

Seminar on

Toward a Multipolar Administrative Law

A Theoretical Perspective

New York, September 9-10, 2012

NYU School of Law, Furman Hall, 245 Sullivan Street, 9th floor

PROGRAM

Sunday, September 9th

h. 9.15 a.m. - 12.00 p.m.

Session One

Rethinking General Principles of Administrative Law

Moderator: Joseph H.H. Weiler

- William Vázquez Irizarry, *Constitutional Recognition of Participatory Rights: a Comparative Approach*

Discussant: Eyal Benvenisti

- Jan Wouters and Sanderijn Duquet, *The Principle Of Reasonableness: A Global Standard Of Review?*

Discussant: Stephen Gardbaum

- Spyridon Drosos, *'All That Glisters Is Not Gold': The Democratic Deficit of the European Union Emissions Trading System And The Revival of the Bipolar Paradigm*

Discussant: Maurizia De Bellis

h. 12.00-1.00 p.m. Lunch

h. 1.00-3.30 p.m.

Session Two

Rationality, Efficiency and the Role of the Market

Moderator: Sabino Cassese

- Giulio Napolitano, *Conflicts in Administrative Law: Struggles, Games and Negotiations Between Political, Institutional and Economic Actors*

Discussant: Richard B. Stewart

- Alberto Alemanno and Alessandro Spina, *Informing Administrative Law with Behavioural Research*

Discussant: Oren Bar-Gill

- Thomas Perroud, *Administrative Law and Competition: How Administrative Law Protects the Market?*

Discussant: Lewis Kornhauser

Monday, September 10th

h. 9.15 a.m. -12.00 p.m. (Coffee available from 9 a.m.)

Session Three

The EU Administrative Law: a Role Model?

Moderator: Joseph H.H. Weiler

- Peter L. Lindseth, *Law, History, And Theory: Reflections On Administrative Governance, Constitutional Government, And European Integration*

Discussant: Niels Petersen

- Nicola Lupo and Giovanni Piccirilli, *Relocating The Principle Of Legality In The Italian Legal Order: Nudges From the European Courts Towards a More Substantial Concept of “Law”*

Discussant: Gráinne de Búrca

- Joana Mendes, *Procedural legitimacy between legal geographies and transnational spaces: re-conceptualising decision-making procedures?*

Discussant: Benedict Kingsbury

h. 12.00-2.15 p.m. Lunch

h. 2.15-5.00 p.m.

Session Four

Administrative Law Without The State?

Moderator: Sabino Cassese

- Stephan Schill, *Transnational Legal Approaches to Administrative Law: Conceptualizing Public Contracts in Globalization*

Discussant: Gregory Shaffer

- Christoffer C. Eriksen, *International legalization and the use of national administrative discretion – challenges for administrative law and the legitimacy of administrative decisions*

Discussant: Bernardo Giorgio Mattarella

- Lorenzo Casini, *Public Law and Private Law Beyond the State: Dangerous “Doubles” or “Mutual Friends”?*

Discussant: Kevin E. Davis