

INTERNATIONAL INSTITUTE FOR THE SOCIOLOGY OF LAW
INSTITUT INTERNACIONAL DE SOCIOLOGIE JURIDIQUE



Apdo. 28 - 20560 OÑATI
Gipuzkoa – Euskadi
España / Europa

WORKSHOP ON:
**New constitutionalism? New forms of
democracy and rule of law beyond liberalism**

Coordinator: **Adam Czarnota** (The University of New South Wales)

12 – 13 July 2018

Programme

Meeting room: Karl Renner & Achille Loria (1st floor)

Wednesday 11th July 2018

21:00 Welcome drinks in Residencia Antia and reception with finger food

Thursday 12th July 2018

8:30-8:45 **Registration** at the IISL office

8:45-9:00 **Opening session**

- **Vincenzo Ferrari** – Welcome to Oñati Institute from the Scientific Director
- **Leire Kortabarria** – A note on publication
- **Adam Czarnota** – Coordinator

9:00-9:15 **Adam Czarnota**, University of New South Wales - Australia
“Between liberalism and populism. Central-Eastrn Europe inn search for its own constitutionalism?”

9:15-11:00 **First session**

Akritas Kaidatzis, University of Thessaloniki - Greece
“Populist Constitutionalism as a Critique on Liberal (or Legal) Constitutionalism”

Paul Blokker, Charles University - Czech Republic
“Populism and its critique of legal constitutionalism”

Jiri Priban, Cardiff University – United Kingdom
“A Sociology of Global Constitutionalism: on constitutional imaginaries and legitimation.”

Discussant: Bogdan Iancu

11:00-11:15 Break

Thursday 12th July 2018 (continuation)

- 11:15-12:30 **Second session**
- Ana Cannilla**, PhD Candidate in Law at the University of Reading - United Kingdom
“**The Agonistic Turn: Institutional Designs for a Majorities-Friendly Constitutionalism**”
- Bogdan Iancu**, University of Bucharest - România
“**Constitutionalism Beyond Politics? The Rise of the Venice Commission**”
- Discussant : Martin Mandelski**
- 12:30-12:45 Break
- 12:45-14:15 **Third session**
- Martin Mendelski**, Max Planck Institute for the Study of Societies Germany
“**Constitutional crises in Eastern Europe: between national and European forms of political unity formation**”
- Silvia Suteu**, University College London – United Kingdom
“**The Populist Turn in Central and Eastern Europe: Is Deliberative Democracy (Part of) the Solution?**”
- Ursus Eijkelenberg**, Bucerius Research Fellow, Zeit-Stiftung Hamburg - Germany
“**Making ‘ends’ Meet: Arbitrary Power as Binding Element Between Legal Constitutionalism and Democracy?**”
- Discussant: Jiri Priban**
- 14:00-15:30 Lunch
- 15:30-17:15 **Fourth session**
- Filip Cyuńczyk**, University of Warsaw/CLEST - Poland
“**One step too far or the square of the circle? Constitutionalisation and institutionalisation of post-communist societal collective memories during the democratic transition**”
- Piotr Ekhard**, PhD Student at Jagiellonian University in Kraków - Poland
“**Post-Socialist Instrumentalization of Law and Democracy in Central Europe**”
- Michał Stambulski**, University of Wrocław - Poland
“**Legal, Populist and Political Constitutionalism in Poland**”
- Discussant: Martin Krygier**
- 17:15-17:30 Break
- 17:30-18:45 **Fifth session**
- Jolanta Sawicka**, Warsaw University - Poland
“**The Rule of Law as the Conditions of Possibility of Civic Engagement**”
- Michał Paździora**, Wrocław University - Poland
“**Beyond Harmony and Disagreement. How to Teach Rule of Law in Post-Communist Poland**”
- Discussant: Alexandra Mercescu**
- 20:00 Dinner

Friday 13th July 2018

9:30-10:45

Sixth session

Martin Krygier, University of New South Wales - Australia
"Institutionalisation and its Discontents. Constitutionalism versus (Anti-) Constitutional Populism in East Central Europe"

Martin Škop, Masaryk University – Czech Republic
"Statutory Drafting as a Part of Constitutionalism"

Discussant: Paul Blokker

10:45-11:00

Break

11:00-12:30

Seven session

Jernej Letnar Čerňič, Graduate School of Government and European Studies – Slovenia
"New constitutionalism in in the former Yugoslavia"

Emilia Kowalewska, Graduate School of Social Research, IFIS PAN, Warsaw - Poland
"Competing visions of Constitutionalism in Post-Socialist Poland"

Discussant: Martin Škop

12:30-12:45

Break

12:45-14:30

Eight session

KukWoon Lee, Handong University – South Korea
"The Meaning of Being Constitutional"

Aída Araceli Patiño Alvarez, Aída Araceli Patiño Álvarez, PhD candidate - University of Antwerp Belgium
"The institutional behavior of constitutional courts in hybrid regimes. An assessment of the societal accountability function of constitutional courts of Colombia, Costa Rica and Mexico"

Discussant: Jongcheol Kim

14:00-15:30

Lunch

15:30-17:00

General discussion and concluding remarks, Adam Czarnota