

Epilogue: A tale of journeys, roads and nodes



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It was one of those propitious constellations of time, space and people that gave rise to the (re)emergence of the sociology of law, or what we would now call the socio-legal studies movement. The founding of the Research Committee of the Sociology of Law within the International Sociological Association (ISA) in the 1960s was a decisive step towards what would become an amazing success story of scientific engagement with law in its social contexts. The seven memoirs in this first part of this special issue are tales about engagement and contributions to this success story across more than half a century with the International Institute for the Sociology of Law in Oñati taking centre stage. The RCSL took up the momentum and was seminal for the exceptional growth of the movement that – still growing – presently crosses global regions. From the start, this was an international movement. In particular, the RCSL built bridges across the Iron Curtain that then divided Europe, and very early on collaboration and exchange with colleagues from Eastern and Central Europe were established. Mavis Maclean shares with us the tremendous excitement of her decades of research collaborations with her Polish colleagues, which is still going strong in workshops at and publications by the International Institute for the Sociology of Law in Oñati. The social context and constellation of factors that contributed to this unprecedented rise of the socio-legal movement included the sweeping changes in many Western countries, in countries in Asia and Latin America as well as Africa that pushed for radical transformation of the legal order that until then had governed these societies. This included the so-called ‘new social movements’: in the United States the Civil Rights movement played a seminal role, and the feminist movement pushed for major legal change in many societies.

The founding of the International Institute for the Sociology of Law in Oñati, a small town in the Basque country, cannot be deemed anything but a miracle. As many such miracles in history are owed to courageous and visionary women and men, so was the IISL in Oñati (though mainly men were involved here, given the dominance of male scholars in the discipline at the time). The RCSL, punching above its weight, joined forces with the Basque Ministry of Justice, and established and brought to life an institution so unique in the world of science and higher education that it never has been replicated, and is unparalleled until today. Pierre Guibentif tells us about this decisive moment, which put him on a path to socio-legal scholarship and later the directorship at the IISL, but also on a path to become a devoted institutionalist in our field. His memoir of institution-building at the Oñati Institute and elsewhere is an inspiring and optimistic account of what we could and still can achieve today, and what is exciting to research in our field.

Such institution-building could be the least expected in the Basque country at the time, when the conflict was still raging, the ETA was active and terrorist attacks took place. Nonetheless, and surprisingly, the Basque country proved to be a fertile ground for such an endeavour as the IISL, with Kiko Caballero's Laboratory of the Sociology of Law at the University of the Basque Country in San Sebastian-Donostia (Laboratorio de Sociología Jurídica de San Sebastián) already in place, and a keen curiosity on the part of the Basque administration. Manolo Calvo was another driving force and devoted to the Institute throughout his life. The first years of the Institute were still marred by the conflict, and its traces were to be seen all over Oñati. Johannes Feest, Director at the time (1995-1997) was a keen observer of the signs and open wounds of the conflict, and he remembers: "In the many bars of Oñati, there was always music and lively talk, but no heated political discussion (as there would be in Germany on the traditional "Stammtisch", i.e., the regulars' table); it dawned on me only much later, that supporters and victims of ETA shared the same bars, but did not share a common discourse. Maybe some of them had friends or relatives incarcerated as Etxarras, i.e., members of ETA, while others had suffered from the violence or extortions of ETA. This amounted to a culture of silence."¹ Johannes also encouraged three workshop that dealt with the conflict in various ways engaging scholars from Spain, Latin America and Europe. This tradition of engagement with the recent history of the Basque country lives on today, with a 2022 conference on restorative justice in Basque prisons, organised by IISL Director Martin Ramstedt on the occasion of the planned transfer of prisoners to the Basque country.

The IISL owes its foundation to the handful of scholars who saw a unique window of opportunity opening up and seized the opportunity to launch what in hindsight might be called an 'improbable' institution. These reminiscences give us a sense of the kind of activism that was involved here, and from three memoirs we can glimpse what activism in academic life means. Bill Felstiner, always and still an activist, writes about his humanitarian aid work in Chad, but this is exactly the same experience and ideas that he brought to Oñati: How to engage local people, to seek international support and to find clever ways of funding the activities of the institute. Manolo Calvo was the persistent and patient institution- and network builder, and Pierre Guibentif added enthusiasm at the start of his scholarly journey. Their stories and accounts are tales of creativity, of spotting opportunities and engaging with change, all as important and essential today as it was in the founding days of the IISL. These are also tales of networks and

¹ See page S103 of this special issue.

collaborations across the borders of countries and disciplines, and what could be a better place for that than a small town in the border region of Spain and France!

From the start the IISL was at the centre of concurring changes, in laws and societies, in the Basque country and in the discipline of socio-legal studies and academia more generally. These changes also opened up (finally!) opportunities for women scholars in our field, and they took the opportunities with enthusiasm. Mavis Maclean, Ulrike Schultz and Teresa Picontó, three pioneering women in our field, share their memories of shaping new fields of research, of making women a focus in our field (Schultz) and engaging in uphill battles in their institutions and academia. Mavis Maclean has decisively and continuously contributed to the prestige of the IISL with workshops and publications, always engaging with the most recent developments in the laws of family and private lives of citizens, an area where the winds of change blew early on. Like Ulrike Schultz, she is a node in cooperations with colleagues across borders. Ulrike Schultz gives us a vivid account of the obstacles on her way to shaping the field and becoming a leading scholar on women in the legal professions (including academia). Hers is a tale of setbacks and perseverance against many odds, but like Teresa Picontó's also a tale of bonding and friendships between female scholars. Perhaps Teresa Picontó's is the most personal account of a woman's journey into and through the field of socio-legal studies starting with her doctorate which was the first on the sociology of law in Spain. It is about a "life shared with Sociology of Law", and a joint journey of two pioneering scholars.

Change has not stopped its impact on the field of socio-legal studies, and actually has accelerated with globalisation, de-colonisation and the challenges of law in and for diverse and multi-ethnic societies. Vincenzo Ferrari has always been a keen observer of ideas, frameworks and emerging themes in our field, and his account gives an impression of the journey from a more traditional (and European) sociology of law to a vastly expanding field of Law & Society, in which the weight and influence of perspectives, concepts and theories has shifted. The traditions of the European version of the sociology of law, still very prominent in Latin America and parts of Asia, give way to the more pragmatic and diverse approaches in Law & Society studies as developed and practiced in the US. There can be little doubt that these approaches will dominate the near future.

These memoirs of leading scholars in our field and devoted contributors to the founding, launch and strengthening of the Oñati Institute are wonderful and inspiring (his-) and



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(her-) stories of the ‘improbable institution’, that the IISL is. What can they tell us about the future of this gem of an academic institution? In a vastly changed and quickly changing landscape of higher education and research in the Basque country and globally, the IISL is at a historical turning point in securing a future for its vision. Its origins in the ‘international’ make the Institute a hub for intercultural and international encounters, collaborations and networking. What could be better than a border region to house such a site of research and teaching that reaches across borders and across the globe? Change is not difficult only but always offers new opportunities to be embraced. These seven scholars give ample guidance how to do that, each in their own way. A new generation will find their own routes but let us be inspired by their past journeys.