



Call for Papers

Workshop of the ESIL Interest Group on the European and International Rule of Law at the 2022 ESIL Annual Conference

Utrecht, 1 September 2022

“Sovereignty and the Rule of Law”

On occasion of the 2022 ESIL Annual Conference, to be held in Utrecht from 1 to 3 September 2022, the ESIL Interest Group on the European and International Rule of Law will convene a **workshop on “Sovereignty and the Rule of Law”**, which will take place on Thursday, 1 September 2022.

The topic

For better or worse, the perennial topic of sovereignty has re-entered both the academic discussions and public discourse at large. The inherent intertwinement – both positive and negative – between the idea of sovereignty and the rule of law at European and international level has resurfaced in events ranging from Brexit, tensions in the South China Sea, the future of the US-EU-NATO link, to the recent Russian aggression against Ukraine. Legal and political narratives have varied from ‘taking back’ of apparently long-lost sovereignty in the UK case, asserting a new vision of strategic autonomous sovereignty in the case of the EU, to outright denials of Ukrainian sovereignty by the Russian government.

Where is, or where should, the rule of law be in all these events? The ESIL Interest Group on the European and International Rule of Law will convene a workshop on “Sovereignty and the Rule of Law” inviting our members to contribute papers on the following dimensions of this topic:

1) Rule of Law vs. sovereignty

Are the two ideals necessarily at tension, or when so? Have the recent trends about reasserting sovereignty lead to corroding the very ideal of the rule of law at the international level, reinvigorated it, or reimagining it into something radically different? Do similar trends reflect on the EU level, in the sense that sovereignty becomes a new banner to raise when legally threatened by ‘Brussels’?

II) Rule of Law as a condition for sovereignty

It is possible to envision the rule of law also as a condition for sovereignty. The respect for the international rule of law seems a necessity to secure at least 'internal' sovereignty to those unwilling or unable to achieve it by military or economic might. Has the international rule of law failed to do so? Recent encroachments into the exercise of sovereign powers by 'smaller' countries might suggest so. In the most drastic examples involving military intervention, developments on the ground in Ukraine (but perhaps traceable back to 'responsibility to protect') are followed by attempts to couch it in new legal vision – one where countries might not have 'a right' to sovereignty at all, if someone more powerful deems so.

III) 'Strategic sovereignty' and the Rule of Law

Finally, reasserting sovereignty and couching it in new terms for the global stage – 'strategic autonomy' of the EU, 'Global Britain' policy of the UK – is a new development arising from the subtle or more drastic severing of links between important actors on the global stage. In light of the ruptures arising from the previous US presidency and the turbulences surrounding NATO, the WTO and other institutions, the EU is promoting its strategic sovereignty in global affairs. What is the role of the rule of law in that vision? Is it an aspect of it, or a necessary condition, or a value pursued? What about the vision of a newly autonomous actor, the UK, and its vision of 'Global Britain'? Can the existing principles of the rule of law in international law suffice to allow these developments or is the transition towards new paradigms ('rules-based order') imminent?

Paper submission procedure

Paper abstracts may be submitted in English or French in accordance with the timeline as set out below. The papers should be unpublished, in an advanced stage of completion, and ready to be included in the ESIL SSRN Conference Paper Series and in the ESIL Conference Proceedings. Co-authored paper proposals are accepted.

Submissions must not exceed 500 words, and have to be submitted to the following mail addresses: tholter@jura.uni-goettingen.de; velimir.zivkovic@warwick.ac.uk; henner_goett@yahoo.de

In addition to the abstract, each submission should contain a separate file with the following information: the author's name and affiliation; a short CV; a list of publications; author's contact details, including email address and phone number; whether the author is an ESIL member and the date of affiliation.

Timeline

The deadline for the submission of abstracts is midnight 8 April 2022, Brussels time. Successful applicants will be informed by 30 April 2022.

The deadline for the submission of the papers of accepted abstracts is 15 August 2022.

The deadline for the submission of final papers for potential publication is 30 October 2022.

Online Conference

The event is planned as an in-person one, possibility of online attendance will be notified closer to the date (but is unlikely).

Funding

The Interest Group is unable to provide funding for travel and accommodation. Selected speakers will be expected to bear the costs of their own travel and accommodation. Some ESIL travel grants (<https://esil-sedi.eu/travel-grants/>) and ESIL carers grants (<https://esil-sedi.eu/carers-grants/>) will be available to offer partial financial support to speakers who have exhausted other potential sources of funding.

Please see the ESIL website (<http://esil-sedi.eu/>) for all relevant information about the Annual Conference and the IG Workshops.

The Interest Group workshop is open to ESIL members and all participants are required to register for the Annual Conference.

The Coordinating Committee of the ESIL IG on the European and International Rule of Law

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