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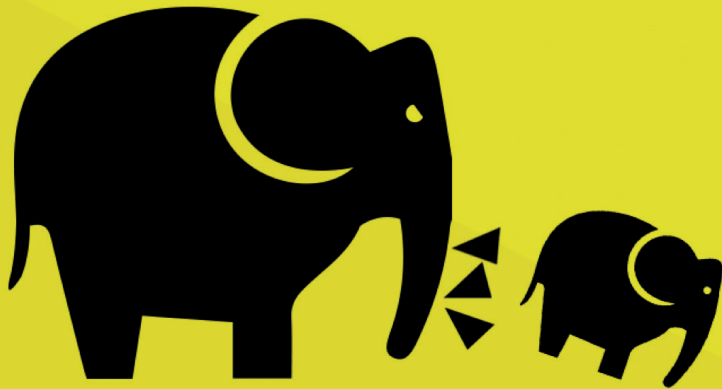


Faculty of Law, University of Lucerne

CONFERENCE

4th Law and Economics Conference in Lucerne

Nudging – Theory and Applications



FRIDAY, 17 APRIL, 08.45 H – SATURDAY, 18 APRIL 2015, 12.15 H

UNIVERSITY OF LUCERNE, FROHBURGSTRASSE 3, ROOM 4.B55, LUCERNE

Nudging – Theory and Applications

In «Nudge – Improving Decisions About Health, Wealth, and Happiness» (2008) Cass R. Sunstein and Richard Thaler propose to correct cognitive biases via libertarian paternalism (paternalism without coercion). By means of defaults, for example, people can be «nudged» in the desired direction. A textbook example for a default is the objection clause in organ donation according to which every human being is considered to be a donor after death unless explicitly opting out during their lifetime. Yet who decides which behavior is desired? Does the state have sufficient information for de-biasing? Are there clear-cut boundaries between paternalism, manipulation and indoctrination? To what extent should the state protect human beings from themselves? Will an increase in guidance lead to a decrease in self-reliance? What are the benefits of wrong decisions? What is the role of the legislator?

Programme

FRIDAY, 17 APRIL 2015		<i>ROOM 4.B55</i>
08.45 – 09.00	<i>Registration</i>	
09.00 – 09.05	Prof. Dr. Sebastian Heselhaus, Vice Dean Faculty of Law, University of Lucerne <i>Welcome</i>	
09.05 – 09.15	Prof. Dr. Klaus Mathis, University of Lucerne <i>Introduction</i>	
09.15 – 09.50	Prof. Dr. Avishalom Tor, University of Notre Dame Law School <i>Rationality through Law?</i>	
Panel 1	Chair: Prof. Dr. Geneviève Helleringer	<i>ROOM 4.B55</i>
09.50 – 10.30	Prof. Dr. Dr. h.c. mult. Bruno S. Frey, Senior Professor at Zeppelin University, and Jana Gallus, MA in Economics, University of Zurich <i>Beneficial and Exploitative Nudges</i>	
10.30 – 11.00	<i>Coffee Break</i>	
11.00 – 11.40	Prof. Dr. Mark D. White, College of Staten Island/CUNY <i>The Crucial Importance of Interests in Libertarian Paternalism</i>	
11.40 – 12.15	Prof. Dr. Alberto Alemanno, HEC Paris and NYU, and Prof. Dr. Anne-Lise Sibony, University of Liège <i>Nudge and the Law: A European Perspective</i>	
12.15 – 14.00	<i>Lunch</i>	

Panel 2A**Chair: Prof. Dr. Mariusz J. Golecki***ROOM 4.B55*

14.00 – 14.30

Prof. Dr. Kai Purnhagen, University of Wageningen and Erasmus University of Rotterdam, and Prof. Dr. Erica van Herpen, University of Wageningen
A Picture is Worth a Thousand Words: Does Regulation of Health and Nutrition Claims on Food Packaging Focus too Much on Verbal Information?

14.30 – 15.00

Prof. Dr. Felix Ekardt, LL.M., University of Rostock
Nudge Theory: Perspectives and Examples from Environmental Law

15.00 – 15.30

Dr. Georgios Dimitropoulos, LL. M., Max Planck Institute Luxembourg
Nudging Governments? The Behavioural Law and Economics of International Trade Law

15.30 – 16.00

*Coffee Break***Panel 2B****Chair: PD Dr. iur. Mark Schweizer***ROOM 4.A05*

14.00 – 14.30

Dr. Piotr Tereszkieicz, Jagiellonian University of Cracow
The Nudge Approach to Consumer Credit Transactions – Potential and Limits?

14.30 – 15.00

Prof. Dr. Geneviève Helleringer, Essec Business School Paris-Singapore and University of Oxford
Designing Disclosures

15.00 – 15.30

Rainer Baisch, MLaw et Dipl.-Kfm. univ., University of Zurich
Nudging in Financial Markets Law

15.30 – 16.00

Coffee Break

Panel 3A	Chair: Prof. Dr. Kai Purnhagen	<i>ROOM 4.B55</i>
16.00 – 16.30	Dr. Mira Burri, World Trade Institute, University of Bern <i>Nudging as a Tool of Media Policy</i>	
16.30 – 17.00	Prof. Dr. Mariusz J. Golecki, University of Łódź and University of Debrecen <i>Nudging in Tax Law? The Eye-Tracking Research on the Limits of Efficacy of Legal Definitions</i>	
17.00 – 17.30	Prof. Dr. Rute Saraiva, University of Lisbon <i>Academic Fraud at Hogwarts – Behavioural Law and Economics Lessons for ‘Muggles’ of all Ages</i>	
17.30 – 18.00	<i>Coffee Break</i>	
18.00 – 18.45	Prof. Cass R. Sunstein, Harvard University <i>Nudging – American and European Perspectives</i> (via video conference)	
19.15	<i>Lake Cruise with Dinner</i>	

Panel 3B	Chair: Rainer Baisch, MLaw et Dipl.-Kfm. univ.	<i>ROOM 4.A05</i>
16.00 – 16.30	Ariel David Steffen, lic. phil., University of Lucerne <i>Nudging is Judging: The Inevitability of Value Judgments</i>	
16.30 – 17.00	Ndjuoh MehChu, University of Chicago Law School <i>Cost-Benefit Analysis of Impersonal Default Rules on Rational and Informed Decision Makers</i>	
17.00 – 17.30	PD Dr. iur. Mark Schweizer, LL.M., University of St. Gallen <i>Obligated to Nudge? Nudging and the Principle of Proportionality</i>	
17.30 – 18.00	<i>Coffee Break</i>	
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SATURDAY, 18 APRIL 2015

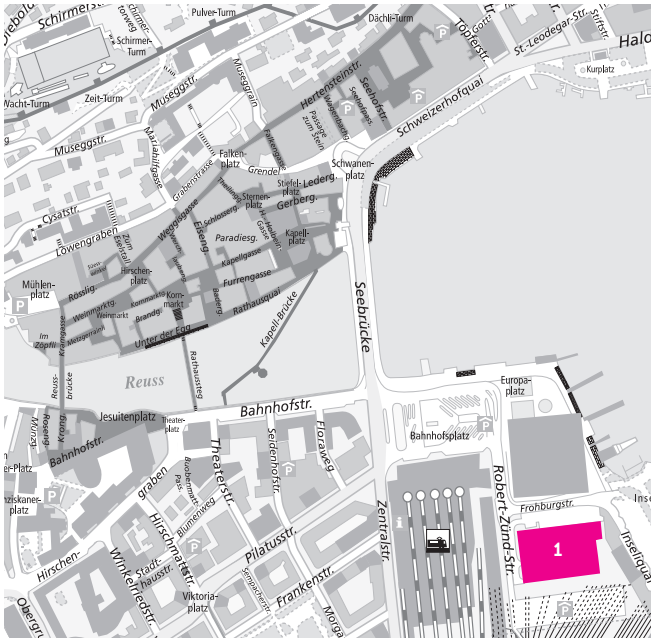
ROOM 4.B55

Panel 4 **Chair: Prof. Dr. Anne-Lise Sibony**

- 09.15 – 09.50 PD Dr. Peter G. Kirchschräger, University of Teacher Education,
Lucerne, Chur University of Theology and University of Fribourg
*To What Extent Should the State Protect Human Beings from
Themselves? An Analysis from a Human Rights Perspective*
- 09.50 – 10.25 Dr. Katja Stoppenbrink, LL.M., University of Münster
Why Nudge? The Argument from Analogy
- 10.25 – 10.55 *Coffee Break*
- 10.55 – 11.30 Malte Dold, MA, University of Freiburg i. Br.
*Condorcet's Jury Theorem as a Rational Justification of Soft
Paternalistic Policies*
- 11.30 – 12.15 Prof. em. Dr. h.c. Thomas S. Ulen, University of Illinois Law School
Concluding Remarks

With the friendly assistance of:

- Research Program on Law and Market Behavior, Notre Dame University
- Swiss National Science Foundation (SNSF)
- Research Commission of the University of Lucerne (FoKo)
- Institute for Research in the Fundamentals of Law – *lucernaiuris*



Organisation

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1 Venue

University of Lucerne
Frohburgstrasse 3
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Switzerland

Registration

Participation is free (coffee breaks included).
Please register no later than 31 March 2015 via email:
uta.dietrich@unilu.ch