



UiO : **PluriCourts**
University of Oslo



Sponsored by “Democracy as Idea and Practice Programme”, University of Oslo

Workshop **Global Constitutionalism without Global Democracy** **EUI, Florence 14-15 January 2016**

International law is undergoing several profound transformations. New sectors develop as with the consolidation of the regime of Investment Arbitration or with the advancement of already existing areas as with the WTO. At the same time, claims about the “judicialization” of international law and processes of “global constitution” call for more precise definitions of terms such as ‘constitutionalism’, ‘constitution’ and ‘constitutionalisation’.

The starting assumption of the workshop is that domestic and global constitutionalism have in common several structural features but not that of democracy and legitimacy. Should global constitutionalism incorporate mechanisms and standards of democratic rule? If so how?

Legitimate democratic rule might only occur within a constitutional system, but does legitimate global constitutionalism — or alternatively a global constitution — need democratic legitimacy? Is the “we the people” the same constituent source of legitimacy for both domestic and global constitutionalism? And at the institutional level, is the implication to democratize and strengthen centralized bodies, such as reforming the UN General Assembly as well as fostering the role of global governance institutions such as the WTO, the IMF and the World Bank? Or can incorporation of international law within domestic democratic contexts render international law under sufficient democratic control?

These themes of the workshop are both descriptive and normative. It starts with a mapping of proposed models for global constitutionalism, and subsequent discussions will examine possible democratic deficits and their possible resolutions within specialized regimes.

Philosophical and legal contributions which address the general topic of the democratic deficit of global constitutionalism and regimes are welcomed.

Below are some topics for papers to be presented on:

- Security - which role in global constitutionalism?
- Environmental Law – a case of failed or stalled constitutionalization?
- Internet governance - is this form of multistakeholder engagement the way forward?
- Human Rights Constitutionalism – a metaconstitutional framework in theory? In practice?

What room does it leave for democratic governance?

- What is Economic Constitutionalism?
- Is a global government desirable in light of judicialization and global constitutionalism? How to increase the legitimacy standards in the absence of a global demos(o)?

Confirmed speakers include

Cristina Lafont, Mattias Kumm , Andreas Føllesdal, Giovanni Sartor, Claudio Corradetti, Richard Bellamy, Dennis Patterson, Martin Scheinin

If interested, please send an abstract of max 500 words to Claudio.Corradetti@jus.uio.no and Giovanni.Sartor@eui.eu before December 15, 2015.