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lecture

Institution, Law and Management : the uncertainty of limits

Tuesday 25th Novembre 2014

At 6pm

Simone WEIL amphitheater
5, allée Jacques Berque, Nantes

by

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Romain Laufer is Emeritus Professor at HEC-Paris. He holds an M.Sc. degree from HEC and a Ph.D. from Cornell University.

His research has been devoted to the development of a multidisciplinary approach of management based on the notions of "system of legitimacy" and of "history of systems of legitimacy". Its purpose was to articulate in a rigorous manner marketing, management, social sciences and philosophy.

He has developed his approach in many publications articles and books such as : *Management Public : Gestion et Légitimité* (Daloz 1980) , *Marketing Democracy : Public Opinion and Media Formation in Democratic societies* (transaction Books 1990), *L'Entreprise face aux Risques Majeurs : à propos de l'incertitude des normes sociales* (L'Harmattan 1993), *Les Nouvelles Fondations de la Gestion : Eléments d'épistémologie de la recherche en management* (Vuibert 2001), *Le Libéralisme l'Innovation et la Question des Limites* (L'Harmattan 2003).

Romain Laufer is co editor of *Politiques et Management Public* (PMP), Member of the Review Board of Recherche et Application en Marketing (RAM) and Consumer market and Culture (CMC). He is a member of the scientific council of the College international de Philosophie (CIPh).

Theme

There seems to be a general agreement that the world is becoming increasingly complex and uncertain. The same applies to the law that rules it. If there is a limit to this process, there is a question on the future of two essential principles of the legal system: the undisputable presumption that "no one should ignore the law" and the guarantees of legal certainty. From a purely logical point of view it is not impossible to think that beyond a certain level of complexity the idea that no one is supposed to know the law becomes unrealistic. Besides, beyond a certain degree of uncertainty, the promise of the concept of legal certainty appears very risky. Still, the social acceptability of such a situation is not straightforward.

What is at stake is nothing less than the definition of the boundaries that constitute the institutional framework of contemporary democratic societies: limits between public and private, which determines the scope of the state and the market, the limits between national and international which under the label of globalization subverts the principle of sovereignty meant to characterize the international legal order.

Through the notions of system of legitimacy, history of systems of legitimacy and crisis of system of legitimacy, we would recommend that it is possible to account for the historical developments that led to this situation and the resulting consequences. We will show that the presence of the concept of management in the law, both in standards and in procedures, the place in higher education and the role it plays in terms of exercise of political, economic, social and cultural power can be interpreted as many consequences of this history.