

Workshop for young researchers

**Framing and Diagnosing Constitutional Degradation:
a Comparative Perspective**

Monday June 21, 2021 – Tuesday June 22, 2021

Venue: to be defined

The workshop is part of the research project PRIN 2017 on “Framing and Diagnosing Constitutional Degradation: a Comparative Perspective” (Principal Investigator prof. Tania Groppi).

CALL FOR PAPERS

Workshop subjects

The workshop deals with the phenomenon of the deterioration of the structure and substance of the constitutional liberal democracy, which has taken place in the past decade worldwide.

By exploring and comparing several national experiences, in countries that have generally been regarded as democracies, the workshop is aimed at framing the conceptual boundaries of the “constitutional degradation”.

Degradation is more difficult to detect than traditional authoritarian threats, as changes leading to the degradation may be considered irrelevant or even defensible if taken individually and may cause degradation only as a consequence of their cumulative effect.

Young scholars interested in contributing to the workshop are asked to explore especially the following questions:

- a) The processes of constitutional degradation. How are they taking place? Which legal tools are employed?
- b) The institutional arrangements that can promote these processes in order to point out some particularly vulnerable elements of the constitutional liberal democracies which are especially at risk.

c) Solutions: institutional arrangements which can protect constitutional liberal democracies, especially by presenting national experiences and best practices.

Papers should especially deal with the following areas of constitutional law (without *a priori* excluding other issues):

- Constitutional amendments;
- Relationship between domestic and international or supranational legal order;
- Fundamental rights and freedoms (especially freedom of expression, association, assembly, education, gender equality);
- Rule of law (including the independence of the judiciary and the separation between politics and administration);
- Constitutional justice;
- Parliamentary control over the Executive power (including the status of the opposition and the role of parliamentary standing orders);
- Electoral systems, political parties' regulations and referenda.

Workshop Language

Papers should preferably be presented in English, although exceptionally presentations in Italian can be accepted.

Deadlines

Young scholars interested in presenting papers must submit before the 20th of April an abstract (max. 500 words) in English, together with a CV, at the following e-mail address: milani@unisi.it. Proposals will be selected by the scientific coordinators of the workshop.

Selection's results will be notified before the 30th of April. Before the 31st of May the selected authors will have to send the written text of their paper (max 5,000 words).

Papers' presentation and publishing

The selected papers will be presented during the workshop (max. 10 minutes).

Papers will be published, subject to successful blind peer-review, in a book published by an international publisher.

Logistics

Information concerning the logistics of the event (firstly whether the event will take place in presence or in remote mode) will be communicated within the 31st of May. In case it will be possible to hold

the event in presence, panelists will have to provide for their own travel and subsistence expenses. The organizing committee and the Congress Services Department of the University of Siena will support participants in finding accommodation.

Accepted papers

This call for papers constitutes a reopening of a previous call (referring to an event supposed to be held in June 2020 and then annulled due to the pandemic), on the basis of which the following papers have been accepted:

- Carlino Valentina, Undemocratic threats in the African context: which lesson to be learned from the Benin turning?
- Dell'Atti Luca, European Treaties and Social Constitutions. A Problem of Sovereignty
- La Placa Ferdinando, Constitutional degradation: a comparative overview
- Lienen Christina, Diagnosing constitutional degradation in the UK: Beyond Brexit
- Pannia Paola, The “institutional uncertainty” of migration governance, in Europe and beyond
- Pignataro Micol, Constitutional degradation in the time of Coronavirus
- Shirvani Ali, Degradation of Democracy via Islamic Sharia. Typology and Methodology of the Islamic States Constitutions
- Mozzi Alessandra, The current and uncertain paths of constitutional democracy
- Spagnoli Federico, The Process of constitutional degradation in Spain
- Bargiacchi Stefano, The new role of national parliaments in the post-crisis EU economic governance. Some considerations on the Hungarian case; a(nother) constitutional degradation issue?
- Cremona Elia, The “Constitutional Degradation”: a ‘bottom-up’ look
- Gatti Andrea, Abuso del diritto e stabilità costituzionale
- Mazzola Alessandra, Constitutional amendments and constitutional degradation
- Naglieri Giuseppe, Overturning the pillars of democratic representation: partisan gerrymandering and the impact of the modern technology-based redistricting processes on the constitutional order. Brief notes on Rucho’s fallouts.
- Giorgini Pignatiello Giacomo, The Expansion of Judicial Powers: the Principle of Separation of State Powers in the line of fire. Physiological Evolution of Democratic Systems or Prelude to Illiberal Democracies?
- Szilagyi Emese, The chances of pluralistic political competition in populist Hungary
- Vernata Andrea, Governing bodies and representative assemblies: time for a new balance?
- Drugda Simon, When should Constitutional Judges be Appointed?

- Bonifati Lidia, Constitutional design v. constitutional degradation: strengthening the rule of law in Bosnia-Herzegovina
- De Cesare Ilaria, Constitutional Degradation and the Italian Parliament. How to preserve the centrality of the representative body in Italian legal system?
- Garunja Evis, The effects of constitutional changes on the judiciary system in Albania. The process of VETTING.
- Gianello Simone, The ECHR as a tool for the protection of the rule of law (articles 17 and 18)
- Masala Pietro, Emerging collective implications of personal data processing and possible forms of superindividual protection for the safeguard of constitutional values and democracy in Europe
- Pallotta Omar, Fighting Europarties' democratic backsliding: arguments for a multilevel approach
- Simonelli Marco Antonio, The People's Watchdog. Public Media as an Instrument of Accountability
- Robles Ustariz Andrea Cristina, Can the Credit rating agencies stay neutral regarding constitutional degradation?

Scientific Coordination

Prof. Tania Groppi, Prof. Carla Bassu, Prof. Tommaso Edoardo Frosini, Prof. Rolando Tarchi

Organizing Committee

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