



The Social Embeddedness of Transnational Markets

Joint Conference of the
Collaborative Research Centre 597 “Transformations of the State”
(Project A 1 on “Trade Liberalisation and Social Regulation in Transnational Constellations”) and
RECON – “Reconstituting Democracy in Europe”
(WP 9 on “Transnational Governance, Deliberative Supranationalism and constitutionalism”)
Thursday, 5 February 2009 (14:30) – Saturday, 7 February 2009 (15:00)

Venue:
Haus der Wissenschaft
Sandstraße 4/5
28195 Bremen

Programme *2 February 2009*

“Transnational governance” is the term most widely used in the current debates on the institutional frameworks of globalising markets. Our reference in the title to the notion of “social embeddedness” is to indicate that we seek to understand the tensions generated by the efforts to promote free international trade on the one hand and the countermoves striving for social responsibility in the other. Polanyi, to whom the notion of embeddedness can be ascribed, does not provide us with any comprehensive theory, which would predict the outcome of these conflictual interactions, the disembedding moves and re-embedding countermoves – and he had no theory of globalisation. Following our previous workshop on “Transnational Standards of Social Protection”¹ and a seminar in the summer term of 2008 on “Markets as Social Institutions” we felt we should seek to understand his work as a challenge to our efforts to explain the emergence of transnational governance arrangements, or, to rephrase this with a more conceptual and normative twist, to use it in our efforts to understand “how the globalisation of the market system as a disembedding process is to be reconciled with re-embedding moves aiming at social security and cohesion”.²

¹ Available at https://www.reconproject.eu/projectweb/portalproject/Report4_TransnationalStandards.html

² See p. 45 of Alexander Ebner’s paper on “Polanyi’s Theory of Public Policy: Embeddedness, Commodification and the Institutional Dynamism of the Welfare State”.

Thursday, 5 February 2009
14:00-18:30

Section 1: Theoretical Frameworks

Chair: CHRISTIAN JOERGES

14:00-15:00 Polanyi's Theory of Public Policy: Embeddedness, Commodification and the Institutional Dynamism of the Welfare State

ALEXANDER EBNER

Jacobs University, School of Humanities and Social Sciences, Bremen

15:00-16:00 Who Compensates the Losers? Embedded Liberalism, Inequality and the Limits of Global Governance

JENS STEFFEK

Collaborative Research Center 597 and Jacobs University, Bremen

Discussant:

FLORIAN RÖDL

Centre for European Law and Politics, Bremen

16:00-16:30 *Coffee break*

Chair: KARL-HEINZ LADEUR

16:30-17:30 European and Global Economic Constitutionalism

POUL KJAER

Frankfurt Cluster of Excellence "The Formation of Normative Orders"

Discussant:

WALTRAUD SCHELKLE

London School of Economics, European Institute

17:30-18:30 Re-embedding the Market Through Law?
On the Legalisation of the International System

REGINA KREIDE

University of Gießen

Discussant:

JÜRGEN NEYER

European University Viadrina, Frankfurt/Oder

19:00 *Dinner at Bremer Ratskeller*

Friday, 6 February 2009
09:00-18:30

Section 2: Case Studies

2.1 Services and Labour

Chair: SOL PICCIOTTO

09:00-09:45 Commodification of healthcare in transnational contexts: The EU and the WTO compared

MARKUS KRAJEWSKI,

University of Potsdam and Collaborative Research Center 597, Bremen

09:45-10:30 Commodification of Universal Telecommunications Service in the Liberalisation Framework of the WTO and the EC

OLGA BATURA

Centre for European Law and Politics, Bremen

- 10:30-11:15 **International Standards and the Service Economy**
 JEAN-CHRISTOPHE GRAZ
 Institut d'études politiques et internationales , University of Lausanne
- 11:15-11:45 *Coffee break*
- 11:45-13:00 **WTO and ILO: Can Social Responsibility be Maintained in International Trade?**
 JOSEF FALKE
 Collaborative Research Center 597/Centre For European Law and Politics, Bremen
- Discussant:
 CLAIRE O'BRIEN
 Danish Institute for Human Rights, Copenhagen
- 13:00-14:00 *Lunch break*

2.2 Environment

Chair: GERALF-PETER CALLIESS

- 14:00-15:00 **Enclosed Solutions for Common Problems? Uncertainty, Precaution and Collective Learning in Environmental Law**
 OLAF DILLING
 Collaborative Research Center 597, Bremen
- Discussant:
 HENNING DETERS
 Collaborative Research Center 597, Bremen
- 15:00-15:30 **Exploring the Social Embeddedness of Markets: Insights from the Sociology of Occupations and Professions**
 MARTIN HERBERG
 Collaborative Research Center 597, Bremen
- 15:30-16:00 **Embedding Others: International Investment Law and Market Regulation**
 HARM SCHEPEL
 Brussels School of International Studies University of Kent at Brussels
- 16:00-16:30 *Coffee break*

2.3 Financial Markets

Chair: MARC AMSTUTZ

- 16:30-17:30 **Corporate Governance, Financial Market Regulation and the Next “Great Transformation” of Markets and States in the Transnational Space: Of Investors, Employees, Global Assemblages and Polanyi’s Double Movement**
 PEER ZUMBANSEN
 Osgoode Hall Law School, York University, Toronto
- Discussant:
 ULRICH KLÜH
 The German Council of Economic Experts, Wiesbaden
- 17:30-18:30 **Disembedding and Regulation: The Paradox of International Finance**
 SOL PICCIOTTO
 Lancaster University Law School
- Discussant:
 LARS KLÖHN
 Institut für Handels-, Wirtschafts- und Arbeitsrecht, University of Marburg

19:00 *The whole conference is invited by Stephan Leibfried – Speaker of the Bremen Research Centre on Transformations of the State and its Spiritus Rector – to his 65th birthday and non-retirement party. More directions will follow.*

Saturday, 7 February 2009
09:30-15:00

Section 3: Constitutionalising Transnational Governance Arrangements

Chair: HARM SCHEPEL

09:30-10:15 The Transnational Dimension of Constitutional Rights

LARS VIELLECHNER

Bremen International Graduate School of Social Sciences

Discussant:

ISABELL HENSEL

Centre for European Law and Politics, Bremen

10:15-11:00 The Double Movement in Global Law:
The case of European Corporate Social Responsibility

MARC AMSTUTZ

University of Freiburg i.Ue.

Discussant:

GRALF-PETER CALLIESS

Collaborative Research Center 597, Bremen

11:00-11:30 *Coffee break*

Chair: JEAN-CHRISTOPHE GRAZ

11:30-12:00 Law and/or Economics? Transnational Economic Constitutions in the Making

SABINE FRERICHES

Centre of Excellence « Foundations of European Law and Polity », University of Helsinki

12:00-12:45 Conflict of Laws as the Legal Paradigm of the Postnational Constellation

CHRISTIAN JOERGES

Collaborative Research Center 597/Centre For European Law and Politics, Bremen

Discussant:

MORITZ RENNER

Collaborative Research Center 597, Bremen

12:45-13:30 Global or International Administrative Law:
Transnational Administrative Law Beyond the State?

KARL-HEINZ LADEUR

Bremen International Graduate School of Social Sciences

Discussant:

BOGDAN IANCU

University of Bucharest / Centre for European Law and Politics, Bremen

13:30 *Lunch at Haus der Wissenschaft*