****

Hybrid Ph.D. course University of Bergen (AORG908)

8 – 30 August 2022

Venue: zoom + Bergen Global (Jekteviksbakken 31, Bergen)

EFFECTS OF LAWFARE

COURTS AND LAW AS BATTLEGROUNDS OF SOCIAL CHANGE

GENERAL TRACK

**Analysing legalized contestations over child rights, pandemic governance, autocratization, gender, sexual & reproductive rights, land, water, climate change & knowledge regimes,**

+ SPECIAL TRACKS:

DEMOCRACY & AUTOCRATIZATION THROUGH LAW

GENDER, SEXUALITY & THE LAW

CONTESTATIONS OVER NATURAL RESOURCES & CLIMATE

We experience an accelerating juridification and judicialisation of societies and politics. In all parts of the world and at all levels, from the global to the local, increasingly complex webs of legal norms and institutions regulate our societies and lives. Courts and law have become increasingly important as arenas for political struggles. Constitutional reforms and international treaties aim to transform social dynamics from above, among others through new governance structures and stronger - or weakened - protection of citizens’ rights. Individuals and groups engage in legal mobilization from below to seek justice for their cause. In either case dense networks of international activists and experts are ready to engage with and aid local actors, creating a dense global network of actors, legal norms, and adjudicative institutions. In this context, it is urgent to better understand law as a political field. Does this turn to rights and law have a transformative potential? Does it provide institutional spaces for the voices of marginalized groups to be heard and tools that can provide political leverage? Or does it, rather demobilize and depoliticize struggles in ways that exacerbate unequal power-relations and marginalization dynamics, and provide tools for autocrats? These are urgent issues on which there are deep disagreements in the literature. The course offers an introduction to the scholarly debates on the potential and limits of law as an instrument of social change, and opportunities to engage with some of the foremost scholar in the field, and international research projects currently seeking more compelling answers to these questions.

The course combines

* real-time **online seminars** specifically designed for the course
* individual and group **mentoring sessions** with relevant researchers
* group work
* **(Hybrid) public seminars** that form part of **the Bergen Exchanges on Law & Social Transformation (BeEx2022)** 22-26 August. Those able to be physically present in Bergen can join the BeEx2022 seminars in person, the rest can join as participants in the parallel online webinar.

**DEMOCRACY & AUTOCRATIZATION THROUGH LAW; GENDER, SEXUALITY & THE LAW;** and **CONTESTATIONS OVER NATURAL RESOURCES & CLIMATE** are BeEx2022 focus areas. We will discuss the centrality of law in struggles over democracy and in autocrats’ strategies for power and control; the role of law in advancing gender equality and in the struggles over “gender ideology” – and the role of gender in autocratization dynamics. We will analyse the role of law in the lives of LGBTIQ+ people across the globe and in struggles over abortion rights; and legal strategies employed in contestations over natural resources and climate change policies. We will also discuss the law and politics of child protection; pandemic responses and global knowledge regimes.

The course will have one **general track,** drawing empirical examples from across a range of social and legal fields, and three special tracks, which will focus on **democracy & autocratization through law; gender, sexuality & the law;** and **contestations over natural resources & climate** respectively.

For much of the course all the students will be in the same class, but for some sessions the tracks will be divided by theme to allow more focus on the specific dynamics of legalized contestations in this field. Group work, mentoring and student presentations will also be organized within the thematic tracks.

There is a relatively short compulsory reading list for the course. In addition, the students are required to compile an additional reading list of at least 500 pages (from the recommended reading list of their respective tracks). The supplementary list should be submitted before the start of the course and is required to get the course credits.

**Students will receive 3 ECTS if** **they:**

* participate in the course (80% of the sessions)
* submit a paper abstract (150-300 words) and an additional reading list
* give a presentation of their own work

**Students are awarded an additional 7 ECTS if** **they submit a paper** (4,000-6,000 words by 15 October 2022. (the paper must be related to the course and can form part of the PhD thesis).

Postdoctoral researchers and MA level students will be accepted if space permits. The PhD course is free of charge and open to applicant from Norwegian and international institutions.

Course leader: **Siri Gloppen** (University of Bergen/UiB),

Course Coordinator**: Lara Cortes,** contact for students **Giedre Cassaite** (CMI/LawTransform)

Lecturers: See lecture overview below, but note that list of presenters is still to be confirmed.

**Effects of Lawfare**

**Courts and law as battlegrounds for social change**

PhD course (2) 9-23 August 2022

(Times and lecturers for the different sessions are to be confirmed\*)

|  |
| --- |
| **8 — 12 August PRE-COURSE module**  |
|  | * plenary meeting with presentations of students Monday 2 August (video of presentations to be circulated to course leaders)
* group-work on reflection note to be submitted by Monday 9th (organized by tracks)
* preliminary presentation of student projects in the reading groups
 |
| **Individual mentoring session** will be scheduled during the course |
| **15 – 19 August, daily 15:00 – 18:00 (19:00)****Digital student-only module – general and tracks** |
| **Monday: Introducing Lawfare** |
|  | **introductions & course overview****Introducing Lawfare:** Concepts, approachesIntroduction to social movement theory and theories of legal mobilization  |  |
|  | **Legal mobilization*** meet the author:
 |  |
|  | **International legal mobilization*** meet the author:
 |  |
| **Tuesday: Courts as Battlegrounds and Actors**  |
|  | **What decides how judges rule?** * Introduction to judicial behaviour research,
* judicial discretion
* traditions of judicial interpretation
 |  |
|  | **Judicial selection and judicial independence*** meet the author
 |  |
|  | **Gender and Judging*** meet the authors
 |  |
| **Wednesday: Effects of lawfare**  |
|  | **Conceptualizing effects of law** |  |
|  | **Studying effects of law:****introduction to theory and methods** |  |
|  | **Studying backlash** meet the authors |  |
|  | **Research ethics – ethical clearance** |  |
| **Thursday & Friday– by tracks** |
| **Thursday: Socio-legal research methods in practice\*** (can vary between tracks) |
|   | **Surveys and survey experiments \**** meet the authors
 |  |
|  | **Qualitative field work and analysis\**** meet the authors
 |  |
|  | **Computational text analysis\**** meet the author
 |  |
| **Friday: Researching effects of law and lawfare – by track\*** (examples)  |
|  | **Autocratic lawfare in Africa*** meet the authors
 |   |
|  | **Abortion rights lawfare*** meet the authors
 |  |
|  | **Land rights in plural legal context*** meet the authors
 |  |
|  | **Water Rigths*** meet the authors
 |  |
| **22 – 26 August, daily 19:00 – 18:00 (19:00)****(Those who are in Bergen should follow all. Those participating digitally must select at least 3 events for each day)**BERGEN EXCHANGES ON LAW & SOCIAL TRANSFORMATION**- See** [**separate program**](https://drive.google.com/file/d/1mJlYb53Lgrsc0hOnkoBx8kDxw4qT6zs7/view?usp=sharing) **for BeEx2022 (tba\*)–**(hybrid seminars – in person for those who are in /can come to Bergen) |
| **Thursday 25 August, 18:00 - 19:00: Course evaluation, prepare panel**  |
| DIGITAL SESSIONS:**Monday 29 August 15:00 - 18:00: Project Presentations (by track\*)****Tuesday 30 August 15:00 - 18:00: Project Presentations (by track\*)** |