



The Constitutionalism and Politics Working Group and the European Union Law Working Group are delighted to invite you to the following event for the lecture:

The Existential Jurisprudence of the Court of Justice. On the European overlapping consensus in the courtroom: Enforced or Lost?

*by Prof. Tomasz T. Koncewicz
(Professor of European and Comparative Law, University of Gdansk)*

*Discussant: Prof. Jeffrey Dunoff
(Laura H. Carnell Professor of Law, Temple University)*

Thursday 13 June 2019, 16:00h, Sala del Torrino (Villa Salviati)

Abstract: The constitutional and rule of law backsliding currently taking place in Poland and elsewhere are driven by a ‘politics of resentment’ that poses an existential challenge to the European project. In the politics of resentment, the overlapping consensus’ commonality of values is replaced with unbridgeable difference. The original design of European integration, built upon first principles including the all-important rule of law, is called into question by a competing constitutional vision—that of fundamental disagreements over values, which are considered ephemeral and far from crystalized, and the demotion and relativization of the rule of law. Prof. Koncewicz argues that the Commission should start pleading enforcement cases against the background of what he calls the Court of Justice’s existential jurisprudence—existential because it aims at defending the integrity of the EU legal system. The EU legal order must be ready to respond whenever its basics are called into question. For the EU to have a chance against the rising politics of resentment, the conceptual lens through which the EU looks at the Member States be challenged and changed.

Professor Tomasz T. Koncewicz is Professor of European and Comparative Law, LLM (Edinburgh), Director of the Department of European and Comparative Law at the Faculty of Law and Administration, University of Gdańsk and Principal Investigator at the Horizon 2020 research project “Reconciling Europe with its citizens through rule of law and democracy (RECONNECT)”. He is also an attorney specialising in the strategic litigation before the European courts. He is former referendaire at the Court of the EU and served as a legal adviser to the Polish Constitutional Court. He visits currently at the EUI as a Fernand Braudel Fellow where he works on two book projects “The Constitutional Capture and The Emergence of the Peripheral Democracy in Europe” and “A Procedural mind. Study in Procedural thinking in EU law”.

All EUI members are welcome!

On behalf of the coordinators of the ConstPol and EU Law Working Groups

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