

CONFERENCE PROGRAMME

*The Dust of Time?*

*Towards a 21<sup>st</sup> Century Constitutionalism*

Hosted by the EUI [Constitutionalism and Politics Working Group](#)

Thursday, 7 October & Friday, 8 October 2021

PROGRAMME

Date: Thursday, 7 October

09.45 Introduction by members of the Constitutionalism and Politics Working Group

10.00–12.00 Session 1

**Panel 1A: Gender and Constitutionalism**

Chair: **Prof. Susanna Mancini** (University of Bologna)

**Participants:**

- **Elena Brodeala** and **Ivo Gruev** (University of Zurich/University of Oxford) '*Gender Equality Challenges for Romanian and Bulgarian Constitutionalism in the 21st Century*'
- **Karolina Kocemba** (University of Wrocław) '*Right-Wing Constitutionalism and Human Rights in Poland*'
- **Carolin Lerch** (EUI) '*The Development of the German Abortion Law – Path Dependency, its Obstacles for Reproductive Rights and the Prospects of Comparative Constitutional Law in the European Union*'
- **Chung Nguyen** (National Academy of Public Administration, Hanoi) '*Professional communities involved in women's land-inheritance disputes in Vietnam*'

## Panel 1B: Neoliberalism and Social Rights

Chair: **Marc Steiert** (Researcher, EUI)

### Participants:

- **Alan Eustace** (Trinity College, Dublin) '*Labour Built This Republic, and Labour Shall Rule It: Reconciling Workers to the Constitutional Order*'
- **Carlo Alberto Ciaralli** ("G. d'Annunzio" of Chieti-Pescara) '*Thirty years later: is neoliberalism a threat or a new frontier of contemporary constitutionalism?*'
- **Benjamin Alemparte** SJD (Duke Law School) '*Social rights in Chile's neoliberal constitutionalism*'
- **Lisa Mardikian** and **Konstantinos Polomarkakis** (Brunel University, University of Exeter) '*Towards a 21st Century Constitutionalism: Quo vadis social rights*'
- **Maria Kotsoni** (EUI) '*Towards minimalism? Social rights in post-crisis constitutional reform projects in Greece and Ireland*'

## Panel 1C: Constitutionalism and Technology

Chair: **Francisco Duarte** (Researcher, EUI)

### Participants:

- **Reijer Passchier** (Leiden/Open University) '*Big Tech and the sovereignty of the legislator. How can we avoid digital feudalism?*'
- **Michaela Chen** and **Brian Cheung** (London School of Economics) '*Change makers or echo chambers: the relationship between outrage culture, social media and constitutional change*'
- **Róisín Costello** (Dublin City University) '*Examining the Substantive Coherence of the Label of Digital Constitutionalism*'
- **Valentina Capuozzo** (University of Naples Federico II) '*Gig economy and employment protection: new challenges for the right to work in the digital age*'
- **Moritz Schramm** (Humboldt Universität) '*The Democratic Challenge of "Digital Constitutionalism"*'

## **Panel 1D: European Constitutionalism: from Conflicts to Commonalities**

Chair: **Judge Ineta Ziemele** (Court of Justice of the European Union)

### **Participants:**

- **Inese Freimane Deksnė** (EUI) '*From "Conflict Prevention" to "Cooperation Building": a New Era in post - Lisbon Constitutional Dialogue*'
- **Maciej Krogel** (EUI) '*European Constitutional Conflicts and the Search for Commonalities*'
- **Władysław Józwicki** (Adam Mickiewicz University) '*Towards Sequential 'ad hoc Constitutionalism' in the 21st Century European Union*'

**14.00 – 16.00**

**Session 2**

## **Panel 2A: New Constitutional Horizons and Constitutional Change**

Chair: **Maria Kotsoni** (Researcher, EUI)

### **Participants:**

- **Jason Mazzone** and **Cem Tecimer** (University of Illinois/Harvard University) '*Interconstitutionalism*'
- **Brónach Rafferty** (Trinity College, Dublin) '*My Body was Braille for Creeping Influences; to a 21<sup>st</sup> Century Constitutionalism*'
- **Marianna Velasco-Rivera** (University of Göttingen) '*The Political Construction of Amendment Difficulty in Mexico and the United States*'
- **Gurkan Capar** (Sant' Anna School of Advanced Studies) '*Intergenerational Legalties: Balancing Unconstitutional Amendments*'

## **Panel 2B: Populist Constitutionalism and Constitutional Time**

Chair: **Hilary Hogan** (Researcher, EUI)

### **Participants:**

- **Przemysław Tacik** (Jagiellonian University) '*The Odd One In, the Odd One Out*'
- **Jirí Pribán** (Cardiff University) '*The Constitutional Imaginary of Mobilised Communitas: Europe and the Populist Promise of Authenticity*'
- **Raphael Girard** (LSE/University of Exeter) '*Space, Time and Constitutional Impatience in the 21<sup>st</sup> Century*'

- **Bojan Bugaric** and **Mark Tushnet** (University of Sheffield/Harvard University) '*Power to the People: Empowered Democracy*'

**Panel 2C: Changing Institutional Balance and Reinterpreting Principles in the European Union**

Chair: **Inese Freimane Deksne** (Researcher, EUI)

**Participants:**

- **Anna Camilla Visconti** (University of Bologna) '*The role of the ECB in the post-Lisbon institutional scenario: a new challenge for constitutional democracy?*'
- **Jussi Jaakkola** (University of Turku) '*From a Liberal Fiscal Constitution to the European Power to Tax*'
- **Piotr Krajewski** (University of Amsterdam) '*Putting Politics Back into the Polity: A Case for the Separation of Powers in the European Union*'

**Date:** Friday, 8 October

**10.00 – 12.00** Session 3

### **Panel 3A: Liberal Constitutionalism and its Contestations**

Chair: **Prof. Gabór Halmai** (EUI)

#### **Participants:**

- **Hilary Hogan** (EUI) '*Rawls, Inequality and 21<sup>st</sup> Century Constitutionalism*'
- **Rosalind Dixon** (UNSW Sydney) '*Fair Market Constitutionalism: From Neo-liberal to Democratic Liberal Constitutional Governance*'
- **David Kenny** (Trinity College, Dublin) '*Embracing Difference, Divergence and Diversity: the case for pragmatic Constitutionalism in the 21<sup>st</sup> Century*'
- **Adrian Rubio** (EUI) '*The Essentialist Challenge to Constitutionalism: A Polycentric Response*'

### **Panel 3B: Societies in Tension: Current Constitutional Dimensions**

Chair: **Maciej Krogel** (Researcher, EUI)

#### **Participants:**

- **Syuzanna Vasilyan** (Institute for European Studies/Université Libre de Bruxelles) '*Over-Constitutionalization in Armenia*'
- **Catriona Mullay** (EUI) '*Island Constitutionalism: Dealing with Marginal Communities in the 21<sup>st</sup> Century*'
- **Jennifer Pullicino Orlando** and **Maria Ban** (University of Copenhagen) '*A Tale of Three (Four, Five?) Identities: Hungary & the End of Empire*'
- **Jakub Sawicki** (EUI) '*One country, no autonomy. The dialectics of Hong Kong SAR Basic Law*'

### **Panel 3C: Democratic Challenges and the European Union**

Chair: **Julian Scholtes** (Researcher, EUI)

#### **Participants:**

- **Franca Feisel** (EUI) '*The EU as a Militant Democracy*'
- **Jasmin Hiry** (University of Luxembourg) '*The rights of initiative and the democratic legitimacy of the EU: a need for change?*'
- **Micol Pignataro** (University of Bologna) '*Re-defining the Italian Parliament within the EU integration process*'
- **Lidia Bonifati** (University of Bologna) '*The impact of European integration and disintegration on power-sharing democracies*'

**14.00 – 16.00**

**Session 4**

### **Panel 4A: Constitutionalism and Democratic Erosion**

Chair: **Franca Feisel** (Researcher, EUI)

#### **Participants:**

- **Zilvinas Švedkauskas** (Eberhards Karls Universität Tübingen) '*Patient Autocrats: Constitutional Capture in and around the Contested Neighborhood*'
- **Yaniv Roznai** (Harry Radzyner Law School) '*Populist Constitutionalism and the Future of Democracy in Israel*'
- **Amal Sethi** (University of Hamburg) '*The Subversion of Modern Democracy: In Search of Answers*'
- **Phoebe Galbally** (University of Melbourne) '*Antidemocratic Social Media Communication and the European Convention on Human Rights*'
- **Daniel Rozenberg** (EUI) '*The Citizens' Convention for Climate in France: Participatory Democracy as Consequence of Democratic Erosion*'

## Panel 4B: The Impact of Religion on Constitutional Outlooks

Chair: **Dr Conor Casey** (University of Liverpool) **tbc**

### Participants:

- **Darshan Datar** (Melbourne Law School) '*Decay of Establishment Clauses*'
- **Wojciech Brzozowski** (University of Warsaw) '*The Future of Conscientious Objection*'
- **Francois Finck** Université de Mons '*Integration of Religion: The Future of a Challenge from the Past: State, Religions and Secularism*'

## Panel 4C: Crisis and Constitutions

Chair: **Prof. Ernst-Ulrich Petersmann** (EUI)

### Participants:

- **Jan Petrov** (Queen's College, University of Oxford) '*Emergency Constitutionalism for the 21st Century: Moving Beyond the Unbound Executive*'
- **Jiri Baros** (Masaryk University) '*Common Good Constitutionalism and the Challenge of the Covid-19 Pandemic: A Central European Perspective*'
- **Marijn van der Sluis** (Maastricht University) '*Climate change as a constitutional concern: Environmental constitutionalism in the Netherlands and the EU*'
- **Sam Bookman** (Harvard Law School) '*Mapping the Climate Constitution: Possibilities, Packages and Visions*'
- **Romy Klimke** (Martin Luther Universität Halle-Wittenberge) '*Farewell GDP? – Towards a rights-based valuation of human and planetary well-being in international law*'

## 17.00 – 19.00 Virtual Intergenerational Aperitivo

Chairs: **Inese Freimane Deksne** (EUI) and **Carolyn Lerch** (EUI)

### Participants:

- **Elena Brodeala** (University of Zurich)
- **Ineta Ziemele** (Court of Justice of the European Union)
- **Gábor Halmai** (EUI)
- **Yaniz Roznai** (Harry Radzyner Law School)
- **Mark Graber** (University of Maryland)

