

INTERNATIONAL INSTITUTE FOR THE SOCIOLOGY OF LAW *INSTITUT INTERNACIONAL DE SOCIOLOGIE JURIDIQUE*



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WORKSHOP ON:

Unbounding the Law. Post-sovereignty between centre-rebuilding and centripetal forces

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Topic and themes

Embarking into a comprehensive and critical reflexion about the law having as historical and epistemological horizon the XXI turns out being challenging and inspiring at the same time. Surely, law making does not have the shape we have been used to for centuries as a streamlining approach had been imposed by modernity. Even more importantly, law is not asked to perform the same function and in many respect contemporary societies demand the law being a functional replacement of other regulative mechanisms, which are not effective or legitimate any more. Among the several different aspects one may focus on both as scholar and as practitioner, the relationship that lies in between the law and the territory seems to be one of the most revealing and one of those aspects that are in need of further investigation. This holds with particular urgency in Europe, since the combination and the interplay between national and transnational law making should be analysed together with the interaction of hard and soft law. Domestic structural and cultural characters featured by EU MSs are key variables to be considered in order to reach a better understanding of this complex scenario. The workshop "UNBOUNDING THE LAW" takes very seriously the above mentioned transformations and aims to build a vibrant, outstanding dialogue among practitioners and scholars having a deep knowledge of different types of domestic systems coexisting in the EU. We consider high and low political polarisation as one of the key dimensions that impact on the demand citizens and institutions address to the law and to the judiciary - as law guardian as well as dispute settler. If legal culture is rooted into a highly polarised system, the law is targeted with a higher and a more compelling demand of dispute settlement. We also consider the degree of regionalism, which does not in principle demand high polarisation. Regionalism or decentralisation are in principle compatible to a low degree of polarisation, if regions, decentralised territories or autonomous administrative entities share a common view of what politics and law should do in a democratic society. The workshop will run in two days and will combine two axes of reflexion. One will be country-based and will rely on the testimonial brought by practitioners. The second axis will focus on policy issues shared by countries. In this second axis, the view of scholars will be an asset. The workshop aims to finalize an editorial project and to build a network of scholars and practitioners interested into developing further cooperation, both in terms of intellectual exchange and of training or institutional cooperation.