



Hague Journal
on the Rule of Law

Symposium on “Rule of law – contemporary issues. Socio-legal perspectives.”

Organised by the International Institute for the Sociology of Law (IISL), Oñati, Spain and The Hague Journal on Rule of Law

To be held at the IISL, Oñati on 19 November 2015 9:30-13.30

Meeting room: Karl Renner & Achille Loria (first floor)

Moderator:
Prof. Adam Czarnota, Scientific Director - IISL, Oñati, Spain

09:30 – 10:15

Prof. Gianluigi Palombella Scuola Superiore Sant' Anna, Pisa, Italy
"Inside out: Notion and use of the Rule of law at home and in global issues."

Gianluigi Palombella is professor of Legal Theory in the Law Faculty of Parma and the Scuola Superiore "Sant'Anna", Pisa where he has taught in the last decades Legal Sociology and Legal Philosophy. Among his visiting positions, the Yale Law School (1996), Northwestern University (in Chicago) (2000), UNSW (in Sydney) (2007), Edinburgh Law School (2011). He was Senior 'F. Braudel' Fellow at the EUI (2006-7), Invited 'Inaugural Fellow' at the "Straus Institute" (NYU, Law 2009-10), and Distinguished Fellow in the Global Governance Programme of the E.U.I. (2013). He published some nine books as single author; in the last ten years has extensively written on Fundamental Rights, Sovereignty, Constitutionalism, the Rule of Law, Global Governance, and edited Rule of Law and Democracy (Brill, 2010 with L. Morlino); Relocating the Rule of Law (Hart, 2009 with N. Walker). Among his more recent works, The Rule of Law in global governance (NYU Straus Institute Publications, 2010/4); the book: E' possibile una legalità globale? Il rule of Law e la governance del mondo (The Rule of law and global governance) (2012 IlMulino); "Global Legislation and Its Discontents", in Lijvoja, Petman (eds), International Law Making, Routledge, 2013; "The (re-) Constitution of the Public in a Global Arena", in MacAmlaigh, Walker (eds), After Public Law?, Oxford U. Press 2013; "Principles and disagreements in International Law" in Pineschi (ed.), General Principles of Law, Springer, 2015.

Discussion

10:15 – 11:00

Prof. Wojciech Sadurski, Faculty of Law, Sydney University, Australia
"The Rule of Law and legislative motives: a new take on the old ideal?"

Wojciech Sadurski is the Challis Professor of Jurisprudence at the University of Sydney and a Professor of the University of Warsaw. He has previously held a professorship at the European University Institute in Florence, and he has taught most recently at Yale Law School, New York University School of Law, Cardozo Law School in New York, the University of Toronto, and the University of Trento. He is a member of a number of supervisory or program boards, including the Institute of Public Affairs (Poland), the Freedom of Press Observatory (Poland), and the Centre for International Affairs (Poland). Chair of the Academic Advisory Board of the Community of Democracies, he has written extensively on the philosophy of law, political philosophy, and comparative constitutional law. His most recent books include *Constitutionalism and the Enlargement of Europe* (OUP 2012) and *Equality and Legitimacy* (OUP 2008).

Discussion

11:00 – 11:15

Break

11:15 – 12:00

**Prof. Ronald Janse, The University of Amsterdam, Amsterdam, The Netherlands and the editor The Hague Journal of Rule of Law
“How the EU took responsibility for rule of law oversight in member states”**

Ronald Janse is Associate Professor at the Law School of the University of Amsterdam. His research is centered around two topics: a history of the rule of law revival and a history of the apolitical mandate of the World Bank (and other development banks). He is also interested in the role of law in addressing conflicts over collective memories. He co-founded and is editor in chief of the Hague Journal on the Rule of Law:

<http://springer.com/law/international/journal/40803> He worked for HiiL Innovating Justice for several years on various projects on rule of law in collaboration with Dutch government agencies and various international NGOs and international organization

Discussion

12:00 – 12:45

**Professor Joxerramon Bengoetxea, University of the Basque Country,
Donostia/San Sebastián, Gipuzkoa, Spain
“The EU Rule of Law v the Rule of EU Law”**

Joxerramon Bengoetxea (Irun, 1963) is professor of Jurisprudence at the University of the Basque Country (UPV/EHU) where he teaches Theory and Sociology of Law. He coordinates the UPV/EHU postgraduate programme in Sociology of Law (Master and Ph D). He graduated in Law (UPV/EHU) and did his Ph D in Edinburgh University under the guidance of Neil MacCormick (1989). He has since specialised in the Legal Reasoning of the ECJ and the ECHR. He teaches Comparative Legal Culture at the International Master in Sociology of Law (Oñati Institute). He is a member of the Governing Board of the Oñati Institute and was its Scientific Director between 2005 and 2007. Joxerramon was Référéndair at the Court of Justice of the EU, Deputy Minister for Employment and Labour of the Basque Government and is currently the Secretary General of the Basque Council of the European Movement (Eurobask) and is a member of the Arbitral Board of the Basque Country (the internal federal advisory board). He has actively coordinated workshops at the IISL, many of them published by OSLs and his last book is on MacCormick's (institutional) theory of law

Discussion

12:45

General discussion