

VULNERABLE IDENTITIES: POLITICAL AGENCY AND THE EUROPEAN COURT OF HUMAN RIGHTS CASE LAW

Luca Iacovone

Sapienza University of Rome

luca.iacovone@hotmail.it

Abstract: The aim of this paper is to analyze the effects of the vulnerable group-based approach in the case law of European Court of Human Rights (ECtHR), as a pivotal example of application of vulnerability in the public sphere. ECtHR mostly use the notion of vulnerability to identify, isolate and protect some specific groups of population. My claim is that the group-based approach to vulnerability contributes to the construction of monolithic identities, which could be operationalized both from institutions and from the subjects of the policies. I will highlight two important effects of these policies: the construction and affirmation of stable identities and the consequent limitation of the political agency of the social actors through the boundaries defined by the list of the available vulnerable groups. From this simplistic and controversial operationalization of vulnerability, I will conclude the paper by providing a multifaced conception of vulnerability meant to take into account at the same time its universality and its specificity.

Keywords: vulnerability, agency, identity, group, European Court of Human Rights