



CALL FOR PANELS AND PAPERS

Towards the end of the 20th century, a rapid retreat of the State was announced, under the pressure of markets, local autonomies, and globalisation. A wide array of theories has tried to “archive” the State as an outdated political model, claiming either its eradication or its substitution by different international or federal entities.

Nevertheless, in the past twenty years, and due to a series of interconnected factors, the State has found its way back to centre-stage. The economic and financial crises have resulted in a distrust of market self-regulation, in the deepening of inequalities and in new demands for political participation by stakeholders and public interest groups. In the last two years, another, even more unsettling crisis has been determined by the pandemic: notwithstanding its global character and its impact on local communities, States have been the main actors responsible for the pandemic’s management. The difficulties faced by international and supranational coordination instruments and the divergences among local reactions have exposed weaknesses which in turn have shed new light on the role of the State, itself struggling when faced with these unprecedented circumstances.

The return of the State – if it ever retreated at all – is charged with ambiguities and contradictions, and invites scholars to investigate both new and long-standing questions.

A first set of questions concerns the idea of the constitutional State itself, which has undergone many adaptations throughout its history, adapting to the material circumstances at play. Could the persistence of the idea of the State be rooted in its remarkable capability to adapt? Such adaptability is reflected in all its constitutive elements: the idea of ‘people’ is no longer limited to a presupposed national community, but has expanded as a consequence of post-war pluralism, migrations, and multiculturalism; sovereignty, understood in its political dimension, has been challenged by several competitors (the economy, science, digital technologies, only to name a few), but remains whole in its essence; perhaps the territorial dimension, necessary for the presence of statute law itself, has been the most affected and was deeply questioned by a variety of factors that operate at different levels. These range from locally circumscribed areas of crisis, where the distinct kinds and forms of politics compete with one another to survive, to the more rarefied, yet very concrete, dimension of cyberspace, where the pressing need to define a form of “digital sovereignty”, and assign a role to the State that has been so far delegated to the market, surfaces with all its urgency. The abovementioned tensions also touch upon some of the most sensitive areas of State power: criminal law and punishment. On the one hand, the criminal law system is inherently multi-dimensional and multi-level. On the other hand, criminal law is increasingly often identified not as an *extrema ratio*, but rather as a first response, as if to reiterate the State’s presence and exorcise its crisis.

A second set of questions concerns the future of the administrative State. On the one hand, we can observe the re-emergence of trade and investment barriers at the global level. On the other hand, the distortions caused by financial markets beg public intervention in order to stimulate the economy and support the weaker strata of society. At the same time, the sovereign debt crisis and the ensuing austerity policies have reduced the resources and capacities that administrations have to respond to such demands. It becomes evident that opposing demands must find a way to coexist, as



claims for *more and less* State are advanced at one and the same time. Governments worldwide thus undertake continuous efforts to engage with ambitious political reforms. The aspiration is that of building a more efficient State, capable of maximising the available resources and of ensuring the fulfilment of new and old collective needs, even through the use of artificial intelligence. Internal fragmentation (into agencies, authorities, foundations, and the like) raises difficult coordination problems and questions the uniformity of public rules.

A third perspective looks at the State from an international and European standpoint. While having long reached beyond traditional international law paradigms, current integration and cooperation mechanisms need to be carefully analysed, also as a consequence of the emergence of sovereignism. In the EU, internal and external pressures have contributed to the weakening of crucial institutions and policies (e.g. citizenship and migration policies), questioning its value-system and, therefore, the foundations of the European integration project itself. Then again, some of the measures that the EU implemented to face the pandemic's consequences (more notably, the *Next Generation EU*) seem to indicate a change in pace aimed more generally at laying down, once more, the foundations of the integration process. The international level, on the other hand, is witnessing a crisis of multilateralism, withdrawals from international organisations, and attempts at obstructing international cooperation.

The pandemic represents a testing ground for all such themes, and it underscores the need for dialogue about the management of essential resources such as space internet. The emergency scenario has put to test the foundations of the whole institutional design system, shedding light on its nature, scope, and limitations. The entire system of public power (sources of law, administrative intervention, prevention through criminal law) has been, and to a certain extent still is, under a pressure until now unknown in times of peace. All the perspectives mentioned above can therefore be analysed through the prism of emergency.

At the time of writing, uncertainty concerning the epidemiological developments over the next months still remains. Whereas the fourth wave of contagion seems to be losing its strength in Europe, in some countries lockdowns still cast their shadow upon the population, in other great emphasis is being placed on vaccination campaigns, while other struggle to find the international support they need to fight the pandemic. Nevertheless, in extending this invite at the present moment, we hope that we will be able to enjoy the recently, and not yet entirely, regained physical and intellectual conditions needed to reflect on the current developments and their implications on the institutional and societal level.

Submission process:

Bearing this in mind, the third annual conference of the [Italian chapter](#) of the [International Society of Public Law](#), that will take place in Bologna on September 16-17th, 2022, have the aim of encouraging a collective, interdisciplinary and intergenerational reflection on the abovementioned themes, in the spirit of ICON-S. Researchers in all career stages, from all areas of law, sociology, political science, institutional history, economics, and computer science are invited to participate by submitting a speech or panel proposal (3 to 6 panelists). Proposals, also in English, can be submitted through the conference website, www.icons-italia.it, by June 1st, 2022. Panel descriptions should not

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THE FUTURE OF THE STATE

BOLOGNA, 16-17 SEPTEMBER 2022



exceed 1000 words and speech abstracts should not exceed 500 words. The outcome of the selection procedure will be communicated by July 15th, 2022.

The conference will take place exclusively in presence, in compliance with the public health regulations.

For those interested in submitting their conference papers for publication, the finalised versions of the papers will be considered for publication in Forum di Quaderni Costituzionali, IRPA Working Papers, and the Italian Journal of Public Law. The best contributions will be considered for publication in Diritto Pubblico, Quaderni Costituzionali, and Rivista Trimestrale di Diritto Pubblico.

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