



**ERC funded project: Cultural Expertise in Europe: What is it useful for?**  
**Opening Conference:**  
**Cultural expertise in socio-legal studies and history**  
**(Call for Papers and tentative programme)**

Convenors: Livia Holden (University of Padova), Soazick Kerneis (Paris Ovest – CHAD), and Marina Kurkchian (University of Oxford)  
 Place: Center for Socio-Legal Studies Oxford (15 Dec.) and Maison Française Oxford (16 Dec.)  
 Tentative Dates: 15-16 December 2016

**Call for Papers (2<sup>nd</sup> round)**

This conference proposes an exploration of the variety of regulations and practices regarding the role and use of cultural expertise, defined as the “special knowledge that enables socio-legal scholars, or, more generally speaking, cultural mediators - the so-called cultural brokers-, to locate and describe relevant facts in light of the particular background of the claimants and litigants and for the use of the court” (Holden 2011 and 2013, *Cultural Expertise and Litigation*, Routledge). This definition, offered as a working definition needing update and contextualization, is proposed as a referent for exploring the variance of cultural expertise not only in the European legal theories but also for what concerns its factual role in living law. The convenors of this conference call for papers that investigate cultural expertise from both diachronic and synchronic perspectives. Although it is expected that emphasis will be put on today’s variance of cultural expertise in 14 European countries - Austria, Belgium, Denmark, Finland, France, Germany, Greece, Italy, the Netherlands, Poland, Portugal, Spain, Sweden and the United Kingdom - papers that explore historical antecedents and colonial settings are also welcome.

Papers that will adopt a diachronic perspective are encouraged to critically explore the use of anthropological and socio-legal knowledge for legal purposes – in court, out of court, and irrespective from court - throughout ancient and modern history in the processes of colonisation, decolonization, and in the post-colonial legal contexts. Papers that will adopt a synchronic perspective may refer to the tension between Common Law and Civil Law traditions, according to which the Common Law tradition appears to have kept its practical grounding whilst the European Civil Law seems to keep closer to an overarching theoretical construct. Authors are encouraged to explore how in the countries of Common Law the role of the expert witness has been expanded to systematically use CE when the litigants belong to minorities; while in the countries of Civil Law, the judge appears reluctant to depart from the principle of being the only cognizant of the law. Papers are also solicited to outline how, in many Civil Law countries mediation roles are

nevertheless played by translators and cultural brokers; how notaries, lawyers, and multi-national enterprises are relying on the assistance of experts for transactions that are involving clients belonging to ethnic and religious minorities; and, how with an increasing frequency experts are also nominated by lawyers and by the courts.

The following structure is advised: overview of national legislation (and wherever occurs linkages with the European legislation) on the use of cultural expertise/ expert witnessing; precedents and case-law; and overview of organisations and other out of court sites where cultural expertise is used.

The above-mentioned themes are illustrative and prospective speakers are encouraged to submit abstracts on a greater variety of subjects related with cultural expertise in Austria, Belgium, Denmark, Finland, France, Germany, Greece, Italy, the Netherlands, Poland, Portugal, Spain, Sweden and the United Kingdom. At this point we encourage in particular more abstracts focusing on cultural expertise in Austria, Denmark, Spain, the Netherlands, Poland and the UK. This conference also aims to engage with members of the legal profession and socio-legal professionals in the applied domain. Papers based on first-hand research will be privileged but theoretical discussions, engaged social research, and legal commentaries are also welcome. Authors may use a variety of methods non-exclusively including qualitative, quantitative, historical, ethnographic, and socio-legal. Abstracts between 500 and 1000 words plus a short bio (indicating current affiliation and main publications) should be sent to Livia Holden at [liviaholden@insightsproduction.net](mailto:liviaholden@insightsproduction.net) and [livia.holden@unipd.it](mailto:livia.holden@unipd.it) by the 20<sup>th</sup> October 2016. Subject to availability of funds and exhaustion of other financial resources funds will be available for covering travels, board, and accommodation. Authors are requested to also clarify whether they can bear fully or partially their own expenses. By the 30<sup>st</sup> October the authors of selected abstracts will be informed of the deadlines for submitting their full papers.

## **Tentative Programme**

### **1<sup>st</sup> Day CSLS - Oxford**

9:00 – 9: 30 Introduction by Livia Holden and Marina Kurkchiyan

9:30 – 10:00 Greece

10: 00 – 10:30 Italy

10:30 – 11:00 Spain

11:00 – 11: 30 Coffee break

11:30 – 12:00 Portugal

12:00 – 12:30 France

12: 30 – 2:30 Lunch break

3:00- 3:30 United Kingdom

3:30 - 4:00 Austria

4:00 – 4:30 Germany

7:00 dinner

### **2<sup>nd</sup> Day Maison Française - Oxford**

9:00 – 9: 30 Introduction by Livia Holden and Soazick Kerneis

9:30 – 10:00 Belgium

10:00 – 10:30 Netherlands

10: 30 – 11:00 Poland

11:00 – 11: 30 Coffee break

11:30 – 12:00 Denmark

12:00 – 12:30 Sweden

12: 30 – 2:30 Lunch break

3:00- 3:30 Finland

3:30 - 4:00 Conclusive remarks and publication options by Livia Holden, Soazick Kerneis, and Kurkchiyan