

The workshop is organized by:

Silje Aambø Langvatn

University of Oslo, PluriCourts

Wojciech Sadurski

University of Sydney, Sydney Law School

Mattias Kumm

WZB Berlin Social Science Center/Humboldt-Universität
zu Berlin/NYU Law

Registration:

Due to restricted capacities, the number of accepted
registrations will be limited.

The workshop is sponsored and organized by the
PluriCourts - Centre for the Study of the Legitimate Roles
of the Judiciary in the Global Order, University of Oslo, in
cooperation with the WZB Center for Global
Constitutionalism and the University of Sydney.

Center for Global
Constitutionalism

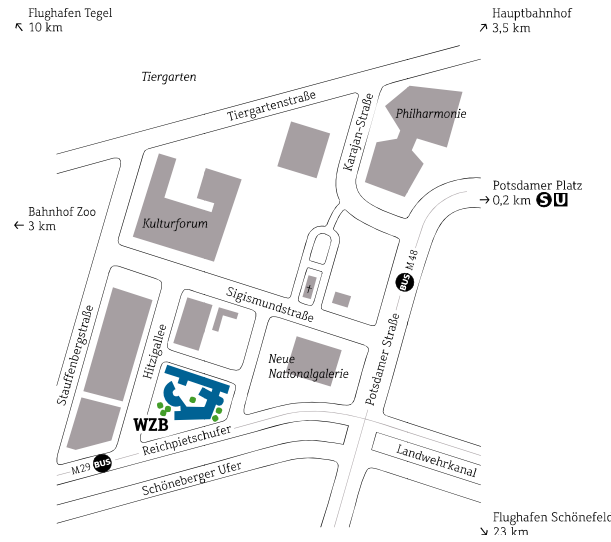
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WZB

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für Sozialforschung

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Courts and Public Reason in Global Public Law

Workshop

July 11-12, 2016

WZB Berlin Social Science Center
Room A 300

Program

Courts and Public Reason in Global Public Law

Monday, July 11, 2016

8:45 am Opening: Reflections on the challenges of public reason by the workshop conveners.

9:30 am
Panel I: Is there a conflict between public reason and legal reason?

Chair: Anna Dolidze

Micah Schwartzman (University of Virginia)
“Public Reason, Motivation, and Judicial Review”
Discussant: Lawrence Solum

Mohammad Fadel (University of Toronto) “Is there a Place for Islamic Law in Adjudication under the Norm of Public Reason?”
Discussant: Ronald den Otter

(Short Break)

Christopher F. Zurn (University of Massachusetts Boston) “Constitutional Interpretation and Public Reason: Seductive Disanalogies”
Discussant: Wojciech Sadurski

12:30 Lunch Break (in-house catering)

1:30 pm
Panel II: Public reason and constitutional interpretation

Chair: Andreas Føllesdal

Alec Stone-Sweet (National University of Singapore) “Kant, Reason, Balancing”
Discussant: Mattias Kumm

Lawrence Solum (Georgetown University)
“Public Reason and Constitutional Interpretation”
Discussant: Roni Mann

3:15 pm Coffee Break

3:30 pm **Ronald Den Otter** (Cal Poly) “The Underdeterminacy of Constitutional Public Reason”
Discussant: Alain Zysset

Mattias Kumm (WZB & New York University)
“On the Relationship between Legal Authority and Public Reason in Constitutional Adjudication”
Discussant: Micah Schwartzman

5 pm End of first day

7:30 pm Dinner for panelists and commentators:
“Käfer Dachgarten” Restaurant, Deutscher Bundestag, Platz der Republik 1.
Important: bring a valid ID with a photo

Tuesday, July 12, 2016

9 am

Panel III: Public reason beyond the nation state: a special case?

Chair: Wojciech Sadurski

Silje Aambø Langvatn (University of Oslo)
“Should International Courts Use Public Reason?”
Discussant: Christopher F. Zurn

10:45 am
Panel IV: Public reason in specific courts and tribunals

Chair: Roni Mann

Sivan Schlomo Agon (Bar-Ilan University)
“‘Going Public’: Reasoning and Justification in Contemporary WTO Jurisprudence”
Discussant: Alec Stone-Sweet

10:45 am Coffee Break

11 am **Alain Zysset** (European University Institute)
“The Legitimate Authority of International Courts: Towards a Public Reason-based and Practice-focused Framework”
Discussant: Mohammad Fadel

Wojciech Sadurski (University of Sydney)
“European Court of Human Rights in Pursuit of Public Reason? A Study of Lost Opportunities”.
Discussant: Andreas Føllesdal

12:40 pm. Lunch Break (in-house catering)

1:40 pm Open discussion
Chair: Mattias Kumm

3 pm Closing of the workshop

This workshop brings together distinguished political theorists, legal scholars and political scientists to discussions on how best to understand public reason – understood in a broad and inclusive way – in relation to courts, and in discussion about what practical impact such ideals may have in the context of adjudication
