

# JURIS DIVERSITAS



## 8<sup>e</sup> CONGRÈS GÉNÉRAL

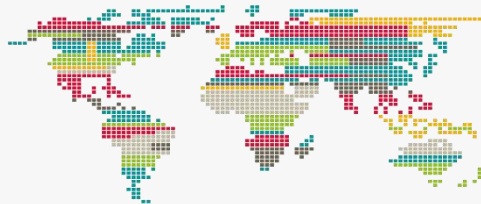
Palerme, 19 au 21 juin 2023

## Regards dystopiques sur le droit



# SIRD

SOCIETÀ ITALIANA  
PER LA RICERCA  
NEL DIRITTO COMPARATO



*Juris Diversitas is the name of an association as defined in Article 60 et sequens of the Swiss Civil Code. The Association has its seat at the Swiss Institute of Comparative Law in Lausanne-Dorigny, Switzerland.*

*Juris Diversitas est une association régie par les articles 60 et suivants du Code civil suisse. Son siège est à l'Institut suisse de droit comparé, Lausanne-Dorigny, Suisse.*

ALL TIMES ON THIS SCHEDULE ARE IN LOCAL TIME

TOUS LES HORAIRES SONT EN HEURE LOCALE

## DAY 1 / 1<sup>re</sup> JOURNÉE

Monday, June 19, 2023 / Lundi 19 juin 2023

**8:30-9:15**      **Welcome / Registration**

**9:15-9:30**      **PLENARY SESSION — OPENING & WELCOMING ADDRESS**

- *Olivier Moréteau*, Louisiana State University (United States), President (from remote)
- *Salvatore Mancuso*, University of Palermo (Italy), Vice President (Conferences)
- *Ignazio Castellucci*, University of Teramo (Italy), Vice President (Projects)

**9:30-10:30**      **PLENARY SESSION - KEYNOTE SPEECH 1**

**Chair:** *Ignazio Castellucci*, University of Teramo (Italy)

- **What if... the Roe v. Wade case had not existed?**  
*Barbara Pozzo*, University of Insubria (Italy)

**10:30-11:00**      **Coffee break**

**11:00-12:30**      **SESSION 1**

### **1A – Anglo-American dystopias**

**Chair:** *Salvatore Mancuso*, University of Palermo (Italy)

- **From William the Bastard to William the Conqueror: what if the Norman invaders had been rejected on the shores of Sussex?**,  
*Francesco Paolo Traisci*, University of Molise, Campobasso (Italy)
- **Leibniz and George I: An alternate history of Anglophone law for the global age**,  
*Joseph P. Garske*, (United States)
- **A brilliant future behind its back: the irresolute advance of privacy in the US tort law realm**,  
*Biagio Andò*, University of Catania (Italy)

**12:30-14:30 LUNCH**

**14:30-16:00 SESSION 2 (PARALLEL SESSIONS)**

**2A – Gender equality and family law**

**Chair:** *Antonello Miranda*, University of Palermo (Italy)

- **Intersectionality and gender strategies in traditional/minority leadership contexts: a comparison between South Africa and Germany,**  
*Kyriaki Topidi & Christa Rautenbach*, European Centre for Minority Issues (Germany) and North-West University (South Africa)
- **Sliding doors on protection of women’s rights in Islamic Africa. Women’s agency in Sudan legal development,**  
*Maria Gabriela Mata Carnevali*, University of Palermo (Italy)
- **Nationalization and re-privatization of family properties in 20th century Romania,**  
*Ilyés Kinga*, Sapientia Hungarian University of Transylvania (Romania)

**2B – Regards dystopiques sur la religion, le langage et l’animalité**

**Présidence :** *Lukas Heckendorn Urscheler*, Institut suisse de droit comparé (Suisse)

- **Axiomes religieux : réalité contre fiction,**  
*Jihane Benarafa*, Université de Milan (Italie)
- **Et si la loi du 10 juillet 1976 n’avait pas reconnu la sensibilité de l’animal ?,**  
*Sonia Desmoulin*, Université de Nantes (France)
- **Langage, langage du droit et traduction : fictions, utopies ou dystopies ?,**  
*Jean-Claude Gémar*, Université de Montréal (Canada)

**16:00-16:30 Coffee break**

**16:30—18:00 SESSION 3 (PARALLEL SESSIONS)**

**3A – Dystopian visions from Eastern Europe**

**Chair:** *Ignazio Castellucci*, University of Teramo (Italy)

- **Laws in general and criminal laws in particular serve a very specific purpose: to maintain the impregnability of the existing social order”:** evolution of the Criminal Code in Putin’s Russia,  
*Asya Ostroukh*, University of the West Indies (Barbados)
- **Problems of legal discontinuity of the former Soviet Socialist Republics after the disintegration of the USSR,**  
*Maryna Vahabava*, University of Teramo (Italy)
- **Utopia becomes dystopia: non-pecuniary damage in soviet-style dictatorships,**  
*Emőd Veress*, University of Miskolc (Hungary)

### 3B – Regards dystopiques croisés

Chair: *Anne Tercinet*, EMLyon Business School, Lyon (France)

- **L'influence de l'histoire sur le choix du code civil en vigueur en Grèce,**  
*Dimitra Tsiaklagkanou*, Université d'Athènes (Grèce)
- **Si l'alliance franco-amérindienne avait triomphé ? 1759-2023 codification, négociation et justice autochtone en Amérique du Nord**  
*David Gilles & Michael Coyle*, Universités de Sherbrooke et Western Ontario (Canada)
- **L'échec du référendum français de 1969 : un constitutionnalisme social inabouti ?**,  
*Alexis Bugada*, University of Aix-Marseille (France)

## DAY 2 / 2<sup>e</sup> JOURNÉE

Tuesday, June 20, 2023 / Mardi 20 juin 2023

### 9:30-10:30      **PLENARY SESSION - KEYNOTE SPEECH 2**

Chair: *Salvatore Mancuso*, University of Palermo (Italy)

- **La toge ou le turban ? Le juge constitutionnel d'Irak et l'Islam,**  
*Harith Al-Dabbagh*, Université de Montréal (Canada)

### 10:30-11:00      **Coffee break**

### 11:00-12:30      **SESSION 4 (PARALLEL SESSIONS)**

#### **4A – Dystopias in codification**

Chair: *Anne M. Tercinet*, EMLyon Business School, Lyon (France)

- **The construction of alternative legal comparisons. How to imagine a world without the Corpus Iuris Civilis,**  
*Gianmatteo Sabatino*, Zhongnan University of Economy and the Law - Wuhan (China)
- **Dystopian or not: alternate realities for Thibaut and von Savigny's codification debate,**  
*Markus G. Puder*, Loyola University New Orleans (United States)
- **Dystopian competition law,**  
*Andrea Piletta Massaro*, University of Turin (Italy)

#### **4B – Information technology and artificial intelligence as sources of dystopia**

Chair: *Anthony Diala*, University of the Western Cape (South Africa)

- **Subliminal artificial intelligence: between 'black box' and 'digital magic'?**,  
*Rostam J. Neuwirth*, University of Macau (China)
- **Dystopian literature and ICT society,**  
*Fulvia Abbondante*, University of Naples Federico II (Italy)
- **Artificial intelligence and legal subjectivity,**  
*Bruno Tassone*, Universitas Mercatorum (Italy)

**12:30-14:30 LUNCH**

**14:30-16:00 SESSION 5 (PARALLEL SESSIONS)**

**5A – Constitutional dystopias**

**Chair:** *Christa Rautenbach*, North-West University (South Africa)

- **Constitutional history and constitutional identity as a living instrument in parliamentary practice? Revisiting the Hungarian model,**  
*Boldizsár Szentgáli-Tóth*, Institute for Legal Studies - Budapest (Hungary)
- **Locus standi in the CJEU for individuals - the failed Constitutiona Treaty versus the Lisbon amendments, quo vadis?,**  
*Ivan Sammut*, University of Malta (Malta)
- **Fundamental rights violation in contemporary dystopian television with a special focus on the principle of equality,**  
*Miriam Klema*, University of Innsbruck (Austria)
- **Fake constitutional history in the service of political power**  
*Zoltán Szente and Fruzsina Gárdos-Orosz*, National University of Public Service and Institute for Legal Studies - Budapest (Hungary)

**5B – Judicial dystopias**

**Chair:** *Lukas Heckendorn Urscheler*, Swiss Institute of Comparative Law (Switzerland)

- **Betraying the Maltese Utopia: the cruel backdrop of the first jury trials in Malta,**  
*David Zammit*, University of Malta (Malta)
- **Without Colbert, would justice have been relegated behind the administration in France?,**  
*Hugues Bouthinon-Dumas*, ESSEC Business School (France)
- **Policing with guns: what if the paramilitary Irish police model had been introduced in Malta in 1847?,**  
*Mary Muscat*, University of Malta (Malta)

**16:00-16:30 Coffee break**

**16:30-17:30 PLENARY SESSION – GENERAL MEETING OF JURIS DIVERSITAS**

**Chair:** *Olivier Moréteau*, President of Juris Diversitas (from remote)

**20:00 JURIS DIVERSITAS CONFERENCE DINNER at “La Locanda del Gusto”**

## **DAY 3 / 3<sup>e</sup> JOURNÉE**

**Wednesday, June 21, 2023 / Mercredi 21 juin 2023**

### **9:00-9:30 PLENARY SESSION - KEYNOTE SPEECH 3**

**Chair:** *Ignazio Castellucci*, University of Palermo (Italy)

- **Surfing dead,**  
*Antonello Miranda*, University of Palermo (Italy)

### **9:30-11:00 SESSION 6 (PARALLEL SESSIONS)**

#### **6A – Farming, gambling, and notarial dystopias**

**Chair:** *Rostam J. Neuwirth*, University of Macau (China)

- **Once upon a farm: farm novels and the law,**  
*Elmien du Plessis*, North-West University (South Africa)
- **Taking morality away from gambling contracts,**  
*Nadia Coggiola*, University of Turin (Italy)
- **The (alleged?) evolution of public notary deeds after covid-19 pandemic,**  
*Luigi Venusio Tamburrino*, University of Teramo (Italy)

#### **6B – Dystopian tales of queer children, double surnames and whistleblowers**

**Chair:** *Christa Rautenbach*, North-West University (South Africa)

- **On fairy tales, queer children and human rights: rewriting Macatè,**  
*Camilla Crea & Matteo M. Winkler*, University of Sannio (Italy) and HEC Paris (France)
- **Money incentives for whistleblowers of corruption in municipalities: a dystopian perspective,**  
*Johandri Wright*, North-West University (South Africa)
- **Some comparative reflections on the unsolved question of double surname,**  
*Domitilla Vanni*, University of Palermo (Italy)

### **11:00-11:30 Coffee break**

### **11:30-13:00 SESSION 7 (PARALLEL SESSIONS)**

#### **7A – Dystopian international law?**

**Chair:** *Gianmatteo Sabatino*, Zhongnan University of Economy and the Law - Wuhan (China)

- **Indigenous Approaches to Peacebuilding,**  
*Anthony Diala*, University of the Western Cape (South Africa)

- **Cultural Heritage Divided by (International) Law: The Case of North Macedonia,**  
*Alexandr Svetlicinii, University of Macau (China)*
- **The BRICS Organization: a real threat to the West?,**  
*Marta Bono, University of Palermo (Italy)*

### **7B – Fantômes dystopiques dans la loi et les conventions internationales**

**Chair:** *Anne Tercinet, EMLyon Business School, Lyon (France)*

- **Interprétation dystopique de la Convention internationale CMR,**  
*Dimitra Tsiaklagkanou, Université d'Athènes (Greece)*
- **Et si la Convention internationale relative aux droits des personnes handicapées (CIDPH) n'avait pas été adoptée ?,**  
*Paul Véron, Université de Nantes (France)*
- **La loi fantasmagorique. Entre dystopie surmoïque et utopie sociale,**  
*Dario Alparone, Université de Rennes 2 (France)*

### **13:00—13:15 PLENARY SESSION – CLOSING REMARKS**

**ORGANIZING COMMITTEE:** *Olivier Moréteau, Salvatore Mancuso, Ignazio Castellucci, Christa Rautenbach, Lukas Heckendorn Urscheler, Gianmatteo Sabatino, Marta Bono.*