

em. Prof. Dr. Otmar SEUL, Université Paris-Nanterre

22nd Annual Meeting,

Oporto, 8th of June 2017

## OPENING SPEECH

Dear Dean,

Dear colleagues,

(1) Following my colleague Stephanie Dijoux, I address my sincerest thanks to you, your Faculty and the Catholic University of Portugal for inviting the delegates of the Nanterre network to Oporto, this amazingly beautiful city whose historical center had been included by UNESCO into the world heritage list. Porto's history goes back further than many other European cities that hosted us during our Tour d'Europe: there are historical facts and archaeological findings that indicate that homo sapiens was present more than 20 thousand years ago in this area between the Alto Douro Wine Region and Vale do Côa.

Since 1995, the foundation year of our European network, Annual Meetings have taken place in Nanterre/Paris 1995, Siena 1996, Berlin 1997, Halle 1999, Pamplona 2000, Prague 2001, Vilnius 2002, Lodz 2003, Riga 2004, Nanterre 2005, Fribourg (Switzerland) 2006, Istanbul 2007, Florence 2008, Sevilla 2009, Barcelona/Andorra 2010, Berlin 2011, Lisbon 2012, Vienna 2013, Dresden 2014, Zurich 2015 and Białystok 2016.

Since the Declaration of Bologna (1999), during our annual meetings, the delegates from the partner universities address the issue of the adaptation of their national Higher Education system to the European standards. Coupled with a colloquium or a workshop, these meetings also devote a reflection to the great trends in the ongoing harmonization of law in EU countries.

Especially **to inform** the university delegates who are at our Annual Meeting for the first time today, please allow me **to perform** a

flashback on the development of the Nanterre network.

(2) The creation at the University of Paris-Nanterre of a binational and bilingual curriculum in 1986 intertwining French Law and German Law studies implemented since the beginning an initiative to internationalize studies and research.

This Franco-German curriculum became “integrated” in 1994, when a cooperation agreement was signed with the University of Potsdam (Germany). Thus, a study-abroad period was added to the program, as well as the possibility for the students to be awarded a double diploma (Bachelor and Masters), from both the university of origin and the partner university.

Our double legal studies curricula rapidly evolved into cross-border activities, **which** became the center of the actual European network. Based on the Erasmus-Socrates agreements and encompassing more than 40 partner schools as of today, this informal Nanterre network was built in four stages:

1° In the nineties of the last century, after the German unification (1990), the Law Faculties of the Humboldt University of Berlin, of Halle-Wittenberg, of Potsdam, of Dresden (TU) and other Universities of the new Länder joined the network. Up until then, it consisted of only a few Western European Universities: especially Law Faculties from Switzerland and Austria, from the United Kingdom, Italy and Spain. It was only after the turn of the millennium that universities from other western EU countries (Belgium, Portugal) joined the network and regularly took part in its Annual Meetings.

2° After 2000, the most important step consisted in opening the network to universities of Central and Eastern Europe (especially Poland and the Baltic States), in some cases even before they officially joined the EU in 2004.

3° The next to join, in 2006, were the Turkish Universities (among them the Universities of Istanbul, Galatasaray, Yeditepe, and Bilgi), which belonged to a country that had already

for a long time been preparing to enter the EU. Universities which – as we have already noticed – are not represented here in Porto for the first time: for political reasons that are alien to constitutional thinking, and which therefore should not be accepted unchallenged. Are we not the appropriate forum to make a solidarity statement for our Turkish colleagues who have become victims of state arbitrariness? This topic shall be discussed in the days to come.

4° The last geopolitically significant group of Universities to join us comes from the Balkan countries. The European perspective grants the Balkan States exposure to the irreversibility of political, economic and social reforms that these countries must carry out as well as peace and regional stability. Our cooperation with these countries, primarily the Western Balkan States, is less visible in Erasmus partnerships than in the organization of Itinerant Summer- and Autumn Universities. In 2015, the second event of this kind on the topic “Accession to the European Union and identity of the Balkans” was organized by the University of

Paris Ovest Nanterre La Défense, the Westfälische Wilhems-Universität Münster, the University of Ss. Cyril and Methodius Skopje (Macedonia), the University of Prishtina (Kosovo), the University of Tirana (Albania) and the University of Podgorica (Montenegro). Last year, the third edition dealt with the topic “Refugees, Migration and Rule of Law in Balkan Countries”, with two main sessions in Skopje and Sofia. Next year, the topic will be: “Which future for Europe? Differentiated Integration as a model for the European Union and the inclusion of the Balkans?” We want to discuss whether the EU should become significantly more flexible with regard to different steps of integration and whether such a model would open a way for the accession of the Balkan states that wish to join.

(3) As a matter of fact, French-German summer and autumn universities with partners from third countries focusing on the question of European identity, its assumptions and policies, in relation to European integration and globalization are certainly the most

spectacular innovation in the history of the Nanterre network. A success story that began in 2004 with the foundation of a French-German-Lithuanian Summer University in Vilnius (which is why we wish a particularly warm welcome to the Dean of the Law Faculty of the Vilnius University, and co-founder of the historic Summer University, Prof. Thomas Davulis).

But for us, Europe does not end at the borders of the European Union and its influence zone on East and South-East Europe. Our network is open to Universities of countries that are not EU candidates. This encourages reflection on the evolution of law within an enlarged European legal area, that shows Europe as a geographic area. Therefore, Paris-Nanterre, Potsdam, and the State of Belarus hold a special kind of Summer University in Minsk: organised since 2011, this Summer University is dedicated to topics of general European relevance, such as “alternative contribution to contentious issues”, “new information and communication technologies”, environmental issues or, this year, “consumer protection”.

Just like in the EU, the regional integration tendency in the post-Soviet Commonwealth of Independent States (CIS) is accompanied by an attempted harmonisation of the national law systems. Belarus seems to be convenient in terms of law comparison, since Belarus is part of the Russian-Belarusian Union and member of the Eurasian Economic Community (agreement of 2014) and therefore belongs to the core States of these transnational structures.

Today, the “delocalization of the campus” via the creation of summer universities is no longer limited to the European area. Meanwhile, our model has been successfully implemented on other continents: for the first time in 2013 in South-America at the Pontificia Universidad Catolica del Peru in Lima, only two weeks ago in Africa at the University Félix-Houphouët-Boigny in Abidjan, in Ivory Coast.

(4) So five years after the Annual meeting in Lisbon, we’ve come back to Portugal today. A suggestion firstly **made** by our colleague and

friend Professor Vasco Pereira da Silva, the organiser of our memorable 17th meeting at the University of Lisbon, who - in Zürich, two years ago - made us aware of the Catholic University of Portugal's interest in the expansion of its international relations. An information which I was able to confirm last end of September here in Porto, at this exact same place: the faculty of Law of the Catholic University hosted the founding congress of the Communauté pour la recherche et les études sur le travail et le champ professionnel (CIELO), with participants from almost 100 European and Latin-American Universities. In the course of the colloquium and during my speech on the experience of implementing the EU-Directive establishing a general framework for informing and consulting employees in the European Community (2002), I referred to the successful model of our integrated German-French legal courses and their international network, that has turned the German-French Summer Universities in third countries in and outside of Europe into their trademark. Innovations, which

particularly raised the interest of PhD students of the Oporto Law School and especially of Constitutional Law Professor Catarina Santos Botelho. She suggested to hold the next annual meeting of the Nanterre network in Porto, and to combine it with an international colloquium on the topic “Interculturalism / law and cultural conflicts” and you, dear Dean, approved and thereby made this international event in your beautiful city possible: I would like to warmly thank you and the faculty once again.

(5) While trying to settle our curricula in Law studies in the Higher Education Area, to open international careers to our graduates and to promote our languages and legal cultures, our network progressively became a contact forum promoting comparative law discussions. Following the seminar Inter – or multidisciplinary legal education? Possible approaches and gained experience) last year in Białystok, the topic for this year’s colloquium, “Interculturalism / law and cultural conflicts” was suggested, and it seems to us that it breaks new ground for many jurists. In Nanterre, we

have been dealing with these questions for over 20 years. What makes our integrated binational curriculum stand out is that it encourages a cross-cultural analysis of both countries, France and Germany, and - in the framework of the trilingual option – even involving a European or non-European third country.

The program does not just equip students with a double or triple “legal culture”, but it also trains them to take comparative approaches. Therefore, we want to prove during our colloquium here in Porto that in our modern world, it is advantageous - if not indispensable - for law professors, law students and legal professions to acquire intercultural competence. We suggest drawing the outlines of the conceptual relations between law on the one hand, and culture, inter-culturalism, multiculturalism and cross-culturalism on the other hand. The focus lies on the human compliance with (legal) rules, the differentiation between law as seen in theory and in practice, comparative law, and the legal challenges of a multicultural society.

The program, approved by the Scientific Committee under the direction of Dean Manuel Fontaine Campos and Professor Catarina Santos Botelho and formed by the Executive Committee around Professor Elisabete Ferreira and Lecturer Luís Heleno Terrinha announces itself as a highlight, not only because of the originality of its topic, but especially given the high number of contributions planned.

Let's hope this annual meeting is so dynamic as to guide the further development of our network.