



## UiO : Judges under Stress

Department of Private Law  
University of Oslo

### Flavors of backsliding workshop

19-20 November 2020

University of Oslo (Zoom workshop)

Registration, Keynote Prof. Laurent Pech 19 November 09:45-11:00 CET

<https://uio.zoom.us/meeting/register/u5UkcOivqjkpEtIm7QeJVFgRyoSlyTCcp26Y>

Registration workshop 20 November, 09-15:00 CET:

[https://uio.zoom.us/meeting/register/u5ckfuytqTwtE9x7yQ357o9I6wFZ\\_FOIT0Co](https://uio.zoom.us/meeting/register/u5ckfuytqTwtE9x7yQ357o9I6wFZ_FOIT0Co)

#### Description

Through this workshop we aim to bring together scholars from multiple disciplines (law, theory, sociology) to critically discuss the evolving topic of “backsliding” in the context of deteriorating rule of law and democratic quality, the COVID-19 pandemic, and the ramifications of an authoritarian past for backsliding.

In their seminal 2017 paper, Pech and Scheppele coined “rule of law backsliding” in relationship to the rule of law crisis in the EU member states of Hungary and Poland. Since then, the number of backsliding events increased and diversified, but so did the scholarly research of this phenomenon. Among others, this includes the deteriorating EU rule of law crises and European (non-) responses as well as democratic quality and emergency legislation related to COVID-19. At the same time, the cumulative and often multiplicative effect of these events gravely impacts equality, individual freedoms, and security of our societies and requires conjoined responses.

#### Schedule

##### Thursday, 19<sup>th</sup> of November, 09:45-13.00 (CET)

09:45-10:00 Welcome and Introduction

10:00-10.45 Keynote lecture – Professor Laurent Pech

*Fiddling while our rule of law house is burning?*

*Judicial independence in the EU in an era of authoritarian populism*

10:45-11:00 Q&A

11:00-11:15 *Break*

11:15-12:15 Roundtable Discussion – open only to workshop presenters

*Chairs:* Hans Petter Graver and Laurent Pech



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12:15-12:45 Q&A

12:45-13:00 Wrap-up Day 1 and bridging for Day 2

### Friday, 20<sup>th</sup> of November (09.00-16.00 CET)

09:00-09:15 Opening Day 2 and bridging

09:15-10:25 The theory and history of backsliding  
*Chair:* Professor Hans Petter Graver

Professor Stephen Skinner, University of Exeter –  
*Fault Lines in the Rule of Law and the Shadows of History:  
Europe's Present and the Presence of its Past*

Professor Zoltán Fleck, Eötvös Loránd University –  
*Weak conceptualization of rule of law as a cause of democratic  
backsliding*

10:25-10:35 *Break*

10:35-11:45 The present and future of backsliding  
*Chair:* Dr Petra Gyöngyi

Professor Joelle Grogan, Middlesex University London –  
*Cause or Catalyst: COVID-19 and further Rule of Law Backsliding*

Professor David Kosař, Masaryk University –  
*How to Fight Court Capture - Limits of Supranational Courts*

11:45-12:45 *Lunch Break*

12:45-14:00 Critical understandings of backsliding  
*Chair:* Łukasz Bojarski

Dr Peter Čuroš, University of Oslo –  
*Who stands in front of a mirror and who stares back?*

Siri Sofie Rudaa, University of Oslo –  
*A critical assessment of the Norwegian disciplinary regime for judges*

14:00-14:15 *Break*

14:15-14:45 Concluding discussion

14:45-15:00 Concluding remarks