



# Controversies over Methods in EU law

↓ Seminar series organised at the University of Aix-Marseille by the CERIC (Centre d'Études et de Recherches Internationales et Communautaires) and the LTD (Laboratoire de Théorie du Droit).

## ★ 2<sup>nd</sup> semester

### Antoine Bailleux

De la scène au balcon : approches disciplinaires et indisciplinées du droit de l'Union européenne

### Francesco Martucci

Droit de l'Union et économie de marché

19 January 2022

14h30 - 16h30

(only via zoom)

### Ségolène Barbou Des Places

Juriste artisan

### Edouard Dubout

La méthode pragmatique : L'exemple du droit constitutionnel de l'UE

10 March 2022

17h00 - 19h00

Aix-en-Provence, Faculty of law and political science  
salle du conseil n°1

Seminars will be held in hybrid mode, in Aix-en-Provence (salle du conseil n°1) and on zoom, registration is necessary to obtain the link.

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## 2<sup>nd</sup> semester

**Loïc Azoulai**

Après le « droit de l'intégration »,  
que nous arrive-t-il ?

**Agustín José Menendez**

Week In, Week Out: Why contextual approaches  
to European Union law are more needed than ever

**28 March 2022**

12h30 - 14h30

Aix-en-Provence, Faculty of law  
and political science  
salle du conseil n°1

**Jan Komárek**

From legitimacy to ideology: towards ideology  
critique of European constitutionalism

**Urška Šadl**

What comes after the methodological controversy?  
From empirical design to empirical legal analysis

**18 May 2022**

17h00 - 19h00

Aix-en-Provence, Faculty of law  
and political science  
salle du conseil n°1

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- Methodological issues pervade contemporary debates in EU law. EU lawyers largely agree on the need to go beyond the classical opposition between the two perspectives that have long dominated the field of European studies: on the one hand, the purely doctrinal approach, which limits itself to seeking answers to particular legal problems or to systematizing the state of the law, and on the other hand, the purely strategic perspective, which reduces law to external determinants. Lawyers are increasingly aware of the limits of a purely doctrinal model and debate how to improve it or how to replace it with new approaches. At the same time, scholars from other disciplines are increasingly taking the technical dimensions of EU law as their object and are more and more read by lawyers themselves. This raises the question of the singularity of a legal approach to EU law. If there is controversy about methods, it is because there is agreement on the need to debate but also awareness of what is at stake: a reconfiguration of European studies.
- This series of seminars aims at providing an overview of different methods in European Union law, both old and new, both mainstream and not, by putting them in perspective with each other and by questioning their underlying assumptions. In order to do so, participants are expected to engage in a reflexive exercise that will make their methods and their position in the controversy explicit: What methods do they use and what do these methods imply? With whom and against whom do they think European Union law? Do they find it useful to exhumate an author that in their view has been unduly neglected or, on the contrary, to call for new approaches to understand EU law? The aim is not to design the landscape of the different methods available to study EU law in an abstract way, but to show what they can do in practice and what they imply from a theoretical and ideological point of view. In other words, the aim is to investigate the insights that they offer, but also their limits, based on their application in concrete cases.
- While this series of seminars is addressed to EU lawyers, this momentum of methodological discussion and reflection that EU law is undergoing should be of interest more broadly. The current state of EU law can be taken as an exemplary site for undertaking a more general reflection on legal methodology and on the moments of rearrangement of a discipline more generally.