



## SCHOOL OF GLOBAL STUDIES

### Call for papers:

## Legal mobilization in Nordic civil society

Workshop in Gothenburg, 7–8 June 2022

*In recent years, diverse groups in Nordic civil society have increasingly pursued legal mobilization to redress grievances and change public policies. For this workshop, we invite papers that seek to determine the origins, pathways, and impact of this turn to litigation among civil society actors in the Nordic countries.*

Across the Nordic region, civil society actors are increasingly using litigation strategies to seek justice and societal change. Notable recent cases include environmental activists filing lawsuits on climate change and Sami groups winning landmark court cases on indigenous land rights. LGBT groups have supported litigation to change policies discriminating against same-sex families and transgender persons, while disability rights activists have gone to court to claim rights to equal access to public facilities, equal treatment, and assistance. Christian groups have sponsored litigation demanding conscientious exemption for healthcare professionals, while Muslims have challenged headscarf bans and handshake practices. Yet other groups have litigated on issues as diverse as solitary confinement, electronic surveillance, migration policies, collective bargain arrangements, expropriation and zoning law, and the supremacy of European Union law. In sum, legal mobilization has become an established repertoire of contention among Nordic social movements.

Arguably, Nordic states may seem unlikely places for civil society groups to turn to courts to claim rights, challenge public policies, and place issues on public agendas. An established truth long held that Nordic states were inherently inhospitable to using courts as political arenas – whether it was due to strong-state corporatism, political constitutions based on parliamentary sovereignty and deferential courts, a political culture discouraging adversarial legalism, or a welfare state regime granting extensive entitlements yet few justiciable rights. Socio-legal approaches developed for other contexts – e.g. to explore how civil society support structures bring about judicial rights revolutions or how movement lawyers promote progressive causes – just seemed a poor fit for the Nordic settings. And any evidence to the contrary could be dismissed as external influences undermining Nordic models of democracy, welfare, and law.

Yet the numerous recent examples of civil society groups employing legal strategies suggest a shift has been taking place. Accordingly, recent studies have explored, for instance, legal mobilization by specific groups or in certain issue-areas, traced the historical roots of collective action by legal

professionals, and analyzed civil society's role in providing legal aid and access to justice. Taken together, such research prompts questions about why civil society groups are turning to legal action, how their mobilization unfolds in the judicial arena, and how increasing legal mobilization reshapes Nordic societies.

To advance this emerging research agenda, we invite papers that present original research on legal mobilization in the Nordic region and that address issues such as the following:

1. *Origins*: Why are civil society groups and interest organizations increasingly engaging in legal mobilization? Why are some groups more prone to take legal action than others? How has mobilization in a legal register evolved historically? How have Nordic institutional contexts evolved to expand opportunities for legal mobilization? How has neo-corporatist governance, civil society advocacy cultures, or legal consciousness transformed to bring groups into legal claim-making?
2. *Pathways*: How do groups mobilize resources to exploit openings in legal opportunity structures? What specific legal tactics do groups use, and to what extent are they effective? How do civil society lawsuits advance through judicial systems? How do groups combine legal action with other repertoires of contention – e.g. lobbying, protest, or activism – and to what effect? How are groups using European courts or international law instruments to effect domestic change? Whom do they enlist as allies and antagonists in their legal struggles?
3. *Impact*: What are the outcomes of civil society legal mobilization? How has civil society litigation changed judicial agendas and transformed the policy-making role of the judiciary? How does mobilization through law reshape the self-understanding of social movements and constitute legal subjects? How do other actors, e.g. policymakers or corporatist organizations, respond? To what extent does legal mobilization trigger counter-mobilization or polarization? How has the turn to legal mobilization reconfigured politics, the law and civil society in the Nordic countries?

Since the workshop addresses a complex, multi-faceted socio-legal phenomenon, we invite contributions from scholars in law, sociology, political science, and cognate disciplines. While we wish to see authors employ any socio-legal theories, methods, and data they find relevant, each paper should include an empirical analysis, and we would especially welcome papers that are comparative in some respect – comparing across causes, cases, countries, or contexts, or over time. We particularly encourage early-career researchers (PhD students and postdocs) to submit papers.

After the workshop, we will seek to publish a selection of papers as a special issue of an international academic journal. Hence, we will select papers partly with a view to have a comprehensive and coherent set of contributions.

## Time plan and format

- Prospective participants submit 250-word abstracts plus a short bio by 31 January 2022 using this form: <https://bit.ly/NorLegMobSubmit>
- Selected participants will be informed by mid-February 2022 and are expected to submit a ca 5,000-word draft paper by 26 May 2022.
- The format is a two-day workshop at the University of Gothenburg. Papers will be organized in panels with assigned discussants.
- Participation in the workshop, including meals, is free of cost to selected paper-givers. We have funds to cover travel and accommodation for a limited number of participants.

## Organizers

The workshop is organized by the research projects *The Scandinavian Rights Revolution* and *Judicial Politics in Scandinavia*, funded by the Swedish Research Council.

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