

LEES – International PhD programme in 'Law, Ethics & Economics for Sustainability'

Objectives, Research Program and Structure of the PhD Course

An international research community committed to sustainability

The International PhD Programme in Law, Ethics & Economics for Sustainability (LEES) aims at the creation of a worldwide interdisciplinary research community that shares a commitment to the goals of *sustainability*. Such a community will be devoted to promote an interdisciplinary, integrated research approach to global concerns, able to foster a process of change in which the *exploitation of resources, the direction of investments, the orientation of technological innovation, the model of economic development and organization, and the consequent institutional change, are all made consistent with future as well as present needs of humankind, granting self-determination, equal treatment and social justice to each of its members, being as well compatible with the preservation of the ecosystem.*

A research program

Sustainability requires fundamental changes in the legal, economic policy, and institutional framework. In fact, notwithstanding the wide consensus on the 2030 Agenda for Sustainable Development and its 17 Goals, many powerful governmental and corporate actors disclaim responsibility for their attainment. The enormity of the problem justifies an interdisciplinary research programme on the institutions and the multilevel governance systems for sustainable development, based on the interdisciplinary interaction among law, normative ethics, and the economic analysis of individual, strategic and collective decision-making processes. The principle of Rule of Law already establishes that fundamental rights cannot be fully overridden for economic stability reasons, and stresses the unacceptability of phenomena of discrimination and inequality. But sustainability, and especially the affirmation of responsibility for the prevention of global warming and climate change, still asks for the elaboration of new general normative views of social welfare, fully able to incorporate the inter-generational dimension of human well-being. At the same time, these views should answer the problems and trade-offs of inter-generational and global justice in the distribution among peoples of different nations of the costs and benefits of sustainability. Any solution, however, would be illusory if it does not at the same time consider the problems of intra-generational social justice, in an age of explosive increase of unacceptable inequalities, especially in developed countries.

A new and deeper understanding of the ideas of justice will lead to a wide inquiry, both comparative and *de jure condendo*, on the institutions for sustainability. This involves, among others aspects, the role of international organizations and public regulation, and poses the basic question whether the separation that shields institutions and organizations operating in the sphere of market relations from the claims of social and distributive justice should not be crossed. Subjects that then come under scrutiny are (for example) the access to the economic exploitation of innovation (intellectual property rights), the distribution to stakeholders of corporate residual control rights and their participation in corporate governance, the limits imposed to property rights by the recognition of stakeholders' capabilities and positive freedoms, the democratic self-governance of common pool resources (local and global), infrastructures, public services and knowledge all seen as

common goods. Sustainability goals (such as the fight against unacceptable inequalities, poverty and environmentally irresponsible practices) and human rights can also be pursued by innovative legal practices, such as strategic litigation aimed at promoting institutional change that has significant impact not only on court's decisions, but on collective deliberation.

Resort to economic analysis - both the perspective of the theory of choice and behavioral/experimental economics - in the research programme for the institutions of sustainability provides a better understanding of the collective (social and public) choice mechanisms that satisfy not only the requirements of efficiency, but also postulates of justice, and can then be used for designing institutions based on rational acceptance. At the same time, economic analysis permits to predict whether and when equilibria evolve from strategic interaction, which may be understood as the emergence of self-supporting norms that give stability to sustainability institutions. The latter, then, may provide incentives inducing agents to converge to behaviours consistent with sustainability principles. A joint approach of ethics and behavioural economics to the analysis of institutions, however, suggests that impartial deliberative procedures and fair collective agreements may retro-act on the individuals' motivations, and can in this manner elicit preferences and beliefs that support voluntary adhesion to sustainability principles and may also support responsible behavior.

Interdisciplinary research

Consistently with the idea of a research program on the institutions for sustainability, the PhD programme will integrate different fields of research – Ethics, Law and Economics, but also political theory and political economy, environmental sciences, and social sciences related to sustainability – in a broad philosophical approach. The aim is to break the unnecessary boundaries between related disciplines, reconnecting research with practice, and examining in depth the current capabilities, limitations, strength and weaknesses of each discipline. Ultimately, the goal is to pursue innovative results at the frontiers of research where unsolved problems ask for interdisciplinary approaches and contributions.

Forms of international cooperation

The LEES Programme will provide to its PhD students either a fully integrated joint doctorate programme between some partner Universities, or double or multiple (co-tutelle) programmes entered into between any of the various partners of the LEES Programme. LEES' PhD students will also be offered various cooperation and exchange programmes with leading academic institutions in which leading scholars, contributing to the area and fields of research and their intersections, as defined by the LEES Programme, operate.

Doctoral board and scientific council

The LEES' Governance is ensured by the Doctoral Board, in charge of running the international PhD programme, and a Scientific Council that will operate as a global network of leading scholars committed to advising and supporting the Board. The Scientific Council will represent the main scientific competences and expertise in the three main areas of the PhD programme (Law, Ethics & Economics for Sustainability) and the research topics in their intersections. It will plan a yearly summer school and workshop in which outstanding scholars at international level will discuss with young researchers and PhD candidates the topics of path breaking research.

Scientific areas of interest

- International and European law
- Comparative law
- Constitutional and public law
- Environmental sciences and law
- Corporate governance
- Microeconomics
- Political economy, economic policy and public choice
- Law & economics
- Ethics & economics and business ethics
- Philosophy and sociology of law
- Political theory and political philosophy

Reference to Italian SSDs: *IUS/08, IUS/09, IUS/10, IUS/13, IUS/14, IUS/21, SECS-P/02*

Research topics

See [website](#).

Duration

3 years

Scholarships

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Recruitment criteria

The International PhD Programme encourages the application of PhD candidates who:

- 1) Have at least five previous years of academic background: five years degree or Master's degree in the PhD disciplines (Law; Economics; Ethics; Political theory and sciences; Environmental and sustainability sciences; Philosophy) with specific reference to the PhD research fields (see annex);
- 2) Are prepared to be both visionary and ambitious to change the current unsatisfactory trajectories of development by taking intellectual risks;
- 3) Are devoted to social justice and committed to enhance research in one or more of the PhD research fields;
- 4) Are open and interested in dealing and handling research methodologies in different fields (Law, Ethics & Economics) and to pursue innovative results at the frontiers of research where unsolved problems ask for interdisciplinary approaches and contributions;
- 5) Are prepared to work across the boundaries of different disciplines and to reconnect pure research with (sustainable) practices and policies capable of promoting the values of justice, human rights, sustainability, equal opportunity and social justice for all.

Coordinator

Prof. Lorenzo Sacconi

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Curricula

1. Sustainable development
2. Human rights and strategic litigation

Leading Universities (Joint-Degree):

University of Milan, *Italy*;
Maastricht University, *the Netherlands*;
Rijeka University, *Croatia*.

Partner Universities (Co-tutelle or Exchange Agreement)

Kiel Institute of International Economics, *Germany*; King's College, *UK*; University of Belo Horizonte, *Brazil*; University of Essex, *UK*; University of Galway, *Ireland*; University of Gottingen, *Germany*; University of Granada, *Spain*; University of Michigan, *USA*; University of Minas Gerais, *Brazil*; University of Pais Vasco, *Spain*; University of Pennsylvania, *USA*; University of Toulouse, *France*.

SCIENTIFIC COUNCIL – Defines and shapes the Ph.D. lines of research and participates in a yearly meeting of the programme

K. Basu, Cornell USA, *Professor of Economics and Carl Marks Professor of International Studies*; **C. Bicchieri**, U Penn USA, *Professor of Social Thought and Comparative Ethics; Philosophy and Psychology, Legal Studies*; **M. Blair**, Vanderbilt, USA, *Milton R. Underwood Chair in Free Enterprise*; **N. Boschiero**, Milan ITA, *Full Professor of International law, Dean of the Faculty of Law*; **J. Broome**, Oxford UK, *Emeritus White's Professor of Moral Philosophy*; **G. van Calster**, KU Leuven, BEL, *Full Professor, Faculty of Law, Head of the Department of International and EU law*; **K. Deketelaere**, Sustainability College, Bruges BEL, *Secretary General LERU*; **F. Denozza**, Milan ITA, *Emeritus Professor of Commercial law*; **T. Donaldson**, U Penn, Wharton College, USA, *Professor of Legal Studies & Business Ethics*; **P. Francés-Gómez**, Granada ESP, *Professor of Moral and Political Philosophy*; **E. Freeman**, Virginia, Darden School USA, *Professor of Business Administration*; **S. Hargreaves Heap**, King's College UK, *Professor of Political Economy*; **I. Kunda**, Rijeka HRV, *Associate Professor, Chair of International and European Private Law*; **S. Leader**, Essex UK, *Professor, School of Law; Director of the Essex Business and Human Rights Project*; **H. Maskarin Ribaric**, Rijeka HRV, *Full Professor, Vice Dean for Science and Professional Activities at the Faculty of Tourism and Hospitality Management*; **S. Masten**, Michigan USA, *Professor of Business Economics and Public Policy*; **U. Mattei**, Turin ITA, *Professor of Civil Law, and U Cal, Hastings College of Law, USA, Alfred and Hanna Fromm Chair of International and Comparative Law*; **K. Pistor**, Columbia USA, *Professor of Comparative Law; Director of the Center on Global Legal Transformation*; **M. van Rikswick**, Utrecht University NED, *Professor of European and Dutch Water Law and Director of Utrecht University Centre for Water, Oceans and Sustainability Law*; **C. Sorlini**, Milan ITA, *Emeritus Professor of Agricultural Microbiology*.

DOCTORAL BOARD – Charged with the management of the programme

Programme coordinator: L. Sacconi, Milan ITA, *Full Professor of Economic Policy (Economic Ethics and Corporate Social Responsibility), President of the Board of the Italian Society of Law & Economics, and Director of EconomEtica, inter-university center of research, University Milano Bicocca*.

A. Baraggia, Milan ITA, *Assistant Professor of Comparative Public Law*; **S. Baric**, Rijeka HRV, *Associate Professor, Chair of Constitutional Law*; **C. Bicchieri**, U Penn USA, *Professor of Social Thought and Comparative Ethics; Professor of Philosophy and Psychology; Professor of Legal Studies*; **S. Bojanic**, Rijeka HRV, *Professor and Vice-Dean for International Relations*; **A. Bonfanti**, Milan ITA, *Associate Professor of International Law*; **E. Chiappero**, Pavia ITA, *Full Professor of Political Economy*; **L. Cominelli**, Milan ITA, *Assistant Professor of Sociology of Law*; **L. Crema**, Milan ITA, *Assistant Professor of International Law*; **I. M. E. D'Amico**, Milan ITA, *Full Professor of Constitutional Law*; **S. De Colle**, IESEG Lille FRA, *Associate Professor of Business Ethics & Strategy*; **M. Faure**, Maastricht NED, *Professor of Comparative and International Environmental Law, Academic Director Maastricht European institute for Transnational Legal Research, Academic Director of Ius Commune Research School*; **G. Grimalda**, Kiel Institute for the World Economy GER, *Senior researcher*; **S. Hargreaves Heap**, King's College UK, *Professor of Political Economy*; **M. Khadjavi**, Vrije Universiteit Amsterdam NED, *Associate Professor of Economics, Kiel Institute GER, Senior Researcher*; **I. Kunda**, Rijeka HRV, *Associate Professor, Chair of European and International Private Law*; **G. Marino**, Milan ITA; **I. Pellizzone**, Milan ITA, *Associate Professor of Constitutional Law*; **G. Peroni**, Milan ITA, *Associate Professor of International Law*; **C. Pitea**, Milan ITA, *Associate Professor of International Law*; **C. Ragni**, Milan ITA, *Associate Professor of International Law*; **M. Ricciardi**, Milan ITA, *Full Professor of Philosophy of Law*; **S. Valaguzza**, Milan ITA, *Full Professor of Administrative Law*; **L. P. Vanoni**, Milan ITA, *Associate Professor of Comparative Public Law*; **L. Violini**, Milan ITA, *Full Professor of Constitutional Law*.