



ESIL Interest Group on the History of International Law Workshop
Call for Papers
2022 ESIL Annual Conference (Utrecht)

Histories of Inclusion / Exclusion in International Law

Today's international lawyers and historians of international law have become acutely aware that the legacy of modern international law is ambivalent. International law is claimed to be a normative project evolving towards universal scope. Yet, the idea of it has also been (ab)used for purposes of domination that has excluded non-European territories, peoples, and substantive issues from the scope of protection offered by the allegedly universalist law. Most notably, exclusion has been implemented through the so-called standard of civilization. Yet, international law has experienced many defining moments - the establishment of the League of Nations and the United Nations, proclamation of the Universal Declaration of Human Rights, the adoption of the Geneva Conventions, the establishment of international courts and tribunals beginning with the institution of the Permanent Court of Arbitration and the Permanent Court of International Justice, the Nuremberg and Tokyo Military Tribunals, the International Criminal Court, the Bretton-Woods system and the transition from the diplomacy of the General Agreement on Tariffs and Trade to the World Trade Organisation's Appellate Body, to name but a few. Altogether, international regimes have included as they have equally excluded many peoples, territories, subject matters, techniques, and methodologies throughout history. How much could international law possibly include – states, individuals, communities, non-state actors, which topics? *Everything*? Or would it be enough, for peremptory norms and cognate principles to be inclusive? Is there any substance beyond procedural matters of standing to the much vaunted *erga omnes*? Which methodologies and subject matters have been dominant in the history of international law, and which has international law missed? What, who, when, where, how, and why has been excluded?

We invite the submission of papers dealing with in/exclusion in the history of international law, including but not constrained to the following themes:

- The defining moments in international law, and who/what has been in/excluded during these moments;
- histories and politics – what and who has international law missed;
- whether, and if so, how interpretation can overcome the in/exclusiveness of international law;
- what has the history of international adjudication missed?
- which economic ideologies have influenced the formation and application of the sources of international law, and which ideologies have been excluded?
- how has international dealt with the commons (outer space, deep seabed) and who has been in/excluded from its management?
- which regions have been in/excluded in the history of international law?
- who/what has been in/excluded from the turn to interdisciplinary turns to history of international law?

The workshop is expected to take place on 31 August 2022, prior to the 17th Annual Conference of the European Society of International Law in Utrecht from 1 September to 3 September 2022, in a hybrid format, and we invite submissions for both physical and distant participation. Nevertheless, we encourage participants to join us in person.

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](#) and [ESIL 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 for all relevant information about the 17th Annual Conference. The Interest Group workshop is open to ESIL members and all participants are required to register for the Annual Conference. There will be an option to register just for one day to attend the workshop; however, all participants are warmly invited to attend the entire event.

Speakers selected for this workshop can indicate their interest in being considered for the ESIL Young Scholar Prize, if they meet the [eligibility conditions](#) as stated on the ESIL website.

Please submit your abstract of no more than 500 words together with a short CV by **24 April 2022** to florenz.volkaert@ugent.be.

Convenors

Markus Beham – Jaanika Erne – John Morss – Florenz Volkaert