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Gruppo di ricerca e formazione sul
diritto pubblico europeo e comparato

Workshop for young researchers on the impact of European law on National Constitutions

**EUROPEAN UNION, STATES AND CITIZENS.
BETWEEN ANTI-EUROPEANISM AND CONDITIONALITY**

Thursday 22nd of June 2017 (14.30 – 19) – Friday 23rd of June 2017 (9.30 – 13)

Aula Franco Romani, Department of Business and Law

Plesso San Francesco – Piazza San Francesco 7, Siena

The workshop is held within the Jean Monnet module EUCOLAW - *The Europeanization of Constitutional Law. The Impact of EU Law on national sources of law, form of government, rights and freedoms* (coordinator Prof. Tania Groppi).

CALL FOR PAPERS

Workshop subjects

Relations between the European Union, States and citizens are currently experiencing a rapid evolution and are facing a number of demanding challenges. On the one hand, anti-Europeanism is spreading both in society and in the political community; on the other, the European conditionality is growing, especially in the area of economic and financial governance, while struggling to assert itself in other areas, such as the respect for the rule of law.

A reflection on these issues seems necessary and topical. To this end, the aim is to organize a workshop in which experts and young scholars propose analysis of trends that currently characterize the relationship between constitutional law and European law. In particular, the workshop will be divided in three panels, focused on the reports of experts coming from Italian and European universities and within which young scholars are invited to present papers.

1) THE CONSTITUTIONAL IDENTITY: A FORM OF ANTI-EUROPEANISM?

The first panel will concern the relationship between constitutional identity and anti-Europeanism. In the ongoing confrontation between pro-European and anti-European positions, the protection of constitutional identity seems to hamper the European integration process. Within this framework, the political decision circuit seems to (deliberately?) play a recessive role, letting other actors become the guarantors of the constitutional identity even in a context of enhanced European integration: a leading position is thus that of national courts, especially constitutional ones, and of citizens themselves, through the direct democracy instrument. In this panel we welcome papers of young scholars thinking about the possible relationships between constitutional identity and anti-Europeanism, also with regard to the contribution that the different national actors (parliaments, governments, courts, citizens) can bring to the pro-European and anti-European positions.

2) A STRONG CONDITIONALITY: THE EUROPEAN UNION AND THE ECONOMIC GOVERNANCE

The second panel aims at investigating European economic conditionality influence on member States. If, on the one side, economic conditionality represents a clear enhancement of the European integration, on the other side, it is also recognized as one of the anti-Europeanism causes, since it strengthens the perception of the EU as a purely economic organization, distant from other issues such as the protection of citizen's rights and welfare. Furthermore, the European economic governance raises some issues, on which we invite young scholars to present papers: at the European level, some open problems are represented by the location of the new governance tools (ESM, Fiscal Compact), placed outside the EU law but strongly connected to it, and the weakness of the representative institutions with regard to the new governance tools; at a national level, challenges affect the form of State and the protection of citizens' social rights, as well as the impact on the form of government and local self-government.

3) A WEAK CONDITIONALITY: THE EUROPEAN UNION AND THE RULE OF LAW

The third panel will focus on the possible influences that the European Union and the European integration process can have on the protection of fundamental rights and on the rule of law. Contrary to the strong economic conditionality, the conditionality concerning these aspects seems quite weak and mostly applied to candidate States. The European institutions, in an attempt to redress this perception, are strengthening their commitment to protecting human rights and the rule of law. In this sense can be read the proposal to establish a new inter-institutional mechanism, the "EU Pact on democracy, the rule of law and fundamental rights", whose task is to monitor compliance with, and possible violations of democratic principles, rule of law and fundamental rights within the member States and the European Union. Within the framework of this panel young scholars are therefore invited to present papers focusing, among others, on the EU's role as an institution in defense of human rights and the rule of law and on eventual issues that the Union may encounter in executing this task.

Selection of proposals

Young scholars (research fellows, PhD or PhD candidates) interested in presenting papers on the aforementioned subjects must submit before the 31st of March, an abstract (max. 500 words) in English, together with a CV, at the following e-mail address: gmilani88@gmail.com. Proposals will be selected by the scientific coordinators of the workshop.

Selection's results will be notified before the 15th of April. Before the 31st of May the selected authors will have to send the written text of their paper. The length of the paper should remain under 5,000 words.

Workshop Language

Papers can be presented either in Italian or in English.

Travel and subsistence expenses

Selected scholars 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.

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, on the Journal of Legal Studies *Ianus*

Scientific Coordination

Prof. Tania Groppi, Prof. Andrea Pisaneschi, Prof. Valeria Piergigli, Prof. Elena Bindi

Organizing Committee

Dr. Giammaria Milani (gmilani88@gmail.com), Dr. Floriana Plataroti (florianaplataroti@gmail.com)