

## **Silvana Sciarra**

Silvana Sciarra, the first woman elected by Parliament as a Judge at the Italian Constitutional Court, began her mandate in November 2014, after having held the role of Full Professor of Labor Law and European Social Law at the University of Florence and the European University Institute. She is Professor Emeritus at the University of Florence and Corresponding Member of the Accademia dei Lincei.

On 29 January 2022 was appointed Vice President of the Constitutional Court.

On 20 September 2022 was elected President of the Constitutional Court.

On 12 March 2024 was elected President of the Italian School for the Judiciary.

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From 2017 to 2022 she was part of the Bureau of the World Conference on Constitutional Justice, representing the constitutional courts of Europe. The Conference brings together 116 constitutional and supreme courts from around the world. In October 2022 she was the key-note speaker at the global conference held in Bali, with a paper on 'Stocktaking on the independence of the member courts'.

On 27 March 2017, on the occasion of the 60th anniversary of the signing of the Treaties of Rome, she participated, as representative and correspondent of the Constitutional Court, to the Judicial Network of the European Union (Réseau judiciaire de l'Union européenne, RJUE) established by the President of the Court of Justice of the European Union and the Presidents of the constitutional and supreme courts of the Member States.

On the occasion of the 70th anniversary of the Court of Justice of the European Union - Luxembourg 5 December 2022 - she spoke at the Extraordinary Forum of Magistrates on the topic: A justice close to the citizen with her contribution "Judicial activism and judicial wisdom".

On 16 December 2023, at the Accademia Nazionale dei Lincei, she held a lecture on the topic "Constitutional Court and Court of Justice of the EU. A constructive discussion".

On the occasion of the solemn hearing of the European Court of Human Rights, which took place in Strasbourg on 27 January 2023, she was invited to give, after the annual report of President Siofra O'Leary, the opening speech on the theme "Appeal" to and "discourse" on the ECHR: a "value" for democratic systems.

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On 31 May 2017 she was awarded the honor "Knight Grand Cross of the Order of Merit of the Italian Republic" by the President of the Republic.



On 14 December 2021 by Decision of the Council of the European Union (EU) 2021/2232, starting from 1 March 2022 and for a period of 4 years, she was designated member of the Committee established to provide an opinion on the suitability of candidates to exercise the functions of judge and advocate general of the Court of Justice and of the General Court, pursuant to art. 255 TFEU.

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She graduated in Law from the University of Bari, discussing a thesis with Professor Gino Giugni. At the Institute of Labor Law she collaborated in the research, funded by the CNR and coordinated by Professor Giugni, on the extra-legislative training of labor law, participating in the research group on corporate practices.

She received the PhD in Law Honoris Causa from Stockholm University in 2006 and Hasselt University in 2012.

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She was a Harkness Fellow, with a Commonwealth Fund fellowship, at UCLA and Harvard Law School (1974-1976); Fulbright Fellow at UCLA (1985), Visiting Professor at several universities, including Warwick (Leverhulme Professor), Columbia Law School (BNL Professor), Cambridge (Arthur Goodhart Chair in Legal Science 2006-2007 and Fellow of Clare College), Stockholm, Lund, University College London, LUISS Rome.

At the University of Cambridge she gave the Mackenzie-Stuart Public Lecture in 2006, at the Center for European Legal Studies.

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She taught at the Faculty of Economic and Banking Sciences of the University of Siena, and then called by the Faculty of Law at the University of Florence to hold the chair of Comparative Labor Law and then of Labor Law.

From 1994 to 2003 she held the chair of Labor Law and European Social Law at the European University Institute of Fiesole.

Director of the Department of Law (1995-1996), she was supervisor of doctoral theses of students from many European countries; she coordinated the Gender Studies program (2002-2003).

At the European University Institute she coordinated international projects and edited publications including: Public Services and Citizenship in European Law, with M. Freedland (Oxford University Press 1998); Labor Law in the Courts. National Judges and the European Court of Justice (Hart 2001); Employment Policy and the Regulation of Part-time Work in the European Union (Cambridge University Press 2004), with P. Davies and M. Freedland.



She has collaborated with the European Commission in many research projects and participated in independent expert groups, including the Davignon group, on worker participation in European companies. She directed the group on the evolution of labor law in the main European countries, drafting the final report *The evolution of Labor Law*, published in Luxembourg in 2005 and the one on the evolution of collective bargaining, in collaboration with the University of Florence. The final report *The evolution of collective bargaining. Notes for a comparison in the countries of the European Union* is also in the Italian journal of labor law 2006.

Upon returning to the University of Florence, she coordinated the Erasmus project for several years and taught European Social Law, supervising degree theses in English language. In 2005 she was awarded a Jean Monnet Chair in European Labor and Social Law.

She directed, with a group of South African jurists, a comparative research whose results converged in: R. le Roux, B. Hepple, S. Sciarra, (eds.), *Laws against Strikes. The South African Experience in an International and Comparative Perspective*, F. Angeli 2015.

In 2015 in Amsterdam she received the Hugo Sinzheimer Prize in recognition of her academic career.

She has been a member of the European Law Institute since its foundation.

She was a member of the steering committee of the Italian Association of Labor Law and Social Security and a speaker at many conferences in Italy and abroad.

For several years she was co-director of the magazine *Giornale di Diritto del Lavoro e di Relazioni Industriali*, founded by Gino Giugni. She participates in the direction of Italian and foreign journals on labor law and European law.

In 2021 she held the Alberico Gentili Lectures on the topic "Court in comparison", now being published (*il Mulino*), at the University of Macerata.

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Some of her most recent publications:

[www.scuolamagistratura.it](http://www.scuolamagistratura.it)  
[www.ssm-italia.eu](http://www.ssm-italia.eu)  
[https://twitter.com/SSM\\_Italia](https://twitter.com/SSM_Italia)



The independence of the judge in light of the jurisprudence of the Constitutional Court, in *The judge and the rule of law. Independence of the judiciary and interpretation of the law in the dialogue between the Courts*, Giuffrè, 2024, report held at the Accademia dei Lincei

Culture environment democracy. The commitment of future generations, in *Forum di Quaderni Costituzionali*, 4, 2023

“Recourse” to and “discourse” on the ECHR: a “value” for democratic systems, *Eurojus*, n. 1/2023

Collective autonomy and inter-union order in *Oronzo Mazzotta (ed.), Introduction to trade union law*, Giappichelli 2023

First and Last Word: Can Constitutional Courts and the Court of Justice of the EU Speak Common Words?, *Eurojus*, 3-2022, also published in *WP C.S.D.L.E. “Massimo D’Antona” INT – 159/2022* and, in Spanish, in *Primera y última palabra: Can the constitutional courts and the Tribunal de Justice of the European Union pronounce common words? The European Union Law*, N° 106, September 2022, *THE LEY*

Key-note Speech 5th Congress of the World Conference on Constitutional Justice, Session E Stocktaking on the independence of the Member Courts (Bali), 2022

Seventy years of the Court of Justice of the European Union. Judicial Activism and Judicial Wisdom, *European Union Law*, 3-4 2022, now in *Cour de Justice de l’Union Européenne, Une justice proche du citoyen*, Luxembourg, June 2022

Pluralism, work and social rights, in *Camilla Buzzacchi and Michele Massa (eds.), Don’t be afraid of autonomies*. Written for Enzo Balboni, *Vita e Pensiero* 2022

Dignity of the person and solidarity, in *Giuseppe Napolitano (ed.) Protection of work and health in emergencies*, Cacucci 2022

Remote, essential, flexible: work in the time of the pandemic, in the 21st century. *The suspended world. The years of the Pandemic*, Treccani 2022

[www.scuolamagistratura.it](http://www.scuolamagistratura.it)

[www.ssm-italia.eu](http://www.ssm-italia.eu)

[https://twitter.com/SSM\\_Italia](https://twitter.com/SSM_Italia)



'Butterfly Effect'. Sentence no. 33 of 1960, Observatory of the Italian Association of Constitutionalists 2021

Rights and powers in the workplace. A reading of the Workers' Statute in the time of the pandemic, Report held at the conference organized at the Accademia dei Lincei, now in *Moneta e Credito* 2021

Reasonable responsibility. The case of the Constitutional Court, *Psyche* 2021

Bifocal lenses and common words: antidotes to centralization in the judgment of constitutionality, *Federalisms* 2021

Gino Giugni, *Ideas for work*, (edited and with Introduction), Laterza, 2020

"Work" entry, in *The X Appendix of the Italian Encyclopedia of Sciences, Letters and Arts*, 2020

How will Social Europe be in the 20s?, in *German Law Journal*, 2020

Italy: New Frontiers and Further Developments (with A.jr Golia), in M. Bobek and J. Adams-Prassl (eds.), *The EU Charter of Fundamental Rights in the Member States*, Oxford 2020

Social Rights Before the Italian Constitutional Court – A Voice from the Bench, in *Soziales Recht*, 2019

Tests of solidarity in some rulings of the Constitutional Court, in *Journal of Social Security Law*, 2019

Social Rights as Human Rights, in *Liber Amicorum Guido Raimondi, Essays in Honor of Guido Raimondi*, Wolf Legal Publishers, 2019



Rule of Law and Mutual Trust: a Short Note on Constitutional Courts as “Institutions of Pluralism”, in *The Role of Constitutional Courts in the Globalized World of the 21st Century*, Constitutional Court of the Republic of Latvia, 2019, and in *European Union Law*, 2018

Solidarity and Conflict. *European Social Law in Crisis*, Cambridge University Press, 2018

Legal certainty and fundamental principles of European law, in *Liber Amicorum Antonio Tizzano, Giappichelli*, 2018, also in *Derecho de las relaciones laborales*, 2018

Pietro Rescigno and labor law, in *Profile of a master of law. The 90 years of Pietro Rescigno*, Naples, 2018, speech held at the Accademia dei Lincei

Migrants, citizens and 'persons'. Access to social security benefits according to the Italian Constitutional Court and the Court of Justice of the European Union, in *Percorsi costituzionali. Uncertain citizenship*, Jovene 2017

A regulatory triangle: rights, principles, social policies in the EU, in *Foro It.*, II, 2017

Speech Acts' and judicial conversations. Preliminary references from the Italian constitutional court to the Court of Justice of the European Union (with G. Nicastro), in *Centro Studi sul Federalismo, Scuola Superiore Sant'Anna, Working Paper Series 1*, 2016.

European social law in the time of crisis, Report given at the FIDE Conference held in Copenhagen in 2014, now in *European Union Law 2015*

Association de médiation sociale. El controvertido papel de los principios fundamentales de la UE y el punto de vista de la legislación laboral. in *Revista de derecho social*. in *Revista de derecho social* 2014

Europe and work. *Solidarity and conflict in times of crisis*, Laterza 2013



Solidarity, market and competition in Italian welfare. Profiles of internal and community law (edited), il Mulino 2007