

Workshop

Law and constitutions in the civilizing process(es)

5–6 December 2019

Université Saint-Louis–Bruxelles (Boulevard du Jardin Botanique 43 – OM21, salle des examens)

This two-days workshop brings together scholars from various disciplines (law, sociology, anthropology and political science) in order to open a discussion around the articulation between law, legal orders and rights, on the one hand, and “civilization”, on the other.

The term civilization itself remains the object of various and often contentious definitions in the sociological and historical literatures. While it may refer to a Western-centric project to legitimize colonial rule and conceal its brutal edge, it has also been used to describe, following sociologist Norbert Elias, an unplanned and open-ended process that results in a growing social and personal regulation of social behavior.

What role, if any, do phenomena related to juridification, such as growing formalization of political rule in constitutions, or recognition of individual rights, play in this process? What is, for instance, the role of lawyers and the justifications they provide on behalf of the State in advancing this process? And, lastly, is the Eliasian “civilization” concept usable to study law from a sociological point of view, especially in “non-western” contexts?

This workshop aims at addressing these questions through concrete case-studies and from various disciplinary approaches. Beside this attention to the “usability” of concepts in an empirical setting, the workshop also seeks to engage with these questions in various contexts: national and post-national, European and non-European.

Inscriptions are mandatory on www.crespo.be/workshop

Programme

Thursday 5 (OM21, Salle des Examens)

13h30–15h: Session 1

Hugo CANIHAC (F.R.S.-FNRS/USL-B) & Christophe MAJASTRE (LabTop/Paris VIII): Introduction

Chris THORNHILL (Manchester) – “Constitutionalism, Militarism and the Pathologies of Modern Democracy”

15h–15h30: *Coffee Break*

15h30–17h30: Session 2

Chair: Marta BUCHOLC (University of Bonn)

Discussion: Christophe MAJASTRE

Karim FERTIKH (SAGE, Université de Strasbourg): “Civilizing labor: remarks on the networks of international social law after 1945”

Antoine BAILLEUX (USL-B): “The Civilizing Mechanism of Law”

Lola AVRIL (European University Institute Florence): “Civilized professionals? Lawyers in the European integration process”

19h30: Dinner

Friday 6 (OM21, Salle des Examens)

9h–11h: Session 3

Chair: Diane BERNARD (USL-B)

Discussion: Hugo CANIHAC

Barbara TRUFFIN (F.R.S.-FNRS/Université libre de Bruxelles): “The many articulations between Indigenous peoples rights and Latin American legal orders: A Socio-historical perspective on the Ecuadorian case caught in between plural normativity and transnational constitutionalization”

Pierre-Olivier DE BROUX (USL-B): “The notion of civilization in Belgian colonial law. An evolving concept”

Marta BUCHOLC: “New segregation laws? The established and the outsiders in the anti-LGBT discourse of the Polish Right”

11h–11h30: Coffee Break

11h30–13h: Session 4

Chair: Florence DELMOTTE (F.R.S.-FNRS/USL-B)

Robert VAN KRIEKEN (University of Sydney/University College of Dublin/University of Tasmania): “Law and Civilization: Norbert Elias as a Regulation Theorist”

Hugo CANIHAC & Christophe MAJASTRE: Conclusion