

II International Conference:

"Constitutional challenges regarding European integration"

The Italian-Spanish Seminar on constitutional studies issues a new «call for papers» that will culminate in the II International Conference on «**Constitutional challenges regarding European integration**». It will be held at the end of November 2014 at the **Universidad Pontificia Comillas**, at its prestigious seat of ICADE, in Madrid, under the joint academic supervision of the **Dipartimento in Scienze Giuridiche dell'Alma Mater Studiorum - Università di Bologna**, and with the sponsorship of the **Real Colegio de España en Bolonia**. We also benefit from the collaboration of other universities, research centres, and public and private institutions.

Young researchers (PhD students, post-doctoral students, junior doctors) are invited to participate. The Conference will be organized along the lines of analysis proposed, according to the papers which will be selected.

The selection of papers will be conducted by an international scientific committee that will carry out a blind review process. It will judge the scientific quality of the papers and the relevance of the proposed topics. Oral presentation of papers at the Conference will be required. A member of the scientific committee will be assigned to act as a discussant.

The final results of the research are expected to be published. To this end, we seek to prepare a collective book from the revision of the selected papers. Similarly, we will also try to facilitate the publication of other articles that will be accepted for presentation.

The recent economic crisis has severely hit the European society and economy. As a consequence, the weaknesses of some achievements –related to the triple ground on which the constitutional State was founded as social and democratic State of law– has been revealed. At the same time, strong tensions in the territorial distribution of power arise. In particular, separatist movements and supranational forces pose serious concerns about the integrity of the Nation-State.

On the other hand, the European Union has accelerated the process of European material constitutionalisation. The lack of a common constitutional text after the failure of the attempt to ratify the Treaty establishing a Constitution for Europe has not prevented it. Since that failure, notable structural changes have taken place. The Treaty of Lisbon and a number of treaties on economic matters impacting the core of States' economic governance and their democratic systems have been adopted. The recognition of the Charter of Fundamental Rights of the European Union raises significant issues regarding both its coordination with the domestic constitutional law of Member States and the European Convention on Human Rights.

Finally, from a socio-political perspective, we can point to the growth of new movements in Europe (and, specially, in southern countries) fuelled by austerity measures and the crisis. Also, Ukrainian and other conflicts evidence the weakness of EU foreign policy.

Thus, it seems appropriate to propose a debate that addresses the challenges and tensions, but also the opportunities, that are open to constitutionalism in Europe. Priority attention will be given to the European Union, which is increasingly acquiring a federalist form that jeopardises the constitutional models and practices of the Member States. A specific study of the Spanish and Italian current scenario is also proposed.

A. *THE POWER: the political-constitutional shape of Europe, economic governance and sustainability of the “welfare society”*

We propose a constitutionalist approach to the EU institutional construction. The purpose is defining a form of State and government for an integrated Europe. Several issues have to be analysed, such as the tensions in political organization that this entails, the democratic deficit that is attributed to EU institutions, the structuration of the relations between national and European institutions, or the rethinking of the national sovereignty principle. In this sense, we have to compare the different State Members' approaches, as well as study other federal or confederal models.

On the other hand, the economic crisis has questioned the sustainability of the welfare state, undermining most of the social rights that were believed to be guaranteed. It has also raised new forms of governance which have led to a high degree of integration of economic governance in Europe. Additionally, the constitutionalisation of the principle of budgetary balance can be critically analysed. It may be interesting to address the implications of that integration on economic governance for State sovereignty. The important role adopted by bodies without democratic legitimation, or even private entities, should also be studied. It can influence important political decisions that should be democratic.

B. *THE TERRITORY: dilemmas of the EU enlargement and of regionalisation*

The European integration process demands to face the dilemmas of the enlargement towards new States. There are remarkable claims arising from regional authorities and the need to accommodate the regions in the European integration. So, it may be asked, first of all, whether the definition of the territorial framework should be done on a geographical basis or on the basis of common democratic values. The

Nation-State may also be questioned as the basis of the European project: so, it is appropriate to discuss the feasibility of a Europe of Regions. The specific problems that regional States (as Spain or Italy) have to face in face of the European federalisation need to be addressed. Other interesting fields for study are the segregation, division and merging of Member States, or the distribution of competences between the European Union, its Member States, and their regional entities.

C. *THE CITIZENSHIP: the people and the recognition and protection of their rights*

Any process of political integration in Europe must put the citizen at the centre. That is why we propose to think about the concept of European citizenship, its content and its meaning for European integration. Also, the European Union has its own charter of fundamental rights which serve as a parameter of constitutionality against EU legislation. But the issue of fundamental rights also raises questions regarding the different standards of protection in Europe, either at national level or according to the European Convention of Human Rights. At the same time, we notice the dialogue that is taking place between the different courts.

Similarly, in a time of economic crisis, concerns arise regarding the recognition and effectiveness of social rights and the possibilities of enforcing them. This allows a remarkable judicial activism.

RELEVANT INFORMATION

TERMS OF THE CALL

Addressees: applicants must be postgraduate students (Master and PhD) and researchers who have obtained a PhD after 2006 (including that year). The call is open to all nationalities.

Languages: Spanish, Italian, English.

The “**announcement of paper**” document must be downloaded from the website, filled up and sent by email before the 15th of September. The organization will send confirmation upon receipt.

If the paper is preselected, a **draft of 5 to 10 pages** must be submitted before the 15th of October. The draft must contain a summary of the main ideas and the critical conclusions. **The scientific committee will then select, via blind review process, the papers admitted** for their oral presentation during the Conference.

The **final version of the paper** must have a **maximum length of 15 pages**, including bibliography, and must be submitted before the 15th of November. For the purposes of subsequent publication, no texts already published or documents accepted to be published are allowed.

The **paper’s format must follow the template that can be downloaded from the webpage**. Papers that do not meet the formal criteria will be rejected.

Registration and attendance to the Conference are a necessary condition for the admission of papers.

SCHEDULE

Announcement of papers: **until 15 September 2014**

Draft submission: **until 15 October 2014**

Deadline for the admission of papers: **2 November 2014**

Final version due: **15 November 2014**

Holding of the Conference: **25, 26 and 27 November 2014**

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INFO

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The Italian-Spanish Seminar on constitutional studies was established as a study group in 2011 at the initiative of young Spanish and Italian researchers, within the scope of the institutional collaboration between the Faculty of Law of the Alma Mater Studiorum-Università di Bologna and the Real Colegio de España. This initiative is intended to serve as a meeting point for Latin European scholars while an intergenerational debate is encouraged. Thus, the Seminar aims to be an inclusive forum, open to different constitutional positions, useful for the exchange of ideas and the promotion of critical thinking. All this is aimed primarily at those who are starting their research career, so they can enrich through dialogue with professors of the highest scientific recognition, while also pooling constitutional concerns that affect Europe and, in particular, Italy and Spain, in a similar way. To do this, it is necessary to undertake international activities, inspired by a genuine university spirit, that favour free movement of knowledge under the sole premise of passion for scientific progress, and favour also the creation of collaborative networks, even beyond the single academic friendship.