

The RCSL Working Group on the Sociology of Constitutions Annual Report 2023



HIGHER SUMMER SCHOOL



The RCSL Working Group on the Sociology of Constitutions
Annual Meeting
10th Fermo Summer School

The People in Societal Constitutions: Politics, Semantics and Theories

Fermo, Italy, 26th-28th September 2023
Auditorium San Filippo Neri, Corso Cavour, 72



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The working group met at its annual meeting, the first in-person meeting since the Covid-19 pandemic, in Fermo between 26th and 28th September 2023. The theme of the meeting was The People in Societal Constitutions: Politics, Semantics and Theories and it was hosted at the Camera di Commercio of the city of Fermo.

The call for papers was circulated to the members of the working group and extended to all members of the RCSL and other partner socio-legal institutions such as the UK's SLSA and the ICONs regional branches.

The academic invitation letter was formulated in the following words:

"The sociology of constitutions has introduced important methodological modifications in studies of both political and non-political constitutions and constitutionalism in the last decade. Recent research has expanded the concept of constitution beyond its classical juridical meaning and disconnected it from statehood. It has decoupled constitutions from institutional politics and thus looks for new modes of political action and subjects beyond their typically modern conceptualisation in popular sovereignty, nationhood etc.

This year's annual meeting focuses on the concept of the people beyond its common political and juridical conceptualisations and theoretical frameworks. The first day will have opening presentations on the place of the people in modern political and societal constitutions. The second and third day will include opening discussions of sociological theories of constitutions.

The convenors want to particularly encourage early career and senior legal and political scholars and sociologists engaging in recent sociological and socio-legal research of constitutions. Participants will be invited to present their research in different sessions covering a wide range of themes and problems, such as global legal and political networks, democratic reforms at subnational, national and supranational levels, cosmopolitan constitutionalism and ethics, democratic statehood and its deficits, constitutional populism and democratic backsliding, human rights, law and development, electronic democracy, internet and protest movements, transitional justice, judicial and political constitutionalism."

The response to the call was very good and the group's meeting included the most diverse papers presented by academics at all stages of their careers. The strong presence of early career scholars was a particular success of the organisers' efforts.

The programme was composed to allow for the maximum discussion and engagement of all scholars in their research progress. Extra time was allocated to general discussion.

The Meeting Programme

Tuesday, 26th September 2023

Theme I: Constitutions and Imaginaries of the People

Session 1: The Place of the People in Modern Constitutionalism

9.45-10.30

The Place of the People in Modern Constitutions: A Fourth Pattern of Opinion

Denis Galligan, University of Oxford

10.30-11.15

The Place of the People in Italian Constitutional History

Francesco Bilancia, La Sapienza University, Rome

11.15-11.30 Coffee Break

11.30-12.15

"Illiberal Democracy" and the Constitution: The Case of Hungary

Lucia Bellucci, University of Milan

12.15 General Discussion

Session 2: The People's Absence and Authenticity: socio-legal perspectives of autocracy and populism

15.00-15.45

Constitution without People: Normativity as the Source of Norms

Håkan Hydén, University of Lund

15.45-16.30

Constitutional Imaginary of the People and Its Authenticity: A Critique of Populism

Jiří Přibáň, Cardiff University

16.45-17.30

Claims, Identitarianism and Communities. Problems of Inclusion

Matteo Finco, La Sapienza University, Rome

17.30 General Discussion

Wednesday, 27th September 2023

Theme II: Constitutional Theories and Societal Paradoxes

Session 3: The People's Institutions, Rights and Identities

9.00-9.45

The Paradoxes of Sociological Theories of Constitutions

Alberto Febbrajo, University of Macerata

9.45-10.30

Electoral Autocracies, Constitutional Retrogression and People's Detachment from the Constitution

Cesare Pinelli, La Sapienza University, Rome

10.30-10.45 Coffee break

10.45-11.30

How to Use the Habermas – Luhmann Debate in a Con-Federal Re-Constitutionalization of Natural Law about Sustainability

Gorm Harste, University of Aarhus

11.30 General Discussion

Theme III: Constitutional Environments, Crises and Pandemics

Session 4: Constitutional Crisis and the COVID-19 Pandemic

14.30-15.15

The People and the Constitutions in Times of Crisis: A Sociological Exploration of the Pandemic

Ferdinando Spina, University of Salento

15.15-16.00

Is contestatory Constitutionalism possible in Poland? Notes from the Climate socio-legal Mobilization in the Covid-19 era

Martyna Stępień and Alan Żukowski, University of Wrocław

16.00-16.15 Coffee break

Session 5: The Climate Crisis and Constitutionalism

16.15-17.00

Environmental Constitutionalism and the Role of Corporations: A New Balance in the Public-Private Divide

Miriam Allena, Bocconi University, Milan

17.00-17.45

Food Security and Food Regimes: the Weaponization of human Rights for Self-interest, a multidimensional Perspective

Matteo Belletti and Gianluca D'Agostino, University of Ancona, Politecnica delle Marche

17.45 **General Discussion**

Thursday, 28th September 2023 **Theme IV: Digital Constitutionalism**

Session 6: Digital Society, Democracy and Disinformation

9.00-9.45

The Informational society, Lex Electronica and the Rise of the AI

Francesca Scamardella, University of Naples

9.45-10.30

Generative AI could definitively Democratize Disinformation: another Cambridge Analytica Case on the Horizon?

Anna Licastro, University of Milan

10.30-10.45 Coffee Break

10.45-11.30

Constitutions, Institutions and Lack of Information: The Paradoxes of Decisions

Giancarlo Corsi and Emilia Quinci, University of Modena-Reggio Emilia

11.30 **General Discussion**

Abstracts:

Miriam Allena

Environmental Constitutionalism and the Role of Corporations: A New Balance in the Public-Private Divide

In many jurisdictions around the world, the belief that a corporation's purpose is primarily to generate profits for shareholders ('shareholders value') is increasingly questioned. The underlying idea is that corporations could not abdicate their social role, due to the massive impact of their activities on society. The impression is that, faced with regulatory failure towards climate change and environmental degradation, governments around the world are looking to corporations as instruments to pursue traditional public goals. Following this path, in February 2022, Art. 41, para. 2, of the Italian Constitution was amended to prohibit private economic activity from being performed in contrast with '*health and the environment*', in addition to the existing limits of '*security, freedom and human dignity*', thus opening the door for possible enlargements of the traditional for-profit purpose of corporations envisaged by the Italian civil code. Mirroring these developments, at EU level the recent Proposal for a Directive on corporate sustainability due diligence (requiring large companies to undertake environmental and human rights due diligence on their own activities and that of their suppliers), vests corporations with unilateral powers which are substantially of a public nature (e.g. the power to terminate business relationships in case of adverse environmental impacts arising from the operations of their subsidiaries), while at the same time provides for various forms of stakeholders engagement in corporate decisions. Similarly, the recent Corporate Sustainability Reporting Directive (CSRD) (imposing to all large undertakings and listed undertakings to report sustainability information) provides for increasing democratic scrutiny of corporations' activities. The paper analyses how the environmental constitutionalism is redrafting the public-private divide following the most recent regulatory and soft law developments at international, European and domestic level which aim to hold corporations accountable for their domestic activities, but also to capture the transnational nature of modern business operations.

Matteo Belletti and Gianluca D'Agostino

Food Security and Food Regimes: the Weaponization of Human Rights for Self-interest, a Multidimensional Perspective

This article aims to address the issue of food security and the evolution of world food regimes from a sociological, economic, and legal perspective. The key questions to comprehend such complex phenomenon as the right to food or food sovereignty are the following:

- 1) Where does the need for a food security come from?
- 2) What is the relationship between international security and human rights?
- 3) Is this strategic link an effective necessity or is it just a legal narrative ploy to disguise objectives other than those officially declared?

In the first part of this article, we will try to answer these three questions by making use of the main existing studies on human rights and how do they relate to international security. In the second part we will delve into the organic and technical systemic part of the concept of food security by analyzing how international organizations are dealing with the problem, examining

their approach, methodology the aims and efficacy of the interventions in progress. In the final part we will examine how food security fits into the picture of constitutional freedoms.

Lucia Bellucci

“Illiberal Democracy” and the Constitution: The Case of Hungary

In Hungary, an illiberal reversal has taken place, which has revolved around the adoption of a new constitution and affected its system of checks and balances. This paper analyses the Hungarian reversal examining two different theses which respond in opposite ways as to whether the concept of illiberal democracy identifies a model with its own peculiarities. It argues that the law and political narratives were used as the two main tools to achieve this reversal. It also argues that Hungarian constitution and laws contributed to shape the illiberal U-turn occurred in the country before the pandemic, but the coronavirus offered the occasion to reinforce government powers, giving the leeway to rule with no or minimum scrutiny for an indefinite period and further limiting dissent. The Hungarian U-turn has expanded decisively during the COVID-19 pandemic. Uncertainty is, to some extent, part of the physiology of law and can therefore constitute a constructive element of flexibility in times of pandemic, but it should be recognised that cases of pathological uncertainty exist and that indeterminacy leads to forms of self-restraint that one can also depict using the expression ‘self-censorship’.

Francesco Bilancia

The Place of the People in Modern Political and Societal Constitutions

The speech will deal with the issue of the place of the people within the Constitution and the constitutional law, particularly in the Italian perspective. What do we intend using the word “people” in a constitutional dimension? Why is this issue so relevant nowadays, both in the Italian and global political context? The difference between constituent power and popular sovereignty, as well as the importance of the crisis of the institutional machinery and the legal form of representative democracy, are also analysed. Specific attention is, then dedicated to the North-South Italian divide in historical, economic and sociological perspectives, in order to better understand the regional asymmetries, still very consistent in Italian contemporary politics. With some attempt to discuss the question of the Italian People and its history (a Nation building hypothesis) after the State building process, since 1861 to the Italian Constitution of 1948, the question of the role and consistency of the material rule of recognition in the Italian legal system will be eventually analysed.

Giancarlo Corsi and Emilia Quinci

Constitutions, Institutions and Lack of Information: The Paradoxes of Decisions

For Luhmann the constitution is the form in which the legal system reacts to its own autonomy. Therefore he makes central the social coupling between law and politics. In general these two systems mark their different codes characterized by their specific and somewhat complementary functions. However this differentiation inevitably produces a lack of

communication, which in reality generates an operational closure between political and legal systems. Luhmann quoting Bateson underlines that "difference is a constitutive evolution in a social system founded on communications". Starting from the volume "Organization and decision" we will try to analyze the functioning of some concrete organizations in order to demonstrate where their differences lie and how the paradox of deciding can be communicated.

Alberto Febbrajo

The Paradoxes of Sociological Theories of Constitutions

Starting from a historical analysis of Luhmann's work this contribution will devote particular attention to the reflexive strategies of Luhmann's way of thinking as it was coherently applied to three basic and strictly connected concepts: that of constitution, democracy and people. The multiple interconnections of these three concepts demonstrate that the critical approach of Luhmann to the current sociological theory presents nowadays an interesting potential of further developments and could be in particular applied for clarifying many strategic problems as that of transconstitutional dialogue, that of predominance of some states upon others and that of the reciprocal influence of certain functional subsystems in a transnational perspective.

Matteo Finco

Claims, Identitarianism and Communities: Problems of Inclusion

In world-society, the proliferation of claims of rights and inclusion (what Niklas Luhmann called *Anspruchinflation*) is a problematic consequence of functional differentiation and modern individualism: everyone could be potentially included in every subsystem of society, but has to build his/her own personal identity – first of all, as successful self-representation – along the personal *career*. Then claims are a result of the attempts to be individual (self-determined, specific, different) and to react to contingency. Increasingly today, claims: a) are based on the recognition of belonging to a specific group or minority (founded on socio-cultural characteristics: ethnicity, gender, political ideology, etc.); b) concern more and more protection (from potential abuses) or guarantees (against discriminations) instead of positive freedoms; c) are not only normative and cognitive, but also affective (e.g. do not hurt the feelings and sensitivity of others). A contradiction follows: universal freedoms frequently lose ground to particular claims of protection founded on specific membership. The hypothesis here conceives claims inflation as a reaction to structural changes in society, producing a strengthening of individual immunity but also a loss of personal autonomy, reduced by the constraints imposed by membership. All this implies challenges for Constitutions, called to re-think individual and collective fundamental rights.

Denis Galligan

The Place of the People in Modern Constitutions: A Fourth Pattern of Opinion

Writing in the eighteenth century, David Hulme, observing how readily the people submit to the authority of the state, went on to say that submission depends on opinion, the opinion of the people. Tracing opinion and how it counts opens the way for a social understanding of constitutional authority and the place of the people. Carlo Levi, exiled in 1935 to Gagliano, a small isolated village in the far south of Italy, records how the contadini, despite living in poverty and disease, regarded and rejected the authority of the Italian state for lacking *autenticita'* and *legittimita'*. Actions are authentic and legitimate only if they result from social relations among the people and advance their well-being. A wisdom captured by Susan Reynolds in three words: peoples precede nations. Common sentiments widely shared, for which Gaetano Vico, a solitary voice from eighteenth century Naples, provided the social foundations common to peoples: the pursuit of civility and humanity; the social function of institutions and practices; a natural law of peoples. These ideas and approaches I draw on to provide a social understanding of the people in the constitution. History, practice, and experience provide the empirical sources; an account of social relations and social spheres provides the social structure. Several patterns of opinion among the people are identified and analysed, together with matching forms of rule, three in number and familiar, each the basis for explaining a dimension of the relationship between the people and rulers. Guided by the ideas and authors named above, together with many others, Adam Smith prominent among them, I have detected among the people a fourth pattern of opinion. This will be the focus of my presentation: the nature of the fourth pattern; the evidence; what it explains and why it matters; and not least how it provides a fresh way of understanding the place of the people in contemporary constitutional orders

Gorm Harste

How to Use the Habermas – Luhmann Debate in a Con-Federal Re-Constitutionalization of Natural Law about Sustainability

In a UN committee in 1996, I already used the Habermas – Luhmann debate as the central form to conceive how a theory of a sustainable world order could be constituted. Shortly described, to Niklas Luhmann *functionally differentiated systems* would conflict, as indeed states as *organizational systems* too. Yet the perspective of Jürgen Habermas would claim cooperation and even a form of consensus to constitute the procedures used to establish whatever could be a world order used to reorder a sustainability of nature. We might conceive a form of “natural law version 2.0.” in continuation of the Brundtland report of sustainability from 1987 and the Rio declaration from the World Summit 1992 about how to “protect the integrity of the global environmental and developmental system”. Further negotiations took place in the COP process. Thus, in 2015 the Paris Agreement (COP 21) constituted a web of new principles in what Luhmann already in a book from 1986 observed as *Ecological Communication* about a sustainable climate and biodiversity to avoid tipping points in the relations social systems have to natural systems. Gunther Teubner’s sociology of autopoietic

law and Joseph Weiler's *The Constitution of Europe* was taken in use. We might say that a pragmatics of *interaction systems* in a negotiated constitution about natural law began to develop an unavoidable framework for a political ecology of laws. Gorm Harste's presentation will explain how this framework constitute a replacement of the reason of state framework that constituted the Westphalian system established 1555 – 1748. However, a question is if war systems might disturb such a con-federal constitution.

Håkan Hydén

Constitution without People. Normativity as the Source of Norms.

According to Oxford English Dictionary, constitution can mean

1. a body of fundamental principles or established precedents according to which a state or other organization is acknowledged to be governed; or
2. the composition of something, for instance "the genetic constitution of a species".
3. in my use of the concept constitution, I will translate it to "the genetic constitution of society".
4. I assume that Society consists of different norm systems and that constitution becomes equal with the source of norms.

I start from the premise that society is made up of different systems, of which the political is one. Its constitution is formalized in one way or another and in many respects constitutes a kind of basic norm for the state. Other systems are not formalized in the same way. I am thinking primarily of the social, economic, technological and ecological systems. The unifying element in these systems is something else than a written constitution. The systems are manifested in the form of norms of various kinds. In my writing about norms, I have experimented with the idea that norms spring from a source, that in every system there is a core from which the norms emerge.

At the same time, there is a concept in the normative field that has not allowed itself to be defined in an unambiguous way, and that is the concept of normativity. In a recent article, I have linked these ideas and argued that the concept of normativity corresponds precisely to the source from which norms emerge.

Anna Licastro

Generative AI could definitively Democratize Disinformation: another Cambridge Analytica Case on the Horizon?

When it rains, it pours. This idiom could perfectly embody the digital campaign's framework for the upcoming American and European political elections. Seven years has passed since when the Cambridge Analytica case showed policymakers the enormous potential of political micro-targeting to sway voters with personalized political content. This strategy may pose a serious risk to the integrity of trust in electoral as well as democratic processes because it

provides for the design of political consensus based on passive, biased, and sectorial knowledge of facts and news. Recently, governments have adopted several interventions to deal with concerns about political disinformation on a large scale. Nevertheless, the emergence of generative AI which are language models developed to generate messages, texts, emails, images, and videos tailored to citizens' personalities - could be more harmful to democracy compared to political micro-targeting. My presentation at Fermo Summer School would be aimed at discussing the critical issues related to the use of generative AI in the 2024 elections. Firstly, it is worth considering that legislators are still today tackling issues related to a lack of transparency regarding how AI operates.

Secondly, models, such as OpenAI's ChatGPT, algorithmically craft images, videos, or audiotapes in real-time focusing on constant feedback from voters. Anyone, not only candidates, can use these tools to spread the political messages they want, becoming a political content creator and having the chance to alter in real-time how people find information without the risk of legal reprisal or the obligation of any public disclosure about the use of generative AI to develop the electoral campaign. The abovementioned critical profiles show how the democratisation of disinformation by means of generative AI could make it effectively impossible for electors to distinguish real from false narratives.

Cesare Pinelli

Electoral Autocracies, constitutional Retrogression and People's Detachment from the Constitution

In the political as well as in the scholarly debates on populism, the 'elite's detachment from the people' was the mantra that put the premises for the populist surge. Even more recent analysis of the 'constitutional retrogressions' affecting contemporary democracies rest on the same assumption. I assume that it is time to inquire into whether the 'elite's detachment from the people' has hidden the latter's detachment from the constitution. The issues of populism and of the constitutional retrogressions could thus be inserted in a wider and more convincing background.

On the other hand, such inquiry deserves per se attention, given its strict connection with the roots of constitutional democracies, where people's sovereignty is far from being an absolute conception, both because of the institutional limitations that it is required to bear, and because of the very notion of people's identity that it presupposes. It is rather the people's values the key factor of the constitution's legitimacy.

Here comes the issue of the transformations, and eventually of the waning, of these values over time. A constitution presupposes a certain balance between stability and change. More precisely, it can ensure stability provided that its principles are likely to deal with changes occurring through different generations and political majorities. A crisis could however intervene not only when people demonstrate their hostility to those principles, but also when these appear increasingly remote. For a number of reasons, I contend, we live in an age in which this may be the case. Whichever analysis of constitutional retrogressions and/or of the populist surge should not obliterate that point.

Jiří Přibáň

Constitutional Imaginary of the People and Its Authenticity: A Critique of Populism

Sociology of constitutionalism emphasises the duality of constitutions as both power limitations and enhancements. Following the socio-legal perspective, the article focuses on the constitutional imaginary of the public sphere and distinguishes it from the imaginary of the authentic polity in which constituent power of the people is protected against the corrupting effect of representative institutions and technocratic bodies. The promise of authenticity is behind the recent resurgence of populism and the constitution of what Zygmunt Bauman described as explosive communities. The final part focuses on the EU's transnational politics and law and discusses its possible responses to the imaginaries of constitutional populism, most notably the emergence of European public spheres and democracy. Without constitutional imaginaries of an anti-explosive transnational and democratically constituted community, further enhancement of power of EU institutions will always lead to the populist backlash at national and local levels of its member states.

Francesca Scamardella

The informational Society, Lex electronica and the Rise of the AI

Over the past decades, we have known an increasing explosion of digital processes characterized of phenomena such as the birth of the “informational society”, the so-called “lex electronica” or the rise of the AI. For some scholars, like Gunther Teubner, these entities have become real semi-autonomous sub-systems with their own soft and informal normativity. However, the most relevant issue regarding these systems concerns their “constitutional” character that has shifted Gunther Teubner to talk about “societal constitutionalism”. Let’s consider Google or Meta cases. As we know, Google is the most used fully-automated search engine that has developed a real informative monopoly. Nevertheless, many problems has arisen as concerns the way in which Google or Meta dealt with users private and personal data. Also the use of the machine learning, the way in which algorithms work and assume decisions (in judicial field too) pose constitutional problems. When I speak of “constitutional problems”, I mean two different things: on one side, we need to rule these systems’ “constitutive” structures; on another side, they are affecting human rights and freedoms and, for this reason, they pose constitutional problems. Aim of this paper is to propose a reflection about constitutional issues linked to these new social systems that are constantly influencing our lives.

Ferdinando Spina

The People and the Constitutions in Times of Crisis: A Sociological Exploration of the Pandemic

The COVID-19 pandemic has presented significant challenges to the concepts of the state and constitution, not only from a theoretical perspective but also in terms of social legitimization.

Looking at the European context, national governments, coordinated by the European Union, have had to increase state control in various aspects of social organization and individual lives. Many have acknowledged the resurgence of the state as unavoidable given the emergency circumstances. However, others have deemed this state control as illegitimate.

This paper aims to address these issues from a sociologically-oriented approach to constitutions. Based on the premise that formal constitutions require support from socially-rooted norms, the central focus of this paper is on the dynamics of social control in Italy during the pandemic. Firstly, the paper highlights citizens' compliance level with pandemic restrictions; secondly, it explores the patterns of both formal and informal social control that have been implemented. The ways in which the People reacted to the stringent limitations on constitutional freedoms (through self-discipline or engagement in deviant behavior) provide us with sociological insights into how mature democracies can confront recurring challenges such as the erosion of the rule of law, pressures from economic powers, and populist insurgencies.

Martyna Stępień and Alan Żukowski

Is contestatory constitutionalism possible in Poland? Notes from the Climate socio-legal Mobilization in the Covid-19 era

This paper explores the viability of contestatory constitutionalism in Poland, focusing on the socio-legal mobilization of Fridays for Future against the Covid-19 pandemic policies enacted by the ruling populists. Contestatory constitutionalism views traditional state-based constitutionalism as a tool reinforcing neo-liberal control, impeding emancipation. Therefore, the core societal goal is to employ legal means to challenge prevailing power dynamics, favoring public involvement over judicial supremacy or majoritarian rules, and anchoring constitutional assertions in the realm of contentious politics.

The research explores two facets of constitutionalism's role in Poland during Covid-19: populists in power shifted from questioning the constitution's societal relevance to leveraging it as a justification for their emergency measures **(1)**; participants in Fridays for Future, accepting the ruling majority's measures, recognized the hegemonic mode for constitutional claims validation **(2)**.

In this qualitative case study, we analyze socio-legal climate mobilization, focusing on Fridays for Future's digital protests and subsequent legal strategies aimed at advocating climate-friendly policy shifts. Additionally, we examine how ruling populists shaped Poland's Covid-19 legal environment, aiming to (re)establish dominance through constitutional arguments. Our key aim is to illuminate the potential impact on grassroots mobilization and citizens' empowerment to challenge and contest populists' decisions.

People:

Miriam Allena is Associate Professor of Administrative and Environmental Law at Bocconi University of Milan, where she teaches administrative law, environmental law, ESG law and public procurement law. Her research focuses on administrative procedure and due process in the light of the case law of the European Court of Human Rights (EtCHR), on authoritative powers of public institutions, and on environmental law. Said fields have been in some cases addressed in a broader socio-legal perspective.

Matteo Belletti holds an Advanced Master's Degree in Agricultural Economics and Rural Development from the University of Napoli Federico II, and a Ph.D in Food Sciences from the Università Politecnica delle Marche, Ancona, Italy. He currently holds the position of Senior Researcher in the field of Agricultural Economics and Policy at the Università Politecnica delle Marche. His main fields of research are microcredit, solidarity economies, accounting and agri-food marketing, he is currently engaged in a European project on agribusiness and precision agriculture. m.belletti@univpm.it

Lucia Bellucci is an Associate Professor at the University of Milan, Law School. She is responsible for the University of Milan for the cooperation agreement (*entente*) between this university and the Université de Montréal. She has been the co-founder and co-director of the Summer School in “Droit et commerce bilatéral: Amérique du Nord-Europe/Law and Bilateral Trade: North America-Europe” (University of Milan-Université de Montréal). She is a member of the UNESCO Chair in Green and Sustainable Electronics (UNESCO Chair GSE), Polytechnique Montréal (Canada, Professor Clara Santato). She has been a Visiting Professor at KU Leuven, Law School, the College of Europe, European Interdisciplinary Studies programme (Natolin, Warsaw), the University of Montréal, Law School, CRDP and a Visiting Researcher at the Oxford Centre for Socio-Legal Studies. She holds a PhD in Sociology of Law from the University of Milan as well as a PhD in Law from the University of Paris 1-Panthéon Sorbonne (*mention: très honorable avec félicitations du jury à l'unanimité*). In addition she holds a postgraduate degree in Economics and Management of Cultural and Artistic Goods from Bocconi University-SDA, and a master's and bachelor's degree in law (*laurea*) from the University of Bologna (*magna cum laude*). She was awarded the Robert Schuman Foundation Scholarship to accomplish her doctoral thesis. In addition, she received the Italian Ministry of Research Doctoral Scholarship; a Post-Graduate Scholarship (University of Bologna) as a Visiting Researcher at the University of Oxford; the Socrates-Erasmus Scholarship/University of Paris 1-Panthéon Sorbonne. She taught “International and European Media Regulation” at the International Master's in Sociology of Law of the Oñati International Institute for the Sociology of Law and “Law and Anthropology” at KU Leuven. She has lectured in Italian, English and French at European and Canadian Universities (Université de Montréal and McGill University). She has published on EU Law and Politics, International Economic Law and Politics, Media Law and Policy, Law and Anthropology, and Law and Sustainable Development.

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Giancarlo Corsi , is Professor of Sociology, University of Modena-Reggio Emilia, Department of Communication and Economy; *Former curriculum* 1983: MA Political Sciences, University of Bologna; 1995: PhD Sociology (Doctor rerum socialium), University of Bielefeld (Germany). *Research Interests*: Communication media, organizational change and reform, public opinion, legal theory and sociology of the constitution. *Selected publications*: Niklas Luhmann: Education as a Social System, Springer, Berlin-New York (with Claudio Baraldi), 2017; *Sociology of Constitutions: A Paradoxical Perspective*, Ashgate, London, (ed. with Alberto Febbrajo), 2017; *Can the Public Sphere be Transparent? On the Reality of (Dis)Information*, *Sociologia e politiche sociali*, 21, 3, 2018, pp. 25-45; *Unlocking Luhmann*, Transcript, Bielefeld 2020; *Öffentlichkeit als selbsterzeugte Unsicherheit. Desinformation, Populismus und die Frage der Legitimation*, in *Polemische Öffentlichkeiten: Zur Geschichte und Gegenwart von Meinungskämpfen* in Elke Dubbels, Jürgen Fohrmann, Andrea Schütte (eds), *Literatur, Medien und Politik*, Transcript, Bielefeld, 2021, pp. 206-221; “Education has no end”: reconciling past and future through reforms in the education system, *Educational Philosophy and Theory*, 52, 6, 2020, pp. 688-697. *The never ending reforming of education*, in Xavier Dumay, Eric Mangez (Eds), *Handbook on Globalization and Education*, Oxford University Press, 2023; *Famiglia ed educazione nella società moderna*, Edizioni Studium, Roma, 2023 (ed. with Riccardo Prandini); *L’autoresponsabilità nella società del rischio. Un’analisi sociologica*, in *Quaderni della Facoltà di Giurisprudenza*, Università di Trento, 2023; *Sociologia dei mezzi di comunicazione. Considerazioni per una teoria generale*, Philosophy Kitchen, 2023.

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