



ESIL Annual Conference 2021
'Changes in International Lawmaking: Actors, Processes, Impact'
9-11 September 2021, Stockholm, Sweden

ESIL IG on International Law of Culture

Call for Papers

Methodology of Teaching, Researching and Practising International Law of Culture: Good Practices and Lessons Learned

IG workshop, Wednesday 8 September 2021

The aim of this workshop is to explore, identify and debate the methodological underpinnings and challenges faced by academics and practitioners in the field of the International Law of Culture (ILC) in their professional activity. We seek to share experiences and good practices related to the choice of proper methodology, as well as the difficulties that we experience but are usually too afraid to admit. The 2021 ESIL Annual Conference (9-11 September 2021) in Stockholm – entitled *Changes in International Lawmaking: Actors, Processes, Impact* – offers a fitting framework for such a workshop. Indeed, the methodology of the ILC is not only affected by the diversity of cultural actors involved in international lawmaking, but it is also profoundly impacted by matters of cultural expertise and evidence, which often constitute a thorny issue for the law, in terms of its scholarship, practice and education.

For most legal scholars, methods of legal research are pretty well-defined, but they do not necessarily fit into solving problems embedded in ILC. As ILC lawyers we are constantly confronted with knowledge and methods produced by disciplines outside the law yet crucial for the law of culture, such as cultural/social anthropology, sociology, political science, and international relations, not to mention the need to follow recent developments in interdisciplinary research areas such as cultural studies, (critical) heritage studies, and development studies. Thus, in the context of the Stockholm Conference we seek to pay special attention to the following persistent problems: What kind of methods – perhaps also extra-legal ones – does the ILC require? How should the canon of legal methodology be extended (and what constitutes 'the canon')? How is the current canon responding to the concept of methodological interdisciplinarity? What does it mean in practical terms to apply 'interdisciplinary approaches' to teaching, researching and practicing ILC? When is such an approach needed? What are the limitations of applying extra-legal methods to ILC?

As teachers, researchers, and practitioners we need to be in permanent dialogue with not only other disciplines, but also with other fields of international law, including different regimes within the ILC, and with national legal orders. In particular, carrying out research

that is at the same time relevant and will have a positive social impact within public institutions or within cultural communities demands the use of additional (extra-legal) methods, while at the same time being able to ‘come back’ to international law, profiting from these cross-methodological trips. However, ILC experts are often absent from important debates and decisions affecting important cultural interests. Instead, other extra-legal experts in the field of culture dominate such debates and decisions. This latter scenario poses important issues to be dealt with at this workshop. In particular, we wish to address to the relevance of the distinction between ‘fundamental sciences’ and ‘applied sciences’, the latter meaning those which seek knowledge that is ‘socially relevant’. Hence deontological requirements within the legal work involving community participation are the focus of a special workshop.

We also seek to explore why international law is a late entrant in the debate on legal methodologies. Is it because of its alleged elitist tradition (both in terms of its formation and its academic development)? In this sense, it is important to note that an opening in applying methods other than the typical positivist/doctrinal/dogmatic/hermeneutical ones were made by schools of international law, such as the Third World Approaches to International Law (TWAAIL), whose members have themselves pointed to the elitist nature of international law, and coincidentally (or maybe not) consider culture as an important element of their debates.

All these characteristics and dilemmas raise relevant questions in terms of ‘changes in *the methodology of international law of culture-making*: actors, processes, impact’. In this call we invite responses to these questions. We encourage contributions from academics, practitioners, and other stakeholders whose work offers a means to reflect on these issues. Specific questions include:

- Is it useful to consider ILC as a sub-discipline of international law given the relevance of its specific object and methods?
- What can ILC offer in terms of methods to international law with respect to the possible cultural bias of the latter? How is this cultural bias understood today?
- Can any criteria be established to determine when interdisciplinarity is needed? What makes ILC favourable to interdisciplinarity? What are the obstacles to such interdisciplinarity?
- What is the role and impact of the diversity of languages and national legal traditions in the methods applied to ILC?
- In terms of methods, how important is the relationship between research, teaching, and practice within ILC?
- How can we explain, and even sometimes *translate*, legal concepts into understandable but rigorous concepts for non-legal audiences?
- How can one present ILC in an attractive and effective way to those audiences who very often distrust law and lawyers, but for whom the operation of ILC is relevant?
- Which deontological/ethical issues arise in the teaching, research and practice of ILC?

Specific presentations related to good practices, lessons learned, or practices to be avoided (which exemplify the aforementioned or related topics) are particularly welcome.

This workshop is aimed at generating an open discussion on the above-mentioned matters. Ideally, the long-term result of this meeting would be a publication in the form of a special issue of an international law journal, or an edited volume or handbook on methodology(ies) of the International Law of Culture, which might serve as a manual or launchpad for both young and advanced researchers encountering dilemmas in their teaching and research paths.

Application Process

Please submit an abstract in .Doc or PDF format (in English) of no more than 500 words by midnight on 29 April 2021 by 6 pm (Brussels time) to the workshop convenors: hanna.s@uw.edu.pl; beatriz.barreiro@urjc.es;

The following information must be provided with each abstract:

- The author's name and affiliation;
- The author's brief bio note (up to 200 words), and a short list of relevant publications (up to 5);
- The author's contact details, including email address and phone number. Only one abstract per author will be considered. Multi-authored abstracts are welcome.
- Whether the author is a current ESIL member
- An expression of interest in competing for the ESIL Young Scholars Prize

The ESIL encourages anyone participating in its activities to become a member, as the Society relies primarily on membership contributions to ensure its sustainability.

Applicants will be informed of the selection committee's decision no later than 9 May 2021.

Full papers between 8,000-12,000 words (including footnotes) should be submitted by 15 August 2021.

ESIL Young Scholar Prize (YSP)

Papers accepted for this interest group workshop will be eligible for the ESIL YSP. Candidates have to be ESIL members at the time of the submission of the abstract. Please note that upon acceptance of the abstract for presentation at the this interest group workshop and confirmation that they are eligible for the YSP, authors must submit a paper of between 8,000 and 12,000 words (including footnotes) to the [ESIL Secretariat](#) by **1 July 2021** for consideration by the YSP jury.

More details about the prize, eligibility and procedure can be found [here](#).

For further information, please contact the IG Convenors: beatriz.barreiro@urjc.es; giovannicarlo.bruno@cnr.it; andrzejjak@poczta.fm; l.lixinski@unsw.edu.au.