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Legal design could and should be more sociolegal

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Design Research Society

Legal design could and should be more sociolegal

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Abstract: Legal design could and should be more sociolegal. Sociolegal research can offer conceptual frameworks, empirical methods and data, and normative direction to legal design. At the same time, designerly methods can enhance the abilities of sociolegal researchers to make and communicate sense of things to, with and for themselves, academics in other disciplines, and the wider world. So, if legal designers were to engage more deeply and systematically with sociolegal research and researchers, benefits could flow to legal design, to cross-disciplinary research and to the wider world.

Keywords: legal design, sociolegal design.

1. Introduction

Legal design is a rapidly growing field of thinking and practice focused on what design can do for law. There are (at least) three 'points of contact' between lawyerly concerns and designerly ways: 'a commitment to communication; a need for/ability to create structured freedom; and a need/ability to be at once practical, critical, and imaginative'. Lawyers must make and communicate sense of legal ideas. If it is to be meaningful, a legal communication must balance structure and freedom: it must nurture the coherence of law, and/but it must accommodate and sustain diverse perceptions, expectations and experiences of law. Lawyers must be simultaneously critical—that is, able to identify opportunities for change; imaginative—that is, able to envisage what the shape of those changes, and their effects, might be; and practical—that is, able to ensure that the change is valuable to those who are implicated in and by it, and to make that change happen. Designerly ways emphasize practical-critical-imaginative mindsets, experimental processes and visual and material communication strategies. By adopting these ways lawyers can generate 'structured-yet-free' spaces in which their ability to individually and collaboratively make sense of legal ideas is enhanced, and from which meaningful legal communications are more likely to flow (Perry-Kessaris 2019).

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This paper focuses on legal design and legal designers. While anyone working with law—practitioners, activists, policy-makers, researchers and teachers—can attempt to apply designerly ways to their lawyerly concerns, but I reserve the term 'legal designer' for those who have specific training and/or extensive experience in the field. The core argument of the paper is that legal design and legal designers could and should be more sociolegal. First, sociolegal research can offer conceptual frameworks, empirical methods and data, and normative direction to legal design. Second, designerly methods can enhance the abilities of sociolegal researchers to make and communicate sense of things to, with and for themselves, academics in other disciplines, and the wider world. So, if legal designers were to engage more deeply and systematically with sociolegal research and researchers, benefits could flow to legal design, to cross-disciplinary research and to the wider world.

The remainder of the paper first sets out what it means to take a sociologically-informed approach; then how a such an approach might benefit legal design thinking and practice, sociolegal thinking and practice, and cross-disciplinary thinking and practice more generally.

2. Sociologically-informed approaches to law, design and legal design

Those who take sociologically-informed or 'sociolegal' approaches to law are committed to understanding law as a social phenomenon. In contrast to doctrinal scholars, who treat law as an abstract and technical phenomenon, sociolegal researchers pay attention to legal contexts—the social relations that shape and are shaped by legal text; and to subtexts—the moral meaning of text and context, especially how law succeeds and fails in its core tasks of expressing the values and interest that hold us together, coordinating between those values and interests that hold us apart, and ensuring widespread participation in sociolegal life. Sociolegal researchers draw on sociology and social theory to explore legal texts, contexts and subtexts. They conceptualise law at different social levels—such as action, interaction, regime and rationality. They gather empirical evidence of the perceptions, expectations and experiences of actors and groups pursuing different social values and interests—such as emotional, traditional, instrumental or faith-based (see Creutzfeldt et al. 2019). Finally, this socialised vision of law as text, in context and with subtext gives normative direction to sociolegal researchers: they are bound, pragmatically and morally, to work for the 'well-being of law' as both 'a practical idea' and a 'communal resource' (Cotterrell 2018 31-33).

Design too is a fundamentally social phenomenon—a fact that has always received regular, albeit inconsistent and patchy, attention from design thinkers and practitioners. The late 19th and early 20th centuries the leaders of the Arts and Crafts Movement and the Bauhaus school approached design as 'a form of social relations', as 'playing a role in social relations', and as promoting 'certain forms of social relations' (Perry-Kessaris 2020: 1432 and 1436). Even as mainstream design thinking and practice has become more commercially-attuned and focused on the individual consumer (Julier 2017; Escobar 2018), there have been periodic calls for designers to own and activate their capacity for social impact (See Garland

1963). Today, design is understood less in terms of atomised actors, ideas, actions and artefacts, and more in terms of 'dynamic configurations of minds, bodies, objects, discourses, knowledge, structures/processes and agency' (Kimbell 2012: 134-46); and whole subfields such as social innovation design are devoted to promoting social change; and to doing so in ways that emphasise and activate the social potential of design (see Amatulllo et al. 2021).

Many legal designers share the sociolegal commitment to interpreting law as a social phenomenon; and to working for the well-being of law as a practical idea and communal resource. For example, a desire to make law 'work better for people' threads through many of the interviews conducted by Henna Tolvanen and Nina Toivonen for their Legal Design Podcast; and is reflected in the manifesto of the Legal Design Alliance—'a network of lawyers, designers, technologists, academics, and other professionals who are committed to making the legal system more human-centered and effective, through the use of design'. Some of legal designers may be motivated to make law work better for those who make and implement it from above, others to make it better for those who need must work with or within it from below. Either way we can say that they share with sociolegal researchers a sense that law is a social phenomenon; and that there is pragmatic and moral value in working for the well-being of law as a practical idea. Indeed, if legal designers were to see themselves as sociolegal designers, and engage with sociolegal researchers–for example by participating in annual conferences of the Socio-Legal Studies Association or any of the national and global learned societies listed on its website—they might draw comfort from being part of a wider community of experts committed to the well-being of law as a practical, communal, resource.

Because they deal with law as part of real world legal systems, one might expect legal designers, at least sometimes and in some respects, to be more attuned than other designers to social context and subtext. In fact, legal designers can be limited by their tendency to rely on a user-centred 'design thinking' model, and not to draw on the more socialized and systemic approaches such as social innovation design. This point has been made during a Legal Design Podcast episode focusing on Santiago Pardo Rodríguez Laura Guzman-Abello, and Santiago De Francisco Vela, who lead the Lab de Diseño Para la Justicia (Design for Justice Lab) at Universidad de los Andes in Bogotá. It was observed that because designers tend to focus on toolkits and artefacts, they are generally less accustomed to, and less skilled at, wider-ranging contextualized explorations of how systems, such as judiciaries and bureaucracies, shape and are shaped by each other and the wider social world (Legal Design Podcast Episode 27; See also Willis 2015: p. 74 and Brown 2009 p. 8). So what might a closer engagement with sociolegal approaches do for legal design?

3. Enhancing the quality and impact of legal design

Sociolegal approaches to law can prompt and facilitate (at least) three enhancements to legal design. First, sociolegal research can offer a conceptual language with which legal

designers can prompt and facilitate themselves to identify and move between individualised and socialised perspectives on law. Second, by engaging with sociolegal research, legal designers can prompt and facilitate themselves to deepen, and more effectively action, their commitment to evidence-based design. Sociolegal research has generated a wealth of specific empirical knowledge about how law is perceived and experienced, used, abused and avoided in particular contexts; as well as insights into how new qualitative and quantitative data might be gathered and analysed. Third, sociolegal research can offer sociologically contextualised reasons for why legal design is important and how it ought to be done. A sociolegal lens can help legal designers to hone and sustain a critical eye on their own practice by emphasising that law, design and legal design all 'originate in, derive meaning from, and effect recursive impacts upon human actors, including their actions, interactions, and rationalities.' As such they 'entail choices'. Those choices must be explicit, and their impacts must be critically assessed if legal designers are to play their play in 'exposing and remedying biases and inequalities, whether they derive from law, from design or from legal design itself' (Perry-Kessaris 2019: 193).

For evidence of these potential conceptual, empirical and normative enhancements we can look to contract design, where sociolegal ways are already, albeit not explicitly, applied. In less than a decade this most impactful and dynamic branch of legal design has evolved from providing services focused quite narrowly on the clarification of contract provisions through typography and visualisation, towards providing wrap-around services in which designerly ways are deployed as early and often as possible to ensure that contractual relationships, and documents that express them, are as meaningful as possible (See Passera and Haapio 2013).

To those who see the world through a sociolegal lens it is clear that all contracts are, as a matter of fact, 'embedded in complex relations'. Indeed, the express provisions of a contract can be understood as 'no more than an extremely important part of a dense web of relations' between the contacting parties. Therefore, the drafting and interpretation of contracts, as well as attempts to assess their potential risks and rewards, ought as a matter of logic to combine contextual with textual analysis (Macneil 2003, p. 208). Furthermore, when we approach contracts as social phenomena, it becomes clear, as a matter of fact, that they shape and are shaped by wider social life. Seen through a designerly lens, contracts are a form of communication. Like all communications, their form and function must be assessed first, in terms of their internal coherence and technical accuracy; second, in terms of how the messages that they are intended to transmit are in fact received; and third, in terms of the 'degree to which they enable a good working relationship and cooperation' between the parties, and 'effective contract management' by the parties' (Waller et al. 2016 p. 48). Campaigners for the rights of consumers and citizens have long argued that any documents that seeks to explain rights and responsibilities ought to be accessible; and that this can be achieved by writing in plain English and applying information design techniques. At the same time there is a growing acceptance that business contracts are too often overly 'complicated', even 'unintelligible'; and, relatedly, that the 'process through which they are

created remains a mystery to many', including the contracting parties (Tim Cummins, CEO, International Association for Contract and Commercial Management, quoted in Waller et al. 2016 p. 48).

One example of how such sociolegal and designerly insights can be deployed to improve contract design emerged from the operations of Nexen Energy ULC (Nexen) in northwestern Canada. Natural resource extraction projects tend to be large-scale, long-term, high impact and high risk; and lawyers to tend respond with standard contracts that are lengthy, intricate and technical. Furthermore, it is increasingly understood, as it almost never was in colonial times, that it is important—practically, morally and sometimes as a matter of regulatory compliance—to nurture and maintain stable, trusting relations with those who live on and around land affected by extraction (See OECD Guidelines for Multinational Enterprises). Nexen was keen to 'enhance' the engagement of the energy company 'with small contractors from local and Aboriginal communities' who might be in a position to supply anything from catering, land clearance and platform construction; to marine and land studies; to medical or guiding services. The local and Aboriginal communities were known to be interested in 'working with industry to share in the benefits of resource development taking place on their traditional territories'; and Nexen were conscious of the 'importance of earning social licence' from project-affected people, and of the need to support them both by 'build[ing] their capacity' and by 'making allowances' where gaps in capacity were not of material significance (Waller et al. 2016: 50).

A solution emerged from a collaboration between, on the one hand, information designers Robert Waller and Jenny Waller, who specialise in making complex information clear for citizens and customers, and contract design specialist, Helena Haapio; and, on the other hand, Nexen contracts and procurement manager, Gary Crag, and indigenous relations adviser Sandi Morrisseau. Like much sociolegal research, the design process began with interviews. But those interviews were designerly in the sense that they centred on the perceptions, expectations and experiences of specific people as potential users of a specific artefact (contract); and in the sense that they systematically generated a practical-critical-imaginative understanding of how things are, how they might be, how we might get there, and what might be the risks and rewards. The team also analysed the documents and bidding process already in use by Exxen. By combining insights from these sources they were able to identify four challenges and solutions. To meet the challenge that one complex standard document cannot cover all needs, they proposed the solution of multiple, sometimes overlapping, smaller documents each tailored to different users. To meet the challenge of poor general literacy they proposed the solution of using core, well-established, principles of plain English drafting. To meet the challenge of poor document literacy, and specifically contractual literacy, they suggested using information design techniques to structure and visualise documents in the manner of a user guide. And to meet the challenge of ensuring that documents nurture stable, trusting relationships they proposed adapting the processes detailed in the documents, and the language in which they were expressed, to align with Aboriginal values and practices (Waller et al. 2016, 52-56). The article in which this

project is reported is especially valuable because it reproduces the prototype documents that emerged from the design process alongside the standard forms that were intended to replace, and detailed analysis of each design decision. It also argues that legal designers can achieve a reasonable balance between entirely bespoke and entirely standardised contracts if they make and communicate sense of contracts through the architectural device of patterns. 'Creating design patterns is a naming exercise—identifying a useful, repeatable solution to a common problem, then giving it a name and a description so it can join a designer's repertoire of potential solutions to similar problems'. A table of specific patterns for contact design is appended to the end of the article (Waller et al. 2016: 62. See further Haapio and Hagan 2016).

This example showcases how sociolegal ways are already, albeit not explicitly, and could be further, applied in combination with designerly ways to enhance not only contract design, but also the general well-being of contract law as a practical idea. How might a systematic move from legal design to sociolegal design benefit other, especially cross-disciplinary, fields of thinking and practice?

4. Enhancing the quality and impact of cross-disciplinary thinking and practice

The idea that design can enhance cross-disciplinary thinking and practice has a long history. In the 1950s, Max Bill, a Bauhaus graduate working at Ulm school of design, sought 'to make the design process more readily accessible and easy to understand' specifically in order 'to facilitate cross-disciplinary work' between designers and, among others, anthropologists and psychologists (Oswald 2021 68). In 1969 political scientist and cognitive psychologist Herbert A. Simon declared that design ought to be understood as a problem-solving methodology; and that it could act as a 'glue' to hold the social sciences together (Huppatz 2015, 29. See also Bayazit 2004). In 2016, Lucy Kimbell and Guy Julier led the ProtoPublics project, that aim of which was to 'clarify how a design-oriented approach complements and is distinct from other kinds of cross-disciplinary, co-produced research in relation to social issues'. The core project activity was to bring together five multi-disciplinary teams of social researchers each of which co-designed a social science research project (Julier and Kimbell 2016). In *Doing Sociolegal Research in Design Mode* (2021) I drew on the *ProtoPublics* project and other social and innovation design research, as well as original experimentation, to propose that sociolegal researchers ought to work in 'design mode' (Manzini 2015. See also Julier and Kimbell 2016). Specifically, I argued that by adopting a practical-critical-imaginative mindset, experimental processes and visual and material communication strategies, sociolegal researchers can generate 'structured-yet-free' ecosystems in which to individually and collaboratively make and communicate sense of legal multiplicity and indeterminacy; and thereby enhance every dimension (conceptual, empirical, normative, relational and processual) and phase (planning, implementation, dissemination and reflection) of their research (See also Allbon and Perry-Kessaris forthcoming 2022).

This section focuses on the proposition that if they were to engage more explicitly with sociologically-informed approaches to law, legal designers could more readily contribute to cross-disciplinary initiatives, and to their wider social impact. Sociolegal research not only enriches the landscape of legal ideas and knowledge, but also makes law more accessible and relevant to other disciplines, as well as to public and civil society actors. It is as a focal point—a place to gather, a source of knowledge and skills—for those who wish to bridge between law and other social sciences and humanities including, for example, history (Sandberg 2021) and archaeology (Novkov 2011; Threedy 2006).

The contribution of legal designers could be especially useful is at the intersection of law and economy. Sociolegal researchers have been urgently seeking to develop ways of thinking about relationships between legal and economic life that are alternative, yet equal, to economic and legal approaches to address questions around how and to what extent law can, does and ought to shape economic decision making, and the distribution of wealth (see Perry-Kessaris 2014). In so doing they face methodological challenges around indeterminacy and multiplicity. First, sociolegal researchers think not of 'the law' on the one hand and 'the economy' on the other, but rather of social, including legal and economic, life. So they must think of legal and economic actions, interactions, systems and rationalities as mutually constitutive, shaping and shaped by each other as well, as by other forms of (instrumental, affective, traditional and spiritual) social life (Edelman and Stryker 2005; Perry-Kessaris 2015). Second, because they are bound to attend to the well-being of law as a practical idea and a communal resource (Cotterrell 2018), they must focus on empirical realities and try not to predetermine the private/individual or the public/communal to be more worthy or able. For example, they consider both how law facilitates, regulates, generates and secures particular economic transactions, or individual wins and losses; and how law facilitates, regulates, generates and secures wealth, including the origins and evolution of sustained economic and legal power and their collective and differential impacts across time, places and peoples (Pistor 2019). Third, they need to take account of multiple perceptions, expectations and experiences in our scholarly community and in the wider world (Darian-Smith 2013).

These challenges can be resistant—anathema even—to the traditional approaches of our core reference disciplines, including sociology, economics and law, which tend to privilege uniformity and determinacy (Law 2004). But they can become more, or differently, visible and accessible when approached through designerly ways. Seen through a designerly lens, interactions between 'law' and 'economy' generate the kinds of 'dynamic, open, complex and networked' problems which designers lovingly term 'wicked' (Dorst 2015; Buchanan 1992), and the solving of which designers regard as their specialist concern.

So it is unsurprising that contemporary economists, especially those who seek to bring questions of justice and sustainability from the periphery to the centre of their discipline, increasingly draw on designerly ways. For example, Mariana Mazzucato (2021) and colleagues at the Institute for Innovation and Public Purpose argue that questions at the

intersections of law and economy ought to be treated as 'complex design problems', explicitly drawing on the literature and practices of design, especially service-design with its focus on user experience and co-creation. Public authorities ought, they argue, to work in experimental, entrepreneurial spirit, and in collaboration with private and civil society actors, to 'co-creat[e]' ambitious, transformative 'missions' that prioritise a co-defined sense of public purpose and public value; and then 'shap[e]' economic life towards achieving them. They welcome, for example, plans for a 'New European Bauhaus' drawing on design and adjacent disciplines to create 'a space of encounter' in which to co-'imagine' and then 'build' a 'beautiful', 'sustainable and inclusive future' (Bason et. al 2021).

Furthermore, Kate Raworth (2017) has proposed that economic thinking and practice can and ought to be reframed through the infinitely scalable metaphorical device of a double ring or 'doughnut'. The inner ring represents the 'social foundation of well-being', as manifested in levels of widely recognised human development indicators such as equality and basic physical needs, below which no one should be allowed to fall. The outer ring represents the ceiling of widely-recognised ecologically damaging impacts, such as resource depletion and pollution, above which we must not allow ourselves to go. Between the two is the 'safe and just space' within which economic thinking and practice ought to take place. Raworth's approach is fundamentally designerly. First, it prompts and facilitates a practical-critical-imaginative mindset by requiring attention to be focused on what is (not) doable and/or desirable. Second, it emphasises the visible and tangible communication of ideas. The doughnut graphic itself accessibly communicates the overall approach to diverse lay and expert audiences. And for every taken-for-granted piece of mainstream economic 'graffiti', Raworth proposes an alternative: for Alfred Marshall's diagram of supply and demand curves intersecting to reveal a point of general equilibrium, she proposes set of feedback loops to better reflect the dynamism and complexity that exists both in reality and in the nuance of mainstream contemporary economic theory. Third, it emphasises experimentation and participation—being open, adaptive and innovative in defining both problems and solutions. The doughnut graphic itself is a structured-yet-free conceptual space; and some civil society users make it material, standing within and around a large-scale version of it as they imagine and engage with possible futures.

How might legal designers collaborate with sociolegal researchers to contribute to these radical economic conversations, and to ensuring their wider social impact? One option might be for legal designers to collaborate with sociolegal researchers who are working with futures. A growing number of sociolegal researchers are working with prefiguration—acting as if a desired future where conceptually, and/or empirically, already present (Davies 2017, Cooper 2017). For example, the Northern/Ireland Feminist Constitutions (FemCon) project aims to 'imagine new ways of creating and thinking about constitutional texts' through 'practical experiments which can inform future community and political practice'; and the Future of Legal Gender (FLaG) project asks what if 'gender no longer formed part of our legal personhood', including elements of conceptual prefiguration (approaching legal concepts 'as if' they had a desired meaning) and law reform prefiguration (engaging with policy questions

not yet posed). By thinking with and through alternative possibilities, we can 'disrup[t]' well-used concepts, 'surrender' to chance or change and 'mov[e] beyond' our here and now (Akama et al. 2018). This is especially true in those relatively rare instances when alternatives are made visible and tangible in, more or less skilfully designed, models. For example, in *Four Legs Good*, artist Jack Tan painstakingly conjured a compelling fictitious Animal Justice Court over three days in the old Victorian courtroom at Leeds Town Hall, within which legal professionals and members of the public were prompted and facilitated to behave 'as if' animals were already equal participants in the legal system (Perry-Kessaris 2021 Chapter 4; Jack Tan website). In *Facing Facts*, an initiative of non-governmental organisation CEJI-A Jewish Contribution to an Inclusive Europe, paper prototypes were used to prompt and facilitate disparate public and third sector stakeholders across Europe to act 'as if' integrated hate crime reporting systems already existed (Perry-Kessaris and Perry 2020; Facing Facts website). And in the *Hands-On Famagusta* project designed digital and material architectural models were used to prompt and facilitate Cypriots to behave 'as if' alternative island-wide futures were already present (Perry-Kessaris forthcoming; Hands-on Famagusta website). In these examples sociolegal researchers are echoing the designerly practice of using prototypes to better see where we have been, where we are, and where we might (not) want to go (Dunne and Raby 2013; Mazé 2016). If legal designers were more sociologically-attuned, they would be well placed to contribute their expertise in law and in prototyping to enhance the quality and impact of these nascent moves.

5. Conclusion

If legal designers were to engage more deeply and systematically with sociolegal research and researchers, benefits could flow to legal design, to cross-disciplinary research and to the wider world. This proposition raises more questions than it answers. Will legal designers become more sociolegal? If so, how? What kinds of problems/situations will they choose to explore, and what kinds of solutions/approaches will they propose? What conceptual language with they adopt, what empirical facts will they gather and how will they analyse them? What values and interests will they choose to expose, unsettle or prioritise? Time will tell.

6. References

Allbon, E and Perry-Kessaris, A (forthcoming 2022) 'What can design do for legal education?' in Allbon and Perry-Kessaris eds. Design in Legal Education Routledge.

Bayazit, N (2004) 'Investigating design: A review of forty years of design research. 20:1 Design Issues 16–29.

Bason, Conway, Hill and Mazzucato (2021) A New Bauhaus for a Green Deal. Institute for Innovation and Public Purpose. UCL.

Roger Cotterrell (2018) Socio-legal jurisprudence: juristic thought and social inquiry. Routledge.

Naomi Creutzfeldt, Marc Mason and Kirsten McConnachie ed.s (2019) Routledge Handbook of Socio-Legal Theory and Methods. Routledge.

Eve Darian-Smith (2013) Laws and Societies in Global Context. Cambridge University Press.

Margaret Davies (2017) Law Unlimited. Glasshouse.

Akama, Pink and Sumartojo (2018) Uncertainty and Possibility. Routledge.

Mariana Amatullo, Bryan Boyer, Jennifer May, Andrew Shea (2021) Design for Social Innovation: Case Studies from Around the World. Routledge

Brown, T (2009) Change by Design. New York: Harper.

Buchanan (1992) 'Wicked problems in design thinking' 8:2 Design Issues 5.

Davina Cooper (2017) 'Prefiguring the State' 49:2 Antipode 335.

Kees Dorst (2015) Frame Innovation. MIT Press

Anthony Dunne and Fiona Raby (2013) Speculative Everything. MIT Press.

Edelman and Stryker (2005) 'A sociological approach to law and economy' in Smelser and Swedberg Handbook of Law and Economy.

Arturo Escobar (2018) Designs for the Pluriverse. Duke Press.

FemCon http://feministconstitutions.com/

FLaG https://futureoflegalgender.kcl.ac.uk/

Helena Haapio and Margaret D. Hagan, Design Patterns for Contracts, in Networks. Proceedings of the 19th International Legal Informatics Symposium IRIS 2016, Erich Schweighofer et al, eds., Wien: Österreichische Computer Gesellschaft OCG, 2016.

John Law (2004) After Method: Mess in Social Science. Routledge.

Legal Design Alliance https://www.legaldesignalliance.org/

Legal Design Podcast 'Episode 27: Merging Law, Design and Engineering with Lab de Diseño Para la Justicia.' 28 June 2021. http://legaldesignpodcast.com/episode-27-merging-law-design-and-engineering-with-lab-de-diseno-para-la-justicia/

Ian R. Macneil (2003) 'Reflections on Relational Contract Theory after a Neoclassical Seminar' in David Campbell, Hugh Collins and John Wightman Implicit Dimensions of Contract: Discrete, relational and network contracts. Hart.

David Oswald (2012), The Information Department at the Ulm School of Design, in Priscilla Lena Farias, Anna Calvera, Marcos da Costa Braga & Zuleica Schincariol eds. Design Frontiers: Territories, Concepts, Technologies 68

(OECD) Organisation for Economic Cooperation and Development Guidelines for Multinational Enterprises http://mneguidelines.oecd.org/.

Gaiter (2018) 'Visualising a black future: Emory Douglas and the Black Panther Party' 17:3 Journal of Visual Culture 299-311.

Ken Garland, First Things First Manifesto, Address at the Institute of Contemporary Arts (Dec. 1963) http://kengarland.co.uk/KG-published-writing/first-things-first (last visited Aug. 16, 2020).

Guy Julier and Lucy Kimbell (2016) Co-producing Social Futures through Design Research. University of Brighton.

Guy Julier (2017) Economies of Design. Sage.

Lucy Kimbell (2012), 'Rethinking Design Thinking: Part II' 4:2 Design and Culture 129.

Ezio Manzini (2015) Design, when everybody designs. MIT Press.

Ramia Mazé (2016) 'Design and the future' in Smith et al. eds. Design Anthropological Futures. Bloomsbury.

Mariana Mazzucato (2021) Mission Economy. Allen Lane.

Stefania Passera and Helena Haapio (2013) ‘Transforming contracts from legal rules to user-centred communication tools: A human-information interaction challenge.’ Communication Design Quarterly 1(3):38-45

Perry-Kessaris, A (forthcoming 2021) ‘Could alternative econo-legal futures be made more possible and probable through prefigurative design? Insights from and for Cyprus’ 72 Northern Ireland Legal Quarterly

Perry-Kessaris, A (2020) ‘Making sociolegal research more social by design: Anglo-German roots, rewards and risks’ 21:6 German Law Journal 1427-1445

Perry-Kessaris, A (2019) ‘Legal design for practice, activism, policy and research’ 46:2 Journal of Law and Society 185-210

Perry-Kessaris, A (2014) ‘The case for a visualized economic sociology of legal development’ 67 Current Legal Problems 169-98.

Perry-Kessaris, A and Perry, J (2020) ‘Enhancing participatory strategies with designerly ways for sociolegal impact: Lessons from research aimed at making hate crime visible in Europe’ 29:6 Social and Legal Studies 835-857

Katharina Pistor (2019) The Code of Capital

(SLSA) Sociolegal Studies Association https://slsa.ac.uk

Robert Waller, Jenny Waller, Helena Haapio, Gary Crag and Sandi Morrisseau (2016) ‘Cooperation through clarity: designing simplified contracts’ 2:1-2 Journal of Strategic Contracting and Negotiation 48-68.

Anne-Marie Willis (2015) ‘Transition design: The need to refuse discipline and transcend instrumentalism’ 13:1 Design Philosophy Papers 69–74.

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Amanda Perry-Kessaris: The key question running through Amanda’s research is: What can design do for law?specialises in empirically grounded, theoretically informed, cross-disciplinary approaches to law; and to the economic life of law in particular. She has qualifications in law, economics, visual communication and graphic design.