

The Power of Knowledge in 'Postnational' Law

16th – 17th April 2015

Amsterdam

Organised within the project [The Architecture of Postnational Rulemaking](#)

Liberal democratic states have mediated between knowledge, power and law through the democratic process, implicitly consolidating and validating 'legitimate' forms of knowing and deciding. Elections, parliaments and political parties, public debates and media as well as jury led court decisions are all mechanisms which can be understood as serving this purpose.

The postnational constellation reconfigures the relationship between knowledge, power and law by giving preference to some forms of knowing, while marginalising others. In the absence of the institutional context associated with democratic processes, this reconfigured relationship becomes normatively salient.

It is here that the puzzle underlying the present inquiry becomes clearer. Given the crucial relevance of knowledge in the law making process both within and beyond the state, we ask what normative power can be credited to 'knowledge' claims in postnational rule making. How policy relevant knowledge is developed, selected, used and justified? What is the role of postnational institutions in this process, their biases and legitimacy strategies? At the same time we are interested in the broader ideological underpinnings of the use of knowledge in the postnational constellation and the resulting (re)distributions of power.

PROGRAMME

DAY 1

09:00 **Registration and welcome**

09:30 – 10:00 **THE THEME**

10:00 - 11.30 **NEW CONSTELLATION**

- **Damjan Kukovec**
T.B.D.
- **Hans Micklitz**
Power, Knowledge and the Deformalisation of Law

11:30 – 11: 45 **Coffee Break**

11:45 – 13:15

TOWARDS A NEW POLITICAL ECONOMY

- **Dennis Patterson**
Statecraft, Legitimacy and the Evolving State
- **Dan Danielsen**
Firms and States under Value Chain Capitalism: Toward a New Political Economy

13:15 – 14:30

Lunch

14:30 - 16:00

FRICTIONS

- **Lucas Lixinski**
The Native as Object and Subject: Expert Rule and Community Input in International Heritage Management and Law
- **Joyeeta Gupta & Tessel Kuijten**
Sharing Our Earth: Post-National Law, Science and Inclusive Development

16:00 – 16:30

Coffee Break

16:30 – 18:00

DISSENT

- **Emilios Christodoulidis**
T.B.D.
- **Robin Celikates: Contestation**
Democratizing Disobedience: Challenging Claims to Expertocracy on Epistemic and Democratic Grounds

DAY 2

09:30 – 11:00

LEGAL TECHNOLOGY

- **Michelle Everson**
A Technology of Certainty
- **Ben Farrand**
Knowledge/Power in the European Law and Policymaking

11:00 – 11:15

Coffee Break

11:15 – 12:45

LEGAL METHODOLOGY

- **Andrew Lang**
The Double Movement of Law and Expertise
- **Horatia Muir Watt**
When Method is Dangerous: Political Stakes of Methodology within the Post-national Legal Paradigm

12:45 - 13:15

THE WAY FORWARD AND CLOSING REMARKS