CONFÉRENCE

A CULTURAL AND IDENTITY-RELATED SHIFT IN EUROPEAN UNION LAW?

11 octobre 2019

Centre Panthéon - Salle des Conseils - 2e étage, escalier M

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On Tour CML Rev. Conference

European Union law has mainly been framed in economic and utilitarian terms. We aim at testing a “cultural shift hypothesis” in EU law.

Political science studies teach us that cultural frames articulating identity-related arguments have become more important in conflicts over Europe. These arguments are also increasingly present in the legal arena at the EU level. Cultural and identity-related reasons begin to feature as such in legal disputes. Member States who wish to justify their conduct under EU law more frequently portray the actions they pursue or the measures they adopt as stemming from commitments that are presented as central to the identity integrity of their society and people. Individuals involved in the making of EU law or subject to it increasingly put forward reasons based on social practices, cultural habits, lifestyles, values, and beliefs that are inherent in their territory, community or social group. Moreover, a persistent set of arguments, both in academic circles and in the general debate, rejects EU integration and EU law not so much because of their adverse economic, social or political consequences but rather because of their cultural ones. While the extent of economic, social and cultural interdependence between the Union’s Member States is the highest ever seen in European history, as EU law expands to new sensitive areas, it is alleged that the texture of national or local ways of life would be threatened. These concerns are frequently put in terms of “protection of ways of life” and “modes of living”, using the discourse of “everyday concerns of ordinary people”.

Facing this phenomenon, puzzling questions arise: How do these concerns emerge, and how do they feature in the legal arena? How do they relate to more traditional issues relating to socio-economic and distributive conflicts in Europe? Are the Union and its law equipped to respond to these arguments and concerns? Should EU law stick to its abstract liberal values or should it give any significance to what it perceives as prevailing collective feelings, representations and beliefs? Is it possible to give credit to these concerns, though keeping in mind the risk of instrumentalisation by populist political leaders?

We would like to try to answer these questions by testing the hypothesis in three sensitive areas: **Migration, Religion, Environmental/Sustainability issues**. More broadly, we aim to discuss how this shift may affect the overall structure of EU law and of EU politics.

9.30 – Conference Opening and Welcomes
Alison McDONNELL | University of Leiden, CML Rev. Managing Editor

Chair: Jacqueline DUTHEIL De LA ROCHÈRE | University Paris 2 Panthéon-Assas

9.45 – THE SHIFT HYPOTHESIS

Loïc AZOULAI | Sciences Po Law School, CML Rev. Editorial Board
Edouard DUBOUT | University Paris 2 Panthéon-Assas, Centre de droit européen

10.00 – MIGRATION

Ségolène BARBOU des PLACES | Panthéon-Sorbonne University Law School
Sophie GUÉRARD de LATOUR | Panthéon-Sorbonne University, Centre de philosophie contemporaine

11.00 Coffee Break

Chair: Christophe HILLION | University of Leiden, CML Rev. Editorial Board

11.30 – RELIGION

Ronan McCREA | University College London, Faculty of Laws
Elke CLOOTS | University of Antwerp, Faculty of Law
Nadia MARZUKI | Sciences Po, Centre de Recherches Internationales

13.00 Lunch

Chair: Thomas ACKERMAN | University of Munich, CML Rev. Editorial Board

14.00 – ENVIRONMENT/SUSTAINABILITY

Gareth DAVIES | Vrije University Amsterdam, Faculty of Law
Bruno LATOUR | Médialab Sciences Po

15.30 – Roundtable: THE STRENGTH OF THE CULTURAL ARGUMENT IN TODAY'S EUROPE – EU Law and EU Politics Compared

Leonard BESSELINK | Amsterdam University, Faculty of Law
Marise CREMONA | European University Institute, CML Rev. Editorial Board
Michael DOUGAN | University of Liverpool, CML Rev. Editorial Board
Cornelia WOLL | Sciences Po, Centre d'études européennes

16.30 – Award of the 2018 CML Rev. Prize for Young Academics