



WCCL **2026**

July 6 - 10 / 2026
Bogotá - Colombia

Sustainable constitutionalism:
Answers for a changing world

List of workshops



Workshop 1

Can constitutional law help to preserve democracy?

Chairs:

- **Uwe Kischel** kischel@uni-greifswald.de
- **Iris Nguyễn Duy** iris.nguyen-duy@uia.no

This workshop is looking forward to exploring whether and to what extent constitutional law can preserve democratic rule. The question has gained prominence in recent years with the supposition of a growing tendency towards democratic backsliding in certain states. It has been intertwined with many factual and value-laden assumptions as well legal presuppositions, which none must be taken for granted and most of them are analysed in political and ideological debates.

Most answers may depend on which concept of democracy is used. For instance, whether it places central importance on majority rule or relies more on the outcomes or is designed to be counter balanced by human rights and rule of law to encompass these ideas. Other ones will depend on the reason why democratic backsliding is considered a threat or whether and to what extent it covers the battle between different political opinions within democratic values or how it relates to authoritarianism and possible manipulations of public opinion.

The main cover of the workshop will try to concrete the possibilities and limits of constitutional law and safeguards for democracy. Most of the safeguards would limit or extent public willing requiring a delicate balance between the goals and means or they may produce unwanted results by hampering necessary changes after challenges to democracy have been overcome.

Workshop 2

The role of scholars in sustainable constitutionalism

Chairs:

- **Wojciech Sadurski** wojciech.sadurski@sydney.edu.au
- **Yasmin Dawood** yasmin.dawood@utoronto.ca

Constitutional scholars influence constitutionalism not only through the most evident means—such as writing books, articles, commentaries, treatises, and case notes on constitutional matters—but also through more practical engagements. Many constitutional scholars serve as judges in constitutional or other high courts, thereby extending their academic contributions into judicial law-making. Others play a formative role in drafting new constitutions or proposing constitutional amendments.

Beyond these roles, scholars often act as intermediaries between academic inquiry and practical constitutional engagement. They provide expert opinions before courts and tribunals, advise politicians and judges, advocate for constitutional reforms in public discourse, and even participate in public protests. These forms of engagement raise complex ethical and scholarly questions, encapsulated in the term scholasticism—a concept often used pejoratively to suggest an improper conflation of scholarship and activism.

Should a strict demarcation be maintained between scholarship and activism? Where do these boundaries lie? What are the potential risks of scholasticism, and can they be mitigated without resorting to the unrealistic notion of value-free constitutional scholarship? Conversely, in an era of democratic decline, do constitutional scholars have an ethical duty to expose and challenge constitutional retrogression? To what extent do scholarly and practical interventions contribute to Sustainable Constitutionalism: Answers for a Changing World?

Workshop 3

How future-proof are constitutions?

Chairs:

- **JaeHwang Jeong** jjh58@skku.edu
- **Adem Kassie** adem.abebe@gmail.com

Constitutional law often exhibits a striking myopia when it comes to anticipating and addressing long-term challenges. While legislators naturally operate within short- to medium-term horizons, the design of constitutional frameworks should not be entirely left to their immediate political considerations. Traditionally, constitution-making has been viewed through the lens of the veil of ignorance, where decision-makers remain unaware of the short-term consequences of their choices—an approach that, in Rawlsian terms, has been considered desirable. However, this future myopia becomes particularly troubling in the face of mounting crises such as climate change, technological disruptions, persistent pandemics, and global security threats, all of which demand constitutional mechanisms capable of sustaining stability while ensuring adaptability.

Beyond the philosophical discourse on intergenerational justice, future-proofing constitutions requires structural safeguards that embed long-term considerations into legal and institutional frameworks. Theories of collective decision-making have identified a pervasive human tendency to prioritise immediate, marginal benefits over greater, long-term gains. Constitutional mechanisms, including eternity clauses and other forms of substantive pre-commitment, may serve as correctives to this bias by entrenching enduring values and principles within the constitutional order. However, such devices must be assessed for their feasibility in democratic systems, where rigid entrenchment may stifle necessary evolution.

Workshop 4

Contingency and uncertainty: could democracy exists in a no (clear) future context?

Chairs:

- **Xavier Philippe** xavier.philippe@univ-paris1.fr
- **Iurii Barabash** yu.g.barabash@nlu.edu.ua

F. Fukuyama's prophecy about the final victory of democracy after the overthrow of the communist regime in the countries of the Warsaw Bloc and the final collapse of the Soviet Union has not been justified and is criticized, including in these countries, which for the past two centuries, have been considered an outpost of democracy.

It seemed that after World War II, democracy, together with human rights and the rule of law, was firmly entrenched as an "invariable clause" not only at the level of national constitutions, but also in the most important international documents. What is only the jurisprudence of the European Court of Human Rights on the protection of such an unshakable conventional principle as "effective political democracy". Democracy has become so established as a global trend of state-building and an obligatory attribute of the constitutional order that countries that professed completely opposite regimes did not disdain to use this term in the name (for example, the Democratic People's Republic of Korea).

The final realization that democracy can be on the verge of survival came after a number of leaders in democratic countries came to power in a democratic way, who began to impose illiberal tendencies in their countries (D. Trump, R.D. Erdogan, V. Orban, J. Kaczynski, B. Ivanishvili). What is B. Netanyahu's offensive against the independence of the Supreme Court as an impartial guarantor of the constitutional order. All this was intensified by Russia's armed aggression against Ukraine launched in 2022, which became a real test of the democratic world's strength.

Nowadays, attacks against liberal democracies are not even hidden and discourses around and about democracy try to reshape and even transform the nature of democracy. Various qualifications are used to rename democracy under another type of regime using words such as illiberal, civilization constitutional State... These challenges evidence two main points. Firstly, despite criticisms, the word 'democracy' remains used even by those who reject the idea of democracy based on Human Rights, the rule of law and free & fair elections. This shows that the word democracy in itself remains used even by those who reject its basic pillars. Secondly, there is a growing attempt from those who reject constitutional democracy to set up new models where the will of the people and the rule of law is replaced by other notions. The debate between nation-state v. civilization state is one of them.

Thus, the following issues are on the agenda today:

What transformations must the doctrine of “militant democracy” undergo in order for democracy itself to survive in the current conditions of the dominance of extreme populism?

Can the constitutional principle of a democratic republic continue to be a “talisman” against the coming to power of authoritarian leaders?
Constitutional (Supreme) Courts: Guarantors of Democracy or Silent Observers of Plebiscitarian-Authoritarian Transformations?

How can civil society institutions use constitutional tools to prevent the “illiberalization” of democratic regimes?

Direct Democracy vs. Representative Democracy: A New Round of Confrontation between the Direct “Mandate of Trust” and Institutional Stability in the XXI Century. Financial crisis and “covid” restrictions as triggers for the strengthening of populist tendencies in the democratic world.

Permanently renewed ‘state of emergency’ to prevent democratic institutions to play their roles: can constitutional and non-constitutional emergency powers undermine the core concept of democracy?

Using elections to undermine democratic values: can the interference of third states in national elections be regarded as a threat to democracy and free and fair elections.

Protecting constitutional democratic values: should populist leaders who deliberately attacked democracy be barred from running again for elections ?

Workshop 5

(Pseudo)constitutionalism in Illiberal Democracy

Chairs:

- **Justin O. Frosini** jfrosini@jhu.edu; justin.frosini@unibocconi.it
- **Ricardo Ramirez Calvo** rramirezcalvo@udes.edu.ar

In the last decade, it has become clear that, alongside traditional liberal-constitutional democracies, a significant number of countries have embraced different forms of “illiberal” democracy. These are regimes in which there are competitive elections of political authorities but where power is concentrated around the executive office, to the point that even the courts are under government control.

While in the past there have been many authoritarians, semi-authoritarian, and even totalitarian regimes that pretended to cloak their true nature under a constitution, recent examples have shown a current of thought that seeks to present these regimes as a new and more efficient type of constitutionalism, thereby putting into question long-established notions of constitutional government.

This development has examples across different regions of the world, making it a subject of great interest for scholars globally, in line with the international nature of the IACL. The chairs of this workshop, which is a spin-off of the decade-old IACL research group dedicated to “Constitutionalism in Illiberal Democracies” (created in Oslo in 2014), invite proposals for papers devoted to current examples of this type of ‘constitutionalism’. They also welcome papers that analyse past examples to explore similarities, identify possible patterns of authoritarian ‘constitutionalism’, and draw lessons that may help to better understand this phenomenon. As was the case after the IACL Congresses in Seoul and Johannesburg (see links below), papers that are positively evaluated through a blind review process will be published in a special journal issue or an edited book.

Workshop 6

Putting the Other Nomocracy Understandings on the Map

Chairs:

- **Selin Esen** selin.esen71@gmail.com
- **Luc Heuschling** luc.heuschling@uni.lu
- **Daniel Bonilla Maldonado** dbonilla@uniandes.edu.co

Each legal system is informed by a specific understanding of “how law should reign.” It has its own, more or less multifaceted (thin/thick), historically stable (or unstable), and geographically specific (or overlapping) ideal of “nomocracy,” regardless of its iconic denomination(s): “Rule of Law,” “Principle of Legality,” “Rechtsstaat,” “État de droit,” “Estado de derecho,” “Socialist Principle of Legality,” “ (fazhi),” “Hôchikokka,” “Hukuk Devleti,” “Stato di diritto,” «правова държава», “Oikeusvaltio,” “State/Staat/État/Estado (defined as a Legal Person),” “Republic,” “hierarchy of norms,” etc. The term “nomocracy” is used here as a generic expression for the purpose of academic comparison.

Although there is a vast body of scholarly literature on this topic from various perspectives, a comprehensive comparative assessment of this variety is still lacking. Older or, sometimes, even recent comparative approaches in Western comparative law literature often focus—unsurprisingly—on the “usual suspects”: the major players such as the USA, Britain, France, and, increasingly since the end of the 20th century, (Western) Germany. Since its accession to the WTO, China has also garnered significant attention in Rule of Law debates. The same is true, though to a lesser degree, for Islamic regimes and the Rule of Law understanding within the European Union. However, this overview remains geographically limited, a fact that has led to growing criticisms. “Global” or “regional” discussions should be more inclusive and representative.

In the context of Asia, Randall Peerenboom explored this new perspective in his remarkable work *Asian Discourses of Rule of Law* (2004). In the European Union, some recent comparative studies have followed a similar direction. Still, there are many blind spots on the map. In comparative law scholarship—whether in English or any other language—we still lack authoritative and comprehensive reports on the local understanding of nomocracy for many national jurisdictions. We also lack truly global comparative studies, based on a large number of national studies. Current textbooks and handbooks on so-called ‘global,’ ‘general,’ or ‘comparative constitutional law’—whose goal is to cover the entire world or at least a significant region—either do not address the topic of ‘rule of law/nomocracy’ (not surprisingly, given the current lack of consolidated knowledge), or, if they do, the result often falls short of what one might ideally expect. There is rarely a single coherent chapter on the matter; instead, there are several parallel

studies, or one chapter with poor comparative materials, often focusing only on the “usual suspects.”

This workshop aims to contribute to filling this gap by inviting scholars from around the world to present comprehensive national reports or narratives on their local understanding of democracy. In doing so, they are invited to implement and test the analytical grid (the “Questionnaire”) that has been developed and discussed within the framework of the IACL Research Group “The Other Rule of Law Traditions in the World,” co-chaired by Selin Esen and Luc Heuschling.

Workshop 7

Measuring and assessing constitutionalism (both indicators and empirical legal studies)

Chairs:

- **Akiko Ejima** ejima@meiji.ac.jp
- **Maartje de Visser** mdevisser@smu.edu.sg

Human rights, democracy, and the rule of law have been invoked as mantras and core elements of constitutionalism worldwide, but to what extent do they truly denote the same thing? How accurately can their presence be compared across countries? How can we measure and assess the degree to which they are realized—or the extent to which they succeed or fail?

This workshop will critically examine human rights, democracy, and the rule of law in different national contexts, exploring ways to measure and assess these fundamental concepts. Indicators such as Varieties of Democracy (V-Dem), the Gender Gap Index (WEF), and the Freedom in the World Report (Freedom House) must be scrutinized to determine their usefulness and the challenges associated with their application.

Moreover, empirical studies—particularly those employing quantitative methods—are increasingly seen as essential tools for understanding real-world conditions, sometimes even challenging established theories. This workshop seeks to bridge the gap between constitutional principles and on-the-ground realities while critically evaluating the methodology of constitutional legal studies.

Ultimately, it aims to provide an effective framework for analysing the central theme of the World Congress: Sustainable Constitutionalism.

Workshop 8

The Venice Commission: Past, Present and Future Challenges in Elaborating Common Constitutional Standards

Chairs:

- **Angelika Nußberge** *ngelika.nussberger@uni-koeln.de*
- **Francesco Biagi** *francesco.biagi82@gmail.com*

The European Commission for Democracy through Law – better known as the Venice Commission (VC) – will celebrate its 35th anniversary in 2025. Established in 1990 after the fall of the Berlin wall, the VC has become a benchmark institution in Europe and around the world in the fields of democracy, human rights and the rule of law elaborating common constitutional standards.

This workshop aims to explore the role played by the VC, examining its past, present and future challenges. How has the activity of the VC developed over time? How does the VC help to ensure the dissemination and consolidation of a common constitutional heritage? What is the role of the VC in providing constitutional assistance to states in transition? What are the parameters and the methods used by the VC and how have they evolved over time? Are the soft law standards being transformed into hard law? These are some of the key questions this workshop aims to address.

Workshop 9

Constitutional cultures and culture of the Constitution

Chairs:

- **Emmanuel Cartier** emmanuel.cartier@univ-lille.fr
- **Marthe Fatin Rouge Stefanini** marthe.stefanini@univ-amu.fr

In this workshop, the expression 'constitutional culture' refers to the set of beliefs and representations relating to the Constitution. Beliefs refer to the way in which certain mechanisms are perceived by citizens, academics, practitioners and politicians in particular, in their discourses and actions. The 'representations' of the Constitution refer both to its figuration in the form of symbols and to the discourses which speak of it, and which thus contribute to the construction of its image.

In this context, the workshop intends to look both at the elements that identify the constitutional culture of a State and at the way in which this constitutional culture is formed (history, political constraints, legal mechanisms, external influences, etc.) and disseminated within the State and beyond. Can certain elements of constitutional culture be said to be found within a continent, for example, or from one continent to another? What is the degree of social penetration of this constitutional culture and what are its vectors of penetration?

The way in which the Constitution is perceived differs according to who perceives it, who talks about it and through what channels it is disseminated. The papers presented will highlight the specific elements of a constitutional culture, bearing in mind that this is not fixed in time, as well as the mechanisms for appropriating the Constitution by citizens and the various players and the mechanisms for disseminating it.

The workshop will also look at the functions of constitutional culture as a framework for interpreting constitutional norms and as a constraint on the legal actors required to apply them.

Workshop 10

Latin American constitutionalism

Chairs:

- **Magdalena Correa** magdalena.correa@uexternado.edu.co
- **José Ma. Serna** josemar@unam.mx

Latin American constitutionalism has evolved through a complex mix of historical, political, and social influences, shaped by the region's cultural diversity and colonial history. From 19th-century independence movements to modern constitutional reforms, Latin American countries have continuously debated issues like democracy, human rights, and the rule of law. Key topics include the balance between state power and individual freedoms, as well as the incorporation of indigenous rights and environmental concerns in constitutional law. The role of judicial review and constitutional courts has been crucial in interpreting and enforcing these principles. This workshop will explore these themes, focusing on recent trends in participatory governance, social inclusion, and addressing historical injustices, all within the context of growing organized crime, political instability, and populism.

Workshop 11

Rights of indigenous peoples

Chairs:

- **Serges Kamga** sergesalaindk@gmail.com
- **Jeremie Gilibert** jeremie.gilbert@uel.ac.uk

Indigenous peoples have long been victims of discrimination, exclusion, and dispossession, with little to no improvement in their conditions despite the adoption of many constitutions worldwide, including in well-established democracies. Despite constitutions being the supreme law, Indigenous rights often remain sidelined or ignored. Constitutional recognition of Indigenous rights is vital for ensuring legal protection, cultural preservation, and self-determination. Embedding these rights within constitutions provides a solid legal foundation, enabling reconciliation, restitution, and reparation.

This workshop will focus on assessing the protection of Indigenous peoples' rights in constitutions, questioning what has been done, what should be done, and why adequate protection is often lacking. The workshop aims to evaluate whether current constitutions sufficiently protect these rights, particularly in countries where indigeneity is contested or not recognized, or where it conflicts with international law.

Key questions include:

How do constitutions protect Indigenous peoples' rights?

Are Indigenous peoples leading constitutional changes?

How do constitutions address land and resource rights?

How do constitutions ensure informed consent and broader participation?

What influence do constitutional protections have on legislative and executive policies?

How do constitutional protections compare across countries?

The workshop will provide a comparative analysis of successful constitutional protections, focusing on best practices, challenges, and prospects for future reforms. It will explore the potential for constitutional reforms to improve Indigenous peoples' rights, ultimately driving the conversation on the recognition of Indigenous rights within various constitutional frameworks.

Workshop 12

The transformation of presidentialism and parliamentarism: modern division of powers and their special features in Latin America

Chairs:

- **Pablo Riberi** *pcriberi@yahoo.com*
- **Francisco Javier Roca** *groca@der.ucm.es*

What are the new transformations concerning the separation and collaboration of powers? Do distorted models and the hybridization of presidentialism and parliamentarism consolidate new forms of government? Is there a unique model of Latin American presidentialism?

The workshop pursues two core goals. The first is to compile a collection of papers that delve into the transformation of presidentialism and its degree of parliamentarization. The second is to explore the common cross-cutting concerns identified within these papers.

This workshop invites colleagues from around the world to debate the current transformation of political systems in normative and empirical terms. It also convenes for comparative papers grappling with the new challenges caused by the division of powers and the effectiveness of checks and balances embedded during such transformations.

Workshop 13

Judicial Independence

Chairs:

- **Cesar Landa** *clanda@pucp.edu.pe*
- **Alexei Trochev** *atrochev@nu.edu.kz*

Judicial independence is a cornerstone of the rule of law and a fundamental safeguard for the protection of human rights. However, it faces systemic challenges within democracies and is often merely a theoretical concept in non-democracies. These threats undermine the perception and reality of judicial fairness and impartiality, calling for urgent attention. This workshop invites paper proposals that examine constitutional safeguards against improper interference with judicial independence, the delicate balance between judicial independence and accountability, and the mechanisms for combatting corruption within the judiciary.

Key topics may include: the erosion of judicial councils and institutions meant to uphold legal order, such as constitutional courts and the office of the attorney general; the entrenchment of judicial independence within the control of supreme courts; underfunding and inadequate training for judges; the role of judicial self-governance and reputation; external pressures from the media and influential entities; and threats and intimidation against judicial independence from both political elites and grassroots movements.

We welcome submissions that address the following questions:

How have national constitutions and laws responded to pressures, attacks, and threats to judicial independence?

To what extent do constitutional guarantees of judicial independence effectively protect human rights?

How effective are international treaties and cooperation in promoting and preserving judicial independence globally?

Workshop 14

Constitutional dialogues: judicial and extrajudicial dimensions of constitutional courts communication

Chairs:

- **Tania Groppi** *tania.groppi@unisi.it / groppi@unisi.it*
- **Irene Spigno** *irene.spigno@gmail.com*
- **Maria Lecis** *maria-claire.ponthoreau@u-bordeaux.fr*

How do Constitutional Courts communicate in the 21st century? To whom? Previous editions of the Interest Group on “Cross-Judicial Fertilization” analysed the “dialogue” between courts by examining the use of foreign case law in constitutional adjudication. The workshop is aimed at exploring different ways in which constitutional judges engage in “constitutional dialogues”. Panellists shall discuss:

- 1) The institutional dimension of court communication, through their perijudicial communication (press releases, press conferences, official commentaries, and statements) or extra-judicial activity (judicial diplomacy, court networking, relationships with academia);
- 2) the judicial dimension of the communication, considering some aspects of the reasoning revealing the “openness” of the adjudication and of the reasoning, such as references to non-legal arguments, to international and foreign judgments, to the contribution of experts or to amicus curiae briefs;
- 3) the public dimension of the communication, considering the use of social media and the role of courts in contributing to constitutional literacy.

Workshop 15

Federalism and other territorial governance tools under conditions of pluralism

Chairs:

- **Sia Spiliopoulou Akermark** sia.spiliopoulouakermark@abo.fi
- **Francesco Palermo** francesco.palermo@eurac.edu
- **Elisabeth Alber** elisabeth.alber@eurac.edu

At a time when traditional democratic legitimacy is increasingly challenged, multi-level governance and federalism could be expected to gain momentum both politically and scientifically, as they emphasize participation, separation of powers, subsidiarity, and democratic accountability. However, research on federalism and other territorial governance institutions has largely remained confined to the collection and description of a limited number of case studies. These governance tools are often regarded merely as mechanisms to mitigate or prevent conflicts by granting self-government arrangements to specific groups.

While such approaches are necessary, this workshop seeks to move beyond them by exploring whether—and under what conditions—federalism, as well as symmetric and asymmetric territorial governance institutions, can serve as pragmatic and adaptable governance tools. The discussion will focus on how these institutions can address and conceptually engage with institutional and societal pluralism, including diversity accommodation, demographic change, political cultures, democratic innovations, regional and cross-border mobilization, international agreements, intergovernmental relations, and environmental challenges.

Workshop 16

Local authorities as guarantor of democracy, human rights, rule of law

Chairs:

- **Christina Binder** c.binder@unibw.de
- **Tania Groppi** tania.groppi@unisi.it / groppi@unisit.it

Local government has traditionally been absent from debates on the fundamental pillars of constitutional law, such as democracy, human rights, the rule of law, and the separation of powers. However, this has begun to change in recent years, particularly in the context of democratic backsliding and resistance to human rights institutions.

For example, the most recent V-Democracy Index now includes the Local Government Index and Regional Government Index in its dataset. Similarly, the role of local actors is increasingly explored as a means of promoting human rights implementation. Notably, some regional organizations, such as the Council of Europe, are placing greater emphasis on the role of local authorities in defending democracy, human rights, and the rule of law.

Moreover, the crisis of representative democracy at the national level has drawn growing attention to participatory mechanisms and bottom-up decision-making processes, which are particularly effective at the local level. Additionally, local governments are becoming increasingly relevant in guaranteeing human rights—not only in relation to social or environmental rights but also in enforcing national and international court rulings and serving as “laboratories” for the application of new technologies.

This workshop aims to explore the role of local governance in protecting and promoting democracy, human rights, and the rule of law across different regions of the world, with a particular focus on contexts affected by democratic backsliding, institutional decline, and resistance to human rights norms.

We invite presentations addressing the following topics:

The local dimension of participatory and deliberative democracy
The interaction between local and national party systems
Local self-government in times of democratic backsliding: resilience or capture?
The role of local self-government and vertical separation of powers in protecting the rule of law
Local authorities as guarantors of the rule of law, promoting good governance and combating corruption
Implementation of international court judgments and human rights decisions at

the local level

The international dimension of local self-government: treaties, international organizations, and city networks

The protection and implementation of rights at the local level: social rights, environmental rights, and the principle of non-discrimination

Cities as testing grounds for the application of new technologies and artificial intelligence in governance

The role of local self-government in addressing climate change

Workshop 17

Constitutional interpretation in emergencies - changing or stable interpretive practice?

Chairs:

- **Zoltán Szente** *Szente.Zoltan@tk.hu*
- **Fruzsina Gardos** *fruzsina.orosz@gmail.com / Orosz.Fruzsina@tk.hu*

There has been a vast and growing body of literature over the last two decades on the legal theory of emergencies, regulatory regimes, and the scientific assessment of exceptional powers and rights restrictions. However, less attention has been paid to the constitutional review of emergency legislation, despite the fact that the issue has been raised time and time again, from *Ex parte Milligan*, 71 U.S. (4 Wall.) 2 (1866), to *Korematsu v. United States*, 323 U.S. 214 (1944), from *A v. Secretary of State for the Home Department* [2004] UKHL (the *Belmarsh* case) to the “COVID-19 case law” of the European Court of Human Rights. The primary reason for this scholarly gap may be that (constitutional) courts have traditionally been deferential to the executive in times of emergency. Furthermore, since judicial review usually reacts to legal challenges with some delay and after the events, it is difficult to access the relatively limited information needed for normative assessment or even for broader comparative analysis.

Workshop 18

International interventions and post-conflict constitutions

Chairs:

- **Carna Pistan** cpistan@jhu.edu
- **Alenka Antloga** aalenka.antloga@gmail.com

The workshop will analyse the successes and limitations of international involvement in constitution-making through comparative case studies from countries such as, but not limited to, Afghanistan (2004), Bosnia and Herzegovina (1995), Cambodia (1993), East Timor (2002), Germany (1949), Iraq (2005), Japan (1947), Kosovo (2008), and Rwanda (2003).

Particular attention will be given to the ways in which post-conflict constitutions reflect or resist external influences, and how international actors shape constitutional provisions related to human rights, the rule of law, and institutional checks on power. This will provide deeper insights into the broader challenges of nation-building and democratization in post-conflict settings, including the risks of institutionalizing inequality or discrimination based on previous national experiences.

Workshop 19

Constitutions and national security

Chairs:

- **Selin Esen** selin.esen71@gmail.com
- **Anna Jonsson Cornell** anna.jonsson_cornell@jur.uu.se

Following the Second World War, the concept of national security became an integral part of both national and international constitutional law. It was incorporated into numerous international treaties, and many constitutions have adopted it as a justification for limiting fundamental rights. Moreover, in certain constitutional frameworks, national security influences the institutional structure of the state. Despite its widespread constitutional recognition, national security remains a contested concept in constitutional law. Its definition and scope are neither fixed nor universally agreed upon, evolving in response to shifting geopolitical realities. In the 21st century, factors such as mass migration, the rise of authoritarian regimes in global economic and military spheres, nationalism, and even the climate crisis have contributed to redefining the boundaries of national security.

Considering recent geopolitical developments and the increasing use of hybrid warfare, we invite papers that explore national security as a constitutional concept. Submissions may examine its impact on, inter alia, the separation of powers, checks and balances, and the exercise and protection of fundamental rights and freedoms. We also welcome theoretical analyses of national security within constitutional law at global, regional, and national levels.

Workshop 20

Peace and Constitutionalism

Chairs:

- **Elena Simina** *simina-elena.tanasescu@drept.unibuc.ro*
- **Han Dayuan** *handayuan@263.net*

Peace is a universal aspiration of humanity and a fundamental principle enshrined in the United Nations Charter and referred to in many Constitutions. Following World War II, nations collectively committed to establishing a global order rooted in peace, with many embedding provisions in their Constitutions to uphold peace as a fundamental societal value. Nowadays, peace is addressing one of the arduous issues of numerous democracies all across the globe, namely societal cleavage and political polarization. Therefore, the constitutional concept of peace includes not only the international public law commitment to non-aggression, but also the domestic meaning of peace within the state, social peace amongst - or sometimes even despite - the social and cultural diversity of contemporary states.

Thus, some Constitutions seek to protect the concept of peace by simply rejecting war as an instrument of aggression against the freedom of other peoples, while others take into account peace as the main vocation of their State. In Europe several Constitutions declare their intent to participate in various forms of international cooperation in order to protect peace and human rights. Most often, preambles of Constitutions consider peace as a major goal of the community of people reunited within the state or refer to peace as a tool meant to heal historical divisions and reconcile populations after armed conflicts.

At the same time, the constitutional concept of peace may entail an entirely different meaning and address domestic outcomes such as social cohesion and the necessary prevention of social conflicts or “civic/social peace”. Social peace and conflict resolution may even involve the interpretation of vaguely determined provisions in the Constitution itself in a manner that allows a legal system devoid of contradictions and ensures balance among constitutional values. It also entails the appeasement of state authorities and political actors, and the constant mediation between state power and civil society.

Achieving and sustaining peace requires forging consensus through constitutional frameworks, resolving historical disputes through peaceful negotiations, and utilizing constitutional principles to maintain societal harmony.

Participants in the workshop are invited to address any of the manifold aspects of the theme of peace at the intersection with the concept of constitutionalism, including peace as a constitutional right (the right to peace).

Workshop 21

Building peace through constitutions: enabling social reconstruction and coexistence in transitional societies

Chairs:

- **Elisenda Calvet Martinez** *elisendacalvet@ub.edu*
- **Alenka Antloga** *aalenka.antloga@gmail.com*

This workshop aims to explore the intersections between constitutions and transitional justice in societies in transition, with a focus on preventing potential discrimination in post-conflict constitutions. Constitutions can play a key role in building peace and reconciliation in societies that have experienced violent conflict or authoritarian regimes. Understanding how constitutional changes can contribute to the consolidation of peace is essential to prevent future human rights violations and to avoid relapsing into armed conflict or social tensions.

Workshop 22

Crises and gender (violations of women's rights during crises/wars)

Chair:

- **Surya Deva** surya.deva@mq.edu.au

The entire framework of human rights is threatened by war and conflict. In such times, fundamental rights are placed at risk, and existing inequalities—particularly those rooted in patriarchal norms—are often exacerbated. Consequently, girls and women experience gender-based violence not only differently but also disproportionately during armed conflicts. The use of sexual violence as a tactic of war is a stark example of this reality.

Moreover, the experience of violence is not uniform among all women; intersectional factors significantly influence the extent and nature of human rights violations, particularly in the context of warfare and forced displacement. However, girls and women must not be regarded solely as victims of war and conflict. They play a crucial role in conflict prevention and resolution.

How are women's human rights—including access to education, healthcare, and sexual and reproductive health services—affected differently and disproportionately in wartime? What role can constitutions play in safeguarding women's rights during conflicts? How can post-conflict transitions be designed to be gender-responsive? Furthermore, how can constitutions ensure that women actively participate in conflict prevention, peacebuilding, and transitional justice processes?

More than 30 years after the adoption of the Beijing Declaration and Platform for Action, these pressing questions remain at the forefront of global discussions. This workshop, to be held at the 2026 IACL World Congress, will engage with these critical issues. The co-chairs welcome paper proposals addressing any aspect of the workshop's theme.

Workshop 23

Democratic backsliding and gender 'wars'

Chair:

- **Helle Krunke** *helle.krunke@jur.ku.dk*
- **Adrienne Stone** *a.stone@unimelb.edu.au*

"Despite the breadth and depth of inquiries into populism, its relationship with gender issues remains a widely understudied topic." (Sahar Abi-Hassan, 2017). Democratic backsliding often coincides with a backlash against women's rights and LGBT rights. Such regression has been observed across nearly all continents, including Europe, the United States, Latin America, Africa, and Asia. For instance, in the United States, abortion rights have been increasingly restricted in several states. In 2021, Turkey withdrew from the Istanbul Convention on violence against women and domestic violence, while Russia abstained from signing it in 2011. In Poland, the introduction of LGBT-free zones further exemplifies this trend.

The purpose of this workshop is to foster further research in this field. We welcome contributions that explore experiences from different countries and regions, as well as conceptual and theoretical approaches. Papers may focus on identifying and analysing challenges or proposing solutions. Submissions from scholars in Law, Political Science, and other relevant disciplines are encouraged. Selected contributions will be considered for their publication.

Workshop 24

How do social media and artificial intelligence impact on gender equality?

Chairs:

- **Irene Spigno** *Irene.spigno@gmail.com*
- **Janaina Penalva da Silva** *janainapenalva@unb.br*

The panel aims to analyse the impact of new technologies on gender rights on the internet and how feminist comparative constitutionalism can influence the development of these technologies. Scientific evidence shows that the internet plays a dual role in the debate on gender equality. While it enables new spaces for political articulation and the defence of gender rights, it also reinforces gender stereotypes and violence against women. Comparative constitutional law plays a relevant role in this context, as it upholds the guarantee of the fundamental right to gender equality. Based on these grounds, the panel seeks to explore how feminist comparative constitutional law can address gender rights in the digital era.

Workshop 25

Digital constitutionalism, AI and sustainability

Chairs:

- **Oreste Pollicino** oreste.pollicino@unibocconi.it
- **Amon Reichman** reichman@law.haifa.ac.il / reichamn@law.berkeley.edu
- **Giovanni de Gregorio** Giovanni.degregorio@csls.ox.ac.uk

This workshop explores the intersection of digital constitutionalism and sustainability, examining how constitutional frameworks can regulate technological advancements—particularly artificial intelligence (AI)—while safeguarding fundamental rights and promoting sustainable governance. In light of the Sustainable Development Goals (SDGs), the imperative for sustainability has become increasingly pressing, raising questions about how constitutional democracies can address the challenges posed by AI technologies from a local perspective, despite their inherently transnational nature.

The workshop will focus on the following themes:

Protecting Fundamental Rights, AI, and Sustainability: The rapid development of AI presents both significant opportunities and challenges for the protection of fundamental rights such as privacy, equality, and freedom of expression. AI technologies have the potential to enhance efficiency, monitor environmental trends, and support sustainable practices, contributing to global sustainability efforts. However, expanding the protection of rights can also have unintended consequences for AI and sustainability. For instance, granting individuals the right to demand the retraining of generative AI models may impose a substantial economic burden, while the heavy reliance on energy-intensive data centers conflicts with efforts to reduce carbon emissions and combat climate change. Additionally, the computational demands of training large AI models, particularly those based on deep learning, contribute to a considerable carbon footprint, undermining global objectives to limit temperature rise and strengthen climate resilience.

Public and Private Governance of AI and Sustainability. In the digital era, the boundaries between public and private governance are becoming increasingly fluid. Large technology companies, which control vast amounts of data and digital infrastructure, play an increasingly significant role in shaping public policy, governance, and even societal values. This dominance of private actors forces public institutions to rely on AI systems for risk monitoring and decision-making in policy and regulation. However, automation and algorithmic biases could impact public interests such as environmental protection and agriculture. Furthermore, AI-based solutions often rely on data from wealthier regions, potentially neglecting marginalized and underserved communities, thereby exacerbating inequalities.

Green and Blue Policy: The Twin Transition of Sustainability and Technology. The twin transition refers to the simultaneous pursuit of environmental sustainability (green) and technological advancement (blue). As the world seeks to mitigate climate change, protect biodiversity, and accelerate innovation, these two transitions must be approached in tandem. AI systems can play a pivotal role in achieving both goals by enabling smarter resource management, enhancing climate change monitoring, and fostering the development of sustainable technologies. The integration of AI into green and blue policies is critical for constitutional democracies to ensure that technological advancements contribute to sustainable development while safeguarding fundamental rights and public interests.

Participants in this workshop are invited to explore the challenges at the intersection of digital constitutionalism, AI, and sustainability. Constitutional democracies must ensure that these technologies support sustainability while protecting fundamental rights. This workshop will examine how constitutional systems can foster sustainability while balancing the governance of AI technologies with the protection of fundamental rights.

Workshop 26

Challenges and opportunities posed by social networks for the exercise of democracy

Chairs:

- **George Katrougalos** gkatrougalos@yahoo.gr
- **Marcelo Figueiredo** mfigueiredo@mfaa.com.br

The social platforms, like X, Facebook or Tick Tock, have expanded the public sphere and constitute valuable tools of communication and information. However, the unchecked power of Big Tech companies over them leads to inconsistent content moderation, without transparency and accountability, which can result in biased censorship, silencing marginalized voices that don't align with the platform's or its executives' agendas. Algorithms employed to curate content can create "echo chambers," effectively limiting certain voices while amplifying others. In addition, the sheer market dominance of a few tech giants stifles competition and allows them to wield disproportionate control over public discourse.

What is the role of the Constitution regarding the establishment of clear guidelines and oversight mechanisms, capable to ensure that social media platforms serve as spaces for open, inclusive dialogue, rather than becoming tools for corporate censorship or manipulation?

Workshop 27

Human dignity and 21st century

Chairs:

- **Byung – Yoon Cho** *bycho77@gmail.com*
- **Bertrand Mathieu** *prb.mathieu@orange.fr*
- **Bernardo Andrés Carvajal Sánchez** *bernardo.carvajal@uexternado.edu.co*

Human dignity has been a fundamental right and the inspiration for new legislation and legal interpretations of the new constitutions as a natural right with the objective of protecting from a general perspective the core values that is seen as a protection for all humans from a social, personal and economic point of view. This principle serves as a cornerstone in legal, ethical, and philosophical discourse, shaping the foundation of human rights and governance. This workshop explores the multifaceted interpretations of human dignity, tracing its historical and philosophical evolution, its role in religious traditions, and its function as a fundamental tenet of human rights law.

It's important for the workshop to address these issues from a critical perspective based on these problematic topics as we are about to begin an exploration of human dignity. Therefore, it is worth asking what's the use of human dignity? Does it have to change or should its concept be improved in relation to the following topics:

Healthcare and bioethics
Democratic governance
Global constitutionalism
Peacebuilding and world peace
Environmental protection
Technology, artificial intelligence, and digital rights

This workshop aims to foster an interdisciplinary dialogue on the universality, limitations, and future trajectory of human dignity in an increasingly interconnected world.

Workshop 28

Academic freedom under pressure

Chairs:

- **Tom Ginsburg** tginsburg@uchicago.edu
- **Adrienne Stone** a.stone@unimelb.edu.au

Academic freedom is increasingly under threat in many parts of the world. Populist movements exploit anti-elite and anti-scientific sentiments, while authoritarian regimes impose restrictions on academic inquiry, limiting research and discourse to what is politically acceptable. In some countries, physical and psychological aggression—including bullying and intimidation—has become more prevalent. Additionally, evolving models of university governance contribute to these pressures, further constraining the autonomy of academic institutions.

This workshop will examine diverse conceptions of academic freedom across different regions, identify the various threats it faces, and explore strategies for safeguarding spaces for teaching, research, and intellectual inquiry in an era of mounting challenges.

Workshop 29

Social justice in 21st Century Constitutionalism

Chairs:

- **Marek Zubik** *marek.zubik@wp.pl*
- **Merris Amos** *m.e.amos@qmul.ac.uk*

Article 1 of the Universal Declaration of Human Rights affirms that “All human beings are born free and equal in dignity and rights,” with the concept of social justice focusing on the fair distribution of resources, opportunities, and privileges within society. Constitutions globally play a key role in ensuring social justice by guaranteeing equality, human rights, and accountability.

This workshop invites papers on social justice in 21st-century constitutionalism, welcoming contributions on topics such as:
Social justice and constitutional design, including post-conflict constitutionalism.

The role of international law and institutions in securing social justice at the national level.

Threats to social justice from democratic decline.

Achieving social justice outside the constitution and the state.

The experience of social justice for migrants, refugees, and stateless persons.

The role of constitutional actors in securing or undermining social justice.

Constitutional social justice as a challenge to or enabler of capitalism.

The role of constitutions and constitutional actors in overcoming poverty.

Social justice in the context of the digital state.

LGBTQ+ rights in modern constitutions.

The right to a clean and healthy environment as an aspect of social justice.

Constitutional recognition of Indigenous peoples' rights.

Workshop 30

Social dumping vs social rights

Chairs:

- **George Katrougalos** gkatrougalos@yahoo.gr
- **Stella Christoforidou** christoforidoustyliani@yahoo.gr

There is no clear definition of social dumping. However, it is a term that is increasingly used in public debate. The term is mostly used to describe the reduction of the level of social protection for the sake of competition, either on the part of companies through the adoption of unfair practices to increase profits, or on the part of the state in its attempt to attract more investors from the private sector. Either way, these practices have a negative impact on social rights. The EU has, for example, attempted to address this issue in the internal market with the directive on adequate minimum wages, but has again left a wide margin of discretion to the Member States, thus making the effectiveness of protection against wage dumping uncertain.

Given the above, it is worth exploring the concept and content of social dumping from a constitutional perspective. Can other cases beyond labour rights and social security be included? For example, could the underfunding of public hospitals or universities, which de facto benefits the private sector, be considered social dumping? Does the social acquis theory respond to the new challenges of the era of open markets? Could social dumping as such constitute a violation of social rights, and under what circumstances could this be examined by the courts—beyond or with the help of general principles such as human dignity, equality, proportionality, decent living, etc.?

In addressing the above, the international or regional framework for the protection of social rights, as well as the framework for the liberalisation of markets, privatisation, and issues relating to the role of the state and its obligations toward both citizens and subjects of international law, should be taken into consideration, along with any other relevant issues from a holistic perspective.

Workshop 31

Membership in time: temporal bordering in constitutional settings, and its impact on membership acquisition and loss

Chairs:

- **Patricia Mindus** patricia.mindus@filosofi.uu.se
- **Ruvi Ziegler** r.ziegler@reading.ac.uk

This workshop aims to investigate how time and temporal measures impact membership and status-based rights in constitutional settings. Temporal borders—defined as the establishment of deadlines and time limits that shape migrants' lives—play a crucial role in reasserting control over irregular migration movements (Tazzioli, 2018) and represent a key technique of shifting borders (Shachar, 2020). These mechanisms influence a person's legal status irrespective of their physical presence at traditional borders. Simultaneously, time has a direct effect on status-based rights, as seen in the distinctions between permanent and temporary residents.

Temporal borders are pervasive in legal frameworks. Numerous legal categories and doctrines have an inherent temporal dimension, including retroactivity, precedent, revision, prescription, adjournment, deadlines, sunset clauses, time caps, evidentiary statutes of limitations, pre-emption, foreclosure, suspension, prohibitions on excessive delays, waiting periods, and compensation rules for loss of time. Even concepts such as eternity clauses, institutional path dependency, constitutional identity, and constitutional duration are deeply tied to time. Moreover, the law is not immune to the increasing velocity of social change and the pressures of acceleration.

The acceleration of time manifests across various legal fields. Lawmaking has become increasingly rapid, with laws being enacted, amended, and repealed at an ever-growing pace. Summary and expedited legal proceedings are on the rise, legal doctrines become obsolete more quickly, and urgency—once an exception—is now the norm in legislative and executive decision-making. Philosophers and sociologists of time have long observed that urgency, previously associated with exceptional circumstances, has become a defining feature of contemporary governance. Yet, constitutional lawyers and jurists rarely rely on well-developed frameworks for representing time-related phenomena in the law. While the literature on time and law is extensive, it often adopts temporal models from other disciplines rather than developing legal-specific approaches.

One of the defining attributes of time in law is its malleability. Legal time differs fundamentally from natural time: a phenomenon of continuous duration may

be legally framed as an instantaneous event (e.g., the legal threshold of majority). Unlike natural time, which flows uniformly, legal time can pause, reverse, or restart. Moreover, time in law is always experienced subjectively—it is the time of someone. This subjectivity has profound normative implications: two years in the life of a healthy adult are not the same as two formative years in the life of a child.

Reflecting on temporal bordering in constitutional settings reveals the intricate relationship between law and power. Those who design time-related standards and rules shape legal frameworks to accommodate certain interests at the expense of others. Time is frequently used as a tool of power negotiation (Cohen, 2018). From the laws of time—how we structure calendars and regulate clocks, an issue of interest to reformers and revolutionaries alike (Hemel & Hamilton, 2023)—to transitional justice processes, constitutional moments, and the competing temporalities of law across various legal branches, juridical time raises fundamental normative questions. Understanding juridical time is essential for addressing challenges to the rule of law and inclusive democracy, particularly in contemporary contexts shaped by crises.

We invite submissions exploring any of the manifold aspects of this workshop.

Workshop 32

Fundamental Rights and Football

Chairs:

- **Eva Brems** *eva.Brems@UGent.be*
- **Catherine Van de Graaf**

As the IACL World Congress coincides with the FIFA World Cup, football is likely to be a topic of discussion for many among the participants at this international forum of scholars and practitioners of constitutional law. In this workshop, we will discuss football as a setting and topic of constitutional law scholarship.

We invite papers on all topics related to football and fundamental rights. This includes but is not limited to:

Gender equality in football

The fight against racism and homophobia in football

Procedural rights before sports tribunals in relation to football

Human rights risks related to the building of football infrastructure

Human rights risks related to the policing of football games

Human trafficking in football

Labour rights in football

Children's rights in football

Football and the rights of persons with disabilities

Corruption-related human rights risks in football

Workshop 33

Environmental Sustainability and Constitutionalism

Chairs:

- **David Bilchitz** bilchitz@gmail.com / davidb@saifac.org.za
- **Oumarou Narey** o_narey@yahoo.com

The protection of the environment and the components that make it up has increasingly been engaged in constitutions and the jurisprudence emanating from them. The climate emergency has led to an urgency to ensure the structures of law are able adequately to respond. At the same time, constitutional law enshrines a balancing process which requires consideration of competing interests. This workshop will engage with global developments surrounding environmental protection that fall broadly within the term 'environmental sustainability' and focus particularly on the protection of the environment in constitutions. Of interest will be questions such as the following (this is not an exhaustive list):

Is the concept of environmental sustainability normatively coherent or desirable?

Has the notion of environmental sustainability concretely assisted in improving protection for the environment?

How have courts approached balancing the protection of the environment with other interests that may conflict?

Have alternative concepts provided a better basis for environmental protection?

In what way can courts strengthen protection of the environment?

Given the climate emergency, should the role of courts be bolstered in the sphere of environmental protection?

Workshop 34

Rights of nature

Chair:

- **Gonçalo de Almeida Ribeiro** gar@tribconsitucional.pt
- **Yaffa Epstein** yaffa.epstein@jur.uu.se

There is a great deal of discussion nowadays about whether nature as a whole or particular natural entities — a mountain, a forest, a river, an endangered species etc. — can be bearers of rights and whether such rights are intrinsic (ascribed to nature for natural entities' own sake) or conventional (a device to protect human interests and values).

From these basic questions others proceed:

Ought the rights of nature be constitutionally entrenched?

Are they subject to the general constitutional regime of fundamental rights?

How are such rights to be legally exercised?

What is the relationship between the rights of nature and environmental protection?

The workshop is an occasion to discuss these and other questions in this rather new field of inquiry.

Workshop 35

Sustainable Constitutionalism and Nonhuman Animals: Rights, Duties and Inclusive Justice

Chairs:

- **Amy P. Wilson** amywilson@animallawreform.org
- **Eva Bernet Kempers** eva.bernetkempers@uantwerpen.be
- **Yaffa Epstein** yaffa.epstein@jur.uu.se

In recent years jurisdictions around the world are passing legislation and interpreting constitutions, laws and policies to expand legal protection to nonhuman animals. This raises the question whether, and in what way, sustainable constitutionalism must consider the effects of the law not only on humans but also on other living beings who share this planet with us.

Various approaches have been suggested and criticised – for instance utilising environmental human rights and rights of Nature; the doctrine of habeas corpus; as well as notions of sentience, dignity, equality and intrinsic value, among others. Elevating animal protection to a constitutional level has involved significant conceptual developments; yet there remains a gap between these ideals and the reality of unremitting human exploitation of and serious cruelty towards many nonhuman animals.

This workshop will explore the growing area of constitutionalism and nonhuman animals from the perspective of sustainable constitutionalism, assessing how courts, policymakers, politicians and other stakeholders are grappling with their inclusion and exclusion in current constitutional systems. It will also investigate the necessity and practicalities of expanding the realm of constitutionalism beyond the *Homo sapiens* species, posing the question whether sustainability is an appropriate framing, particularly in the context of converging socio-ecological crises and technological and other developments.

Workshop 36

Powers and Neurorights in the Artificial Intelligence Era

Chairs:

- **Giovanna De Minico** *g.deminico@virgilio.it*
- **Oreste Pollicino** *oreste.pollicino@unibocconi.it*

This panel will be splitted in two parts, as follows.

A) A brief overview on how Artificial Intelligence crafts the relationship between, on the one hand, public and private powers and, on the other hand, citizens.

B) Do new fundamental rights, especially neurorights - cognitive freedom, neuro-privacy, mental integrity, and psychological continuity - require formal Constitutional revisions or adaptive interpretations? Which legal regime: should positive obligations be charged on both Tech Giants and public authorities in addition to old negative duties?

Method: these issues are assessed not only in theoretical terms, but also in concrete cases:

e.g., manipulative and targeted political campaigns.