Call for Papers: Legal Realism: British and Scandinavian Perspectives

The York Law School with funding support by the Society of Legal Scholars (SLS) is organising an intensive two-day workshop in October 2022 (Friday 21 and Saturday 22) on the theme of 'Legal Realism: British and Scandinavian Perspectives'. The workshop will be a hybrid one. It will bring together a collection of expert and internationally acclaimed scholars to assess critically the contribution of British and Continental legal realisms to contemporary empirical and doctrinal legal studies. The impetus for the seminar is the publication by Oxford University Press, in 2019, of an entirely new full translation of Alf Ross's magnum opus *On Law and Justice*. The full new English translation of Ross' Danish original book provides an excellent occasion to reconsider the relationships between legal positivism and legal realism and, mainly, to reassess their significance for legal thought in the 21st century, with a view to identifying their relevance for British (socio-)legal thought. We invite those who wish to propose a paper to send us an abstract of no more than 300 words. Abstracts should be sent to dimitrios.tsarapatsanis@york.ac.uk by the 1st of October 2022. Decisions on papers will be taken by the 4th of October 2022.

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The workshop will be organised around three themes. These themes will explore (i) the relationship between Scandinavian legal realism(s) and Hartian positivism; (ii) the relevance of legal realism(s) for current debates in law; and (iii) the manner in which legal realism(s) may be translated into robust empirical legal research programmes.

1. The relationship between Scandinavian legal realism and Hartian positivism.

One of the key ideas on which the current discussion on the reassessment of Ross and Hart revolves is that their respective projects, *pace* Hart, are not incompatible. The first (and scene-setting) theme of the workshop will thus offer an in-depth examination of this and related issues, in order to help put both Hartian positivism and Scandinavian realism into proper perspective.

2. The relevance of legal realism(s) for current debates in law.

A second theme of the seminar will consist in closely interrogate the relevance of debates concerning legal realism for ongoing research projects into various areas of law. We especially think that there is a deeper connection (conceptually, if not historically) between British functionalism in public law and Continental legal realism. The focus of this theme will thus tie legal realism to further currents of British legal thought.

3. The future of legal realisms: from legal theory to empirical research programmes

A final key theme of the seminar will be to consider how Scandinavian legal realism (or Hartian positivism reconsidered under a realistic light) might provide a solid and theoretically robust ground for ongoing socio-legal empirical research programmes.

The papers presented at the conference will be considered for publication in an edited volume.

Confirmed participants include internationally recognised experts on legal realism such as Torben Spaak, Jakob von H. Holtermann, Brian Leiter, Richard Muellender and TT Arvind.