



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

Department of Administration & Organization Theory
LawTransform / Research Group on Law, Politics & Welfare



8 – 30 August 2022

Venue: zoom + [Kulturhuset i Bergen](#)

EFFECTS OF LAWFAR 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**

The course is sponsored by the Research Council of Norway through the projects: SAMEVAL/ADM-IN-TIME: Longitudinal perspectives on local, central and supranational public bureaucracies (314333); INTPART/LawTransform: Effects of Law (274976); INTPART/Autocratization Dynamics; DIKU/“Rethinking Democracy & Law”

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 scholars 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, HEALTH & 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, health & the law;** and **contests 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 applicants from Norwegian and international institutions.

Course leaders: **Siri Gloppen, Lise Rakner, Marit Skivenes** (University of Bergen/UiB)
Bruce Wilson (University of Central Florida)

Course Coordinator: **Lara Cortes**
Giedre Seduikiene contact for students

Track Coordinators: **General Track: Siri Gloppen and Marit Skivenes**
Democracy & autocratization through law: Lise Rakner
Gender, sexuality, health & the law: Ana Cortes and Siri Gloppen
Contestations over natural resources & climate: Bruce Wilson

Lecturers include (tbc*):

Michael McCann * Roberto Gargarella * Sylvia Tamale * Angana P. Chatterji * Dan Brinks * Sandra Botero * Jayna Kothari * Sвати Shah * Rachel Sieder * Rachel Cichowski * Jacke Dugard * Tatiana Alfonso * Leo Arriola * Ruth Rubio Marin * Marta Machado * Alicia Yamin * Conrado H. Mendes * Danielle Rached * Bruce M. Wilson * Kerstin Hamman * Inga Winkler * Namita Wahi * Camila Gianella * Adrian Jjuuko * Getnet Tadele * Catarina Barbieri * Ana Braconnier * Nathalia Sandov * Elin Skaar * Gökhan Sen

Effects of Lawfare

Courts and law as battlegrounds for social change

PhD course 8-30 August 2022

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8 — 12 August PRE-COURSE module				
	<ul style="list-style-type: none">- plenary meeting with presentations of students Monday 8 August (video of presentations to be circulated to course leaders)- group-work on reflection note to be submitted by Monday 15th (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 – 19:00 (18:00) Digital student-only module – general and tracks				
Monday: Introducing Lawfare				
15:00 - 18:00	introductions & course overview Introducing Lawfare: Concepts, approaches Introduction to social movement theory and theories of legal mobilisation	Siri Gloppen		
Tuesday: Courts as Battlegrounds and Actors				
15:00 - 16:45	Research ethics & Research Clearance	Camila Gianella		
17:00 - 19:00	What decides how judges rule? <ul style="list-style-type: none">- Introduction to judicial behaviour research,- judicial discretion- traditions of judicial interpretation <hr/> Judicial selection and judicial independence	Andrea Castagnola		

Wednesday: Studying mobilisation and effects of law		
15:30- 16:45	<ul style="list-style-type: none"> - Research methods for studying lawfare and effects of law 	Daniel Brinks
17:00 * -18:00 (times may wary between tracks)	<p>Studying legal mobilisation and effects of law: (parallel sessions by track - those on the general track can choose) :</p> <ul style="list-style-type: none"> - Autocratization dynamics - Contestations over land and indigenous rights - Sexual and reproductive rights lawfare 	Lise Rakner Rachel Sieder Paola Bergallo
Thursday Socio-legal research methods & practice		
15:00 * -17:00 (times may wary between tracks)	<p>Researching legal mobilisation and effects of law (parallel sessions for the tracks - students on the general track can choose)</p> <ul style="list-style-type: none"> - Global Gender Constitutionalism and Women's Citizenship (Meet the author - (NB read the introduction chapter in advance!) 15:00-15:50 - Autocratization dynamics in Turkey 15:00-15:50 - Gender & Autocratization (both tracks) 16:00-16:50 - Contestations over natural resources & climate 15:00-16:50 	Ruth Rubio Marin Gökhan Sen Angana Chatterji Danielle Rached & Catalina Vallejo
17:30 - 19:00 NB new time!	Studying effects of law: conceptual issues and methods. (Special focus on climate litigation)	César Rodriguez-Garavito
Friday: Researching legal mobilisation and effects of law		
15:00 * -16:50 (times may wary	<p>Researching legal mobilisation and effects of law (parallel sessions for the tracks - students on the general track can choose)</p>	

between tracks)	<ul style="list-style-type: none"> - Autocratic lawfare in Brazil - Gender, sexual & reproductive rights & health 15:00-15:50 - Abortion lawfare in Colombia 16:00-16:50 - Researching effects of water rights 15:00-15:50 - Researching land rights 16:00-16:50 - Child Rights (general track) 	Octavio Ferraz Alcia Yamin Ana Cristina González Vélez Bruce Wilson; Namita Wahi Marit Skivenes
17:00 -17:50	"Courts that Matter" <ul style="list-style-type: none"> - Sandra Botero will talk about her forthcoming book 	Sandra Botero
18:00 - 19:00	International legal mobilisation Meet the author: R. Cichowski "Women's rights, the European Court, and supranational constitutionalism." <i>Law & Society Review</i> 38.3 (2004): 489-512.	Rachel Cichowski

22 – 26 August, daily 9:00 – 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 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:

Students' Project Presentations organised separately for each track -

NB! the timing may differ between the tracks

Monday 29 August 15:00 - 18:00

Tuesday 30 August 15:00 - 18:00

