



Hungarian Academy of Sciences, Centre for Social Sciences

Lendület-HPOPs Research Group

Conference on

The national interest in European Union law and governance

Budapest, 3-4 July 2014

CALL FOR PAPERS

The Hungarian Academy of Sciences *Lendület-HPOPs* Research Group invites papers for its launching conference on ‘The national interest in European Union law and governance’. The conference is inspired by the contemporary debates on the role and the importance of states within the European Union in the reformulating European and global order. It aims to contribute, in particular, to the discourse on the responsibility and the ability of states and the European Union to address socio-economic problems, especially in the wake of the financial and economic crisis. Its intention is to highlight bottom-up approaches to law and governance in the European Union which recognizes that states, in particular on the European periphery, could be squeezed uncomfortably between their European and national responsibilities and they ultimately bear the consequences of European action and inaction. The ideas behind the conference build on the long-standing academic and political debates on ‘more or less Europe’, the legitimacy of European integration in the light of national value and policy preferences, the asymmetric relationship between competing European and national policies, and the protection of national interests and values within the EU legal and governance framework.

The conference is organized to revisit the theoretical and conceptual framework developed for the ‘national interest’ under the EU legal and governance framework. The use of the term ‘national interest’ is intentional as the conference wants to highlight and address the tensions and the legal and policy dynamics inherent in that concept which affect the position of the Member States as actors capable of representing distinct interests within the EU polity. We aim to take stock of the diverse manifestations of the ‘national interest’ in EU law and governance, as expressed, for example, in ‘switch-rules’, rules allowing exemptions, or principles offering immunity from intervention, and we want to examine the theoretical and conceptual problems which may arise in connection with its definition, boundaries and validity as a concept.



The conference will provide an opportunity to reconsider the fundamental balancing exercise enabled under the EU framework between European and national priority and value systems and to assess the scope, relevance, depth and significant changes of that balancing exercise as reflected in law and policy-making in the EU. The conference hopes to engender a sustainable discussion and debate on the theoretical and conceptual anchors (reference points) which are available for framing the concept of the ‘national interest’ in the EU setting.

Framing the ‘national interest’, in general or under the EU framework, must assess the rationality and justifiability of the concept, especially when it is applied in existing legal and governance constructions, and it has to come to terms with its conceptual uncertainty and complexity, and also with its essentially contested character. In the EU context, the framing exercise needs to take into account the fundamental relevance of EU-Member State relations for law and governance and it needs to reflect on the existing characterizations of the EU polity focusing in diverse ways on this fundamental feature. In particular, it needs to integrate the discussions on the functional and constitutional asymmetry of European integration, on differentiation within the European Union on the recognition of the policy and value autonomy of the Member State level, on the contrast between the ideal of integration and the reality of disintegration, and on the availability of horizontal or bottom-up governance modes in the EU which necessitate the contribution of the national level. The framing exercise should be able to locate the place and the role of the ‘national interest’ in the complex and dynamic multi-layered value and priority system and the similarly complex governance constructions of the European Union.

The conference aims to gather expertise from political and legal theory, EU studies, EU constitutionalism, and from individual areas of EU law and policy. The discussions in the different disciplines and domains should seek to approach the European Union as the developer of priority frameworks for national governance and policy-making and also as a polity which is dependent upon the performance of the national layer of governance in achieving its own priorities. The choice between different modes of governance in the EU and the availability of enhanced cooperation within the EU framework have a defining impact on the reach of EU constraints on national governance and on the ability of the Member States to pursue the ‘national interest’. In this interlinked and interdependent setting, the EU can be seen as pursuing different roles in relation to the ‘national interest’. It ‘moderates’ the ‘national interest’ by determining what range and types of Member State interests are deemed acceptable. It ‘contains’ the ‘national interest’ by placing it under a constant pressure of justification in a balancing exercise with competing European or other interests. It ‘facilitates’ the ‘national interest’ by allowing exemptions from and the disapplication of EU provisions, by enabling diversity in interpreting and applying EU provisions, or by incorporating and integrating national priorities into EU regulation. It also ‘legitimizes’ the ‘national interest’ by imposing fundamental constitutional requirements and requirements of good governance and good regulation on



Member States pursuing own policy priorities under the European Union framework. The conference seeks to capture the dynamics of these treatments of the ‘national interest’ and their impact on national governance.

The conference is the launching event of the Hungarian Academy of Sciences *Lendület-HPOPs* Research Group (<http://jog.tk.mta.hu/lendulet-kutatocsoport>). It will serve as an opportunity to bring together the members of the international research network established alongside the Research Group and to recruit further members for the international research network. Members of the international research network will be asked to develop their conference papers into a more substantial research paper, which will be published, when developed into a book chapter, with an international publisher in an edited collection edited by the Research Group. The Research Group was established under the *Lendület* research grant scheme of the Hungarian Academy of Sciences to carry out a predominantly legal research on the policy opportunities of Hungary in the European Union. The Research Group is investigating the broader research theme of the ‘national interest in EU law and governance’ in order to provide a theoretical and conceptual base for its future work of evaluating the performance of Hungary as a Member State of the EU and indicating the policy opportunities available to Hungary under the EU legal and governance framework.

Papers can be submitted in the following areas:

1) Political, IR and legal theory

In this domain, papers are invited to revisit the theoretical and conceptual discourses on the ‘national interest’ in political, IR and legal theory focusing on potential theoretical and conceptual anchors which could be useful in the framing exercise in the European Union context. We are particularly interested in papers which examine the rationality, the conceptual validity, or the legitimacy of the ‘national interest’ as a concept in international relations and in law and government on the national level. Discussions should be framed with a focus on EU-Member State relations or on the different treatments of the ‘national interest’ in the EU legal and governance framework.

2) European Union studies and European Union constitutional theory

Contributions in this area should discuss the conceptualization of the ‘national interest’ in existing theories on European integration and European constitutionalism. We are particularly interested in contributions examining the concept of the ‘national interest’ in light of the relevant principles of EU constitutional law, such as subsidiarity, the principle of sincere cooperation, the protection of national constitutional values, the separation of powers, or Member State autonomy. Papers should attempt to consolidate the diverse strands in the relevant theoretical



debates and revisit arguments, principles and developments with a view on the framing exercise on the 'national interest' in EU law and governance

3) European Union policies

In this broad area, papers are invited to explore the place and the role of the 'national interest' under the legal and governance framework of individual EU policies. We encourage the critical evaluation of existing legal and governance structures from this perspective and the introduction of complex assessment frameworks capable of capturing the dynamics of EU-Member State relations and the different treatments of the 'national interest' under the EU framework.. Preferred policy areas include the EU single market, EU economic governance, EU regulatory policies, and EU social policy and governance.

Invited keynote speakers:

Professor Michael Anderheiden (Universität Heidelberg/Andrássy Universität)

Dr Marie-Pierre Granger (Central European University)

Professor Jules Stuyck (KU Leuven)

Professor Loïc Azoulay (European University Institute) (tbc)

Application:

Applicants should prepare an abstract of their papers no longer than 1500 words. Abstracts should be sent by **30 March 2014** to the email address of the organizer Dr Marton Varju (varju.marton@tk.mta.hu). The selection of abstracts will take place by **15 April 2014**. All applicants will be informed of the result. Successful applicants will be asked to submit a draft of their conference paper no longer than 10.000 words by **15 June 2014**. Draft conference papers should be submitted to the email address of the organizer (varju.marton@tk.mta.hu). All other queries should be sent to the email address of our research assistant Ms Veronika Czina (czina.veronika@tk.mta.hu).