



Symposium:

“FOUR VISIONS OF CONSTITUTIONAL PLURALISM”

CONVENORS/MODERATORS:

Matej Avbelj (PhD Researcher, EUI Florence) and *Jan Komárek* (D.Phil. candidate, University of Oxford)

DISCUSSANTS:

Julio Baquero Cruz (Research Fellow, Centro de Estudios Políticos y Constitucionales, Madrid)

Mattias Kumm (Professor of Law, NYU School of Law)

Miguel Poiares Maduro (Advocate General at the ECJ, Professor of Law, EUI)

Neil Walker (Professor of European Law, EUI)

VENUE: Sala Europa, Villa Schifanoia | European University Institute | Florence, Italy

DATE & TIME: 11 January 2008, 14:00 - 17:00

The event takes place within the framework of the EUI Legal Theory Discussion Group and is sponsored by the Academy of European Law, EUI, Florence.

INTRODUCTION: Each of the discussants has contributed significantly to the current understanding of constitutional pluralism and its relevance for the EU, or presented interesting challenges to it. Naturally, the individual approaches diverge, although they share the same starting point: pluralism as a challenge to a “traditional” constitutionalism bound to the State and its hierarchically organized legal order. Constitutional pluralism requires re-thinking many assumptions that constitutionalists (might) have shared until recently - the conception of constitutional authority and its legitimacy, the state or the very meaning of constitution and constitutionalism. This is an ambitious task about whose necessity or even appropriateness, however, not everyone would be ready to agree.

AIMS: It is the aim of this symposium to focus on problems which the discussants’ contributions have left unexplored or even (at times) implicitly avoided. At the same time the convenors would like to take advantage of the discursive form of this event to engage with the theories and to point to their shared, as well opposing, views on modern constitutionalism.

FORMAT: The symposium intends to start at the point where most conferences only begin to be interesting: in the discussion. Therefore, no papers will be presented. Instead, after the convenors briefly introduce the discussants and their contributions to the theory of constitutional pluralism, the debate, structured around a set of prepared questions, will be opened. The following papers will serve as a background for the discussion:

- Julio Baquero Cruz, ‘The Legacy of the Maastricht-Urteil and the Pluralist Movement’, EUI RSCAS WP No 2007/13, available at <http://hdl.handle.net/1814/6760>,
- Mattias Kumm, ‘The Jurisprudence of Constitutional Conflict: Constitutional Supremacy in Europe before and after the Constitutional Treaty’, (2005) 11 European Law Journal 262,

- Miguel Poiaras Maduro, 'Contrapunctual Law: Europe's Constitutional Pluralism in Action', in N Walker (ed), *Sovereignty in Transition* (Hart, Oxford 2003), 501-537,
- Neil Walker, 'The Idea of Constitutional Pluralism', (2002) 65 *Modern Law Review* 317.

The whole event will last 3 hours, with a coffee break after 1,5 hour and a Q&A session in the second part.

The convenors intend to record the discussion and to publish its edited version in a form to be determined in agreement with the discussants.

If you are interested in attending this event, **please register** with either of the convenors at:

Matej.Avbelj@EUI.eu or Jan.Komarek@law.ox.ac.uk .

There is a limited space available, so in order to secure a place at the event the convenors suggest contacting them in good time before the event.

We look forward to seeing you all in Florence!!

Matej Avbelj (Florence) & Jan Komárek
(Oxford)