

Ius Commune Conference 2020

Workshop: Law and Political Economy Research in Europe: Themes and Agenda

Friday, 27 November (09.00 – 12.00)

Participants

Introduction

Reliance on 'Law and Political Economy' (LPE) as a theoretical, conceptual and methodological approach is becoming increasingly popular within legal research. In the U.S., a group of scholars has proclaimed LPE as a new perspective that places law at the center of how the global economy is structured (see the [LPE Manifesto](#) and the [LPE Project hosted at Yale](#)). LPE sets a counterpoint to approaches of law & economics by taking the foundational role of law in enabling – not merely regulating – economic activities and private power as a starting point. The normative gist is to shed light on economic processes currently in the 'blind spots' of legal analysis. Accordingly, LPE lends itself to numerous sectoral studies, one of the most visible ones being Katharina Pistor's [Code of Capital that lays bare the role of law in](#) global financial capitalism. Other recent works adopting an LPE lens deal with areas such as [digital capitalism](#), [food](#), [corporate social responsibility](#), [corporations](#) or [private property](#). Much of this trend is linked to new directions in economics research, such as Thomas Piketty's work, but it can also be related to political and social sciences approaches to political economy (such as Jens Beckert's [Imagined Futures](#) or Steven Vogel's [Marketcraft](#)). Moreover, while some leading texts of LPE address the US scholarly landscape in particular, LPE as a methodology and scholarly movement is growingly received in Europe as well (see [here](#) and [here](#)).

Against this background, this workshop seeks to provide an initial platform for scholars to engage in discussions on what research in law and political economy is and should be about conceptually, theoretically, and methodologically. Given the prominence of using LPE and the diversity of evolving strands flying under its flag, we aim to discuss more in-depth how one can define law and political economy research, what strands exist, in which sectors it is applied and what theoretical concepts are used. Special emphasis will be placed on connecting US and emerging European lines of discussion: What can LPE mean in the multi-level governance of the EU internal market? Does the LPE framework have some pedigree in earlier streams of European legal thought and what fruitful connections could be achieved?

Organisation

The workshop is organized as a discussion on central and current texts that use LPE as their framework. We focus on three sets of central texts/books that develop the conceptual underpinning of law and political economy research or apply it to a specific field. For the purpose of starting the discussion, we invite three presenters per set of texts to provide a short input (5-10 minutes) for the discussion after which there will be a general discussion.

Workshop conveners: *Anna Beckers (Maastricht University) & Klaas Hendrik Eller (UvA)*

Chair: **Klaas Eller** (University of Amsterdam)

09.00 – 09.10 *Introduction by the Chair*

I. General framework – Trajectories of LPE: Towards a Transatlantic Dialogue?

Texts *Jedediah Britton-Purdy, Amy Kapczynski & David Singh Grewal, Law and Political Economy: Toward a Manifesto, LPE Blog 2019, 11 June 2017*
Poul Kjaer, The Law of Political Economy: An Introduction, in Poul Kjaer (ed), The Law of Political Economy, Cambridge University Press 2019; 1-30
Katharina Pistor, The Code of Capital, Princeton University Press 2019

09.10 – 09.30 Input presentations by:

- **Rodrigo Vallejo Garreton** (University of Amsterdam)
- **Vladimir Bogoeski** (University of Amsterdam)
- **Fabrizio Esposito** (University Catholique de Louvain)

09.30 – 10.00 Discussion

10.00 – 10.15 **Coffee break**

II. Sector study I – ‘LPE of Digital Capitalism’

Text *Julie Cohen, Between Truth and Power: The Legal Construction of Informational Capitalism, Oxford University Press 2019*

10.15 – 10.45 Input presentations by:

- **Ioannis Kampourakis** (Erasmus University Rotterdam)
- **Dimitri van den Meerssche** (Asser Institute)
- **Ruta Liepina** (Maastricht University)

10.45 – 11.00 Discussion

11.00 – 11.05 **Short break**

III. Sector study II – ‘LPE of Food and Finance’

Text *Anna Chadwick, Law and the Political Economy of Hunger, Oxford University Press 2019*

11.05 – 11.25 Input presentations by:

- **André Nunes Chaib** (Maastricht University)
- **Johan Horst** (Humboldt University Berlin)
- **Hanna Schebesta** (Wageningen University)

11.25 – 11.55 Discussion

11.55 – 12.00 *Closing by Anna Beckers* (Maastricht University)