



In cooperation with

WZB

Berlin Social Science Center



Call for Papers

Workshop

Implementation and judicial politics: Conflict and compliance in the EU multi-level system

3-4 March 2016

The German Research Institute for Public Administration (FÖV), in cooperation with the Berlin Social Science Centre (WZB), calls for the submission of abstracts with a view to organizing a workshop on the interplay between policy implementation studies and judicial politics in the European Union.

Policy implementation, i.e. the stage in which administrative actors carry out and apply public policies defined by policy-makers, is a complex and inter-active process. This is particularly true for multi-level systems such as the European Union where the member states are in charge of implementing policies made at the European level. Here, implementation involves many distinct actors located at different levels and in different arenas of the multi-level system. As a result, a wide array of interests, political preferences, values, cultures and understandings interact and sometimes clash in the implementation process. At the same time, the multi-level system offers a unique opportunity structure to channel these conflicts over implementation into litigation and thereby endows courts with substantial power about policies.

Against this background, the workshop aims at exploring the relationship between policy implementation and judicial politics in the European Union.

A first set of questions regards the different types of actors and actor constellations involved in implementation and application conflicts before the courts. The member states and the Commission are obvious relevant actors of litigation in this stage of the EU policy-cycle. The question is, however, what is the (direct or indirect) role of private actors, sub-national public authorities or other EU

institutions, such as EU agencies or the European Central Bank? Do different actors collaborate when pushing conflict on implementation up to the EU level or down to the national level – or do we observe constellations of labour division?

A second set of questions revolves around the channels offered by the national and European judicial systems for solving conflicts related to policy implementation and application. Most actions before the Court of Justice of the European Union take the form of infringement proceedings, annulment proceedings and preliminary references. Which functions do these different channels serve for the respective actors launching the case? Do they work as a substitute to each other? Do legal culture, litigation strategy and national judges influence the preliminary ruling channel more than others or can we identify similar conditions of open legal conflict across other legal pathways?

A third promising topic is how the resolution of implementation and application conflicts through these different channels feeds back into policy-making. On the one hand, scholars of judicial politics have mostly explored preliminary references and their function in policy and treaty change. On the other hand, the literature on implementation has mainly focussed on infringement proceedings and their role in establishing compliance as well as policy development. How can we link the findings in one and the other research field? Are there other ways through which litigation in the field of policy implementation and application feeds back into the policy process? What about the role of annulment proceedings in policy-making?

With this focus, the workshop generally aims at bringing together scholars interested in litigation as well as implementation and application in the EU to explore how both perspectives can be combined fruitfully. Empirical, theoretical, comparative and country/sector specific papers are all welcome. We plan to include selected contributions for a collective publication, preferably a special issue.

Please send your paper proposal (max 300 words) and your contact information to Emmanuelle Mathieu (mathieu@foev-speyer.de) by 30/06/15. The proposals will be selected on the basis of quality and potential for contribution to a collective publication. Successful participants will be notified shortly after.

The workshop is organized by the German Research Institute for Public Administration Speyer in cooperation with the Berlin Social Science Center (WZB). We will cover accommodation, food and conference expenses. The workshop will take place at the Berlin Social Science Centre on March 3-4, 2016.

For further information, you may contact the workshop organizers directly: Michael Bauer (German Research Institute for Public Administration and German University of Administrative Sciences Speyer - Michael.bauer@uni-speyer.de), Miriam Hartlapp (Universität Leipzig - miriam.hartlapp@uni-leipzig.de), Mattias Kumm (Berlin Social Science Centre - mattias.kumm@wzb.eu), Emmanuelle Mathieu (German Research Institute for Public Administration Speyer - mathieu@foev-speyer.de), Christian Adam (Ludwig Maximilians Universität München - Christian.Adam@gsi.uni-muenchen.de).