



DIRITTO PUBBLICO COMPARATO ED EUROPEO



Call for Papers

The Principle of Equality. New and Old Challenges

IACL Roundtable

Università degli Studi di Siena-Certosa di Pontignano

June 15th-16th, 2023

Conference subject-matter

Equality, as a concept, is as old as mankind and, as a principle, it has been part of many constitutional documents since the American and the French Revolutions. After the Second World War it became a core element of the “Postwar paradigm”, as part of international documents and national constitutions. Afterwards, it has been entrenched in many constitutions willing to fight against social inequalities, in the context of the “transformative constitutionalism” movement, especially in the Global South.

The different understandings of equality always raised challenges for constitutional law: How to reconcile the tension between formal and substantive equality? Which nondiscrimination clauses should be considered? Could written constitutions be interpreted progressively, in order to broaden the nondiscrimination principle? How can substantive equality be protected, if the legislator is inactive? Could courts make up for legislators, to fill in their omissions? Is gender equality more likely to be achieved through the formal or substantive equality principle?

New challenges have developed in the 21st century, in the context of democratic decay. In many democracies, old and new, political forces hostile to liberal democracy appear to attack the rule of law and constitutional guarantees, after winning electoral majorities in the polls.

The Roundtable will be co-organized by the DIPEC Research Group at the University of Siena, within the research projects PRIN 2017 “Framing and diagnosing constitutional degradation: a comparative perspective”, Principal Investigator: Prof. Tania Groppi and PRIN 2017 “The constitutional implications of European separatist claims”, Principal Investigator: Prof. Alessandro Torre – Siena Unit “Separatist claims, minority rights and citizenship transformation”, Responsible: Prof. Valeria Piergigli and the Jean Monnet Module EUGENIA (responsible prof. Tania Groppi).

Preferential topics to be addressed

Within the frame of the conference subject-matter, the call of papers is especially aimed at addressing the relationship between **the principle of equality and the rule of law**.

Questions to be addressed may include (not exhaustive):

- a) varieties of conception of equality and their impact on the rule of law principle;
- b) the role of an independent judiciary, in protecting equality;

- c) the impact of economic and social inequalities on liberal democracy;
- d) the accommodation of national minorities and liberal democracy;
- e) the interaction between the rule of law backsliding and gender equality;
- f) the tension between the vision of equality proposed by populists the rule of law principle.

Eligibility

The conveners encourage submissions from both PhD candidates and young scholars (post-docs; research fellows, assistant professors, etc.) at the early stage of their academic careers (within 7 years from the accomplishment of their PhD). A maximum of 9 proposals will be selected.

To Submit an abstract

Interested scholars are invited to submit a CV and an abstract, in English or French, no longer than 500 words by March, 15, 2023 to Valentina Carlino: valentina.carlino@unisi.it (please use “Call for papers-The Principle of Equality Roundtable” as the subject line of your e-mail). Applicants will be notified by April 1, 2023. Full drafts of papers must be submitted no later than May 20, 2023. Papers should be no longer than 10,000 words (footnotes included).

Papers presented at the conference will be considered for publication in an edited volume.

Papers may be written and presented in English or French.

Registration, travels and lodging

There is no cost to participate in the conference. The conveners will provide the meals to paper presenters. Paper presenters are responsible for their own accommodation, travel and incidental expenses.

Conveners:

DIPEC, Research Group on European and Comparative Public Law at the University of Siena

Scientific Committee:

Professor Tania Groppi
Professor Valeria Piergigli

Organizing Committee:

Valentina Carlino (valentina.carlino@unisi.it)
Chiara Cerbone (chiara.cerbone2@unisi.it)
Giammaria Milani (giammaria.milani@unisi.it)