



*The Leuven Centre for Global Governance Studies, its InBev-Baillet Latour EU-China Chair and the Centre for a Common Law of Europe are pleased to invite you to an international conference on*

## **FEDERALISM, THE RULE OF LAW AND THE ROLE OF THE JUDICIARY: COMPARATIVE POLITICAL AND LEGAL ANALYSES**

Monday 18 May 2009  
9:30 – 18:30

De Valk College  
Tiensestraat 41, Leuven  
Zeger Van Hee Auditorium

Please note that participation is free, but that registration through [www.globalgovernancestudies.eu](http://www.globalgovernancestudies.eu) is mandatory by Thursday 14 May



## THEME OF THE CONFERENCE

It is well-known that federal systems are organized in very diverse manners. One aspect most systems have in common is a central judiciary in order to uphold the rule of law. But this central judiciary's role is not without controversies. It is sometimes argued that judicial involvement in horizontal and vertical power struggles in federal systems is undesirable, because this should be left to political processes. Another critique is that a central judiciary is often not independent enough to serve as an umpire of federalism, and that, if anything, it has a bias in favour of expanding the central government to the detriment of the federated parts. Thirdly, it is said that the central judiciary is ill-equipped to assess whether the power balance of federalism has been breached.

At the present conference a selection of very distinguished scholars will consider these issues of federalism as they relate to a broad spectrum of systems, including the European Union, the United States of America, the Russian Federation, the People's Republic of China, the Federative Republic of Brazil, and the Republic of India.

## MORNING SESSIONS

### 10:00 Welcome Address

Prof. Dr. **Filip Abraham**, Vice-Rector, K.U.Leuven

### Session I - Walter van Gerven Lecture on Federalism and the Role of the Judiciary: a Critical Guide

Chair: Prof. Dr. **Wouter Devroe**, Professor of Economic Law, Director, Centre for a Common Law of Europe, K.U.Leuven

**10:10** Introduction by Prof. Dr. **Jan Wouters**, Professor of International Law and International Organizations, Director of the Leuven Centre for Global Governance Studies at K.U.Leuven

**10:20** **Walter van Gerven Lecture by Prof. Dr. Daniel Halberstam**, Eric Stein Collegiate Professor of Law and Director of the European Legal Studies Programme at the University of Michigan



## Session II – European Perspectives on Federalism, Rule of Law and the Role of the Judiciary

Chair: Prof. Dr. **Patrick Peeters**, Partner at NautaDutilh and Professor of Comparative Federalism at K.U.Leuven and UCLouvain

**11:10** Perspectives from the European Court of Justice  
Prof. Dr. **Koen Lenaerts**, Judge and President of the Fourth Chamber of the Court of Justice of the European Communities, and Director of the Institute of European Law at K.U.Leuven

**11:40** Political Safeguards  
Dr. **Wilfried Swenden**, Senior Lecturer of Comparative Federal Studies at the University of Edinburgh

**12:10** Panel and Floor Debate

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**12:30** Lunch Break

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### AFTERNOON SESSIONS

## Session III – Non-European Perspectives on Federalism, Rule of Law and the Role of the Judiciary

Chair: Prof. Dr. **André Alen**, Judge at the Belgian Constitutional Court and Director of the Institute for Constitutional Law at K.U.Leuven

**14:00** Chinese Perspectives  
Prof. Dr. **Cheng Jie**, Professor of Constitutional Law at Tsinghua University

**14:30** Russian Perspectives  
Prof. Dr. **Irina Busygina**, Director of the Centre for Regional Political Studies at the Moscow State Institute of International Relations (MGIMO)

**15:00** Indian Perspectives  
Prof. Dr. **Balveer Arora**, Former Rector and Pro-Vice Chancellor, Jawaharlal Nehru University

**15:30** Brazilian Perspectives  
Prof. Dr. **Gilberto Rodrigues**, Catholic University of Santos and GAPCon/UCAM Brasil



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**16:00 Coffee and tea break**

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## **Session IV – Critical Perspectives on Federalism, Rule of Law and Political Safeguards**

Chair: Prof. Dr. Em. **Walter Van Gerven**, Former Advocate General at the European Court of Justice and Professor Emeritus of European Law at K.U.Leuven and Maastricht University

**16:30** Critical Comments  
Prof. Dr. **Daniel Halberstam**

**16:50** Panel and Floor Debate with Prof. Dr **Irina Busygina**, Prof. Dr. **Balveer Arora**, Prof. Dr. **Gilberto Rodrigues**, Prof. Dr. **Cheng Jie**, Prof. Dr. Em. **Frank Delmartino** (Jean Monnet Chair and Professor Emeritus of European Institutions and Policies at K.U.Leuven) and Prof. Dr. **Wilfried Swenden**

## **Session V – Final Keynote: Federalism as a Political Art: Comparative Perspectives**

Chair: Prof. Dr. Em. **Frank Delmartino**

**17:30** Mr. **Jean-Luc Dehaene**, former Belgian Prime Minister, former Vice-President of the Convention on the Future of Europe, Member of the European Parliament

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**18:15 Reception**

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