

CALL FOR PANELS AND PAPERS

Towards the end of the 20th century a rapid retreat of the State has been announced, under the pressure of markets, local autonomies, and globalisation. A wide array of theories has tried to “archive” the State among outdated political models, claiming either its eradication or its substitution by different international or federal entities.

The beginning of the 21st century, however, has brought the State back at the centre of the stage, due to a series of interconnected factors. The economic and financial crises have resulted in distrust in market self-regulation, in the deepening of inequalities and in new demands of political participation by stakeholders and public interest groups. In the last few months, another, even more unsettling crisis has been determined by the pandemic: notwithstanding its global character and its impact on local communities, States have been the main actors responsible for the pandemic management. The difficulties faced by international and supranational coordination instruments and the divergences among local reactions have exposed weaknesses which in turn shed new light on the role of the State, itself struggling when faced with these unprecedented circumstances.

The return of the State – if it had ever retreated at all – is charged with ambiguities and contradictions, and invites scholars to investigate both new and long-standing questions.

A first set of questions concerns the idea of constitutional state itself. The idea of constitutional state has undergone many adaptations throughout its history, adapting to the material circumstances at play. If the idea of State is so persistent, that can also be traced back to its remarkable adaptability. Such adaptability is reflected in all its constitutive elements: people, sovereignty and territory. The former is no longer limited to a presupposed national community, but has expanded as a consequence of post-war pluralism, migrations and multiculturalism; sovereignty, understood in its political dimension, has been challenged by several competitors (the economy, science, digital technologies, only to name a few), but remains whole in its essence. The territorial dimension, necessary for the presence of statutory law itself, has been deeply questioned by a variety of factors, operating at different levels, from locally circumscribed crises circumscribed to the digital dimension. The abovementioned tensions affect also some of the most sensitive areas of State power: criminal law and punishment. On the one hand, the criminal law system is inherently multi-dimensional and multi-level. On the other hand, criminal law is increasingly

often identified not as an *extrema ratio*, but rather as first response, as if to reiterate the State's presence and exercise its crisis.

A second set of questions concerns the future of the administrative state. On the one hand, we can observe the re-emergence of trade and investment barriers on the global level. On the other hand, the distortions caused by financial markets beg public intervention in order to stimulate the economy and support the weaker strata of society. At the same time, the sovereign debt crisis and the ensuing austerity policies have reduced the resources and capacities administrations have to respond to such demands. Demands for more and less State coexist. Hence continuous reforms efforts undertaken by governments worldwide. The aspiration is that of building a smarter and more efficient State, capable of maximising the available resources and of ensuring the fulfilment of new and old collective needs. Internal fragmentation (into agencies, authorities, foundations, and the like) raises difficult coordination problems and questions the uniformity of public rules.

A third perspective looks at the State from an international and European standpoint. While having long reached beyond traditional international law paradigms, current integration and cooperation mechanisms need to be carefully analysed, also as a consequence of the emergence of sovereignty. In the EU, internal and external pressures have contributed to the redefinition of crucial institutions and policies (e.g. citizenship and migration policies), questioning the foundations of the European integration project itself. The international level, on the other hand, is witnessing a crisis of multilateralism, withdrawals from international organisations, and attempts at obstructing international cooperation.

The pandemic represents a testing ground for all such themes: the emergency scenario has put to test the foundations of the whole institutional system, shading light on its nature, scope, and limitations. Especially when express rules governing states of emergency are lacking at the constitutional level, the entire system of public power (sources of law, administrative intervention, prevention through criminal law) is under a pressure until now unknown in times of peace. All the abovementioned perspectives can therefore be analysed through the prism of emergency.

At the time of writing, uncertainty still prevails, both as to the possibility to fully develop comprehensive legal analyses in relation to the events and as to the feasibility of the conference in the scheduled place and date, due to public health considerations. In extending this invite, we hope that we will soon be able to

regain the physical and intellectual space needed to reflect on the current developments and their implications on the institutional and societal level.

Bearing this in mind, the third annual conference of the [Italian chapter](#) of the [International Society of Public Law](#) will take place in Bologna on November 20-21, 2020, with the aim of encouraging a collective, interdisciplinary and intergenerational reflection on the abovementioned themes. Shall there be changes in the dates and venues, they will be promptly communicated. The goal of the conference is to foster an open and in-depth discussion on a selected number of contributions and to consolidate the dialogue among Italian and international scholars. Researchers in all career stages, from all areas of law, sociology, political science, economics and informatics are invited to participate by submitting a paper or panel proposal. Proposals, in Italian or English, can be submitted through the [conference website](#) (www.iconsitalia2020.it) by August 30th, 2020. Panel descriptions should not exceed 1000 words and paper abstracts should not exceed 800 words. The outcome of the selection procedure will be communicated by September 30th, 2020.

For those interested in submitting their conference papers for publication, the finalised versions of the papers will be considered for publication on Forum di Quaderni Costituzionali, IRPA Working Papers, and the Italian Journal of Public Law. The best contributions will be considered for publication on Diritto Pubblico, Quaderni Costituzionali, and Rivista Trimestrale di Diritto Pubblico.

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