



Institut suisse de droit comparé
Schweizerisches Institut für Rechtsvergleichung
Istituto svizzero di diritto comparato
Swiss Institute of Comparative Law

CU **RO**
CONFÉRENCE UNIVERSITAIRE
DE SUISSE OCCIDENTALE

Unil
UNIL | Université de Lausanne

12 & 13 May 2023
Lausanne

PhD Workshops series

Strategies in Comparative Legal Research

The workshop is a discussion forum for PhD students. Well known experts will share their insights and experience. In addition, PhD students have the opportunity to present their thoughts on a methodological issue they have encountered during their research.

Free event but registration mandatory

Information: marie.papeil@isdcdfjp.unil.ch – Registration: [Click Here](#)

Friday, May 12th

14:00 – 15:30 Workshop 1. Interdisciplinarity and comparative law

Comparative law scholarship has long emphasized the needs for and benefits of interdisciplinarity. A multiplicity of disciplines are inclined to engage in interdisciplinary analysis, such as comparative law and legal history, comparative law and linguistics, comparative law and economics, comparative law and sociology, comparative law and international relations, as well as comparative law and anthropology or political science. The workshop will first address the interrelation between the disciplines (status and hierarchy, cross-fertilization, correlation, competition, and dialogue) and then explore how the methodological tools of other disciplines can be used in comparative legal research, but also how comparative legal methodology can be useful in interdisciplinary research.

Moderator: Prof. Oleksiy Kresin, CDCEI UNIL
Key speaker: Prof. Jaakko Husa, University of Helsinki
Commentators: Prof. Geoffrey Samuel, Kent
 Dr. Lukas Heckendorn Urscheler, Swiss Institute of Comparative Law

14:00 – 14:30 Keynote
 14:30 – 14:45 Comments
14:45 – 15:30 Discussion with Doctoral Students
 14:45 – 14:55 Input relating to the Regulation of Emerging Technologies
 Pavel Kulikov, University of Zurich

15:30 – 16:00 *Coffee Break*

16:00 – 17:30 Workshop 2. Comparative international law

An increasing number of authors are viewing international law as an integral part of the field of comparative law and are exploring how the comparative method can be used in international law. In international law, this raises issues of non-universality or fragmentation of international law as well as to positivist and jusnaturalist understandings of international law. Methods of comparative law are also useful for analyzing regional systems of international law and exploring their complementarity, competition, superimposition, overlapping, collision, and correlation. The intersection of international and comparative law is also helpful when dealing with such issues as imperialism and colonialism. A comparative approach to international law involves the analysis of national and regional doctrines of international law and their interrelation with national legal systems, religious influence on international law and religious systems of international law.

Moderator: Dr. Lukas Heckendorn Urscheler, Swiss Institute of Comparative Law
Key speaker: Prof. William Butler, Dickinson Law Penn State
Commentators: Prof. Krista Nadakavukaren Schefer, ISDC

16:00 – 16:30 Keynote
 16:30 – 16:40 Comments
 16:40 – 17:30 Discussion with Doctoral Students

Saturday, May 13th

09:00 – 11:00 Workshop 3. Methods of comparative law: theory and practice

The workshop on methods of comparative law will examine how methods are regarded within comparative law theory: whether there is a system, pluralism, or anarchy? How the philosophical tradition addresses the question of hierarchy of methods, and what are the types of scientific rationality, ways and limits of cognition in comparative law? The workshop will also deal with different approaches, strategies and methods in comparative law, consider what types and limits of context can be integrated in comparative law analysis. It will then consider questions of presumptions and taxonomy in comparative law. Main approaches in contemporary comparative law will be examined (e.g. normativism, functionalism and culturalism).

Moderator: Prof. Oleksiy Kresin, CDCEI UNIL
Key speakers: Prof. Catherine Valcke, Toronto
 Prof. Geoffrey Samuel, Kent
Commentators: Prof. Jaakko Husa, University of Helsinki
 Dr. Asya Ostroukh, ISDC

09:00 – 10:00 Keynote
 10:00 – 10:15 Comments
 10:15 – 11:00 Discussion with PhD Students
 10:15-10:25 Functional Comparison in Public Law
 Yi Sun, University of Munich, ISDC Scholar

 11:00 – 11:30 Coffee Break

11:30 – 13:00 Workshop 4. Transnationalism in law

The workshop will address methodological challenges arising while studying transnational norms as well as transnational legal phenomena. The transnational context requires rethinking the basic relationships between public and private law, between hard and soft law, as well as between law, society and the State. This is a methodological challenge that can be addressed in various ways: identifying webs of legal frameworks in the contemporary world and the way they work; addressing transnational processes (who controls them, where are collisions) and manifestations (guidelines, principles, concepts, codes, norms, and standards); measuring the effectiveness of transnational law. Dealing with transnational law requires a practical art of perceiving plurality in law.

Moderator: Prof. Jaakko Husa, University of Helsinki
Key speaker: Dr. Lukas Heckendorn Urscheler, ISDC
Commentators: Prof. William Butler, Dickinson Law Penn State
 Prof. Oleksiy Kresin, CDCEI UNIL
 Prof. Leone Niglia, University of Rome Sapienza

11:30 Keynote
 11:55 Comments
 12:15 Discussion with PhD Students
 12:15-12:25 Input on Lex Sportiva
 Justus Heinze, Université de Lausanne, CDCEI, Chaire de droit allemand

 12:25 – 12 :35 Input on CSR Minimum Standards in investment law and African states
 Issiaka Guindo Université Pantéon-Sorbonne Paris 1

13:00 Lunch