

**Workshop on Normative Transformations
in the European Union:
of Hardening and Softening Law**

Université Grenoble Alpes

18 octobre 2018, 14h - 17h30

Introduction

Sabine Saurugger (Sciences po Grenoble - PACTE)

Fabien Terpan (Sciences po Grenoble - CESICE)

*Governing the Emerging Energy Union: Soft at the
Surface, but Hard at the Core?*

Michèle Knodt (Darmstadt University) and

Jonas Schönefeld (Darmstadt University)

'Soft' International Agreements in EU External Relations

Ramses Wessel (University of Twente)

*Explaining the Transformations of Law: The Cases of
Migration, Cybersecurity and Economic Governance*

Sabine Saurugger (Sciences po Grenoble - PACTE)

and Fabien Terpan (Sciences po Grenoble - CESICE)

19 octobre 2018, 9h00 - 12:00

Soft-Law implementation by courts and bureaucrats:

how relation to hard law and policy maturity matter

Miriam Hartlapp (Frei Universität Berlin) and

Andreas Hofmann (Frei Universität Berlin)

When soft law matters: understanding changes in EU

instruments and domestic contexts: The case of e-health

Chloé Bérut (Sciences po Grenoble – PACTE)

*An EU Governance Mix of Rights and Advice: The Case of
part-time and fixed-term employment*

Sonja Bekker (Tilburg University) and

Dalila Ghailani (European Social Observatory)

*Soft law in EU climate law: the case study of the EU ETS
Directive*

Mariolina Eliantonio (Maastricht University) and

Marjan Peteers (Maastricht University)



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of Hardening and Softening Law*

**18 octobre 2018 de 14h00 à 17h30
et 19 octobre de 9h00 à 12h00
Grenoble**



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Summary:

An increasing tension emerged since the beginning of the 1990s between the traditional leading role of (hard) law in the process of European integration, on the one hand, and the growing use of soft law, on the other. Soft norms have mushroomed in new areas of competence more particularly. In a way, all policy areas at EU level combine soft and hard norms in various proportions. At first sight, traditional areas working under the Community method comprise a majority of hard law while policy areas that are more respectful of national sovereignties (new modes of governance and intergovernmental cooperation) comprise a majority of soft law.

At a time when the permissive consensus is perceived to have been replaced by increasing forms of voiced criticism, using soft law instead of hard law is often seen as a compromise solution both by member states and EU institutions, enabling the development of the integration process while preserving national sovereignty. This challenges the traditional leading role of (hard) law in European integration. The combination of soft and hard law in the same policy area, known as hybridity, is not necessarily stable, and may evolve in two different ways: soft law may be hardened (legalization) while, on the other hand, hard law may be softened (delegalization). This workshop will seek to understand when, how and why policy areas are legalized or delegalized, at both EU and national level. The analysis of these transformations will be completed through different case studies and different approaches, combining law and politics.

Speakers:

Sonja Bekker (Tilburg University)
Chloé Bérut (Sciences po Grenoble)
Mariolina Eliantonio (Maastricht University)
Miriam Hartlapp (Freie Universität Berlin)
Andreas Hofmann (Freie Universität Berlin)
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