

**X<sup>th</sup> Conference of the *International Association of Legal Methodology***

**“Legal Certainty”**

**Wednesday  
24 October 2007**

17h00 – Reception and Registration

18h00 - Cocktail

**Thursday  
25 October 2007**

**9h00 - Opening Lecture**

- Mr. Jean-Louis Bergel  
President of the *International Association of Legal Methodology* and professor, Université Paul Cézanne (France)

**9h30 - « Legal Certainty and the Globalization Process » Workshop**

**CHAIR:**

Mr. Nicholas Kasirer, Dean, Faculty of Law,  
McGill University

**Speakers:**

- Mrs. Sylvia Calmes, maître de conférences et  
Chaire du département de droit de l'Université  
de Rouen (France) “The Principle of Certainty in German,  
European and French law”
- Mrs. Vivian Grosswald Curran, professor,  
University of Pittsburgh (United States) “Legal Certainty in the Era of Globalization”

**10h30 - Coffee break**

**10h45 « Legal Drafting, Legistics and Legal Certainty » Workshop**

**CHAIR:**

M<sup>e</sup> Richard Tremblay, légiste, Direction de la législation, Ministère de la Justice du Québec

**Speakers:**

- Mrs. Patricia Popelier, professor,  
Université d'Anvers (Belgium) "Paradoxes concerning the Principle of Legal Certainty as a Principle of Proper Law Making"
- Mr. Simon Roy, professor,  
Université de Sherbrooke (Canada) "Legal Certainty, Criminal Sanction's Legitimacy and the Malfunctions of the Legal Communication Process"
- Mr. Jaime Rodriguez-Arana, Professor,  
Universidad de La Coruña (Spain) "The Normative Technique in a Constitutional State"

**12h30 - Lunch**

**14h00 - « European Perspectives on Legal Security » Workshop**

**CHAIR :**

Mr. Thierry Bourgoignie, professor and Director of the Département des sciences juridiques, U.Q.À.M.

**Speakers:**

- Mr. Jérémie Van Meerbeeck, assistant aux facultés universitaires Saint-Louis (Belgium) "The Principle of Legal Certainty in the European Court of Justice Case Law: Attempt of Post-modern Definition of the Principle of Legal Certainty"

- Mrs. Roseline Mariller, Ph.D. Law (France) “Legal Certainty, European Union Law and State Sovereignty”
- Mrs. Marie-Françoise Mercadier, maître de conférences, Université de Provence (France) “Legal Certainty and free Movement of Health Care and of Patients in the European Union”

**14h00 - « Legal Certainty and Private Law » Workshop**

**CHAIR:**

Mr. Didier Lluelles, professor, Faculté de droit,  
Université de Montréal

**Speakers:**

- Mrs. Élise Charpentier, professor, Université de Montréal (Canada) “The Price of Security in Contracts”
- Mr. Leonard I. Rotman, professor, University of Windsor (Canada) “The Fiduciary Concept and the Subjective Nature of Legal Certainty”
- Mrs. Anne-Marie Savard, Ph.D. candidate, Université Laval (Canada) “Juridical Security and Filiation Law in Quebec: From Collective Concern to Individual Lack of Concern”

**15h15 – Coffee Break**

**15h45 - « Historical and Critical Approaches to Legal Certainty » Workshop**

**CHAIR:**

Mr. Jean Leclair, professor, Faculté de droit,  
Université de Montréal

- Mr. Frank Haid, chargé d'enseignement, Université Paul Cézanne (France) “On the other end of the Rope... The Reverse Side of Legal Certainty”
- Mr. Hugo Cyr, professor, Université du Québec à Montréal (Canada) “Contemplation and Three Constitutive Metaphors for Law”

• Mr. Sébastien Robbe, Ph.D. Candidate,  
Université de Paris XI (France)

“Clarity of Statutes: Argumentative Resources  
at the Service of Judges rather than Legal  
Certainty”

**Friday**  
**26 October 2007**

**9h00 - « Legal Certainty in the Context of New Information and Communication  
Technologies » Workshop**

**CHAIR:**

Mr. Vincent Gautrais, professor, Faculté de  
droit, Université de Montréal

**Speakers:**

• Mr. Éric Labbé, research scholar, Québec  
Research Center of Private & Comparative Law,  
McGill University (Canada)

“From Technical Obsolence of Law to its  
Unpredictability: Is Legal Certainty  
Compatible with Technological  
Development?”

• Mr. Alexandre Nedjar, Ph.D. candidate,  
Département Droit, Économie, Finances et  
Sociologie

“Dialectics in the Relationship between Legal  
Security and IT Security”

• Mr. Jean-Jacques Lavenue, professor,  
Université de Lille (France)

“Legal Safety and Computer Security Policies:  
Limits of the Notion”

**9h00 - « Legal Certainty and Public Law » Workshop**

**CHAIR:**

Mrs. Geneviève Cartier, professor, Faculté de  
droit, Université de Sherbrooke

**Speakers:**

• Mrs. Florence Boizard, doctorante, Université  
de Rouen (France)

“The Administrative Criteria of the Study of  
Administrative Recourses”

- Mr. Serge Morard, doctorant, Université de Paris I (France) “Judicial Security in French Public Law: A Conceptual Illusion”
- Mrs. Florence Crouzatier-Durand, maître de conférences, Université des sciences sociales de Toulouse (France) “Dialectical relations between Legal Security and Rule of Legality”
- Mr. Pierre Issalys, professor, Université Laval (Canada) “Legal Certainty and Administrative Action”

**10h30 - Coffee Break**

**11h00 - « Hermeneutical Approaches to Legal Certainty » Workshop**

**CHAIR:**

Mr. Robert Tétrault, professor, Faculté de droit, Université de Sherbrooke

**Speakers:**

- Mr. Philippe Pedrot, professor, Université de Bretagne Occidentale (France) “The Meaning of Words and Legal Certainty”
- Mr. Pierre-André Côté, Emeritus professor, Université de Montréal (Canada) « La sécurité juridique, une valeur déterminante du sens de la loi »
- Mr. Stéphane Beaulac, professor, Université de Montréal (Canada) “The National Use of International Law and Legal Certainty”

**12h30 - Lunch**

**14h00 - « Judges and Legal Certainty » Workshop**

**CHAIR:**

Justice Marie Deschamps, Supreme Court of Canada

**Speakers:**

- Mrs. Marie-Claire Belleau, professor, Université Laval (Canada) “Identity Politics and Dissenting Opinions of the Supreme Court of Canada: Consequences on Legal Certainty”

- Mr. Jean-Yves Chérot, professor, Université Paul Cézanne (France) "Case Law and Requirements of Legal Certainty"
- Mr. Leszek Leszczyński, professor, Maria Curie-Skłodowska University (Pologne) "Legal Certainty and Judicial Discretion. Legislation vs. Judge-Made-Law"

**14h00 - « Legal Certainty Viewed from a Comparative and Transnational Law Perspective »  
Workshop**

**CHAIR:**

Mr. Adrian Popovici, professor, Faculté de droit,  
Université de Montréal

**Speakers:**

- Mr. Édouard Lemoalle, Ph.D. candidate, Université Paris-Dauphine (France) "The Legal Certainty Principle in Brazilian Law".
- Mrs. Michelle Cumyn, professor, Université Laval (Canada) "Legal Categories in A Comparative Perspective (civil law and common law)"
- Mr. Jean-Luc Bilodeau, professor, Université d'Ottawa (Canada) "Legal Certainty and Market Efficiency: The AMF Case"

**15h15 – Coffee Break**

**15h30 - « The Requirements of Legal Certainty » Workshop**

**CHAIR:**

Mr. Jean-Louis Bergel, professor, Faculté de droit, Université Paul Cézanne

- Mrs. Marzena Kordela, professor, Adam Mickiewicz University (Poland) “The Principle of Legal Certainty as a Fundamental Element of the Formal Concept of the Rule of Law”
- Mr. Philippe Raimbault, maître de conférences, Université des sciences sociales Toulouse 1 (France) “Legal Certainty as Argumentative Constraint”
- Mrs. Sylvie Cimamonti, professor, Université Paul Cézanne (France) “Legal Certainty and the Temporal Effect of Legal Rules”

**17h00 – Closing Lecture**

- Mr. Michel Boudot, maître de conférences, Université de Poitiers (France) “Legal Certainty: A Slogan”

**Saturday  
27 October 2007**

**10h00 to 11h00 – IALM’s General Assembly**

**11h00 to 13h00 – Optional Activity**