

Opening fundamental rights to civil society: toward judicial ownership of constitutional and international adjudication

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Keywords

International human rights adjudication; Deliberative constitutionalism

Main Research Objective

The scope of the present Research Cluster is to contribute to the understanding of the relationship between civil society and judicial review in deliberative constitutional systems/between civil society and international courts dealing with the safeguard of fundamental rights.

On the one hand, the Research Cluster seeks to find and analyze in empirical terms the degree of representativeness and reflectiveness of constitutional courts. On the other hand, the research intends to develop a comprehensive theoretical and practical perspective on how to design, implement, and assess more inclusive participatory processes for national and international human rights adjudication for minorities and marginalized groups.

From a practical point of view, the Research Cluster seeks to provide tangible institutional alternatives designed to address systemic exclusion and inequalities within the deliberation process. The overarching aim is, indeed, to develop concrete and feasible institutional proposals that take into account the protection of fundamental rights, along with the need of unrepresented groups for participation in constitutional and international adjudication.

Main Research Outcome

The ultimate aim of the Research Cluster is to influence current national and international standards of civic engagement in constitutional and international human rights adjudication. The present research is expected to re-frame public perception on the Rule of Law and human rights values, with particular attention to minorities, vulnerabilities, equality and intersectionality.

Two years from now, the Research Cluster, through the development of the present research proposal, is expected to create a solid network of researchers and partners able to work on European projects in order to enhance the visibility of the research.

It is also possible to imagine that Research Cluster will acquire a legal entity, through the establishment of a Committee, Observatory or Association with the aim to spread the core European values. And this commitment would be further consolidated if the Research Cluster could find forms of collaboration with the ERUA Advocacy Group, in which some of the members of the Cluster already participate.

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External Partners	<p>University College London; University of Exter; Universitat Pompeu Fabra Barcelona; Universidad de Valladolid; University of Belgrade</p>
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