

International Research Conference in European Integration: Integration Through Law and the European Union: Political and Legal Developments vs. Polycrisis

October 24 to 25, 2024

In Cooperation with

Institute of Political Science and Sociology
Centre Ernst Robert Curtius (CERC)
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of the Savings Bank in Bonn**

"Integration Through Law and the European Union: Political and Legal Developments vs. Polycrisis"

In the Federal and UN city of Bonn, we will organise a one-day international conference on the study of European Union law with a focus on integration through law both from a perspective of long-term integration development and crisis management in recent years.

- We will bring together top national and international scholars from two disciplines (politics, law) to enable a dialogue on recent legal and political developments of the European Union in the face of several severe crises of the past years (financial, migration, rule of law, Covid-19 pandemic). Furthermore, a handful of political practitioners will participate as speakers and contribute an inward perspective on integration processes. We will actively promote our conference and plan to welcome up to 30 participants in Bonn, including both established and early career scholars.

- The conference takes place at the Rheinische Friedrich-Wilhelms-Universität Bonn in an interdisciplinary context and joint collaboration of the Institute for Political Science and Sociology, the Franco-German Research Cluster *Centre Ernst Robert Curtius* (CERC) and the *Center for Advanced Security, Strategic and Integration Studies* (CASSIS).

The European Union (EU) constitutes a solid legal community. 70 years of treaty history, diverse secondary law and jurisprudence have created an extensive legal framework. The internal market with its four freedoms (goods, services, finances, persons) has effectively generated an efficacious nucleus for the European integration process, because the four freedoms are interwoven with sensible policy fields that have been Europeanized in the process of treaty law development, for example with the free movement within the Schengen area and the establishment of the currency union.

- The European Union is powerful with its exclusive competence for the functioning of internal market competition rules combined with the effective design of the internal market by way of secondary law (Mayer 2017: 3635). The power of the EU is reinforced by the directly applicable law that cannot be discarded by Member States (Patel and Röhl 2020: 67), while the institutional position of the Court of Justice of the EU is continuously reinforced (Höpner and Schmidt 2020: 187, 189-190). This leads to a continuous „constitutional sedimentation“ of EU law (Eijsbouts 1996: 51) with utmost importance of the societies of participating Member States.

Both disruptive and reinforcing to that continuous process of "constitutional sedimentation" are exogenous crises which hit the EU hard since 2008 (financial and state debt crisis, migration, Brexit, Covid-19 as well as nationalist and populist influences, see Riddervold, Trondal, and Newsome 2021). Given the magnitude of the crises, it is surprising to see the resilient authority and integration power of EU law. Simultaneous expectations are paradoxical: The EU should do more – especially in crisis situations, when national resources are exhausted – at the same time, Member States want to decide more independently (Fabbrini 2021). Regulation by the Commission is increasingly perceived as invasive and sovereignty transfers back to Member States not only demanded by populist parties and governments. Rooted in this rejective politicisation lies the realisation (1) that the global order requires cooperation of Member States, because (2) numerous political challenges cannot be dealt with at national level, but by a community of states (climate action, migration, digitalisation, tax regulation, trade relations).

We want to start a self-critical discourse with this conference. Several crucial cross-sectional themes relevant for a resilient democratic community will be addressed in several panels, such as legitimacy, representation, populism, as well as European integration path dependencies.

The interdisciplinary methodological approach allows scientists, practitioners and advanced students to capture the legal culture of the European Union with view to the relevance of law as an instrument and key characteristic of European integration - crucial in achieving any progress in European integration as well as ensuring the achievements.

The complex situating of the EU therefore includes several dimensions that need our attention when we address the political and legal developments of the EU against the polycrisis experiences. We want to emphasize an exchange on legal dimensions of integration, highlight the law as substantive instrument of integration and question the conceptual and accompanying scientific discourse. Our objective is to

- (1) identify key areas in which social cleavages challenge the EU fundamentally,
- (2) outline scope for action to both ensure and enhance European integration achievements,
- (3) talk about tangible reform options to address the complexities of legitimacy, populism, and
- (4) enable a transnational discourse that allows the exchange of different findings on the EU.

With respect to recent disruptive crises, the balance of institutions, negotiation of European social cohesion, and the integration process generally are questioned. Kiran Klaus Patel reminds us that the integration path of the EU is not secure but highly unlikely (Patel 2022: 119). In fact, the path of political unity is competitive, contested and uncertain (Lautsch 2023: 4). Loïc Azoulay concludes that we are witnessing the end of *integration through law* given the lack of a philosophical grounding of the project (Azoulay 2016: 461). Azoulay requires nothing less but a „relationality involving distinct cultures, values, beliefs, and local sensibilities“ (Azoulay 2016: 460).

It is therefore the right moment and important to reconsider:

- Integration through law: What does the "grand" theory teach us and how does it perform in face of the polycrisis?
- Which aspects are crucial for a political and institutional balance which fosters the resilience of the legal community?
- What is the self-conception of the European Union? In how far does it diverge from citizens' expectations addressed towards the institutions?
- In which areas do European institutions strain their competences? Where do Member States and citizens strain their expectations addressed to the EU?
- Rule of law: How to deal with populist parties and governments from European perspective? How to foster a resilient democratic community of Member States?
- But also: What does science contribute to the continued existence, reform or passive affirmation of existing conditions?

With this conference we aim to promote the international dialogue on European integration processes, international politics within the regional integration framework of the European Union and reflect on the history of the European integration process.

Agenda

*International Research Conference in European Integration
 “Integration Through Law and the European Union: Political and Legal Developments vs. Polycrisis”, October 24 to October 25, 2024*

October 24, 2024

until 14:00	Arrival, Registration (Robert-Schuman-Salle, Institut Français)
14:00	<p>Opening & Welcome</p> <ul style="list-style-type: none"> • Dr. Domenica Dreyer-Plum, Postdoctoral Researcher at RWTH Aachen University, Senior Fellow, Center for Advanced Security, Strategic and Integration Studies (CASSIS), University of Bonn • Prof. Dr. Wolfram Hilz, Professor of Politics, Co-Director of CASSIS
14:30	<p>Panel 1</p> <p>“Integration Through Law – A Grand Theory Then and Now”</p> <p><i>Research Highlights: Integration Through Law – Then and Now: How does the Theory Perform when we Think about the EU?</i></p> <ul style="list-style-type: none"> • Prof. Dr. Martin Höpner, Research Group Leader Political Economy of European Integration, Max Planck Institute for the Study of Societies, Cologne: <i>Still an Asymmetry Between Negative and Positive Integration?</i> • Dr. Eva Lautsch, Political Editor DIE ZEIT Online, Berlin: <i>Legitimacy by Legal Means is Deficient Without Political Legitimation</i> • Dr. Domenica Dreyer-Plum, Postdoctoral Researcher RWTH Aachen University, <i>Integration through Law and Legal Culture</i> <p><u>Chair:</u> Prof. Dr. Wolfram Hilz, CASSIS</p>
16:00	Coffee Break

16:30	<p>Panel 2</p> <p>“Sovereignty and Legitimacy vs. Commission and Court of Justice”</p> <p><i>Research Highlights: Common Market Objectives as Justification for Sovereignty Claims – Regulation as Governance Principle vs. Sovereignty and Legitimacy</i></p> <ul style="list-style-type: none"> • Prof. Dr. Susanne Schmidt, Professor of Policy Field Analysis, University of Bremen: <i>Legitimacy Dynamics in the Multilevel EU – Implementing Integration through Law at the MS Level</i> • Prof. Dr. Clemens Ladenburger, Deputy Director-General, Legal Service, European Commission, Brussels: <i>Regulation for Governance: The Commission's Response to Member States' Demands</i> • Prof. Dr. Päivi Leino-Sandberg, Professor at the Faculty of Law, University of Helsinki: <i>Legal Expertise in the EU, Sovereignty Claims and Constitutional Ramifications</i> <p><u>Chair:</u> Dr. Domenica Dreyer-Plum, RWTH Aachen University, CASSIS</p>
18:00	Check-in Hotel
19:00	Dinner for Panelists

October 25, 2024

09:00	<p>Panel 3</p> <p>“Polycrisis and its Processing: Rule of Law and Backslider Populism”</p> <p><i>Research highlights: Legal Principles, Legal Obligations: The “rule of law crisis” as Basis to Negotiate the European Union’s Values? Lessons Learnt and how to Emerge from the Crisis with a Strengthened Rule of Law Principle in the European Union</i></p> <ul style="list-style-type: none"> • Prof. Dr. Marcin Gorski, Professor of the University, Chair of European Constitutional Law, University of Lodz: <i>Legal Methods Against Rule of Law Deterioration</i> • Dr. Darinka Piqani, Assistant Professor, European Constitutional Law, University of Leiden: <i>Rule of Law by</i>
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	<p><i>way of Constitutional Jurisprudence of the Court of Justice</i></p> <p><u>Chair:</u> Prof. Dr. Jared Sonnicksen, Professor for Political Science at RWTH Aachen University</p>
10:15	Coffee Break
10:45	<p>Panel 4</p> <p>“Self-Conception of the European Union in Crisis and Beyond”</p> <p><i>Research Highlights: Policy Fields and Self-Conception of the EU, Crisis Management, Effects for European Integration Processes, Franco-German Impulses for European Integration, Reform Perspectives</i></p> <ul style="list-style-type: none"> • Dr. Linn Selle, Head of Division 'Europe', Representation of North Rhine Westphalia, Berlin: <i>EU in Times of Crisis: Past and Present</i> • PD Dr. Ruth Weber, Emmy Noether Independent Junior Research Group Leader “Budgetary Powers”, Humboldt University Berlin: <i>Understanding the EU’s Self-Conception Through its Financial Integration</i> <p><u>Chair:</u> Dr. Anna Wenz-Temming, Senior Researcher, FernUniversität in Hagen</p>
12:00	<p>Wrap up and Final Discussion</p> <p><u>Chair:</u> Dr. Domenica Dreyer-Plum / Prof. Dr. Wolfram Hilz</p>
12:30	Farewell Lunch