

IVR 2019

Special Workshop 77

Alternatives to Liberal Constitutionalism: Popular, Political, Deliberative

Convenors: Ana Cannilla (Reading) and Donald Bello Hutt (KU Leuven)

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Abstract

Liberal constitutionalism is traditionally associated with limitations to majoritarian power. Put in J.S. Mill's wording, "the people ... may desire to oppress a part of their number, and precautions are as much needed against this as against any other abuse of power". Constitutions are, under this view, the foremost example of such precautions. Yet, as powerful as this conception has been in shaping scholarship, constitutional practices and institutional arrangements, it has met with opposition from sundry perspectives, under different labels. Some speak of popular, others of political constitutionalism. Moreover, recent developments in democratic theory show an increasing interest in deliberative constitutionalism. Finally, we are currently witnessing the rise of illiberal or populist forms of constitutionalism. It is presently not clear, however, if scholars championing these alternatives are talking with each other or past each other.

With this in the background, this workshop seeks to answer some of the following questions: what are the differences, if any, among these alternatives to traditional accounts of constitutionalism? Are they conceptual in nature, or normative? Do they endorse different principles? To the extent that they do, are they compatible to each other? How? Do they justify different institutional arrangements? If so, which? We welcome abstracts of papers answering these and other related questions.

SCHEDULE

Thursday 11th: 14:00h – 16.00h & 16.30h - 18:30h
Room: 4.B01

Dimitrios Kyritsis (Univ. of Reading): “Does Liberal Constitutionalism Need an Alternative?”

Akritas Kaidatzis (Aristotle University of Thessaloniki): “Populist / popular / political constitutionalism”

María Victoria Inostroza (Univ. Pompeu Fabra): “Global Sovereign Liberties and International Law”

Eoin Daly (National University of Ireland): “Disagreement, Symbolic Power and the Circumstance of Politics: Insights from Rousseau’s Illiberal Constitutionalism”

Chiara Valentini (Univ. Pompeu Fabra): “Deliberative Constitutionalism and Judicial Review”

Friday 12th: 14:00h – 16.00h & 16.30h - 18:00h
Room: 4.B01

Ana Cannilla (Univ. of Reading): “‘Political’ Political Constitutionalism and the ‘Populist’ Challenge ”

Donald Bello Hutt (KU Leuven): “Deliberative, Republican, And Egalitarian Alternatives For Popular Constitutionalism”

Ignacio Giuffré (Uni. de Cuyo): “Dialogic Constitutionalism: An Analysis of its Conditions of Appearance”

Mark Tushnet (Harvard): “How Popular and Other Alternatives to Liberal Constitutionalism Can Be 'Institutionalized': Of Referenda and the New Social Media”

Roberto Gargarella (Universidad de Buenos Aires): “Institutional Alternatives to Liberal Constitutionalism”