

Diritto Pubblico Europeo Rassegna Online

Hendrik Vollmer

Freedom of Religion. A Comparative Law Perspective Grzegorz Blicharz, 2019 Freedom of Religion. A Comparative Law Perspective consists of five chapters, looking at freedom of religion, particularly the display of religious symbols, in Poland, Italy, Hungary, and the United States. It provides a concise and very insightful look into the legal regimes of four nations, allowing reader to get a solid comparative view of public religious displays in these countries. Each chapter has sufficient depth and overall this edited volume will be a useful resource to scholars and jurists in this area. Dr. James C. Phillips, Stanford University's Constitutional Law Center The presented volume leads to an in-depth reflection on the issue of the display of religious symbols in the public sphere, which is widely discussed today. Most of the articles prove that secularism of the contemporary state ruled by law targets Christian symbolism (cross, cradle, the Decalogue). Christian religious symbols shall always be inscribed in the temporal order, otherwise they have no chance to be displayed in the public sphere. In this way, the rights of Catholic believers, as one of the dominant religious groups, are restricted in the name of the protection of religious and areligious minorities. As a result, the aim is to bring about the actual equality of all religions and - ultimately - the final removal of the Christian tradition from Western culture. Against this background, Polish (as well as Hungarian and Italian) judicial decisions present a different approach, which - as the authors of the volume prove - presents a position in favour of the presence of religious symbolism in the public sphere. The multifaceted evaluation of the inconsistency, casuistry and nuance of the jurisprudence of the US Supreme Court is extremely creative and interesting. It allows to conclude that the jurisprudence of the US Supreme Court, which usually limits the presence of religious symbols in the public forum, has not yet become universally binding. The pluralism of philosophical and religious attitudes still constitutes the axiological core of American democracy. Prof. dr hab. Andrzej Dziadzio, Jagiellonian University in Kraków

Monocratic Government Fortunato Musella, 2022-02-21 Personalisation is the most relevant political phenomenon of our time. After the decline of structural and ideological foundations of Western democracies, a radical shift from collective to individual actors and institutions has occurred in several political systems. On the one hand, political leaders have gained centrality on the democratic scene as a consequence of both a more direct, sometimes plebiscitary, relationship with citizens, and a more direct control of the executive administration. On the other hand, a process of fragmentation occurs at the mass level, where electoral volatility has strongly increased and the spread of social media enables each citizen to express their

convictions in the self-referential autonomy of the digital networks. *Monocratic Government: The Impact of Personalisation on Democratic Regimes* analyses the consequences of personalisation of political leaders on democratic government by asking whether it is possible to keep together *demos* and *kratos* in a post-particratic context. It explores topics such as governmental decrees, Trump-governance, and includes an analysis of the coronavirus outbreak. Offering comparative insights and exploring how political leaders govern in the United States, France, Germany, Italy, and Hungary, this volume brings into focus the study of political personalisation in relation to some of the key trends – and crises – in modern politics.

The Max Planck Handbooks in European Public Law Armin von Bogdandy, Peter M. Huber, Sabrina Ragone, 2023-02-27
The Max Planck Handbooks in European Public Law describe and analyze public law of the European legal space, an area that encompasses not only the law of the European Union but also the European Convention on Human Rights and, importantly, the domestic public laws of European states. Recognizing that the ongoing vertical and horizontal processes of European integration make legal comparison the task of our time for both scholars and practitioners, the series aims to foster the development of a specifically European legal pluralism and to contribute to the legitimacy and efficiency of European public law. The first volume of the series began this enterprise with an appraisal of the evolution of the state and its administration, offering both cross-cutting contributions and specific country reports. This second volume continues this approach with an in-depth appraisal of the foundations of the constitutional order in various and diverse European countries. Fourteen country reports investigate the antecedents, foundations, organization, basic principles, and challenges to European constitutions. They include countries with long-lasting and recently amended constitutions, decentralized or unitary, with different political systems and institutional settings. In keeping with the focus on a diverse but unified legal space, each report also details how the constitutional identity of each country has been elaborated and what it entails. Together, the chapters of this volume provide a strong and diverse foundation for a continuing European constitutional dialogue.

Rule of Law and the Challenges Posed by the Pandemic Rainer Arnold, Javier Cremades, 2023-10-18
The rule of law represents the heart of constitutionalism. Public power can only be legitimately exercised if it is based on and complies with the law. The Constitution and its fundamental values – human dignity, freedom and equality – are the ultimate sources of orientation for the rule of law. Domestic rule of law is complemented by its external dimension, the duty to respect international law and, for EU member states, supranational law. For the World Jurist Association, the realization of the Rule of Law has been the central concern since its founding more than 60 years ago. Its biennial world congresses, which bring together leading figures from politics, the judiciary and academia under the presidency of Javier Cremades, focus on the universal importance of the rule of law, which experts from numerous countries discuss on the basis of current problem areas. At the 2021 World Law Congress in Barranquilla, Colombia, one central topic was the tension between combating

pandemics and the rule of law. The contributions gathered here examine how this challenge was met in political-legal practice, and the role of constitutional jurisdiction in the process. They analyze and evaluate the legal situation in numerous countries in Europe and Latin America. In addition, they reflect on fundamental issues, such as the concept of the rule of law, its relationship to democracy, its universal character and its implementation via jurisprudence.

Freedom of Expression of Judges Federica Casarosa, Mohor Fajdiga, Madalina Moraru, 2024-12-18 This book addresses the impact of developments surrounding the freedom of expression of judges by building on the experience of judges themselves, legal practitioners and academics across Europe. Like everybody, judges enjoy freedom of expression. However, historically, there have been starker limitations to the free speech of judges compared to ordinary citizens, the rationale being to safeguard judicial independence, impartiality and public trust in the judiciary. Where exactly the boundary lies is a highly complex question. The recent developments in Europe have rekindled the dilemma of guaranteeing freedom of expression to judges. The rule of law crisis has led many judges to speak out against the attacks of autocratic governments targeting judges and courts. The rapid expansion of the digital world has opened up new channels of communication, and the growing role of courts in society has expanded the reach of courts to practically any social issue, even the most polarised. This work critically analyses the recent jurisprudence of the Court of Justice of the EU and the European Court of Human Rights, its reception at the national level and the contribution of national judiciaries to the discussion pervading the European judicial space. It seeks to raise awareness that judicial speech is a multifaceted phenomenon shaped by complex legal and social considerations worth further exploration. The book will be of interest to academics, researchers, and policy-makers working in the areas of Human Rights Law, Constitutional Law and Politics, and Comparative Law.

International Sanctions: Monetary and Financial Law Perspectives Chiara Zilioli, Régis Bismuth, Luc Thévenoz, 2024-07-29 The monetary and financial dimensions of economic sanctions have become critical components of sanctions strategies. A wider range of monetary and financial assets, entities (including central banks), and services are now targeted. Financial institutions, infrastructures, regulators and central banks play an increasingly influential role in shaping sanctions channels. Furthermore, sanctions may have significant impacts on financial obligations. This book, prepared under the auspices of the International Monetary Law Committee of the International Law Association (Mocomila), is the first to focus on the unexplored financial and monetary law aspects of economic sanctions and examine their impact on central banks and payment systems.

The Consequences of the Crisis on European Integration and on the Member States Stelio Mangiameli, 2017-02-23 The book examines the economic crisis in the European Union and its consequences for European integration and the member states. Discussing the provisions introduced by the Treaty of Lisbon, from the effects of macroeconomic monitoring to the restraints produced by the Fiscal Compact, it offers an analysis of the European Union's

current situation and the effects of the measures adopted to manage the crisis, also making reference to how Europe is perceived by its citizens. Moreover, the chapters offer thoughts on the European integration process, in particular the effects that the policies adopted to tackle the crisis have had on the economic and financial sovereignty of the member states. This detailed examination of the situation of the EU between the Treaty of Lisbon and the Fiscal Compact is characterized by an original multidisciplinary approach that offers an articulate reflection on the criticalities that affect the actions of both European and national institutions.

Handbook of Accounting in Society Hendrik Vollmer, 2024-05-02 The Handbook of Accounting in Society invites readers to consider the ways in which accounting affects organizations, institutions, communities, professions, and everyday life. Diverse in its reach, this Handbook campaigns for the need to reconsider our understanding of what accounting is and crucially, what it can become.

GMOs, Food Traceability and RegTech Andrea Stazi, Riccardo Jovine, 2024-09-18 The book deals with the regulation of GMOs within the context of multiple principles and interests, including food security, sustainable development, and biodiversity. The recognition of intellectual property rights, particularly with respect to geographical indications and patentability is also discussed. From a comparative perspective, the importance of traceability in the food industry, driven by major world powers' consumer and market protection policies, is highlighted. Finally the use of emerging technologies, such as blockchain, as a form of regulatory technology for more effective and sustainable management of traceability systems within the food supply chain, is explored as a workable and forward looking solution.

Treaty on the Functioning of the European Union - A Commentary Hermann-Josef Blanke, Stelio Mangiameli, 2021-05-31 The Commentary on the Treaty on the Functioning of the European Union (four volumes) is a major European project that aims to contribute to the development of ever closer conceptual and dogmatic standpoints with regard to the creation of "Europeanised research on Union law". Following on from the Commentary on the Treaty of the European Union, this book presents detailed explanations, article by article, of all the provisions of the TFEU, discussing the application of Union law in the national legal orders and its interpretation by the Court of Justice of the EU. The authors are academics and practitioners from twenty-eight European states and different legal fields, some from a constitutional law background, others experts in the field of international law and EU law. Reflecting the various approaches to European legal culture, this book promotes a system concept of European Union law toward more unity notwithstanding its rich diversity grounded in national traditions.

Food Diversity Between Rights, Duties and Autonomies Alessandro Isoni, Michele Troisi, Maurizia Pierri, 2018-04-25 The book reflects on the issues concerning, on the one hand, the difficulty in feeding an ever-increasing world population and, on the other hand, the need to build new productive systems able to protect the planet from overexploitation. The concept of "food diversity" is a synthesis of diversities: biodiversity of ecological sources of food supply; socio-territorial

diversity; and cultural diversity of food traditions. In keeping with this transdisciplinary perspective, the book collects a large number of contributions that examine, firstly the relationships between agrobiodiversity, rural sustainable systems and food diversity; and secondly, the issues concerning typicality (food specialties/food identities), rural development and territorial communities. Lastly, it explores legal questions concerning the regulations aiming to protect both the food diversity and the right to food, in the light of the political, economic and social implications related to the problem of feeding the world population, while at the same time respecting local communities' rights, especially in the developing countries. The book collects the works of legal scholars, agroecologists, historians and sociologists from around the globe.

Lo stato del potere Carlo Iannello, 2025-03-01T00:00:00+01:00 Il neoliberalismo ha liquidato il liberalismo. Le politiche neoliberali hanno introdotto ovunque la concorrenza, dai servizi pubblici all'università, dalla sanità all'istruzione, fino a estenderla all'intera società. Si è così abbandonato ogni fine sociale e conservato il solo apparato autoritario, essenziale al mercato. Asservito lo Stato all'economia, neutralizzata la politica, scardinati i principi liberaldemocratici e la prescrittività delle costituzioni, il neoliberalismo ha condannato la democrazia e il diritto pubblico a una prolungata agonia. Le nuove forme del potere stanno ora pregiudicando, dopo quelle politiche e sociali, anche le libertà economiche, che decenni di politiche neo-liberali hanno finito, paradossalmente, per mettere in discussione. Alla sempre maggiore concentrazione dei capitali corrisponde un'inedita centralizzazione delle decisioni, ormai slegate dalle sedi della rappresentanza democratica, ancora formalmente esistenti. Sono ora gli stessi attori del capitalismo transnazionale a governare di fatto l'economia e la società, secondo modalità che rimandano alle pianificazioni dello Stato interventista. Carlo Iannello ricostruisce i contorni di questo "post-liberalismo" oligarchico e illiberale, che può essere contrastato solo ridando forza al progetto profondamente umano contenuto nella Costituzione repubblicana, costruito sul primato della persona rispetto allo Stato e alla tecn-economia.

Federalism and the Response to COVID-19 Rupak Chattopadhyay, Felix Knüpling, Diana Chebenova, Liam Whittington, Phillip Gonzalez, 2021-11-29 The COVID-19 pandemic bared the inadequacies in existing structures of public health and governance in most countries. This book provides a comparative analysis of policy approaches and planning adopted by federal governments across the globe to battle and adequately respond to the health emergency as well as the socio-economic fallouts of the pandemic. With twenty-four case studies from across the globe, the book critically analyzes responses to the public health crisis, its fiscal impact and management, as well as decision-making and collaboration between different levels of government of countries worldwide. It explores measures taken to contain the pandemic and to responsibly regulate and manage the health, socio-economic welfare, employment, and education of its people. The authors highlight the deficiencies in planning, tensions between state and local governments, politicization of the crisis, and the challenges of generating political consensus. They also examine effective approaches used to foster greater cooperation and learning for

multi-level, polycentric innovation in pandemic governance. One of the first books on federalism and approaches to the COVID-19 pandemic, this volume is an indispensable reference for scholars and researchers of comparative federalism, comparative politics, development studies, political science, public policy and governance, health and wellbeing, and political sociology.

Democrazia e Sicurezza - 2020 n. 2, 2020-10-28 «Democrazia e Sicurezza - Democracy and Security Review», ideata dal prof. Salvatore Bonfiglio, è nata come periodico scientifico dell'Università degli Studi Roma Tre all'interno del PRIN 2008 «Costituzioni e Sicurezza dello Stato: scenari attuali e linee di tendenza» e proseguito con il PRIN 2010-2011 «Istituzioni democratiche e amministrazioni d'Europa: coesione e innovazione al tempo della crisi economica». La rivista intende approfondire il rapporto tra democrazia e sicurezza: esso, se pur a volte conflittuale, non deve mai negare, a maggior ragione in un ordinamento democratico, i diritti fondamentali della persona.

Constitutionalization of Politics in Comparative Perspective Paweł Laidler, Dariusz Stolicki, Łukasz Jakubiak, Jacek Sokołowski, 2024-11-25 Scholars from political science and law examine the latest research on the constitutionalization of politics in comparative perspective. The scope includes both inter- country and intra- country perspectives, institutional and systemic analyses, common and civil law systems, focusing on historical and contemporary case studies. There are chapters limited to a concrete legal and political system, analyzing the tools and processes guarding constitutionalization of politics in such countries as the United States, Germany, France, Italy, Poland, Finland, and Bulgaria, as well as studies offering comparative analysis of various institutions representing different countries and different legal and political systems. Taken together, this book uncovers a wide variety of legal and political cultures, systems of governments, and forms of territorial organization. Once uncovered, this approach makes it easier to determine repetitive patterns which may be observed in constitutional review and constitutional interpretation, or significant differences occurring in the models of constitutionalization of politics around the world. *Constitutionalization of Politics in Comparative Perspective* tackles important debates among academics interested in the theoretical and practical aspects of constitutions and constitutionalism and will appeal to social scientists, including sociologists, philosophers, security studies and international relations experts but also cultural studies scholars.

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Introduzione al diritto internazionale Fulvio Maria Palombino, 2024-10-04T00:00:00+02:00 Una introduzione chiara, agile e originale alle categorie e agli istituti fondamentali del diritto internazionale in edizione riveduta e aggiornata.

Diritto dell'emergenza e ordinamento democratico Della Giustina Camilla, 2022-05-10 La mancata costituzionalizzazione di una emergenza ha indotto la letteratura giuridica ad interrogarsi circa l'aspetto del fondamento e delle modalità tramite le quali viene esercitato il "Potere" e quali siano le caratteristiche e la sembianza di quest'ultimo durante la vigenza di una

situazione emergenziale. Se questa riflessione dottrinale risulta essere corretta, è altrettanto necessario evidenziare che la stessa Carta costituzionale italiana disciplina talune situazioni straordinarie e speciali per effetto di una disciplina specifica. L'aspetto saliente che emerge dal lavoro attiene alla considerazione che l'impianto emergenziale dovrebbe allinearsi, almeno secondo la disciplina che si rinviene nella Costituzione italiana, al concetto stesso di democrazia, amalgamandosi anche con quest'ultimo: il potere dell'emergenza, in altri termini, per essere riconosciuto come legittimo, deve essere esercitato all'interno del concetto di legalità per consentire l'espulsione dalla discussione politica di qualunque ideologia che sia contraria all'assetto democratico. L'"epifania" di un'emergenza sanitaria - la quale, appalesandosi nella sua dinamica dettata dalla natura, diventa anche fenomeno giuridico - si innesta in un terreno gius-pubblicistico già connotato da una endemica crisi delle fonti del diritto.

Fundamental legal problems of surrogate motherhood. Global perspective. Piotr Mostowik, Marta Soniewicka, Nathalie Baillon-Wirtz, Mirosław Boruta, Justyna Holocher, Błażej Kmiecik, Ewa Kozerska, Tomasz Scheffler, Katażyna Mikša, Natalja Žitkevits, Avishalom Westreich, Andrea Nicolussi, Andrei A. Novikov, Carlos Martínez de Aguirre, Monika Wałachowska, Alla Anatoliivna Herts, Witold Borysiak, Agnieszka Czubik, Łukasz Mirocha, Agata Niżnik-Mucha, Aleksandra Dębowska, Marcin Sokołowski, Agnieszka Wedeł-Domaradzka, Olga Bobrzyńska, Dita Frintová, Ondřej Frinta, Janusz Gajda, Rafał Łukasiewicz, Elena Júdová, Martin Píry, Wojciech Lis, Piotr Telusiewicz, Michał Wojewoda, Edyta Figura-Góralczyk, Radosław Flejszar, Piotr Rodziewicz, Konrad Burdziak, Łukasz Pohl, Wojciech Górowski, Agnieszka Laber, Dominik Zająć, Karolina Sęk, 2019-07-01 The observation that mater semper certa est remains accurate under most legal systems in the world. Maternity is defined as the personal status (filiation) of a woman who gave birth to a child. It is typically complemented by the fatherhood of the man from whom the child biologically originates (often quem nuptiae demonstrant). However, in some states, a kind of competitive way of acquiring the legal status of mother and father (or "homosexual parents A and B") has been introduced via concluding a contract with a surrogate mother. Usually with a woman coming from poorer societies and with the assistance of professional intermediaries and organizers. The postulates to change substantive family law, or at least to recognize the effects of foreign law and procedures (a kind of "procreative tourism"), appear nowadays also in states generally prohibiting surrogate motherhood. The issues discussed in this volume concern both national law and international court cases. Recent examples include the opinion of the European Court of Human Rights of 10 April 2019 initiated by the French Cour de cassation, the judgement of the German Bundesgerichtshof of 20 March 2019, and dilemmas of Polish administrative courts. Focusing on the international perspective, the present volume as well as an accompanying book in Polish are the results of the international cooperation of over 30 experts from both member states and observer states of the Council of Europe. The monograph is structured "from the general to the detail" and includes a comprehensive view as well: from the issues of philosophy and sociology of law, to human rights standards of national constitutions and international

agreements, to principles of ordre public of forum and their protection with measures of private, public, and penal law. This allows readers, including legislators and judges, the better understanding of the fundamental legal problems that surrogate motherhood brings, both in states where law creates them in a narrower or wider extent, and in other countries of the world, to which these problems can be imported with the movement of people and with de lege lata and de lege ferenda postulates.

Cibo e diritto. Una prospettiva comparata Lucia Scaffardi, Vincenzo Zeno-Zencovich, 2020-06-14 Il volume raccoglie oltre trenta saggi, rielaborati, presentati al XXV Colloquio dell'Associazione Italiana di Diritto Comparato, tenutosi a Parma nel maggio 2019 e dedicato a "Cibo e diritto". I contributi spaziano dalla cultura alimentare, alla filiera agro-alimentare, alla regolazione dei mercati e alla concorrenza, ai profili di proprietà intellettuale, al commercio internazionale, alla tutela dei consumatori e alle tematiche relative all'educazione alimentare e alle sfide della sostenibilità, e si conclude con una parte dedicata ai diritti degli animali. Contributi di: Ferdinando Albisinni, Gabriella Autorino, Lorenzo Bairati, Marco Barbone, Silvia Bolognini, Albina Candian, Irene Canfora, Cristina Costantini, Lucia Di Costanzo, Roberto D'Orazio, Fiore Fontanarosa, Cesare Galli, Iñigo del Guayo Castiella, Antonio Iannarelli, Sabrina Lanni, Pamela Lattanzi, Anna Maria Mancaleoni, Mauro Mazza, Alessandro Palmieri, Alessandra Pera, Federico Pernazza, Luca E. Perriello, Pier Luigi Petrillo, Pier Paolo Picarelli, Cinzia Picicocchi, Valeria Piergigli, Francesca Rescigno, Giuseppe Rossi, Luigi Russo, Lucia Scaffardi, Giovanni Sciancalepore, Salvatore Sica, Andrea Stazi, Elettra Stradella, Bruno Tassone, Marcilio Toscano Franca Filho, Francesco Paolo Traisci, Laura Vagni, Anny Viana Falcão. DOI: 10.13134/979-12-80060-27-3

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