

Justitia

*The Newsletter of the Law & Courts Standing Group
of the European Consortium for Political Research*

Letter from the Conveners

Second Newsletter and First General Conference Section for the Standing Group

We would like to welcome you to the second Newsletter of the ECPR Standing Group on Law & Courts. The main topic of this issue is the program of the first ECPR General Conference Section of the Standing group. You will find information about the panels regarding their content and timing.

We would also like to invite the conference participants to the first meeting of the Standing Group. We are looking forward meeting many of you there. You will find information about the meeting in the newsletter. We would like to underscore that having the biggest possible attendance is crucial for the future of the activities of the Standing Group.

We are still looking for new people to be involved in the Standing Group newsletter, especially for a section dedicated to book reviews and/or publications of the members.

You will also find several announcements for conferences in the newsletter. Among them, it is very important to consider the various deadlines related to future ECPR conferences. The Standing Group should be involved there, in order to ensure that there will enough opportunities to present papers in the field of Law & Courts in the future. We encourage therefore the members of the Standing Group to work on proposals for any of the ECPR Conferences. If you have any ideas, please contact the conveners of the Standing Group in order to coordinate the activities.

We are also proud to announce that the Standing Group website is online:

<http://lawandcourts.sciencespobordeaux.fr>.

Best regards.

Sylvain Brouard Sciences-Po Bordeaux, France
s.brouard@sciencespobordeaux.fr

Christoph Hönnige, University of Göttingen, Germany
Christoph.hoennige@sowi.uni-goettingen.de



Meeting of the Standing Group in Reykjavik

The ECPR standing group Law & Courts will hold a meeting during the Reykjavik ECPR general conference.

The ECPR proposed that the meeting will be held on Wednesday the 24th of August 2011. However, few of the standing group members will be able to attend. Therefore, for allowing the largest possible attendance, the meeting is being held on Saturday 27th at 13:45 to 14:45 in the same room as the panel 360 dedicated to “Data & Methods in Comparative Judicial Politics” (see below).

As proposed in the application for the creation of the standing group, the governance of the standing group **Law & Courts** is based on two conveners and a steering committee. The standing group has been convened by Sylvain Brouard (Sciences Po Bordeaux, France) and Christoph Hönnige (University of Göttingen, Germany) since its beginning.

The steering committee is composed by the conveners as well as Thomas Gschwend (Manheim University, Germany), Christin Rothmayr (Montréal University, Canada), Renaud Dehousse (Sciences Po Paris, France), Claudio Guarnieri (Bologna University, Italy) and Cornell Clayton (Washington State University, USA).

During the standing group meeting at the Reykjavik ECPR general conference, the conveners as well as the steering committee will be elected for the next 2 years. Beyond this, several other issues will be discussed during the standing group meeting.

We are looking forward meeting many of you during the standing group meeting.

Announcements

- **JUSTITIA**, the Newsletter of the Law & Courts Standing group of the ECPR: Call for a **book review editor** in charge of the literature section of the newsletter. This section will give information about new publications of group members and publish short book reviews. Please contact S.Brouard (s.brouard@sciencespobordeaux.fr).
- **JUSTITIA**, the Newsletter of the Law & Courts Standing group of the ECPR: Call for **national correspondents** for the main events section. This section of the newsletter will present an annual concise update about the relevant developments in judicial politics in the correspondent's country. Please contact : s.brouard@sciencespobordeaux.fr

- The IPSA RC09 Research Committee of Comparative Judicial Studies will hold its next conference at the University of California, Irvine, July 21-23, 2011, please see: http://rc09.ipsa.org/public/Irvine_2011/Conference_Information.pdf
- The 2011 APSA Annual Meeting will be held in Seattle, September 1st-4th 2011. For the Law and Courts panels, please see: https://www.apsanet.org/mtgs/program_2011/division.cfm?division=D026
- International conference “Advocates or Notaries of Democracy? A Comparative Socio-Legal Analysis of the Role of Constitutional Courts in Political transformation Processes”, September 22-24 2011 (Humboldt University, Berlin) organized by S. von Steinsdorff & C. Boulanger.
- The next ECPR Joint Sessions will be held in Antwerp, 10-15th April 2012. The deadline of the call for paper proposals should be around the end of November 2011. We would like to call your attention on the following workshop: Between Retribution and Restoration – explaining the Politics of Transitional Justice convened by Adam CZARNOTA (University of New South Wales) and Klaus BACHMANN (WARSAW School of Social Psychology), please see: http://www.ecprnet.eu/joint_sessions/antwerp/workshop_details.asp?workshopID=29.
- IPSA World Congress, July 8th-12th 2012. Deadline for panel proposals: July 1st 2011. Deadline for paper proposals: October 7th 2011.
- The next ECPR Joint Sessions will be held in Antwerp, 10-15th April 2012. The deadline of the call for paper proposals should be around the end of November 2011.
- The 2012 APSA Annual Meeting will be held in New Orleans. The deadline of the call for panel proposals and paper proposals should be around the end of November 2011.
- The deadline of the call for workshop proposals for the ECPR Joint sessions 2013 should be around the end of January 2012.
- The next ECPR General Conference will be held in Bordeaux in 2013. The deadline of the call for section proposals should be around 15th of April 2012. The deadline of the call for panel proposals should be around the end of August 2012.

6th ECPR General Conference 2011, Section: Courts and Judicial Politics

The Standing Group will offer a section titled *Courts and Judicial Politics* including four panels outlined below. The conference rooms will be announced in the final program available at the conference.

- **Panel 20 - Courts in democratic systems**

Saturday, 27 August, 0900-1040

Panel Chair: Carlo Guarnieri

Panel Abstract: In recent decades constitutional review has spread across democratic systems. The panel intends to systematically test the various approaches and theories developed for the US Supreme Court (Maveety 2003) and create some specific comparative theories. We expect the papers to follow this perspective in order to improve the understanding of judicial politics in contemporary democratic political systems. Given the narrow focus of existing studies they may comparatively investigate a number of issues regarding courts and judicial politics such as institution-building, institutional settings (judge appointment, court access, types of review, court rules), intra-court decision-making (judicial preferences, agenda-setting, case selection), and the relation between courts and other actors (government, parliament, public, lower courts, other Courts, European Court of Justice).

http://www.ecprnet.eu/conferences/general_conference/Reykjavik/panel_details.asp?panelid=20

- **Courts under non-democratic systems, democratization and democratic break-down**

Panel Session: 10 - Saturday, 27 August, 1100-1240

Panel Chair: Elena Martínez Barahona

Panel Co-Chair: Sebastián Linares Lejarra

Panel Abstract: To understand the role of Constitutional Courts and Judicial Politics in different political systems accurately, we need to expand our knowledge beyond democratic systems. Scholars started to explore the role of Courts in authoritarian regimes (Ginsburg 2008) or in democratizing countries (Sieder, Schjolden, and Angell 2005; Gloppen, Gargarella and Skaar 2003). Nevertheless further discussions about the issues and approaches are necessary as well as comparative studies. Beyond more investigations are necessary about the roles played by Courts in the democratization process as well as in the democratic break-

down. We expect papers dealing hopefully in a comparative way with any of these issues.

http://www.ecprnet.eu/conferences/general_conference/Reykjavik/panel_details.asp?panelid=23

- **Panel 360 - Data and Methods in Comparative Judicial Politics**

Panel Session: 11 - Saturday, 27 August, 1500-1640

Panel Chair: Thomas Gschwend

Panel Abstract: This panel is dedicated to the methodological issues of the analysis of judicial politics in a comparative way. As such, comparative judicial politics inherits much of the same challenges in terms of data and methods as the field of comparative politics at large. How much can we learn from single country studies? How to harmonize existing data sources and what are efficient ways to generate and compile truly comparative data? Therefore, standards about data collection and harmonization are essential for successful comparative research. Data are needed about cross-national variation in judicial and other institutions, what incentives they create for judges, about the relationship between judges and other governmental decision-makers, about the reviews process and the rulings etc. Beyond the traditional qualitative - quantitative divide the specificity of judicial politics (e.g. relevant processes are hidden) has to be carefully explored as well as the challenge of analyzing judicial decisions written in different languages. An evaluation of existing data and a reflection how they could be integrated in a large European database is required. Another fruitful approach seems to connect this database with data from existing comparative projects (e.g. Comparative Agenda Project). Moreover, we also might push the envelope and twist existing methods in order to provide new answers based on better (comparative) measures. Papers that address aspects these issues are very welcome.

http://www.ecprnet.eu/conferences/general_conference/Reykjavik/panel_details.asp?panelid=360

- **Panel 463 - Courts and the policy process**

Panel Session: 12 - Saturday, 27 August, 1700-1840

Panel Chair: Christine Rothmayr Allison

Panel Abstract: This panel will focus on the integration of questions of legal mobilisation and court impacts into theories about the policy-making process. In North America, there has been an extensive debate surrounding the question of how to conceptualize and measure the impact of court decisions on public policies; however, a preoccupation with understanding why individuals and organized interests turn

to courts has led to an emphasis on the effects of court decisions on actor mobilisation. In Europe, the focus has rather been on how courts and legal mobilisation feed into processes of Europeanization or the interaction between constitutional courts and other branches of government. Courts and politics scholars have largely ignored policy process theories, and theories of the policy process often omit to integrate questions of legal mobilisation and courts into their conceptualization of the policy process. The contributions in this panel present several analyses of policy making processes across various policy sectors, but which better integrate courts and politics scholarship with policy process theories by asking questions, such as: Why and under what conditions are policy making processes judicialized? What explains variation in judicialization (across policy sectors, over time, across countries)? Are courts just “another” arena of policy-making? Should we conceive of courts just as “factors” external to policy subsystems? Should we conceive of judges as policy actors or even entrepreneurs? How can we account for high court as well as lower court decisions in our theories of judicialization?

http://www.ecprnet.eu/conferences/general_conference/Reykjavik/panel_details.asp?panelid=463