



Call for Papers
2025 ESIL Annual Conference
Interest Group on International Legal Theory and Philosophy

On What Basis Should International Law be Reconstructed?

In recent decades, international law has been subjected to an unprecedented and wide-ranging level of critique. Shattering the mirror by unveiling the hidden assumptions and sins of international law, the critique has shaken international law to its core, affecting the way international lawyers think of it as a legal system. The self-assured posture of international law as a neutral legal system, or as a problem-solving set of rules, has given way (at least in some branches of international law) to a realistic, self-reflective stance whereby international law is construed as linked to and an accomplice of politics. Not surprisingly, therefore, international law often figures as 'part of the problem' (as the historical linkage with colonialism and imperialism has shown) rather than as 'part of the solution' (as many lawyers would superficially imagine). By alerting us to the inner workings of international law as a language legitimizing power and hegemony, the critique has opened a significant space for alternative and out-of-the-box thinking. And yet, the resulting space still requires filling. Or, perhaps, it has been filled only in limited part. But if after critique reconstruction still appears desirable, adequate normative parameters must be carved out and justified, in terms of accurately singling out the lessons from the past learned through critique and bringing about a more inclusive international law. All this, of course, without overlooking the circumstance that the possibility of reconstruction is not a given in the rather fragmented (and politically divided) college of contemporary international lawyers.

Within this frame of reference, we are called to take both an internal/self-evaluating view and an external/forward-looking view. The internal view, on the one hand, aims to evaluate what lessons can be learnt from how the 'house' of international law has been built, how it has been patched, expanded, or even partially demolished. The external/forward-looking view, on the other hand, attempts to evaluate whether existing processes of reconstruction really amount to reconstruction, or whether they are a mere rebranding and reinforcing of existing structures. A common aspiration to these perspectives is to inquire what plans can be sketched out in order for the lessons and the errors of the past not to be unlearned, but to be incorporated in the way we may potentially rebuild international law that serves as a tool/framework/mindset/language for a more just world.

The ESIL Interest Group on International Legal Theory and Philosophy (IGILTP) aims to explore different theoretical approaches to reconstruction in international law. The following key questions require reflection: What lessons can be learned from the critique of international law? What is the meaning of reconstruction and what its goal(s) should be? Should reconstruction be aimed at a more just international law or at a more effective international law? Is reconstruction already taking place and if so in what manner and by which actors? What are the criteria to be used to determine whether reconstruction is happening, whether it is effective, or whether reconstruction itself should be re-imagined?

A thorough theoretical starting point enables us to determine the differing perspectives on what the international legal order stands for and how/whether reconstruction manifests or should manifest. Notwithstanding the proliferation of theoretical debates, to date there has not been a systematic inquiry into the content and function of reconstruction. Hence, this would be a novel contribution to the field anchoring discussions in a normative and theoretical context with a common goal of sketching out the contours of reconstruction in international law and understanding the desirability and feasibility of any reconstruction project

The IGILTP invites abstracts for an Agora Panel Proposal to be submitted to the 2025 ESIL Annual Conference on “Reconstructing International Law” to be held 10–13 September 2025 in Freie Universität Berlin, Germany. We invite abstracts for papers addressing the theme of reconstruction, from a variety of perspectives exploring questions, such as whether and why reconstruction is desirable, whether reconstruction is occurring, how and by whom it is occurring, and whether it should be occurring in one way or another.

Theoretical approaches may include but are not restricted to:

- Natural Law Tradition
- International Legal Positivism
- Legal Realism
- Transnational Legal Process and the ‘New’ New Haven School of International Law
- Critical International Legal Theory
- Third World Approaches to International Law
- Feminist Approaches to International Law
- Global Administrative Law
- Geneva and Chicago Schools on Economic Law
- Constitutionalism
- Global Legal Pluralism
- Global Ethics
- Rational and Behaviouralist Approaches to International Law
- Sociological Perspectives

Submission procedure

- Abstracts no longer than 500 words together with a short author bio (no longer than 250 words containing name, affiliation, email and phone contact details, whether they are an ESIL member, and relevant publications) should be submitted **by 12pm (CEST) 15 January 2025 to the following email accounts: andrea.carcano@unimore.it and p.merkouris@rug.nl**. No late submissions will be considered.
- Abstracts will be selected on the basis of their alignment with the panel description and objectives above, as well as their contribution to the field from a particular theoretical perspective. Successful applicants will be notified no later than 18 April 2025.
- An IGILTP sub-committee will review abstracts and finalise the proposed format, which is likely to consist of a panel of 3 papers. Selected abstracts will be included in the IGILTP Agora Panel Proposal and sent to the 2025 ESIL Conference Organisers by 31 January 2025 for their consideration. If the proposal is successful, draft papers (5,000-8,000 words) will need to be submitted by 1 August 2025 to all email accounts above. If the

proposal is unsuccessful, IGILTP will organise an autonomous interest group workshop. Publication options will be discussed with the authors of the draft papers.

The ESIL IGILTP Co-ordinating Committee

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 conference. All participants at ESIL Interest Group workshops are required to register for the Annual Conference. There will be an option to register just to attend the IG workshops; however, all participants are warmly invited to attend the entire event. Selected speakers should indicate their interest in being considered for the ESIL Early-Career Scholar Prize, if they meet the eligibility conditions as stated on the ESIL website. The ESIL Secretariat must be informed of all selected speakers who wish to be considered for the Prize before 30 April.