

Co.Co.A. Summer School
(Comparing Constitutional Adjudication: A Summer School on Comparative Interpretation of European Constitutional Jurisprudence)

2016 Programme

Co.Co.A. (**Comparing Constitutional Adjudication**) is an ongoing project at the Faculty of Law, University of Trento.

Website: <http://cocoaproject.eu/index.php/co-co-a-summer-schools>

2016 Topic

“Constitutional Legitimacy of Political Parties: *streitbare Demokratie* and Anti-System Parties in Europe”

Guest Speakers:

- **Benito Alaez Corral**, Department of Public Law, University of Oviedo;
- **Andrea De Petris**, Department of Law, LUISS, Rome;
- **Mordechai Kremnitzer**, Faculty of Law, The Hebrew University *and* the Israel Democracy Institute, Jerusalem;
- **Otto Pfersmann**, Paris I La Sorbonne *and* EHESS-Ecole des hautes études en sciences sociales, Paris;
- **Ioanna Tourkochoriti**, School of Law, National University of Ireland, Galway;

Timing

From Monday August 1st (arrival on Sunday July 31st) to Friday August 5th, 2016 (departure in the afternoon).

Venue

Dimaro, Val di Sole, Trentino, Italy (AlpHoliday Dolomiti – wellness & fun hotel www.alpholiday.it).

Purpose

Providing an opportunity for comparative critical knowledge and assessment of case law (mostly by national Supreme and Constitutional Courts as well as by the ECHR and the ECJ) on political parties by researchers, PhD students, postdocs, and law clerks and legal assistants to Constitutional and Supreme Courts.

The specific purpose of the 2016 Summer School is to examine the various facets of constitutional legitimacy of political parties as it is shaped by case law, this latter being the outcome of a combination of formal written constitutional provisions and somehow of political expedience.

In Europe the topic has become particularly relevant not only because of the *régime* transition experienced by many countries but also as new anti-establishment – whether national or referred to the European Union as well – parties have more recently appeared and grown in voters' support. The line of distinction between anti-establishment and anti-system party needs some paradigms of identification and definition as it may ultimately deeply affect some fundamental rights of political participation to electoral competitions, also due to the criminal law component of the relevant governmental policies.

Comparing constitutional adjudication in domestic law as well as in the case law of the ECtHR or of the ECJ may provide a relevant contribution to understanding important current phenomena and identify shared European constitutional qualification. References to non European experiences within the western legal tradition will be extremely useful.

Format

Co.Co.A. Summer School is based on (i) **Lectures by Guest Speakers**, that are meant to provide the theoretical and comparative foundation of the topic; and on (ii) **Panels by Participants**, that serve the purpose of analyzing the relevant case law. Lectures and Panels are expected to increase knowledge and understanding of the various facets of constitutional legitimacy of political parties in Europe and in the western legal tradition much more in detail, obviously, than allowed by mere reading the text of normative provisions. Guest Speakers are hopefully going to be present throughout the summer school and contribute to strengthening a proper and friendly academic atmosphere.

One afternoon (on Wednesday) will be reserved to excursions in the lovely alpine environment.

A good outcome of the Summer School requires some careful preliminary work by participants. In particular, *each participant* is requested to (i) collect the most relevant and meaningful judicial decisions in her/his jurisdiction; (ii) suggest a classification of such decisions according to the normative setting concerned; (iii) list

the relevant constitutional provisions (or, as the case may be, international, ECHR, EU or else) that have been interpreted and applied by the constitutional or supreme court in deciding those controversies; (iv) offer an outline of presentations. All these materials are to be sent to Co.Co.A Secretariat by the deadline that will be indicated to participants after the admission process is over.

All participants are welcome to elaborate a paper on constitutional adjudication in the field of Constitutional Legitimacy of Political Parties in Europe in their jurisdiction and or in a comparative perspective. Such papers will be published on the website of the Co.Co.A. project.

The presentation of cases and materials will be organised thematically and not by Country. Sending the materials in due time will allow all participants to read them and concentrate presentation and discussion on the most interesting features.

Language:The Summer School will be held in English.

Costs of participation

The individual registration fee is Euro 250. It includes accommodation for the duration of the summer school (five nights) and full board (in double room - breakfast, lunch, dinner and coffee break).

Accommodation in a single room requires an additional payment (Euro 20 per day). No total or partial waiver of the individual registration fee can be granted.

Travel arrangements and related expenses are in charge of participants. Some basic information will be provided by the Secretariat.

Participants

Not fewer than 15 and not more than 30.

(a) Law Clerks are to be selected by the Presidents of Constitutional Courts/Supreme Court;

(b) PhD Candidates, PhDs and Post-Docs, Researchers, Students of advanced courses (post-lauream) are selected with reference to their research work in the field selected (CV and publications).

Application

- Application form (available at <http://cocoaproject.eu/>)
- CV
- Letter of motivation

Deadlines

Applications: Thursday, April 28nd, 2016

Selection: Monday, May 16th, 2016

Registration and payment: Monday, 30th May, 2016

Staff

- Academic Coordination: Roberto Toniatti, Faculty of Law, University of Trento;
- Secretariat: Dr. Marta Tomasi, Rosalinda Dieghi, Giulia Neri.

Information

cocoa@unitn.it