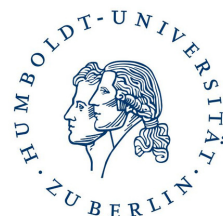




Pravna fakulteta  
Univerza v Ljubljani



## CALL FOR PAPERS

# (PLAYING) CONSTITUTIONAL TWISTER: THE MECHANISMS OF CONVERGENCE AND DIVERGENCE WITHIN MULTILEVEL LEGAL ORDERS

**Date:** 1-2 October 2021

**Location:** University of Ljubljana, Faculty of Law and Online

Recent decades have made it increasingly clear that states as singular actors cannot successfully tackle the challenges that emerge from their interconnectedness in different spheres of public life. Measures taken to combat regional and especially global issues should always be adopted so that they correspond to the specific needs of a given community; yet, when dealing with complex problems, produced by a plurality of different actors, an un-concerted effort may make those attempts futile in the long run. A certain degree of coordination between different protagonists on the global stage thus seems crucial and the interplay and the entanglement between different legal orders (be it states, sub-state entities or supranational and international organizations), sometimes reminiscent of playing a game of Twister, is hence unavoidable.

This conference aims to address the issues of coordination and accommodation that emerge in various multilevel legal orders, especially in the European sphere. One of the main issues of multilevel legal orders is precisely the inherent tension between unity and diversity: the more a legal order presses towards greater integration and unification to pursue effectiveness, the more tensions may arise from the demand for recognition of the preexisting diversities, rooted in sovereignty. The sustainability of each multilevel system inescapably depends on its ability to balance between these two key interests, which may be reconciled in different ways. Failure to balance them, much like in a game of Twister, may cause the entire structure to collapse. Here, legal scholars have our work cut out to theorise and conceptualise systems that produce satisfying long-term results.

The key question this conference is going to address is what specific mechanisms are available in multilevel polities for accommodating unity and diversity? *In broad terms, the conference aims to explore this question through four interconnected problem areas: (i) theoretical foundations for (the organization of) multilevel legal orders; (ii) mechanisms of accommodation of differences, (iii) mechanisms of convergence; and (iv) mechanisms of divergence.*

As for the first problem area, we seek to explore the different theoretical considerations underpinning the balance between convergence and divergence amongst constituent units in multilevel polities, such as those stemming from theories of federalism, constitutional pluralism, and differentiation. Can different theories of federalism be used to inform the balance within different multilevel legal systems? How well do the descriptive

strands of constitutional pluralism explain the dynamics of multilevel legal orders? Are its normative strands sustainable considering the alleged abuses of national identity? Is the differentiation between component parts of a multilevel system a sustainable solution, or can it lead to the dissolution of the system? What other theoretical approaches could offer a solid alternative for better reconciling the balance between unity and diversity?

In the light of these theoretical approaches, we are particularly interested in identifying and exploring specific mechanisms which can address these challenges that are immanent to multilevel legal orders. *What are the mechanisms through which the balance within a system is achieved and maintained?* Different mechanisms, which may also spill between categories, seem pertinent to the debate: margin of appreciation and coordination as predominantly mechanisms of accommodation; consensus, common values and principles, preconditions for human-rights, power-sharing, representation and participation, solidarity and consultation as mechanisms of convergence; and arguments from identity, constitutional asymmetry and imbalanced economic wealth as mechanisms of divergence - just to name a few.

To discuss these topics from a variety of (multi)disciplinary perspectives, the conference is open to scholars at any stage of their careers, but we would especially like to encourage young scholars to bring fresh ideas to the fore.

The keynote address at the conference will be delivered by *Professor Francesco Palermo*, Full Professor of Comparative Public Law at the University of Verona and the Director at the Institute for Comparative Federalism in Bolzano.

If you would like to participate in the conference, we invite you to send us an abstract (up to 500 words) and a short CV (max. 2 pages) to [multilevel.conference@gmail.com](mailto:multilevel.conference@gmail.com) by **15 July 2021**. Those selected will be informed by the end of July and invited to submit a draft paper (8.000 words) before the conference. The participants with the most innovative and thought-provoking ideas will then be invited to submit revised final papers to be published in an edited volume, dedicated to the topic of the conference.

The conference will be held in a *hybrid format* (online and on-site in *Ljubljana*), with a preference for in-person participation. Participation is *free of charge* and the organizers will provide refreshments, lunch, and dinner to the participants. Limited funding to co-finance travel and accommodation expenses may also be provided to some participants upon a reasoned request to be submitted alongside the application to the conference, specifying the amount of funding required and the purpose of it. Our decision to invite participants will be made irrespective of whether a request for co-funding was submitted.

Material and financial support for the organisation of the conference has been provided by the University of Ljubljana, Faculty of Law, and European University Institute, Department of Law.

## Organizational Board

**Marjan Kos**, University of Ljubljana  
**Jaka Kukavica**, European University Institute  
**Julian Scholtes**, European University Institute

**Maja Sahadžić**, University of Antwerp  
**Jakob Gašperin**, Humboldt-Universität zu Berlin  
**Anne-Carlijn Prickartz**, Universität Salzburg