



**International Conference on  
'Unwritten Constitutionalism and Public Law in Central and Eastern Europe'**

Faculty of Law, 'Lucian Blaga' University of Sibiu

Sibiu, Romania

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Convened by:

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The Central and Eastern European Chapter of the International Society of Public Law (ICON-S) is pleased to invite submissions to its 2024 annual conference taking place at the Faculty of Law, 'Lucian Blaga' University of Sibiu, Romania.

**Conference theme**

Unwritten constitutionalism has captured scholarly and doctrinal interest. Unwritten constitutional norms and principles, constitutional conventions, and informal constitutional practices have come to preoccupy both the scholar and the judge, not least in reaction to the constitutional stresses experienced in recent years. The rule of law crisis and rise of authoritarian populism have exposed the fragility and sometimes blind spots of formal legal institutions. This has left open the question of whether constitutionalism's defensive tools are simply inadequate or whether we need to recalibrate our focus towards its unwritten instantiation.

While experience with democratic backsliding may have brought it to the foreground, unwritten constitutionalism is not a new object of study. At various points and across jurisdictions, it has been discussed in terms of "the invisible constitution", "the constitution behind the constitution", or under the umbrella of the distinction between "the big-C and the small-c constitution", to name but a few. Thus, while it may appear that it has much less relevance to the Central and Eastern European context, this conference aims to examine the understanding, scope, interpretation, and enforcement of unwritten constitutional norms, principles, conventions, and practices.

Papers are, therefore, invited to address the conference theme from a plurality of angles. Topics explored may include (and are certainly not limited to) the following:

- The history and the relevance of unwritten constitutionalism in civil law countries, especially those of Central and Eastern Europe, and possible comparisons to common law countries;
- The interplay between unwritten constitutionalism and legal formalism in the region, and the impact of unwritten constitutionalism on other branches of law and/or on a particular legal system as a whole;

- The conceptual and doctrinal boundaries of unwritten constitutionalism, such as the distinction between unwritten norms and principles and constitutional conventions;
- Unwritten constitutionalism in the courts, including questions of recognition, scope, interpretation, and enforcement;
- Specific types of unwritten constitutional norms, principles, and practices, such as those related to executive power, fundamental rights, judicial and other types of appointments, or constitutional reform;
- Overlap with other concepts of possible constitutional relevance, such as “legal tradition” and “customs”.

### **Keynote speaker**

The conference keynote address will be delivered by **Simina Elena Tanasescu**. She is a globally recognised constitutional scholar and justice. She has been judge at the Romanian Constitutional Court since 2019, having previously served as adviser on constitutional reform to the Romanian President. She is also a full professor of constitutional law and European law at the University of Bucharest and has been a visiting professor at various universities in Europe and Latin America. Her distinguished career has combined judicial practice, academia, and public service in Romania and at European level. She has written prize-winning monographs on equality law, constitutional interpretation, electoral law, constitutional reforms, constitutional law and the balanced budget rule, migration and the rule of law and welfare state, and governance and constitutionalism, in addition to dozens of articles and other studies in national and international publications.

### **Who can apply?**

Submissions are invited from scholars at all levels, from senior to junior scholars including PhD students. All areas of public law and all methodological approaches (doctrinal, theoretical, empirical etc.) are welcome. Comparative approaches are also encouraged. Scholars from typically underrepresented groups are especially welcome. Membership in ICON-S is desirable but is not a requirement to participate in this conference.

### **Costs**

There is no cost to participate in the conference. Participants are responsible for securing their own funding for travel and accommodation. Conference organisers will make available a list of local hotels and travel links to aid in this process (see attached document).

### **How to apply**

Interested participants should submit a title and an abstract of no more than 500 words to [iconceechapter@gmail.com](mailto:iconceechapter@gmail.com). The **deadline** for submissions is **29 January 2024**. Notifications of selection for the conference will be sent out in early February 2024.

### **Post-conference publication plans**

The *Romanian Journal of Comparative Law* is interested in publishing a selection of papers presented at the conference. RJCL is a peer-review academic journal that publishes articles in the field of comparative law. It was launched in 2010 and is published biannually in two languages – English and French. The editorial board is formed by academics from the main law faculties in Romania – Bucharest, Sibiu, Timisoara, Cluj-Napoca, Craiova, Iasi, in partnership with “Universul Juridic” Publishing House and indexed in the HeinOnline and Ceeol databases. The journal publishes articles covering a wide range of topics, including the methodology of legal comparison, comparative-legislative analyses in various branches of law, the issue of legal transplantation, legal culturalism and

the need for a paradigm shift in the study comparative law, the relevance of studying comparative law in law schools and many others.

### **About the organising institutions**

**The ICON-S CEE Chapter** was established in April 2018 in Budapest. Its mission is to promote the values of the International Society of Public Law and, in particular, its commitment to an interdisciplinary approach to public law that engages constitutional, European, administrative, and international law scholars and practitioners so as to better understand global and transnational legal developments. Our mission is to offer a space for local legal scholarship to grow and enter into a global dialogue.

**The “Lucian Blaga” University of Sibiu** is one of the oldest universities in Romania, with a tradition of over 225 years. It provides a dynamic and multicultural academic environment and has an increased international visibility, through the research of its faculty and through partnerships with other reputed universities all over the world. **The Faculty of Law** is one of the six most reputed faculties in Romania, with an existence of over 50 years.

### **Further details**

With any questions, please contact the Chapter at [iconceechapter@gmail.com](mailto:iconceechapter@gmail.com).