

# DEMOCRATIC CONSTITUTIONALISM IN EUROPE

**CONFERENCE**

**UNIVERSITY OF OSLO**

**4-6 NOVEMBER 2014**



GRUNNLOVSJUBILEET 1814-2014

ARENA Centre for European Studies  
University of Oslo

# DEMOCRATIC CONSTITUTIONALISM IN EUROPE

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1814-2014



The Norwegian Constitution was adopted on 17 May 1814 and is the second oldest written Constitution in the World still in existence.

The Bicentenary of the Norwegian Constitution in 2014 will raise awareness of what the Constitution means today and what role it will play in our future democracy.

The EU system has changed significantly as a result of the euro crisis. The conference will discuss the democratic implications of these changes, both for the EU and Norway.

4 November 2014 marks the bicentenary of Norway's accession to a union with Sweden and the first constitutional revision. This highlights how important the relationships with the external world are in the shaping of all states as democratic states.

Part I will provide 'the big picture' of democratic constitutionalism in Europe today. What is the nature of the European Union in constitutional terms? What is the present status of democracy in Europe? What has the euro crisis done to constitutional democracy at both the national and the supranational level?

Part II will discuss what options the EU has, what options states in Europe have and the implications of membership and non-membership. There will also be specific focus on Norway as an associate non-member state. Being a rule-taker appears akin to voluntary submission under hegemony. Is that an apt description of Norway (and the other EEA states)? Is that also the case for Switzerland?

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## **NORCONE** **THE NORWEGIAN CONSTITUTION** **IN A CHANGING EUROPEAN** **CONTEXT**

NORCONE is a research project at ARENA Centre for European Studies, University of Oslo, financed by the Research Council of Norway's Norwegian Constitution Bicentennial 2014 research initiative.

The main purpose of NORCONE is to establish the nature of the EU's constitutional developments and the constitutional implications for Norway that stem from its relationship with the EU. Are Norwegian citizens able to govern themselves autonomously through politics and law within the new European context?

**PART I  
9-12.30**

**WHAT FORM OF DEMOCRACY  
IS POSSIBLE IN TODAY'S EUROPE?**

09.00

Welcome

**Erik O. Eriksen**, Director, ARENA Centre for European Studies  
**Ole Petter Ottersen**, Rector, University of Oslo  
**Olemic Thommessen**, President of the Norwegian Parliament

09.30

**Challenges to European Constitutionalism – An Overview**

**John Erik Fossum**  
**Agustín José Menéndez**

10.15

Coffee

10.30

**Integration through Law, Economic Constitutionalism  
and the New Modes of Economic Governance:  
The OMT Controversy in Context**

**Christian Joerges**  
Comment by **Inger Johanne Sand**

11.30

**Democratic Constitutionalism: Elites versus Peoples?**

**Kalypso Nicolaïdis**  
Comment by **Christopher Lord**

12.30

Lunch at Frederikke cafeteria

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**PART II  
13.30-16**

**IS THE EU THE ONLY GAME IN TOWN?**

13.30

**Norway and the EU: In a Year of Anniversaries**

**Ingvild Næss Stub**, State Secretary to the Minister of EU/EEA Affairs

**Constitutional Celebration with an Aftertaste**

**Erik O. Eriksen**

**Switzerland: A Model to Emulate?**

**Joachim Blatter**

14.30

Panel debate with:

**Joachim Blatter**  
**Bruno De Witte**  
**Erik O. Eriksen**  
**Carol Harlow**

**Imelda Maher**  
**Harm Schepel**  
**Daniel Thym**

Chair: Cathrine Holst

## CONTRIBUTORS



**John Erik Fossum** is professor at ARENA. His main fields of academic interest include political theory, democracy and constitutionalism in the EU and Canada, Europeanisation, and transformation of the nation state.



**Agustín José Menéndez** is law professor at the University of León and ARENA. His main fields of interest include democracy, fundamental rights and legitimacy, the EU's social dimension, national and EU law, and EU constitutional theory.



**Christian Joerges** is law professor at the Hertie School of Governance in Berlin. His research focuses on European and international economic law, risk regulation, international trade relations, and problems of legitimacy.



**Inger Johanne Sand** is professor in public law at the University of Oslo. Her main research fields are administrative and constitutional law, EU law, environmental law, legal sociology and legal theory.



**Kalypso Nicolaidis** is professor of international relations at the University of Oxford. Her research focuses on EU institutional and constitutional debates, EU external relations, comparative federalism, legitimacy in European and global governance.



**Christopher Lord** is professor at ARENA. His main fields of academic interest are the study of democracy, legitimacy and the EU. He has published extensively on political economy, parliamentary democracy, representation and political parties.



**Joachim Blatter** is professor of political science and political theory at the University of Lucerne. His research fields include political governance, citizenship and democracy, cross-border institution building and policy-making.



**Bruno de Witte** is professor of EU law at the European University Institute. His main fields of academic interest include EU constitutional reform, relations between international, European and national law, minority rights, and decision-making and legal instruments of EU law.



**Erik O. Eriksen** is professor and director at ARENA. His main research fields are political theory, public policy and European integration, EU democracy, the functions and limits of the state and deliberative democracy.



**Carol Harlow** is emeritus professor of law at the London School of Economics and Political Science. Her scholarship includes the liability of the state, European administrative law and legal and political accountability in the European Union.



**Imelda Maher** is professor of European law at the University College Dublin. Her fields of research include the relationship between law and governance especially in economic spheres, competition law, and EU economic governance.



**Harm Schepel** is professor of economic law at the Brussels School of International Studies. His research focuses on the legal institutionalization of capitalism on different levels of governance.



**Daniel Thym** is professor in public, European and international law at the University of Konstanz. His main research fields are migration law at German, European and international level and European constitutional law.



**Cathrine Holst** is senior researcher at ARENA. Her main fields of academic interest include political and democratic theory, the role of expertise and knowledge in the EU, public debate on Europe, feminist theory and gender studies.

## NORCONE BOOKS 2014



### **Det norske paradoks: Om Norges forhold til Den europeiske union**

*The Norwegian Paradox* discusses the constitutional implications of Norway's agreements with the EU and illuminates the democratic problems.



### **The Normativity of the European Union**

Reconstructing the integration process with a view to the Eurozone crisis, the book provides an insight into the conditions for integration and the nature of the EU.

The conference is organised by ARENA Centre for European Studies, University of Oslo

