



EVROPSKA
PRAVNA FAKULTETA



FAKULTETA ZA DRŽAVNE
IN EVROPSKE ŠTUDIJE

Call for papers

2016 LegArg: Legal Argumentation and Legal Theory Conference (18 and 19 November 2016, Ljubljana):

“Modern Legal Interpretation: Legalism or Beyond?”

Topic

Legalism or legal formalism usually depicts judges who apply cases by merely applying preexisting legal rules. They do not legislate, do not exercise discretion, do not balance or pursue policies and definitely do not look outside conventional legal texts for guidance in deciding new cases. For them law is autonomous domain of knowledge and technique. What they really follow are the maxims of clarity, determinacy, and coherence of law. This perception of law and adjudication, with its relevance for interpretation and argumentation, can sometimes be even designated as “orthodox lawyering”. Although legalism in its broadest term can mean a separate legal culture, in the frame of this conference we’ll rather focus on legal interpretation by trying to address the following questions: is legalism as a distinctive theory of legal interpretation still a feasible theory of interpretation? Has it been even reiterated again today? How can its formalist approach withstand a critique from Dworkinian (moral) interpretivism or accusations being a myth masking political preferences from legal realists? What light do new findings in neuro science shed on legalism as an interpretative approach? What other theories such as, e.g., psychological, psychoanalytic, sociological, economic, pragmatist, or phenomenological theories of adjudication and interpretation have to say about the legalist methods of interpretation? These and some other issues concerning legal interpretation will be discussed in the workshops of this conference in order to find some clues about the modern state-of-the art of legalism and legal interpretation.

The conference will be structured into several panels dedicated not only to legal argumentation and legal theory but also to legal philosophy and constitutional law. Potentially there could be an open section too. The event aims to bring senior and junior researchers from the above fields together. A special panel will be devoted to presentations by Ph.D. researchers.

Venue and format

The two-day workshop will be held at the European Faculty of Law and the Graduate School of Government and European Studies and in the beautiful surroundings of Ljubljana Old Town (Slovenia) on **18 and 19 November 2016**.

In addition to coffee & snacks during the breaks, the Organizer is going to host a conference dinner.

More information on the travel to and accommodation in Ljubljana will follow in due time.

Submissions

The European Faculty of Law (www.evro-pf.si) and the Graduate School of Government and European Studies (www.fds.si) invite researchers undertaking research on the proposed topic to submit abstracts for consideration. Interested applicants should send a **250-word abstract** and a **CV** in narrative form by **1 September 2016** to marko.novak@evro-pf.si. Authors will be notified of acceptance by **15 September 2016**. If you have any questions, please write to marko.novak@evro-pf.si.

Organizing Committee:

Marko Novak, European Faculty of Law

Matej Avbelj, Graduate School of Government and European Studies

Jernej Letnar Čerňič, Graduate School of Government and European Studies

Vojko Strahovnik, European Faculty of Law