

In the framework of the  
SUMMER PROGRAM on “PARLIAMENTARY DEMOCRACY IN EUROPE”  
LUISS School of Government

Webinar on  
“**Constitutionalism, Democracy and Rule of Law**”

17 July 2020  
LUISS Guido Carli  
h. 14.30-17.00  
[Cisco Webex Meetings](#)

h. 14.30 Institutional Greetings  
Giovanni Orsina (Director, LUISS School of Government)

14.45 Introduction  
Cristina Fasone (Professor of Comparative Public Law, LUISS Guido Carli) and Nicola Lupo (Professor of Public Law, LUISS Guido Carli)

h. 15.00 – 1st Roundtable on *Constitutional Democracy in Trouble?*  
This roundtable aims to discuss and critically assess the ongoing process of democratic decay and the crisis of liberal constitutional values in Western legal systems. Several “consolidated democracies”, in Europe and beyond, are undergoing a process of gradual erosion from within. What are the basic tenets of constitutional democracies and when do they become democracies disfigured? How does this process come about and what are the consequences for fundamental principles like separation of powers and pluralism? The speakers will deal with the topic by highlighting how populism, the “constitutional identity” discourse, the tension between religious freedoms and democratic “*vivre ensemble*” and, lately, the coronavirus pandemic have let a diffused constitutional *malaise* to emerge and to endure over time.

Speakers: Pietro Faraguna (Professor of Constitutional Law, University of Trieste), Myriam Hunter-Henin (Professor in Law and Religion and Comparative Law, University College London), Yaniv Roznai (Professor of Comparative Constitutional Law, IDC Herzliya)

15.45 Q&A

Moderator: Nicola Lupo (LUISS Guido Carli)

h. 16.00 – 2<sup>nd</sup> Roundtable on *Democratic and Rule of Law Backsliding in the European Union*

Speakers: Antonia Baraggia (Professor of Comparative Public Law, University of Milan), Laurent Pech (Professor of European Law, Middlesex University of London), Jan Wouters (Professor of International Law and International Organizations, KU Leuven, and Coordinator of the Horizon 2020 Project RECONNECT)

Once defined as “a Community based on the rule of law”, over the last few years the European Union has constantly been under the pressure of a rule of law backsliding due to the constitutional “retrogression” experienced by some of its Member States. What are the meaning and the scope of the EU rule of law as a value? Is the Union able to enforce and to abide to the standard? The speakers will engage with these questions and will analyse the strengths and the weaknesses of the old and new instruments the Union has deployed to counter the rule of law degradation. In the roundtable tools like Article 7 TEU, the rule of law framework, the rule of law conditionality in EU funds, infringement proceedings and the role of the Court of Justice of the EU will be critically reviewed.

16.45 Q&A

Moderator: Cristina Fasone (LUISS Guido Carli)

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