



WORKSHOP ON

Legal Survivals and Global Legal Pluralism

8-9 MAY 2025

COORDINATORS **Rafał Mańko** (Central European University, Democracy Institute)
Ewa Górška (University of Wrocław, Poland)
Piotr Eckhardt (Ignatianum University in Kraków, Poland)

MEETING ROOM Achille Loria (1st floor)

Programme

Wednesday 7 May 2025

Arrival
21:00 Welcome dinner for the participants Oñatiko Batzokia Jatetxea
[Street: Foruen Enparantza, 9]

Thursday 8 May 2025

08:15 - 08:45 **Registration** at the International Institute for the Sociology of Law
[1st floor]

08:45 - 09:15 **OPENING**
Maite Elorza Plazaola, IISL Administrative Director
Leire Kortabarria, IISL Publications officer
Rafał Mańko, Ewa Górška and Piotr Eckhardt, coordinators

09:15 - 10:45 **Session 1: Conceptualising Legal Survivals: between Sociology of Law, Comparative Legal History and Philosophy of Law**
Moderator: Paul du Plessis
Rafał Mańko
Central European University, Democracy Institute
Legal Survivals: Concept, Theory, Methodology
Tomasz Giaro
Law Faculty University of Warsaw
Legal survivals and the fear of empty space
Cosmin Sebastian Cercel
Ghent Legal History Institute, Ghent University
Crisis, Dissent, and Legal Hybridity: The State of Siege in Historical Perspective
Discussant: Gian-Giacomo Fusco

10:45 - 11:15 **Coffee break** *[Gurvitch & Galdos room]*



Thursday 8 May 2025

11:15 - 12:45 **Session 2: Survival of Legal Cultures**

Moderator: Rafał Mańko

Paul J. du Plessis

University of Edinburgh

Something Old, Something New: The Fate of Roman-Dutch Law in the Law of South Africa in the Twentieth Century

Péter Cserne

University of Aberdeen

Patterns of legal survival: Is Scots law exotic or ordinary?

Discussant: Tomasz Giaro

12:45 - 14:00 **Lunch break** [*Cantina Zapore*]

14:00 - 15:45 **Session 3: Transplants as Legal Survivals**

Moderator: Tomasz Giaro

Dorota Miler

University of Gdańsk, University of Augsburg

Soviet Law in 21st-Century Society: Intestate Rights for Cohabitants

Radosveta Vassileva

Adjunct Senior Research Fellow, University College Dublin, Ireland

The Rules of Socialist Coexistence, Good Morals, and the Dark Secrets of Bulgaria's Law on Obligations and Contracts of 1950: What Lessons for Legal Survivals? [*online*]

Elias Dessantis

University of Ghent

Reviving the Past or Enduring Continuity: French Emergency Laws in Belgian Constitutional History

Raza Saeed

University of Warwick

Title: "Colonial transplantation of the legal form in South Asia and its (post)colonial remnants."

Discussant: Ivan Tot

15:45 - 16:00 **Coffee break** [*Gurvitch & Galdos room*]

16:00 - 17:30 **Session 4: Legal Survivals and Interpretation of Law (I)**

Moderator: Marko Bratković

Paulina Konca

University of Silesia in Katowice

How to deal with legal survivals: the role of courts in adapting legal provisions to changing circumstances

Anna Piekarska

Ghent University

The formalistic view of law and legal survivals. The case of Polish legal theory

Denis Preshova

Faculty of Law, Ss. Cyril and Methodious University in Skopje

Surviving and Thriving: The Authentic Interpretation of Statutes in the Western Balkans as a Legal Survival of the Yugoslav Socialist Legal Tradition

Discussant: Rafał Mańko



Thursday 8 May 2025

20:00 Self-funded dinner for those who want to participate at “Restaurante Torre Zumeltzegi”

Friday 9 May 2025

08:30 - 10:00 **Session 5: Legal Survivals and Interpretation of Law (II)**

Moderator: Piotr Eckhardt

Marko Bratković

University of Zagreb

Judicial Interpretational Statements in Croatia: Does the Hann-Invest Judgment Mark the End of Authoritarian Legal Survival?

Ivan Tot

University of Zagreb

Codifying the Non-Existent: How Yugoslav 'Uzance' Persist as Legal Survivals in Croatian Commercial Law

Piotr Eckhardt

Ignatianum University, Kraków

Article 138 of the Polish Code of Petty Offences as a Legal Survival: Changing Doctrinal and Judicial Interpretations

Discussant: Péter Cserne

10:00 - 10:15 **Coffee break** [*Gurvitch & Galdos room*]

10:15 - 12:00 **Session 6: Legal Survivals, Politics and Ideology**

Moderator: Anna Piekarska

Gian Giacomo Fusco

University of Kent

The Remnants of the Roman Dictatorship: for a Mythography of the Exception

Louis Marius Bremond

University of Ghent & Ecole des Hautes Etudes en Science Sociale

From the Indigenat to the State of Emergency - Post-colonial legal survivals of French regimes of exception

Botakoz Kazbek

Ghent University

Soviet Legal Survivals in the Dashing 1990s Russia: History, Myths, and Tragedies.

Discussant: Dorota Miler



Friday 9 May 2025

12:00 - 13:30 **Session 7: Legal Survivals and Historical Layers of Legal Culture (I)**

Moderator: Dorota Miler

Michał Gałędek & Tomasz Kucharski

University of Gdańsk

Neminem captivabimus as a legal relic in the liberal constitution of the Kingdom of Poland of 1815

James Campbell

Centre for Socio-Legal Studies, University of Oxford; Law and the Humanities Hub, Institute of Advanced Legal Studies

Law's Oxbow Lakes: Of Deep Pasts, Syncretism, and Desuetude in the Common Law Tradition

Ewa Góraska

Digital Justice Center, Faculty of Law, Administration, and Economics, University of Wrocław

Ottoman Land Law: Contemporary Applications and Implications in the Israeli Judicial System

Discussant: Cosmin Sebastian Cercel

13:30 - 15:00 **Lunch break** [*Cantina Zapore*]

15:00 - 16:30 **Session 8: Legal Survivals and Historical Layers of Legal Culture (II)**

Moderator: Ewa Góraska

Katre Luhamaa

University of Tartu, School of Law

Lay judges in the Estonian court system as a legal survival? Together with

Merike Ristikivi [*online presentation*]

Kamil Zyzik

University of Łódź; Jagiellonian University

Socialist cooperative lawyering in Poland. The idea and survival of advocate teams.

Discussant: Piotr Eckhardt

16:30 - 17:45 **Session 9: Legal Survivals and the Limits of Legality**

Moderator: Gian-Giacomo Fusco

Alastair James Hannaford

University of Ghent

The Inheritance of Martial Law in 20th Century Northern Ireland: The Transfiguration of a Legal Imaginary

Mihai-Claudiu Dragomirescu

Ghent Legal History Institute

Anticonstitutional and transconstitutional survival: the case of prince Alexandru Ioan Cuza's state of siege law of 1864

Discussant: Michał Gałędek

17:45 - 18:00 **Coffee break** [*Gurvitch & Galdos room*]

18:00 - 19:00 **General discussion**

lead by R. Mańko, E. Góraska & P. Eckhardt

19:00 - 19:30 **Discussion on publication possibilities**