

The Law and Politics of Multi-Level Governance

A Jean Monnet Research Workshop

Center for European Studies,

Rutgers University

June 14-15, 2013



RUTGERS
THE STATE UNIVERSITY
OF NEW JERSEY

**With the generous support of the
European Commission**



THE LAW AND POLITICS OF MULTI-LEVEL GOVERNANCE

A Jean Monnet Research Workshop sponsored by the Center for European Studies, Rutgers University

PROGRAM

FRIDAY, JUNE 14, 2013

The first part of the program - the Welcome, Introduction and Panel I - will take place at the Center for European Studies, 102 Nichol Avenue. After Panel I, we will move to the Eagleton Institute of Politics, located at 191 Ryders Lane, for the remainder of the program.

3:00-3:30 pm **Welcome drinks and hors d'œuvre**

Rutgers Center for European Studies, 102 Nichol Avenue, New Brunswick, NJ

3:30-4:00 pm **Introduction**

R. Daniel Kelemen, Rutgers University

4:00-5:30 pm **Panel I: Networks of Judges and Legal Elites**

Judge-Led Networks in the EU Legal Field: Active Contributors to Multi-Level Governance?

Noreen O'Meara, University of Surrey / Queen Mary University of London

Theorizing Legal Actors in Multi-Level Governance

Helen Hartnell, Golden Gate Law School / UC Berkeley

Discussant: Grainne de Burca, NYU Law School

Walk from Center for European Studies to Eagleton Institute, 191 Ryders Lane

5:45-7:15 pm **Panel II: How Political and Social Context Affects European Law: Then and Now**

The History of EU Law: Beyond the Anecdote?

Bill Davies, American University

Judicial Pluralism and Cooperation:

Explaining the use of judicial precedent by national judges in EU law matters

Juan Antonio Mayoral Diaz-Asensio, European University Institute

Discussant: Mark Pollack, Temple University

7:15-8:00pm **Reflections on a new generation of EU law and politics scholarship: A Conversation**

Karen Alter, Northwestern University / iCourts Center of Excellence for International Courts, University of Copenhagen

8:00-9:30 pm Dinner

SATURDAY, JUNE 15, 2013

9:00-10:30 am **Panel III: The Politics of Multi-level Litigation**

Explaining varying degrees of legal success – why some governments lose in court more often than others

Christian Adam, University of Konstanz

Who got to Adjudicate the EU's Financial Crisis and Why? EU Constitutional Law Infrastructure Wavering between Post-national and Multi-Level Adjudication

Elaine Fahey, University of Amsterdam (co-authored with Samo Bardutzky, University of Ljubljana)

Discussant: Peter Lindseth, University of Connecticut School of Law

10:30-12:00 am **Panel IV: Interactions between National and EU courts: New Perspectives**

Domestic Judicial Defiance in the European Union: A Political Economic Approach

Arthur Dyevre, Max Planck Institute for Comparative Public Law

National Judges Acting in a System of Multiple Levels

Tobias Nowak, University of Groningen

Discussant: Francesca Bignami, The George Washington University Law School

12:00-1:00 pm **Lunch**

1:00-2:30 pm **Panel V: The Law and Politics of Multi-Level Immigration and Citizenship**

The Law and Politics of Multilevel Citizenship in Europe

Willem Maas, York University

British Relations with the European Court of Justice: From Law Lords to Supreme Court Justices

Kelley Littlepage, University of Oregon

Discussant: Catherine McCauliff, Seton Hall University School of Law

2:30-3:00 pm **Concluding Discussion**

R. Daniel Kelemen, Rutgers University