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The difficult interaction between political power and globalized economic power

Lorenzo Moroni



In 2016, I graduated in Law, *summa cum laude*, from the University of Cagliari, where I was declared the second best graduate of the Department of Law for the a.y. 2015-2016. For the writing of my dissertation in Constitutional Law, entitled “The principle of loyal cooperation in the World Trade Organization”, I did a research period abroad at the John Marshall Law School in Chicago. After graduation, I was appointed as a *cultore di materia* in Constitutional Law. Finally, in 2019 I became a lawyer.

I am currently a PhD student in Legal Science under the guidance of Professor Marco Betzu. My research interests concern Constitutional Law and, in particular, the ways in which political power controls globalized economic power. During my doctoral studies, due to the Covid-19 pandemic, I was unfortunately unable to undertake a period of research abroad in attendance. However, I did a 6-month research period in smart working at the *Institut de droit public, sciences politiques et sociales de l’Université Sorbonne Paris Nord*, under the supervision of Professeur de Droit public Mr. Franck Laffaille.

In the light of my research interests, my doctoral thesis project focuses on the control by state political power of supranational economic policies, specifically those on trade produced by the World Trade Organization. In this regard, in my dissertation I first ascertain the incompatibility between the constitutional model of the so-called “mixed economy” and neo-liberal economic systems, with specific reference to the liberalist theories of the Vienna School and the ordoliberal theories of the Freiburg School. In the light of this observation, through the study of the WTO treaties, I then proceed

to identify the type of supranational economic system in terms of trade and, after ascertaining that it is a form of neo-liberalism in which the social dimension is absent, I note its incompatibility with the Constitution. In view of the incompatibility, therefore, between the constitutional economic system of mixed economy and the supranational neo-liberal one, I wonder about the useful remedies that the state political power has at its disposal to influence the supranational economic power and I identify a possible solution in the implementation of the representation and political responsibility of the member states in the WTO. In conclusion, I point out the usefulness, not only theoretically but also practically, of the study as a possible solution in the fight against globalization phenomena such as social dumping. Although this phenomenon determines negative consequences within individual states, it is precisely because of its global scope that it cannot be effectively countered with legal instruments that produce effects exclusively within states.