**IV SOFIA LEGAL SCIENCE WEEK**

**‘LAW AND REVOLUTION’**

Dates: 27-28 March 2020

Venue: Sofia, Bulgaria

University of Sofia ‘St. Kliment Ohridski’, Faculty of Law

1504 Tzar Osvoboditel Blvd.

Aula Magna, new conference hall, hall 1 and hall 2

**Stream I. (blue stream) Revolution, Transition, Oblivion. Reflections on Constitutional Order and Disorder**

**Stream II. (green stream) Territory and Revolution. Self-Determination, Secession and Revolutionary Territoriality Constitutional Politics**

**Stream III. (red stream) Populist and Revolutionary Constitutionalism**

**Stream IV. (white stream) Courts and Lawyers in Times of Revolution, Contestation and Transition**

**Stream V. (violet stream) Ruptures of Democratic Constitutionalism**

**Stream VI. (yellow stream) Information and Technology Revolution and Their Impact on State, Constitutionalism and Constitutional Law**

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| **Day 1.**  **27 March 2020** | | |
| **Registration**  **8:20 – 9:00**  **(lobby of the Aula Magna)** | | |
| **Opening panel**  **9:00 – 10:00**  **Aula Magna**  Daniel Valchev (dean of the Faculty of Law) Official greetings to the conference participants  Martin Belov (vice dean of the Faculty of Law, President of the Sofia Legal Science Network, organizer of the conference) Opening speech | | |
| **Panel 1.1. General Theory of Legal (Dis)order**  Hall I  10:00 – 11:30  Moderator: Daniel Valchev (University of Sofia ‘St. Kliment Ohridski’, Bulgaria)  Yanaki Stoilov (University of Sofia ‘St. Kliment Ohridski’) Revolution in Law  Xavier Souvignet (Université Grenoble-Alpes, France) Revolution and Interpretation: what is a legal revolution?  Donald Bello Hutt (KU Leuven, Belgium) Political Representation as Interpretation and the 2019 Chilean Revolution: An Argument for a Mixed Constitutional Convention | **Panel 2.1. Revolutionary Territoriality Politics: Self-Determination, Sovereigntism, and beyond**  Hall II  10:00 – 11:30  Moderator: Emmanuel Cartier (University of Lille, France)  Joan Solanes Mullor (Pompeu Fabra University and ESADE-Ramon Llull University, Barcelona, Spain) The Catalan secessionist challenge and the language of constitutionalism: an uneasy digestion  Jorge E. Núñez (University of Manchester, UK) Territorial Disputes and State Sovereignty: International Law and Politics  Emanuel Castellarin (University of Strasbourg, France) Framing revolutions through international law? Self-determination referendums beyond post-colonial situations  Mira Kaneva (University of Sofia ‘St. Kliment Ohridski’) Revolution and devolution in contemporary European territoriality – political orders and moral borders in Exit-ing  Arenca Trashani (University “Luigj Gurakuqi”, Shkodra, Albania) Humanitarian intervention and its impact on state sovereignty and human rights | **Panel 3.1. The Imaginative Dimension of Populist and Revolutionary Constitutionalism**  New Conference Hall  10:00 – 11:30  Moderator: Yaniv Roznai (Interdisciplinary Center (IDC) Herzliya, Israel)  Paul Blokker (University of Bologna, Italy) Populism, constituent power, and constitutional imagination  Eoin Daly (National University of Ireland, Galway) Alchemising peoplehood: Rousseau’s lawgiver as a model of constituent power  Martin Belov (University of Sofia ‘St. Kliment Ohridski’) Revolutionary Constitutional Memories  Julia Wesołowska (Jagiellonian University, Krakow, Poland) Law and Emotions: a new revolutionary paradigm in the philosophy of law? |
| **Panel 1.2. General Theory of Legal (Dis)order (continuation)**  Hall I  11:30-12:45  Moderator: Yanaki Stoilov (University of Sofia ‘St. Kliment Ohridski’)  Michał Peno (Szczecin University, Institute of Legal Studies and Institute of Sociology, Poland) On the dimensions of disorder in law  Rafał Mańko (Centre for the Study of European Contract Law University of Amsterdam, Netherlands) Legal Form and Revolution: Some Reflections from the Perspective of Critical Legal Theory | **Panel 2.2. Secession. A Comparative Constitutional Law Perspective**  Hall II  11:30-12:45  Moderator: Emanuel Castellarin (University of Strasbourg, France)  Giuseppe Martinico (Scuola Superiore Sant’Anna, Pisa, Italy) Taming Secession and Challenging Populist Counter narratives. Celebrating the Canadian Reference Regarding the Secession of Quebec  Gabriella Mangione (University of Insubria, Como/Varese, Italy) Referendums for autonomy in Lombardy and Veneto  Sabrina Ragone (University of Bologna, Italy) Independentist claims in Catalonia between legal consultations and revolutionary referenda: a neglected European crisis? | **Panel 3.2. Sovereigntism, Populism and Tendential Constitutionalism**  New Conference Hall  11:30-12:45  Moderator: José Luis Martí (University ‘Pompeu Fabra’, Spain)  Marcin Kilanowski (Nicolaus Copernicus University in Toruń, Poland) Between Populist Demands and Peoples Rights. Toward a New Social Contract  Angela Di Gregorio (University of Milano, Italy) The “degeneration of contemporary democracies” as a new phenomenology of constitutional transition and its conceptual boundaries  Monica Bonini (Università degli Studi di Milano-Bicocca, Italy) Law, Revolution and Constitutional Populism  Gianmario Demuro (University of Cagliari, Italy) Between Law and revolution: is sovereign populism constitutional?  Konrad Lachmayer (‘Sigmund Freud’ University Vienna, Austria) Pseudo-Revolutions, Coup d´Etats and Social Upheaval. The Role of the People in Times of Populism |
| **Coffee break**  **12:45- 13:15** | | |
| **Panel 1.3. Theory of Constitutional Revolutions**  Hall I  13:15 – 14:00  Moderator: Martin Belov (University of Sofia ‘St. Kliment Ohridski’)  Antoni Abat Ninet (University of Copenhagen, Denmark) Conceptualizing the Relationship between Revolutions and Constitutions  Carla Huerta Ochoa (Legal Research Institute, UNAM, Mexico) On Constitutional Transitions: an explanatory model of legal transitions | **Panel 2.3. Secession. A Comparative Constitutional Law Perspective (continuation)**  Hall II  13:15 – 14:00  Moderator: Tímea Drinóczi (University of Pécs, Hungary)  Angel Aday Jimenez Aleman (University of Vigo, Spain) Tocqueville in Spain: The Judicialization of Megapolitics and the Catalonian Secessionist Challenge  Costanza Margiotta (University of Padova, Italy) Secession in Law: a Revolutionary or a Conservative Concept? | **Panel 3.3. Sovereigntism, Populism and Tendential Constitutionalism (continuation)**  New Conference Hall  13:15 – 14:00  Moderator: Konrad Lachmayer (‘Sigmund Freud’ University Vienna, Austria)  Alessandro Rosanò (University of Turin, Italy) and University of Valle d’Aosta, Italy) The Incomplete Revolution: Western Balkans States and their Path towards the European Union in the Light of Organized Hypocrisy  Djordje Gardasevic (University of Zagreb) The Silent Revolution – On the Growing Use of Constitutional Referendums in Croatia  Carlo Alberto Ciaralli (University “G. d’Annunzio” of Chieti-Pescara, Italy) European Constitutional Order and Populist Legal Revolution: A Challenge for Western Liberal Democracies |
| **Panel 1.4. Kelsenian Discourses on Constitutional Revolutions**  Hall I  14:00 – 15:00  Moderator: Xavier Souvignet (Université Grenoble-Alpes, France)  Monika Zalewska (University of Lodz, Poland) Basic norm at the time of revolution  Simeon Groysman (University of Sofia ‘St. Kliment Ohridski’) On the Kelsenian Concept of Revolution: A Theory of the Relationship between Social and Legal Revolution and the Case of the first Bulgarian Constitutional Transition (1944-1947) | **Panel 4.1. Revolutionary Courts and Revolutionary Lawyers on the Edge between Constitutional Revolution, Revolutionary Constitutionalism and Abusive Constitutionalism**  Hall II  14:00 – 15:00  Moderator: Guerino Fares (University Roma Tre, Italy)  Hadeel Abu Hussein (Oxford University, UK) The implication of Establishing new Constitutional Courts in the Middle East and North Africa region post the wave of Arab Spring Protests  Yaniv Roznai (Interdisciplinary Center (IDC) Herzliya, Israel) Revolutionary Lawyering  Nino Tsereteli (Masaryk University, Czech Republic) Post-Soviet Judiciaries in Transition: Exploring Reform Dynamics in Georgia and Ukraine  Gürkan Çapar (Goethe-University of Frankfurt am Main, Germany) How A Constitutional Court Falls Into The Trap of Abusive Constitutionalism | **Panel 3.4. Populism and Constitutionalism: Central European Experiences**  New Conference Hall  14:00 – 15:00  Moderator: Ioannis A. Tassopoulos (National and Kapodistrian University, Athens, Greece)  Agnieszka Bień-Kacała (Nicolaus Copernicus University Toruń, Poland) Democracy in illiberal constitutionalism: the case of Hungary and Poland  Zoltán Pozsár-Szentmiklósy (Eötvös Loránd University, Budapest, Hungary) The invisible separation of powers and the control of the central political power. Lessons from Hungary, Moldova and Romania  Zoltan J. Toth (Karoli Gaspar University, Budapest, Hungary) Rule of law vs. democracy in Central Europe  Hristo Hristev (University of Sofia ‘St. Kliment Ohridski’) The Rule of Law’s Crisis in the EU: Causes and Solutions |
| **Lunch**  **15:00 - 16:15** | | |
| **Panel 1.5. Constitutional Transition – between Emergency and Oblivion**  Hall I  16:15 – 17:15  Moderator: Fruzsina Gárdos-Orosz (Institute for Legal Studies and Eötvös Loránd University, Budapest, Hungary)  Emmanuel Cartier (University of Lille, France) "Vichy syndrome" or the use of a republican damnatio memoriae as a transitional legal solution (1940-1944)  Aleksandar Tsekov (University of Sofia ‘St. Kliment Ohridski’) The provisional constitution in time of transition: between constitutional amendment and constitutional revolution  Christos Papastylianos and Costas Stratilatis (University of Nicosia, Cyprus) The Ibrahim Judgment and the Cypriot Doctrine of Necessity: A constitutional revolution through an Emergency? | **Panel 4.2. Courts, Revolution, Authoritarianism, Transition**  Hall II  16:15 – 17:15  Moderator: Gavin Barrett (University College Dublin)  Valéria Emília de Aquino (University ‘Presidente Antônio Carlos’, Brazil) The influence of the jurisprudence of the Inter-American Court of Human Rights in the post-dictatorial period in Argentina  Peter Čuroš (University of Oslo, Norway) The Genealogy of Institution – a Revolution Mirroring in the Judiciary of Czechoslovakia | **Panel 3.5. Populism and Constitutionalism: Central European Experiences (continuation)**  New Conference Hall  16:15 – 17:15  Moderator: Zoltán Szente (Institute for Legal Studies and National University of Public Service, Budapest, Hungary, Hungary)  Tímea Drinóczi (University of Pécs, Hungary) Human rights protection in illiberal constitutionalism: the case of Hungary and Poland  Przemyslaw Tacik (Jagiellonian University, Kraków, Poland) A Revolution Without a Revolution: Polish Constitutionalism under Populist Rule  Agnieszka Bień-Kacała, Anna Tarnowska and Wojciech Włoch (Nicolaus Copernicus University Toruń, Poland) Representative democracy in the times of populism. The case of Poland |
| **Coffee break**  **17:15 – 17:45** | | |
| **Panel 1.6. Constitution Making, Unconstitutional Constitutional Amendments and Pro-Authoritarian Drifting of the Constitutional Order**  Hall I  17:45 – 18:30  Moderator: Moderator: Antoni Abat Ninet (University of Copenhagen, Denmark)  Olgierd Bogucki (University of Szczecin, Poland) The idea of unconstitutional constitutional amendments – assumptions and interpretation  Zoltán Szente (Institute for Legal Studies and National University of Public Service, Budapest, Hungary) Constitution-Making Processes in Europe Since the Second World War  Aleksandra Kustra-Rogatka (Nicolaus Copernicus University, Toruń, Poland) Constitutional Pluralism, Abusive Constitutionalism and Limits of Constituent Power in European Union | **Panel** **4.3. Revolutionary Jurisprudential Paradigms**  Hall II  17:45 – 19:00  Moderator: Maja Nastć (University of Niš, Serbia)  Maria Lucia Di Bitonto (University of Camerino and University LUISS ‘Guido Carli’, Rome, Italy) The Revolutionary Impact of the European Court of Human Rights Case Law on the Idea of *Res Judicata* in Criminal Justice: the Italian Experience  Eszter Bodnár (Hungarian Academy of Sciences and Eötvös Loránd University, Budapest, Hungary) Revolution in the international judicial dialogue?  Upal Aditya Oikya (University of Pecs, Hungary) International Crimes (Tribunals) Act 1973: A Revolutionary Approach to hold National Trials of the International Crimes as Transitional Justice  Iwona Wróblewska (Nicolaus Copernicus University Toruń, Poland) Evolution or concealed revolution: the paradigm of constitutional rights and freedoms regarding their effectiveness in private relations | **Panel 3.6. Populism and Constitutionalism: World Experiences**  New Conference Hall  17:45 – 18:30  Moderator: Paul Blokker (University of Bologna, Italy)  Ioannis A. Tassopoulos (National and Kapodistrian University, Athens, Greece) The Greek Constitution and the “Golden Dawn”: A Case of Constitutional Resilience or a Challenge for a Fundamental Reappraisal?  Wojciech Engelking (University of Warsaw, Poland) The roots of legal populism in Russia: pre-Marxists socialists, Bolsheviks and Ivan Ilyin  Maira Tito (Nova University of Lisbon, Centro de Estudos e Desenvolvimento sobre Direito e Sociedade, Portugal) Populism in Brazil: how the trend influenced the imprisonment of a former President and the election of the new one |
| **Dinner**  **20:00 –** | | |
| **Day 2.**  **28 March 2020** | | |
| **Panel 5.1. Is Deliberative Constitutionalism Possible?**  Hall I  9:00 – 10:00  Moderator: Sabrina Ragone (University of Bologna, Italy)  José Luis Martí (University ‘Pompeu Fabra’, Spain) Nonviolent action and contestation in a deliberative, collaborative democracy  Alex Sander Xavier Pires (Universidade Autónoma de Lisboa), Carla Dolezel Trindade (Instituto Universitário do Rio de Janeiro, Brazil) and Simão Aznar Filho (Instituto Universitário do Rio de Janeiro, Brazil) [Re]Construction of democratic constitutionalism: the way to peace | **Panel 6.1. State and Constitutional Law in the Context of the Information and Technology Revolution**  Hall II  9:00 – 10:00  Moderator: David Roth-Isigkeit (Wurzburg Centre for Social Implications of Artificial Intelligence (SOCAI) – JMU, Germany)  Daniel Valchev (University of Sofia ‘St. Kliment Ohridski’, Bulgaria) Constitutional Dimensions of Information Revolution  Attila Menyhárd (Eötvös Loránd University, Budapest, Hungary) The Impact of Technological Revolution on the Role of the State | **Panel 1.7. Constitution Making, Unconstitutional Constitutional Amendments and Pro-Authoritarian Drifting of the Constitutional Order (continuation)**  New Conference Hall  8:45 – 10:00  Moderator: Wojciech Brzozowski (University of Warsaw, Poland)  Fruzsina Gárdos-Orosz (Institute for Legal Studies and Eötvös Loránd University, Budapest, Hungary) Unconstitutional constitutional amendment in the case of informal amendments  Monika Florczak- Wator (University of Krakow, Poland) Constitutional Change through Unconstitutional Interpretation  Vaidotas A. Vaičaitis (University of Vilnius, Lithuania) Unconstitutional constitutional amendments in the jurisprudence of the Lithuanian Constitutional Court  Đorđe Marković (University of Belgrade, Serbia) Thirty years later – Constitutional revolution and the 1990 Constitution of Serbia |
| **Panel 5.2. Identity, Authority and Revolutionary Reshuffling of the Societal Puzzle**  Hall I  10:00 – 11:15  Moderator: Mauro Zamboni (Stockholm University, Sweden)  Enrico Albanesi (University of Genoa, Italy) National identity (under Article 4(2) TEU) and constitutional identity (as counter-limits) are not the same  Wojciech Brzozowski (University of Warsaw, Poland) A Silent Revolution: How the Islamic religious law is paving its way to the European legal orders  Pasquale Viola (University of Bologna, Italy) Inequality and Post-Revolutionary Constitutionalism: A Comparative Law Inquiry on South Asia and Latin America  Víctor Manuel Cázares Lira (Edinburgh University, UK) Liberalism and Imperialism in the Making of Nineteenth-century Global Constitutionalism. A comparative analysis of the constitutional histories of the United States, Mexico, Canada, Belgium and Switzerland | **Panel 6.2. Information and Technology Revolution and Its Impact on Democracy and the Public Sphere**  Hall II  10:00 – 11:15  Moderator: Maria Lucia Di Bitonto (University of Camerino and University LUISS ‘Guido Carli’, Rome, Italy)  David Roth-Isigkeit and Golnaz Jafari (Wurzburg Centre for Social Implications of Artificial Intelligence (SOCAI) – JMU, Germany) Informational Manipulation: the Role of Disruptive Technologies in Strengthening the Dominance of (Information) Intermediaries in the Increasingly Automated Public Sphere  Hoai-Thu Nguyen (Maastricht University, Netherlands) The Disruptive Effects of Social Media Platforms on Democratic Will-Formation Processes  Sascha Hardt (Maastricht University, Netherlands) Data revolution and public will-formation: Regulating democratic processes in the digital age | **Panel 6.4. Sovereignty, Public Security and Challenges to Constitutionalism?**  New Conference Hall  10:00 – 11:15  Moderator: Patricia Jonason (Södertörn University, Stockholm, Sweden)  Irena Nesterova (University of Latvia) The AI revolution and the regulation of state surveillance: the role of the ECtHR and the CJEU in striking the right balance between security and fundamental rights  Maria Dimitrova (University of Sofia ‘St. Kliment Ohridski’) Secret Surveillance and Fundamental Rights: the most recent developments in the case-law of the European Court of Human Rights  Zornitsa Yordanova (“Angel Kanchev” University of Ruse, Bulgaria) Constitutional aspects of state sovereignty and national security in Bulgaria |
| **Coffee break**  **11:15 – 11:45** | | |
| **Panel 5.3. Socio-Economic Challenges to the Constitutional Order: Discourses on the Socio-Economic Background of Constitutionalism (Part I)**  Hall I  11:45 – 13:15  Moderator: Stefano Dorigo (University of Florence, Italy)  Gavin Barrett (University College, Dublin, Ireland) Cradling a Revolution? Economic and Monetary Union and European Fiscal Policy  Dariusz Adamski (University of Wrocław, Poland) The meanings, the drivers and the consequences of constitutional revolutions – lessons for the European integration  Francesco Bilancia and Stefano Civitarese Matteucci (University of Chieti-Pescara “G. d’Annunzio”, Italy) Material Constitution and EU Constitutionalism  Marie Diekmann (Goethe-University Frankfurt am Main, Germany) The Transformative Side of Law – Reflections on the Reconstruction of a Radical Democratic Labor Law  Teodora Petrova (Max Planck Institute for Social Law and Social Policy, Munich, Germany) The ‘Quiet’ Revolutions in Social Protection and the Constitutional Safeguards in Eastern Europe: The Cases of Bulgaria, Slovenia, and Latvia | **Panel 6.3. Information and Technology Revolution and Its Impact on Data Protection and Privacy**  Hall II  11:45 – 13:15  Moderator: Monica Bonini (Università degli Studi di Milano-Bicocca, Italy)  Carlo Colapietro (University Roma Tre, Italy) The impact of information and technology revolution on the constitutional rights with particular attention to personal data protection issues  Patricia Jonason (Södertörn University, Stockholm, Sweden) The Digital Revolution and the constitutional orders’ challenges to protect privacy  Giuliana Amore (University of Catania, Italy) Data Protection Law and Revolution  Anna Tsiftsoglou (European Law & Governance School, Athens, Greece) Revolutionizing the Data Privacy Regime: the GDPR and its Global Aftermath  Marie Towner and Alexandra Aytova (University of Tartu, Estonia) Who wins: the comparative impact of GDPR and CCPA on online marketing giants? | **Panel 6.5. Information and Technology Revolution and Health Related Rights**  New Conference Hall  11:45 – 13:15  Moderator: Monika Zalewska (University of Lodz, Poland)  Guerino Fares (University Roma Tre, Italy) Artificial intelligence in social and health services: a new dare for public authorities in ensuring constitutional rights  Nadina Foggetti (University of Bari ‘Aldo Moro’, Italy) Gene Editing E-machine Learning: the international and EU Legal framework  Francesco Giulio Cuttaia (University of Padova and University of Roma Tre, Italy) E - Health and related data protection profiles |
| **Panel 5.4. Socio-Economic Challenges to the Constitutional Order: Discourses on the Socio-Economic Background of Constitutionalism (Part II)**  Hall I  13:15 – 14:30  Moderator: Hristo Hristev (University of Sofia ‘St. Kliment Ohridski’)  Piotr Eckhardt (University of Wrocław, Poland) Polish economic transformation – counter revolution, evolution or revolution?  Ivan Stoynev (University of Sofia ‘St. Kliment Ohridski’) Economics and Law: the EU competition law revolution  Apostolos Vlachogiannis (Hellenic Open University, Greece) Constitutional change in Greece as a result of the financial crisis: Privatizations and the (r)evolution of the economic Constitution  Dimitar Stoyanov (University of Sofia ‘St. Kliment Ohridski’) The impact of revolutions upon the legal nature of anti-assignment clauses - a struggle between autonomy of will and the free alienability of assets | **Panel 6.8. The Impact of Information and Technology Revolution on Administrative and Tax Law**  Hall II  13:15 – 14:30  Moderator: Monika Florczak - Wator (University of Krakow, Poland)  Stefano Dorigo (University of Florence, Italy) The Digital Revolution: Taxation, Welfare and Global Governance  Marko Dimitrijević (University of Niš, Serbia) Monetary Sovereignty in Conditions of Technological Revolution  Benjamin Moron-Puech, Jérémy Cornaire and Harrisson Collins (University Paris II Panthéon-Assas, France) Libra (the Facebook coin) - a legal revolution?  Alessandro Puzzanghera (University “Dante Alighieri”, Reggio Calabria, Italy) The Impact of Artificial Intelligence in Administrative Law | **Panel 6.6. Human Rights, Internet and the Information and Technology Revolution**  New Conference Hall  13:15 – 14:30  Moderator: Eszter Bodnár (Hungarian Academy of Sciences and Eötvös Loránd University, Budapest, Hungary)  Monica Spatti (Università Cattolica del Sacro Cuore, Milan, Italy) The responsibilities of the internet operators and the principle of rule of law  Adam Krzywoń (University of Warsaw, Poland) State’s positive obligations as a response to the online free speech revolution. An analysis of the European standard  Marco D’Amico (University Federico II Naples, Italy) The Constitutional Right to Access the Internet  Maja Nastć (University of Niš, Serbia) The impact of information and technology revolution on human rights |
| **Panel 6.7. The Impact of Information and Technology Revolution on Courts and Justice**  Hall I  14:30 – 15:30  Moderator: Giuseppe Martinico (Scuola Superiore Sant’Anna, Pisa, Italy)  Angioletta Sperti (University of Pisa, Italy) The impact of information and communication revolution on constitutional courts  Artur Flamínio da Silva and Daniela Mirante (University of Lisbon Nova, Centre on Law and Society (CEDIS), Portugal)) The Constitutional Limits of Digital Justice  Phet Sengpunya (University of Pecs, Hungary) Online Dispute Resolution Scheme for E-commerce: The ASEAN Perspectives |  |  |
| **Closing of the conference**  New conference hall  15:30 – 15:50 | | |
| **Lunch**  **16:00 –17:30** | | |
| **Book presentation**  **18:00-20:00**  **New Conference Hall**  **Yaniv Roznai will be presenting the book**  **‘Constitutional Revolution’**  **co-authored with Gary Jacobsohn and published with Yale University Press** | | |