



W. G. HART LEGAL WORKSHOP 2011

Sovereignty in Question

Venue: Institute of Advanced Legal Studies, 17 Russell Square, London WC1B 5DR

Tuesday 28 June – Thursday 30 June, 2011

PROVISIONAL PROGRAMME (Subject to Change)

DAY ONE: Tuesday 28 June

- 8.30 Registration
- 9.00 Welcome: Professor Avrom Sherr, Director, Institute of Advanced Legal Studies
- 9.15 **Plenary session 1: Keynote Speakers:**
- Professor Martin Loughlin**, London School of Economics:
'Concepts of sovereignty'
- Professor Jeffrey Jowell**, University College London:
'Sovereignty and written constitutions'
- 10.45 Coffee
- 11.15 **Panel 1: Concepts**
- Angel Aday Jimenez Aleman**, University of Vigo, Spain:
'The Twentieth Century's Inheritance: the Concept of Sovereignty in Carl Schmidt, Hans Kelsen and Herman Heller'
- Dr Andrea Dolcetti**, St Hilda's College, Oxford:
'Legal sovereignty and constitutional pluralism: a jurisprudential oxymoron?'
- Dr Konrad Lachmayer**, University of Vienna, Austria
'Sovereignty beyond Unity - Pluri-sovereign constitutional networks in action'
- 11.15 **Panel 2: Exploring the Constitutional Language of Sovereignty**
- Dr Pavlos Eleftheriadis**, University of Oxford:
'Sovereignty and the Rule of Law'
- Professor Richard Kay**, University of Connecticut:
'Constituent Authority'
- Dr Michael Rodney**, London South Bank University:
'The places of 'habit', 'routine' and 'habitus' in the relational dynamic of sovereignty'

- 11.15 **Panel 3: *Cosmpolitanism***
- Dr Alex Mills**, Selwyn College, Cambridge:
'Normative individualism and jurisdiction in public and private international law: Toward a 'cosmopolitan sovereignty'?'
- Professor Yoshiaki Sato**, Seikei University, Japan:
'Overhauling Sovereignty: Emergence of Cosmopolitan Law-Makers as Participants in the World Order'
- Cristina Fasone**, University of Siena, Italy:
'Rational legislative subsidiarity and shared parliamentary sovereignty in the European Union'
- 12.45 Lunch
- 13.45 **Plenary session 2: *Keynote Speakers:***
- Professor David Feldman**, University of Cambridge:
'Comparative reflections on sovereignty and constitutionalism'
- Professor Adam Tomkins**, University of Glasgow:
'Beyond the legal v political constitution debate'
- 15.15 **Panel 4: *Sovereignty and Values***
- Dr Tamas Gyorfi**, Univeristy of Aberdeen:
'Between the Tyranny of the Majority and the Rule of Platonic Guardians'
- Dr Stuart Lakin**, University of Reading:
'Parliamentary Sovereignty and Legal Positivism: Nonsense on Stilts'
- Robert Taylor**, University of Durham:
'Complementary Constitutionalism: Sovereignty and Accountability under the British Constitution'
- 15.15 **Panel 5: *Judicial Dialogue***
- Dr Anneli Albi**, University of Kent:
'Constitutional values beyond sovereignty: How co-operative is the European Court of Justice with regard to national constitutions?'
- Dr Margit Cohn**, Hebrew University of Jerusalem:
'Domestic Sovereignty: Hierarchies, Dialogues and Networks'
- Tina Orsolich**, Maastricht University; University of Zagreb:
'Sovereignty in the EU – (how) does it really matter?'
- 15.15 **Panel 6: *Sovereignty and the rule of law***
- Professor Gavin Phillipson**, University of Durham:
'Foundational Rules and the Inescapable Role of Normativity'
- Professor Satvinder Juss**, King's College London:
'Sovereignty, the Courts & Law Making'
- Dr Jan Van Zyl Smit**, Oxford Brookes University
'Statutory Interpretation and Legislative Authority under the HRA 1998'
- 16.45 Tea
- 17.00 **Plenary session 3: *Keynote speaker:***
- Lord Hope of Craighead:**
'A view from the Bench'
- 18.00 Reception

DAY TWO: Wednesday 29 June

9.15 **Plenary session 4: Keynote speakers:**

Professor Paul Craig, University of Oxford:

'The EU Bill, Law, Politics and Discourse'

Professor Damian Chalmers, London School of Economics:

'The sovereign norm and EU law'

Professor Carol Harlow, London School of Economics:

'New dynamics of judicial "dialogue"'

11.30 Coffee

11.45 **Panel 7: EU integration and judicial dialogue**

Merris Amos, Queen Mary, University of London:

'Reclaiming a little sovereignty? The benefits of dialogue with the European Court of Human Rights'

Professor Giuseppe Ferrari and Professor Oreste Pollicino, Università Bocconi, Milan:

'The Impact of the Supranational Laws on the National Sovereignty of Member States, with Particular Regard to the Judicial Reaction of UK and Italy to the New Aggressive Approach of the European Court of Human Rights'

Dr Ming-Sung Kuo, University of Warwick:

'Dialoguing with Sovereignities: Is Dialogue the Answer to Institutional Collisions in the Pluralist Constitutional Landscape?'

11.45 **Panel 8: EU integration: wider implications**

Dr Maria Dicosola, Luiss Guido Carli, Rome, Italy:

'Conditionality and Constitutional Transitions: New Challenges to the Principle of Sovereignty?'

Professor Mariusz Jerzy Goleki, University of Łódź, Poland:

'Inclusive vs. Exclusive Sovereignty: The Primacy of the EU Law within Judicial Rulings of the National Constitutional and Supreme Courts'

Dr Dimitry Kochenov, University of Groningen, The Netherlands:

'The More There Is of Mine – the Less There Is of Yours'? A Subtle Fight for Citizens between the EU and Its Member States'

Dr Michael Wilkinson, London School of Economics:

'European Constitutionalism beyond the state: disaggregation or disintegration of the constitutional idea?'

11.45 **Panel 9: EU integration and pluralism**

Giacomo Delledone, Sant'Anna School of Advanced Studies, Pisa, Italy:

'Patterns of shared sovereignty: a comparative approach'

Professor Stefano Civitarese Matteucci, University of Chieti-Pescara and **Professor Gianluca Gardini**, University of Ferrara, Italy:

'Sovereignty at Stake: Italian Supreme Powers Give Way to Supranational Regulation'

Professor Allan Tatham, Péter Pázmány Catholic University, Budapest, Hungary:

'Preserving Sovereignty, Avoiding the Supranational Moment? The EU as the Anti-Model for regional judiciaries'

1.15 Lunch

14.30 **Plenary session 5: Keynote speakers:**

Judge Christopher Greenwood, ICJ:

'A view from the Bench'

Aidan O'Neill QC, Matrix Chambers, London:

'When and why is Scotland like Guantanamo Bay? Reflections on Boumediene v. Bush in the US Supreme Court'

16.00 Tea

16.30 **Panel 10: Shared Sovereignty: The Challenge from Private Institutions**

Professor Lorenzo Cuocolo and Ms Valentina Miscia, Bocconi University, Milan:

'Time for sovereignty: rating agencies and sovereign wealth funds'

Perry Keller, King's College London:

'Sovereignty in the Media State Relationship'

Professor Angelo Rinella, University of Rome LUMSA:

'Sovereignty in Question - The Judicial Challenge'

16.30 **Panel 11: Shared sovereignty and multi-level governance**

Professor Tim Jones and Dr Gwynedd Parry, Co-Directors, Hywel Dda Institute, Swansea University:

'Wales, Devolution and Sovereignty'

Dr Cian Murphy, King's College London:

'The Limits of Pluralism and Multi-Level Governance: Targeted Sanctions and the United Kingdom'

Dr Matej Avbelj, Graduate School of Government and European Studies, Slovenia:

'European Integration as a Union'

16.30 **Panel 12: Comparative perspectives**

Professor Mikhail Antonov, Higher School of Economics, Saint-Petersburg Branch, Russia;

'Theoretical issues of sovereignty in Russia'

Professor Eugene Kheng Boon TAN, Singapore Management University:

'Re-calibrating National and Pooled Sovereignty in Southeast Asia: Nudging Towards Persuasion, Learning and Regional Cooperation'

Professor John McEldowney, University of Warwick;

'Sovereignty in Question - Effective Judicial Review under the Rule of Law and One Party Dominance: A Case Study of the South African Experience'

19.00 Workshop Dinner (optional, details to be confirmed)

DAY THREE: Thursday 30 June

9.15 **Plenary session 6: Keynote speakers:**

Professor John Morison, Queen's University, Belfast:

'Sovereignty and Transition: Making the Weather or Changing the Climate?'

Professor Joanne Scott, University College London:

'Sovereignty, International Trade and Transnational Law'

Professor Dan Sarooshi, University of Oxford:

'Sovereign powers and international organisations'

11.30 Coffee

11.45 **Panel 13:** International Law and Human Rights

Dr Matthew Parish, Akin Gump Strauss Hauer & Feld LLP :

'Abrogating Westphalia: The Perils of International Territorial Administration'

Axelle Reiter, European University Institute, Italy:

'Questioning Sovereignty in the Post-Westphalian International Legal Order'

Dr Siobhán Wills, University College, Cork:

'Defining the Concept of "State" for the Purposes of the Legal Characterization of Armed Conflict'

11.45 **Panel 14:** *Terrorism, Crime, Justice: International Law Perspectives*

Myriam Feinberg, Institute of Advanced Legal Studies:

'The effects of regional counter-terrorism on state sovereignty'

Dr Kirsten Sellars:

'The criminalisation of aggression and issue of sovereignty'

Salvatore Nicolosi, University of Rome and University of Messina, Italy;

'The Law of Military Occupation and the Role of 'De Jure' and 'De Facto' Sovereignty'

11.45 **Panel 15** *Globalisation of finance and resources versus national sovereignty*

Dr Francine Rochford, la Trobe University, Australia:

'Concepts Of Sovereignty And International Trade'

Dr Jan Kleinheisterkamp, London School of Economics:

'Investment Treaty Law and Sovereignty: Transnational Challenges and Solutions'

Claus Zimmermann, University of Oxford:

'A Contemporary Concept of Monetary Sovereignty and its Implications'

13.15 Lunch

14.15 **Plenary session 7:** *Keynote speakers:*

Professor Jeffrey Goldsworthy, Monash University, Australia:

'Possible Futures for Parliamentary Sovereignty'

Professor Neil Walker, University of Edinburgh:

'Sovereignty in transition'

16.30 Tea

End

*For further information on the 2011 W G Hart Legal Workshop on 'Sovereignty in Question', contact:
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