



Call for Papers: Deadline 1 December 2019
Law and Policy in European Integration (1960s-1990s)

The fourth annual conference of the Research Field 'Legal History of the European Union' to be held at the Frankfurt Max Planck Institute on 9 and 10 June 2020, will focus on the relationship between law and policy in European integration from the 1960s to the 1990s.

From its beginnings, European integration involved legal solutions to very concrete policy issues. Since the 1960s, the European Economic Community (EEC) developed policies and set legal rules, for example on agriculture, competition, trade and the internal market. New policies, including fisheries, regional, social, environmental and cultural issues followed in the 1970s and 1980s, while other policies such as transport did not move forward. Policy and rule making intensified and changed further in the 1990s, in the context of Economic and Monetary Union.

European policy making involved the build-up of a growing body of European law on a wide range of policy-relevant issues. This so-called *acquis communautaire* deeply influenced the law and policies of the member states. At the same time, political scientists and lawyers have highlighted the weakness of actual implementation of EU law. In the face of this contradictory evidence – between formal strength and informal weakness – this conference will take a closer look at how the relationship between law and policy in European integration developed over time. This relationship goes both ways, and raises various questions.

First, how did European law shape European policy making? How did the various Treaty bases and decision making rules and ECJ judgements enable or limit the development of various policies? How did legal doctrines and principles shape the issues of EC/EU law making and the legal instruments chosen? What was the role of lawyers, legal scholarship and expertise in policy-making? How did advocates or opponents of certain policies use the law to influence policy?

Secondly, how did European policy shape European law – through legislation and court cases? How did changing visions of effective policy making, for instance, economic instruments, change the shape of European legislation? How did transfers of policy knowledge and policy principles from international organisations and (member) states change European law?

This call invites contributions that seek to help us better understand the link between European law and policy in a historical perspective. All contributions should at least address one policy area, and should relate to at least one of the questions raised above, making explicit which part of the relation between law and policy (and which direction of this relation) they are most interested in. Topics may include issues of

- Policy making, legal bases and law making
- Policy implementation and the role of law therein
- Policy relevant jurisdiction – ECJ and national courts
- Legal doctrines and policy principles
- Legal expertise and policy expertise
- Transfer of legal and policy knowledge
- Policy advocacy and opposition in legislation and in the courts

The objective of the conference is to enhance our understanding of what integration through law means with a view to European policies. By bringing together case studies from a range of policy areas, we will be able to (1) flag up the varying roles of different actors involved, (2) compare the relations between policy and law across policy areas old and new, and (3) assess change over time, including potential path dependencies. We will thus get a better understanding of why and how European policy, which increasingly influences citizens' lives, has come to address problems the way it does.

We welcome proposals for contributions of not more than 150 words by *1st December 2019*. Please email your proposal and a short CV (100 words) to jmeyer@rg.mpg.de.

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