

The 20th International Roundtable for the Semiotics of Law (IRSL 2019)



The Limits of Law

Hosted by Instituto Jurídico da Faculdade de Direito da Universidade de Coimbra (UCILeR - University of Coimbra Institute for Legal Research) / Portugal

Theme: *The Limits of Law*

https://www.uc.pt/fduc/ij/eventos/2019/cartaz_23_24_25_mai_2019.pdf

<http://www.springer.com/law/journal/11196/PSE?detailsPage=societies>

<https://static.springer.com/sgw/documents/1633543/application/pdf/Call+for+papers+The+20th+International+Roundtable+for+the+Semiotics+of+Law+%28IRSL+2019%29.pdf>

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In a time of plurality and difference which is also, significantly, a time of a problematic (if not *naïf*) *panjuridism*, the discussion of the limits of law is not a frequent or obvious explicit *topos*. On the one hand, the diagnosis of plurality and difference favours the conclusion-claim that «the sense of the expression the “law” is constructed internally, and separately, within the system of semantic values of each [semiotic] group» (B.F. Jackson) – which means arguing that only «the signifier» is common, not the «signified», as well as admitting an implacable diversity of interpretative communities (involving incommensurable cultural-civilizational, political, ethical and professional codes or canons). On the other hand, the celebration of *panjuridism*, successfully corroborated by the relentless emergence of ultra-specialized dogmatic fields (from health law to biolaw, from robotics law to geo-law), justifies a passive assimilation of hetero-referentially constructed interpretations of *social need*, reducing law to a mere conventional order (with contingently settled frontiers) or even to an ensemble of institutionally effective coercive resources — which in any case means depriving *juridicity* or *juridicalness* of any practical-cultural specific or intrinsic (non-contingent) sense claim. However, do our present circumstances condemn us to this complacent nominalism, preventing us from attributing any effective relevance to the problem of the limits of law? Even without

departing from the “semio-narrative” ground (and its *external point of view*), it may be said that plurality and difference do not exclude a productive exploration of *inter-semiotic aspirations* (if not *inter-semiocity*) — relating differently contextualized claims of *juridicity* and paving the way for the reconstruction of plausible *arguments of continuity*. These arguments may, in turn, justify a return to the well-known questions on the *concept* and/or the *nature* of law (in the sense in which, in an *all or nothing approach*, Hart and Raz have taught us to understand this), and may also, conversely, lead to the reinvention of an *archetypal* or *aspirational* perspective (Fuller, Simmonds), in relation to which the reconstituted *features* of the autonomy and the limits of law do not represent characteristics but rather *guiding intentions* or constitutive *aspirations* or *promises* (if not *desiderata*), with reference to which past or present expressions and their institutional instances should permanently be judged. Following this path in fact means acknowledging how the problem of *limits* becomes an indispensable thematic core whenever the reflexive agenda involves rethinking law’s *autonomy* (or rethinking this autonomy beyond the possibilities of *legal formalism*), as an autonomy or claim to autonomy which should be seriously considered in terms of its cultural-civilizational specific (non-universal) base, as a decisive manifestation of European identity and European heritage (Castanheira Neves). It is precisely this critical-reflexive connection between issues of *sense* and *limits* (*aspirations* and *borders*) which, in terms of law, as well as considering the challenges of a *société post-juridique* (F. Ost), our roundtable aims to explore. This means discussing the growing weight of hetero-referential elements (invoking philosophy and economics, literary criticism and sociology, epistemology and ethics, politics, political morality and social engineering as plausible key arenas), which not only interfere (as contextual conditions) with juridical discursive practices but also *wound* these practices (and their autonomous intelligibility) by functionalizing them (diluting their specificity in a new practical holism), or at least condemning them to permanent «boundary disputes» (David Howarth). However, this discussion also leads directly to the consideration of specific (real, hypothetical and even fictionalized) case-exempla, including the so-called «tragic cases» (Atienza), which enable us to experience the limits of law’s responsibility or even the impossibility of obtaining plausible correct legal answers. The roundtable will, as usual, favour a practical-cultural context open to multiple perspectives and involving the productive intertwining of juridical and non-juridical approaches.

Confirmed plenary speakers: François Ost (Université Saint-Louis - Bruxelles), Manuel Atienza (Universidad de Alicante), Pierre Moor (Université de Lausanne), Fernando José Bronze (Universidade de Coimbra) and J. M. Aroso Linhares (Universidade de Coimbra)

Abstracts of 300 words (max.) should be submitted by January 15th, 2019 to José Manuel Aroso Linhares (Organizer) (jmarolinh@gmail.com) and Anne

Wagner (valwagnerfr@yahoo.com) with participation decisions made by January 30th, 2019.

Selected papers will be invited for publication in a special issue of the International Journal for the Semiotics of Law (Springer: <http://www.springer.com/lawjournal11196>) and/or for inclusion in an edited volume.

Respecting the tradition, the roundtable languages will be English and French.

Organizational Committee: J M Aroso Linhares, M.A. Reis Marques, Ana M. Gaudêncio, Inês F. Godinho

Registration period: from 4th February to 15th April 2019*

- General (professionals):

- 1 – Registration** + Excursion (Guided tour) *** + Dinner**** - **200 €**
- 2 - Registration** + Excursion (Guided tour) *** - **165 €**
- 3 - Registration** + Dinner**** - **185 €**
- 4 - Registration** - **150 €**

- Students (including PhD candidates):

- 1 - Registration** + Excursion (Guided tour) + Dinner - **160 €**
- 2 - Registration** + Excursion (Guided tour) *** - **125 €**
- 3 - Registration** + Dinner**** - **145 €**
- 4 - Registration** – **110 €**

* The information concerning payment possibilities will be available the 28th January, a week before the beginning of the registration period.

** Registration fees include the roundtable materials, 4 coffee breaks and 3 lunches (from the 23rd to the 25th May).

***The excursion (Guided tour) [15€] will take place on the 24th May (afternoon)

****The dinner [35 €] will take place on the 24th May.