

## SOCIO-LEGAL STUDIES IN GERMANY

Many lawyers, such as Max Weber, were among the founders of German sociology. Sociology of law, therefore, emerged as a special field of sociological inquiry at an early stage of the development of sociology in Germany. In contrast to the opinion of the vast majority of legal scholars, Eugen Ehrlich, along with other scholars of the *Freirechtsschule* ("Free Law School," a movement similar to "legal realism" in the US), proclaimed that the sociological inquiry of the "living law" (*das lebende Recht*) would be the genuine task of the "science of law," whereas doctrinal jurisprudence should be regarded as being nothing more than a working technique for legal practitioners. During the era of the Nazi-regime, most socio-legal scholars, many of Jewish origin or sympathizers of socialist and communist parties, had to emigrate or risk being persecuted.

After World War II, sociology of law slowly developed in the Federal Republic of Germany. Socio-legal scholars gained significant influence during the 1970s, when there was a climate for political break-up and reforms in academia, while the Communist government in East Germany strictly prohibited any attempts at socio-legal inquiry.

In West Germany, sociologists Wolfgang Kaupen and Fritz Sack, as well as lawyer/sociologist Rüdiger Lautmann, took the initiative and founded the DGS Sektion Rechtssoziologie in 1972. In 1976, the *Vereinigung für Rechtssoziologie* (Association for the Sociology of Law) was established by a number of outstanding law professors, amongst them Thomas Raiser, Jutta Limbach, Winfried Hassemer and Wolfgang Hoffmann-Riem. Many of those and other members of the Association, such as Brun-Otto Bryde, later became justices of the German Federal Constitutional Court. The Association initially emphasized the teaching of law students and has fostered the implementation of socio-legal education within the law faculties. Today, both organisations co-operate, organizing academic workshops and editing an e-mail news service.

In 1980, a group of socio-legal scholars led by Erhard Blankenburg, most notable amongst them Niklas Luhmann, founded the *German Journal for the Sociology of Law* (*Zeitschrift für Rechtssoziologie*). The peer-reviewed journal quickly gained a reputation for outstanding contributions and debate. Since 2000, the journal is published by Lucius & Lucius in Stuttgart. It also accepts submissions in English (contact: Wolfgang Ludwig-Mayerhofer, Editor in Chief, e-mail: [zfrsoz@soziologie.uni-siegen.de](mailto:zfrsoz@soziologie.uni-siegen.de)).

### Further readings:

Machura, Stefan. (2001). "German Sociology of Law," *The American Sociologist* 32 (2): 41-60.  
Wrase, Michael (2006). "Rechtssoziologie und Law and Society – die deutsche Rechtssoziologie zwischen Krise und Neuaufbruch," *Zeitschrift für Rechtssoziologie* 27 (2): 289-312 (in German).

## HUMBOLDT UNIVERSITY - LOCAL ORGANIZING COMMITTEE FOR THE CONFERENCE 2007

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# Associations and Networks for Socio-legal Studies in Germany

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## **ASSOCIATION FOR THE SOCIOLOGY OF LAW – VEREINIGUNG FÜR RECHTSZOLOGIE (VFR)**

German Association for the Sociology of Law (Vereinigung für Rechtssoziologie) was founded in 1976, and presently has more than 150 members, who are largely from the academic legal profession. However, the Association has always aimed beyond the circle of law professors; it is a forum for everyone who, from a legal or social scientific perspective, is studying the relationship between law and society.

From its beginning, one of the major aims of the Association has been to introduce the social sciences into legal education. Although reforms of the academic education of lawyers resulted in the implementation of courses on sociology of law in most of the German law faculties, this project is still challenging. Nevertheless, the Association is firmly established within the German legal culture and holds an important position there. A number of judges of the German Federal Constitutional Court and of other high courts have been recruited from the ranks of the Association's scholars.

For further information, please contact the chair of the executive board: Prof. Dr. Kai-D. Bussmann, Chair of Penal Law and Criminology, University of Halle-Wittenberg, [kai.bussmann@jura.uni-halle.de](mailto:kai.bussmann@jura.uni-halle.de)

Website: [www.rechtssoziologie.info](http://www.rechtssoziologie.info)

## **SECTION FOR THE SOCIOLOGY OF LAW IN THE GERMAN SOCIOLOGICAL ASSOCIATION – SEKTION RECHTSZOLOGIE IN DER DEUTSCHEN SOZIOLOGISCHEN GESELLSCHAFT (DGS)**

The Section for the Sociology of Law (Sektion Rechtssoziologie) is one of the largest of currently 34 sections in the German Sociological Association (Deutsche Gesellschaft für Soziologie, or DGS), which bring together sociologists in their special field of inquiry and teaching. The Section aims at promoting teaching and research in the field of sociology of law, both in the Faculties of Law and Social Sciences. Anyone who is interested in the sociology of law is welcome to subscribe as a member.

The Section organises sessions and plenaries at the bi-annual meetings of the German Sociological Association, as well as dedicated workshops, and conferences with the Association for the Sociology of Law (Vereinigung für Rechtssoziologie). The Section also collaborates with other sections in the German Sociological Association, as e.g. political sociology and sociology of the family, thus strengthening its interdisciplinary outreach. International collaborations include the LSA and RCSL. A special focus of the work of the Section is the development of young researchers and postgraduate training. The Section collaborates with the Berliner Arbeitskreis Rechtswirklichkeit (BAR) and the Association for the Sociology of Law in organising dedicated workshops and events for young researchers and postgraduates. Each year the Section awards a prize for best student paper, undergraduate dissertation, diploma dissertation, or MA thesis by a German student. Recent and upcoming workshops of the section focus, e.g., on mediation and alternative dispute resolution, on law in film, law and the body, and citizenship.

Inquiries should be directed to the chair of the executive board: PD Dr. Stefan Machura, [s.machura@bangor.ac.uk](mailto:s.machura@bangor.ac.uk)

Website: [www.lrz-muenchen.de/~wlm/soclaw.htm](http://www.lrz-muenchen.de/~wlm/soclaw.htm)

## **WORKING GROUP ON SOCIO-LEGAL STUDIES – BERLINER ARBEITSKREIS RECHTSWIRKLICHKEIT (BAR)**

The Berlin Working Group on Socio-legal Studies (Berliner Arbeitskreis Rechtswirklichkeit - BAR) was founded October 2001 by a small group of young lawyers and social scientists who did not feel that their socio-legal research interests were adequately represented within their own disciplines, and who felt the need for more interdisciplinary socio-legal research and projects in Germany than currently exist.

Partly inspired by the activities of the Law and Society Association, which offers events for young scholars such as the Graduate Student Workshop during its Annual Meetings, the BAR specifically addresses Master's students as well as doctoral and post-doctoral researchers and tries to offer a communication platform for their socio-legal research. The BAR cooperates with the existing socio-legal academic community and intends to supplement their work and activities. It runs a Germany-wide email-list and organizes monthly meetings with lectures in Berlin.

In 2003, the BAR organized a socio-legal graduate student conference, which was followed by a young scholars' conference in 2005 attended by over 120 participants. The BAR consists of an organizational core group in Berlin, associated members in Germany and several other countries, and other members who have joined our E-Mail-List and/or have chosen to join our internet portal at [www.rechtswirklichkeit.de](http://www.rechtswirklichkeit.de). The BAR is not an academic organization or interest group. We are a network of scholars and practitioners who look beyond black-letter law to explore the various interconnections between law and society.

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