University in Cracow Poland

Opportunities and risks associated with the argumentative model of interpretation of constitutional law in the era of post-academic science

Victor Cravo, Universidade de Brasília - UnB

Pontos de Partida para um Direito Administrativo do Século XXI

Francesca Scamardella, Università degli Studi di Napoli Federico II

Clinical Legal Education in the 21th Century. Why Do We Need a New Formation for Law students?

Discussant: Gregory Lewkowicz

3271 Estado de Direito e de Exceção: o direito e a democracia em questão

Centro de Estudos Sociais

O objetivo desta sessão é refletir sobre o modo como nas sociedades contemporâneas o Estado de Direito e a democracia estão em erosão pela forma como o “retorno ao direito” de exceção estabelece uma nova configuração sociojurídica nos planos europeu e nacional através da qual se alteram o sentido e as funções do direito. Posto isto, a exceção produz novas formas de mobilização, enquadramentos institucionais, e práticas e relações sociais do direito, produzindo um impacto profundo sobre a regulação sociopolítica das sociedades (sessão organizada por João Pedroso).

Room: Auditório do CIUL (Centro de Informação Urbana de Lisboa)

Chair: João Pedroso, FEUC/CES

João Pedroso, FEUC/CES

Estado de direito: as configuração democráticas, gestionárias e de exceção (ou neoliberais) do direito

António Casimiro Ferreira, FEUC/CES [[to be confirmed]]

Uma ou duas teorias da exceção

Madalena Duarte, Center for Social Studies

The Penal State and violence: analysing gender as an exception

Wanda Capeller, SciencesPo Toulouse

Tecnopolítica Penal Global: a emergência de uma semântica totalitária

Discussant: Sara Araújo, Centro de Estudos Sociais - UC

Wednesday 12 September, 5:30pm-7:15pm

3371 The Epistemologies of the South in the Sociology of Law: Can the law be post-abyssal?

Centro de Estudos Sociais

Room: Auditório do CIUL (Centro de Informação Urbana de Lisboa)

Chair: Luca Verzelloni

Boaventura de Sousa Santos

The resilience of abyssal exclusions in our societies: Toward a post-abyssal law

Cecília MacDowell dos Santos

Pode a mobilização dos direitos humanos ser pós-abissal? Reflexões a partir das Epistemologias do Sul

Maria Paula Meneses

Justiças e reconciliações a partir das epistemologias do Sul: pistas para reconstruir a humanidade em contextos marcados por múltiplas violências

Sara Araújo

Reconhecimento não é copresença. Pluralidade sem hierarquia para um direito pós-abissal

Sílvia Maeso

Europe' and the narrative of the 'true racist': (re)thinking anti-discrimination law through 'race'

Thursday 13 September, 9:30am-11:15am

Plenary Session IV Individual and Collective Legal-Political Agency: from Interpersonal interactions to ethical relations

By setting up this panel discussion, we aim to address the practices through which individuals interact, at a smaller or bigger scale, in collective or single action, respecting, challenging or resisting the law, and relating to the multiple configurations in which law materializes itself, in everyday life. What are the relations between the legal and the political spheres of individual and collective life? What is and should be the role of law and in which stances law should be addressed and/or reconfigured? The aim of the law is interpreted by societies and institutional organizations in biased ways. Societies fight to establish new laws (as human rights legislation) as well to ensure the law's enforcement. Thus, what are the relations and tensions between the ways through which individuals practice their interpersonal interactions and organize their practical every day solidarity and the Law?

Grande Auditório

Elena Loizidou , Birkbeck College, University of London
Without Law?

Jacques Commaille, ENS Paris Saclay
What can do the law for the citizens against hegemony ?

Ruth Wilson Gilmore
Abolition as Method - Experiences in the complex terrain of legal-political struggle at multiple scales

Chair: António Pedro Dores, CIES, ISCTE - IUL

Thursday 13 September, 11:30am-1:15pm

4101 A justiça criminal no debate do Estado de direito e da cidadania: a experiência de um instrumento de cooperação internacional (PACED) – Featured Session

ST Sociologia do Direito e da Justiça

Na última década assistimos todos ao acentuar da importância da justiça criminal nos cenários nacional e internacional. A corrupção e as demais matérias criminais ligadas com o exercício do poder (político, financeiro, social) têm sido definidas como fenómenos críticos para a sustentação dos Estados, para a confiança das democracias constitucionais, no fundo, para o pacto de confiança e de cidadania em que assentam todas as democracias.

Refletir sobre a experiência de um projeto de cooperação internacional desenvolvido para os países africanos de língua oficial portuguesa e para Timor-Leste (PACED – Projeto de apoio à Consolidação do Estado de direito - <http://paced-paloptl.com> -), pode ser, naturalmente, uma oportunidade enriquecedora de análise sobre esta matéria. Este projeto, co-financiado pela União Europeia e pelo Camões, I.P., e executado por este último, tem como objetivo geral contribuir para a afirmação e consolidação do Estado de Direito nos PALOP/TL, através da melhoria da sua capacidade para prevenir e lutar eficazmente contra a corrupção, o branqueamento de capitais e o crime organizado. Este projeto assenta em diversos eixos de atuação que coincidem com as diversas dimensões institucionais e ambientais em presença: (1) - sistema legislativo e executivo; (2) - sistema bancário e financeiro; (3) - sistema contabilístico público e fiscal; (4) - sistema de investigação criminal; e (5) - sistema judicial. A rodear todos estes sistemas temos o ambiente político, social e económico.

Para desenvolver estes diversos tópicos e apresentar a experiência deste projeto, trazemos uma proposta de apresentação que assenta em três intervenções autonomizadas. (Sessão organizada por Nuno Coelho)

Room: Auditório J.J. Laginha

Chair: Nuno Coelho, PACED - Projeto de Apoio à Consolidação do Estado de direito
[[to be confirmed]]

Nuno Coelho, PACED - Projeto de Apoio à Consolidação do Estado de direito
A justiça criminal e o Estado de direito. Uma abordagem internacional nos países de língua portuguesa

José Mouraz Lopes, PACED - Projeto de Apoio à Consolidação do Estado de direito
[[to be confirmed]]
As políticas criminais e o Estado de Direito. Uma perspetiva sistémica de governação e de cidadania

Maria Teresa Santos, PACED - Projeto de Apoio à Consolidação do Estado de direito
O Projeto de apoio à consolidação do Estado de direito (PACED). Um instrumento de cooperação internacional assente no Estado de direito e na cidadania

4102 Legal Encounters: When People Meets the Law

When sociologists of law and justice are interested by the point of view of ordinary citizens, the focus is generally on the collective and individual mobilizations of the law in the administrative and judicial spheres. These works are rich in knowledge on the social uses of law, socialization and the social conditions of recourse to the law, the differentiated relations that the different social groups have with the institutions. However, in all these works, the law is conceived more as a space of adhesion, circumvention and / or resistance than as a place of conflict of interpretations, expectations, anticipation. The purpose of this session is to question the conceptions of the law that ordinary citizens have when they resort to social administrations or courts. What are the expectations that lead citizens to speak to a lawyer, a mediator, a legal intermediary? How does confrontation with professionals give rise to tensions, negotiations, arrangements? (Session organized by Quentin Ravelli).

Room: Auditório Mário Murteira

Chair: Quentin Ravelli, CNRS

Liora Israël, Ecole des Hautes Etudes en Sciences Sociales (Paris)
Behind the doors of the law cabinet

Marc Hertogh, University of Groningen
"That's Your Law, Not Mine!" Legal Consciousness and Legal Alienation in Everyday Life

Emilia Schijman, CNRS
Out of the law: the popular conceptions of justice and social norms among poor homeowners communities in rural France

Quentin Ravelli, CNRS
Illegal Rights or Legal Wrongs? When housing rights activists challenge the legitimacy of debts with their own conception of justice

4122 Challenges on penal techniques / Gendered Crime

Room: C5.08

Chair: Vera Duarte

Hideyo Matsubara, Ehime University
Shin Matsuzawa, Waseda University
The Public Sense of Justice in Japan: A Study of Attitudes towards Punishments

Nina Amelung, University of Minho
Rafaela Granja, Helena Machado, University of Minho
Challenges of communicating DNA evidence to the criminal justice system

Mafalda Ferreira, FMUP - Faculdade de Medicina da Universidade do Porto
Risk-assessment and rehabilitation in marital homicides: theoretical reflections

Diógenes V. Hassan Ribeiro, UNILASALLE CANOAS/RS/BRASIL
Acesso à justiça e o aumento do encarceramento de mulheres no sistema prisional brasileiro após o ano de 2012: soluções legislativas e jurisdicionais

4123 Legal professions 3

WG Comparative Studies of Legal Professions

Room: B2.01

Chair: Rosemary Auchmuty

Akira Fujimoto, Nagoya University, Japan

Partial Stratification of Japanese Attorneys – Recent National Surveys Results

Manuel Gomez, Florida International University

Rogelio Pérez-Perdomo, Universidad Metropolitana

Gilberto Guerrero, Florida International University

Venezuelan expatriate lawyers: a study on the globalization of the legal profession

Valerija Dabetic, Faculty of Law University of Belgrade

Independent judiciary in Serbia – Ideal or Illusion?

Danilo Vuković, University of Belgrade, Faculty of Law

Marko Mrakovčić, University of Rijeka, Faculty of Law

Samir Forić, Faculty of Political Science, University of Sarajevo

Legal Profession in SEE: From Post-Socialist Transformation to Globalization

4124 Contextualising Law in Action: The Legal Culture Approach

WG Comparative Legal Culture

Room: C2.02

Chair: Marina Kurkchiyan

Johanna Römer, Hunter College, City University of New York

The Role of Criminal Justice Professions in Mediating Public Conceptions of Competing Sovereignties in Catalonia, Spain

Joxerramon Bengoetxea, University of the Basque Country / IISL Oñati

Norm-user Approaches to the Concept of Law as Institution

Patrícia Branco, Centro de Estudos Sociais

Valerio Nitrato Izzo, Univ. di Napoli Federico II

Intersections in law, culture and the humanities: contributions to a critical sociology of law

Mateja Čehulić, Faculty of Law, University of Zagreb

Research approaches to the legal culture

Gabriel S. Cerqueira, Universidade Federal Fluminense

Legal ideas in Brazil, intellectual circulation and reproduction of ideas: the case of Law School's academic journals.

4125 Oñati Session IV - The subjective and collective other: recognition, precariousness and reflexivity

In this session we bring together studies that focuss on social change: from the tie between refugee's dignity and Luhmann's view of modern society; to the political strategy of resistance that brings new perspectives outside assemblages of oppression and exploitation to the analysis of social encounters and their transformative potential to trigger the “operation of critique” over social normativities.

Room: C2.05

Chair: Xenia Chiaramonte, Independent

Izabela Zonato Villas Boas, Instituto Internacional de Sociologia Juridica de Oñati

Human Dignity and Refugees: an analysis of the Syrians seeking asylum in Brazil migrants from the civil war, from the perspective of Niklas Luhmann

Beinat Echevarri, Independent [[to be confirmed]]

Cultural evolution of human organizations and communities. A conversation about conciousness and the transformation of what we are.

Alexander Kondakov, European University at St. Petersburg

Crip Alliances: Grassroots Politics in Repressive Situations

Gabriela Farinha, ISCTE-IUL, DINÂMIA'CET-IUL

Encounters Do Matter: On Unveiling the Otherness in Oneself

4132 Between Political Choices and Citizen's Perception

Room: C3.02

Chair: Susana Costa, Centro de Estudos Sociais

Pete Sanderson, University of Huddersfield

Phil Drake, University of Huddersfield

Making sense of the law in a time of austerity'?

Samuel Kirwan, University of Warwick

Advising citizens: on the disruptive capacity of the 'generalist' advice service

Inês Rebanda Coelho, CECS- Uminho

The inadaptation of the EU's Author's Rights and Related Rights to the Modern Era

João Paulo Dias, Centro de Estudos Sociais da Universidade de Coimbra

Conceição Gomes, Centro de Estudos Sociais

Under pressure: the impacts of troika on judicial reforms in Portugal

4141 Democracia e cidadania: crise de legitimidade e participação política - Impacto das tecnologias

ST Sociologia do Direito e da Justiça

Room: C4.02

Chair: Teresa Maneca Lima

Cristina Gemmino, CEI-IUL

Cidadania cultural e sua reflexão em termos étnicos: Angola e discursos políticos oficiais em época de partido único

Carla de Castro Amorim Maurin Krsulovic, Pontifícia Universidade Católica do Rio de Janeiro (PUC-Rio)

"Não me representa": sobre democracia e vivências em coletivos universitários da PUC-Rio.

Josiane da Silva Oliveira Santiago, Universidade Positivo

Edson Ronaldo Guarido Filho, Universidade Positivo, IBEPES

Construção social da validade legal: uma análise a partir das regras legais do registo eletrónico de ponto no Brasil

4142 The politics of Law: Democracy in transition or a setback?

Room: C4.02

Chair: Maria Eduarda Gonçalves, ISCTE-IUL, DINÂMIA'CET-IUL

Joanne Myers, Ph.D., Marist College
No Justice and Liberty for All: Constraining Citizens

Dee Smythe, University of Cape Town
Pathways to Justice in South Africa

David Oliveira, UFC/UECE
Ideology in the Brazilian Political Amnesty

Caio Santiago Fernandes Santos, Universidade de São Paulo
The effectiveness of social rights in Brazil: changes after 1988

Lucia Bellucci, Università degli Studi di Milano
Media Law and Democracy in the European Union: The Case of Hungary

4143 Governance in the Periphery

Room: C4.06

Chair: Wanda Capeller, SciencesPo Toulouse

Ana Carolina Carvalho Farias, ISCTE-Instituto Universitário de Lisboa
Quem está em cena? Redes de colaboração no programa BIP/ZIP, em Lisboa.

Redy Wilson Lima, CICS.NOVA.FCSH

Jovens, políticas públicas e organizações de rua: uma releitura teórica-empírica dos grupos de jovens armados em Cabo Verde

Rebeca Vicente Reis de Andrade, Universidade Federal da Bahia

Homero Chiaraba Gouveia, Universidade Federal da Bahia

Pensando a participação sob aspectos do fundo público brasileiro para uma cidadania identitária

Valeria Verdolini, University of Milan/University of Milan-Bicocca

Lessons from the margins: perception of the institutions in two peripheries of Milan

4145 Law, Neoliberalism and the Political Economy II

Room: C4.08

Chair: David Whyte, University of Liverpool

Jose Atilas, CES/FCT

Debt, Exceptionality and Neoliberal Law: A socio-legal analysis of the Puerto Rican Economic Crisis

David Whyte, University of Liverpool

Destabilising the Legal Foundations of Corporate Power

Sílvia Rodríguez Maeso, Centre for Social Studies, University of Coimbra

Reporting and legislating about racism in Portugal (1985-2016): 'multiraciality', universalism and exception.

4151 American and Japanese Perspectives on Sociology of Law

WG Social and Legal Systems

Room: C5.01

Chair: Shozo Ota, The University of Tokyo

Jessica Cooper, Cornell University

Giving Up: Political Potentials Beyond the State

Hironao Kaneko, Tokyo Institute of Technology

Technology succession in high aging society and law; openly or exclusively

Toshiyuki Kusumoto, University of Tokyo

A Possible Social Security Law Policy for the Purpose of the Improvement of Social Exclusion of Non-regular Employees in Japan

Discussant: Jose Alberto Miranda

4152 Políticas públicas sob a ótica da teoria dos sistemas. Pesquisa empírica sobre casos de inclusão e exclusão no brasil

ABraSD

A teoria dos sistemas de Niklas Luhmann é frequentemente apontada como inadequada para o desenvolvimento de pesquisas e reflexões sobre a América Latina. Aplicações de categorias dessa teoria têm permitido abordagens sobre inclusão/exclusão (LUHMANN, 1995; STICHWEH, 2002; NEVES, 2012; MASCAREÑO & CARVAJAL, 2015; DUTRA, 2016) demonstrando o contrário. Neste painel, são apresentadas pesquisas empíricas que usam categorias analíticas como membrância, integração, intervenção, autorregulação, orientação sistêmica contextual (LUHMANN, 2006; WILKE, 1992; BORA, 2010), as quais viabilizam leituras de políticas públicas sobre racismo, drogas, sexualidade, trabalho escravo etc.. Assim, trajetórias de inclusão e/ou exclusão são observadas como trajetórias construídas em organizações que regulam o acesso dos indivíduos a recursos (meios de comunicação simbolicamente generalizados) como dinheiro, poder, conhecimento, proeminência etc. e com isso a própria participação na comunicação (LUHMANN, 1997, LUHMANN, 2006). As estruturas de inclusão e exclusão não pensadas como um arranjo unitário prévio a influenciar as decisões organizacionais, mas sim como premissas decisórias selecionadas e conformadas pelas próprias organizações. É que na teoria da sociedade como sistema de comunicação, as organizações concretizam as mais impactantes decisões sobre a inclusão e a exclusão de indivíduos nos mais diferentes sistemas funcionais da sociedade: escolas, hospitais/planos de saúde, empresas, tribunais, prisões, estados-nações e organizações formuladoras e implementadoras de políticas públicas de um modo geral. Com dados coletados de políticas públicas brasileiras, as pesquisas põe em foco os padrões e premissas decisórias que orientam decisões de inclusão e exclusão nos processos de implementação de políticas pública no Brasil. A construção destas premissas acontece também nas relações intersistêmicas de acoplamento cognitivo e estrutural, coordenação, intervenção, o que abarca, além do nível meso das organizações, o nível macro dos sistemas funcionais envolvidos na política pública e o nível micro das interações que acontecem no contexto de implementação. Assim, temas como racismo, prostituição, trabalho escravo, drogas,

integrarão o painel com dados empíricos. O objetivo maior do painel é apresentar como o ferramental conceitual luhmanniano auxilia leituras e pesquisas empíricas que articulam diferenciação funcional, organizações, interações e padrões de inclusão/exclusão (sessão organizada por Artur Stamford da Silva).

Room: C5.02

Chair: Artur Stamford da Silva, Universidade Federal de Pernambuco – Faculdade de Direito do Recife

Artur Stamford da Silva, Universidade Federal de Pernambuco – Faculdade de Direito do Recife

Trabalho escravo no Brasil. Leitura da autorregulação e do interencionismo sistêmico

Roberto Dutra, Universidade Estadual do Norte Fluminense Darcy Ribeiro (UENF) - Professor Laboratório de Gestão e Políticas Públicas (LGPP) [[to be confirmed]]

Implementação de políticas públicas e inclusão social: o papel das interações entre burocratas de rua e público na teoria dos sistemas

Guilherme de Azevedo, Universidade do Vale do Rio dos Sinos – UNISINOS. Vice-presidente da Associação Brasileira de Pesquisadores em Sociologia do Direito/ABraSD.

Raça, igualdade e trauma: a função do direito nas políticas públicas de inclusão dos negros no Brasil

4153 Legislar, regulamentar, aplicar. As instituições enquanto lugares de tensão e confronto entre a lei abstracta e a realidade objectiva II

ST Sociologia do Direito e da Justiça

Room: C5.06

Chair: Catarina F_roids, CRIA - Centro em Rede de Investigação em Antropologia

Elizabeth Pilar Challinor, CRIA - UM

The Devil is in the Detail: Negotiating Migrant and Refugee Policy at the Local Level

Ana Luísa Micaelo, CRIA, ISCTE-IUL

Onde estão os despejados? Estatísticas e pessoas que não querem ser visíveis

Ricardo Gomes Moreira, Instituto de Ciências Sociais da Universidade de Lisboa

A ideia de Interesse Público e as suas trajetórias burocráticas nos tribunais: uma perspectiva etnográfica

Daniel Seabra Lopes, Universidade de Lisboa

À procura da terra de ninguém: inovação financeira, transjurisdicionalidade e arbitragem regulatória

4155 Violence in the world and Human Rights

WG Human Rights

(May be extended to the next time slot; same room)

Room: C5.08

Chair: José Querino Tavares Neto

Rui Garrido, ISCTE - University Institute of Lisbon

Citizenship and sexuality in Africa: claiming recognition for African LGBTI associations in court

Anis Farida, Shariah and Law Faculty, Islamic State University of Sunan Ampel
Surabaya Indonesia

The Health vs Economic A Never Ending Struggling of Law to make a better a life for a better future

José Querino Tavares Neto e Gil César de Paula, Universidade Federal de Goiás e
Pontifícia Universidade Católica de Goiás

Gil César Costa de Paula, Pontifícia Universidade Católica de Goiás

Human rights as a category of analysis for a constitutional society of alterity

Vivianne Yen-ching WENG, National Chengchi University

*In Search of an Effective Legal Protection for Fishermen Recruited Overseas Aboard
Taiwanese Fishing Fleets: Criminalization and Beyond*

James M. Donovan, University of Kentucky College of Law, USA

Why Terrorists Do What They Do

4156 Contemporary Challenges to Law and Development: Sustainability and Resistance

WG Law and Development

Room: C5.09

Chair: Pedro Rubim Fortes

Paula Casaleiro, CFE/UC

Fátima Alves, UA; CFE/UC

Miguel Pardal, CFE/UC

Artisanal fishing regulation: from “prohibition” to sustainability

Mariana Barbosa Cirne, Universidade de Brasília - UNB

Desenvolvimento sustentável no veto do processo legislativo ambiental brasileiro

Tatiana Daré, University of Coimbra - Centre for Social Studies

Violence and Resistance: Reflection on the Security Policies in the Latin American Context

Måns Svensson & Stefan Larsson, Lund University

Stefan Larsson, Lund University

Law, Society and Digital Platforms: Normative Aspects of Large-scale Data-Driven Tech Companies

Discussant: Diego Gil McCawley [[to be confirmed]]

Thursday 13 September, 2:00pm-3:30pm

Closing Session: The future of RCSL: Visions from around the world

This closing session gathers members of the Scientific Committee of the Conference who, at the same time, represent different regions of the world and were involved in the recent past in different RCSL initiatives, as well as, in close connection with RCSL, the initiatives of the IISL. They will present short statements about their vision of the future of RCSL, as inspired by the debates which took place throughout the Conference, as well as by their earlier experiences, and in the light of the issues of law and citizenship they encounter - observing as researchers, and participating as citizens - in the region of the world where they are based. One more specific question to be

RCSL-SDJ Lisbon 2018 – Complete Programme
(version 10; final)

tackled at this event is the relationship between RCSL and national groupings of its specialty, such as the Portuguese APS Section on Sociology of Law and Justice.

Room: Grande Auditório

Chairs: Ulrike Schultz, President of RCSL, Noe Cornago, Scientific Director of IISL, representing the Programme Committee of the 2019 RCSL Conference, and Pierre Guibentif, Board of the Sociology of Law and Justice Section of the Portuguese Sociological Association

Participants (provisional order):

Susana Santos, Lisbon, Southern Europe

Artur Stamford da Silva, Porto Alegre, ABraSD meetings, South America

Gabriela Farinha, Lisbon, Southern Europe

Manuel A. Gomez, Miami, North America, 2017 Joint Meeting México City

Wanda Capeller, Toulouse, Western Europe / Brasil, 2013 Toulouse RCSL Conference

Masayuki Murayama, Tokyo, Eastern Asia, 2014 Yokohama RCSL Conference