



CALL FOR PAPERS

Historicization of International Law and its Limits: Preconditions, Modes and Legacies

Date of the Workshop: 4–5 June 2020

Convenors: Jean d'Aspremont and Thomas Kleinlein

Keynote Discussion with B.S. Chimni

Deadline for submission of abstracts: 31 January 2020

Historiographical debates about international law have been flourishing in the international legal literature over the last two decades. Following what international lawyers described as a 'turn to history' – and which is probably better understood as a turn to historiography –, it has become common for international lawyers to discourse and theorize about the specific forms and the meanings provided to the past and the ways in which such a past is created and organized by international lawyers. Such prolific historiographical debates have led to a wealth of new histories and counter-histories of international law. Being mostly produced in circles deemed (or self-labelled as) critical, this new body of literature has been promptly portrayed as an offspring of critical legal thought. Indeed, many international lawyers have considered that the historical turn constituted a natural continuation of the linguistic turn and the rise of critical thought witnessed a few decades earlier in international legal scholarship. And yet, the recent interest in the history of international law is no monopoly of (critical) international lawyers. Mention must be made of the growing interest for global histories among historians.

This workshop is premised on the idea that a continuity between critical thought and critical history is far from obvious and that it remains unclear whether all the new histories and counter histories produced after the 'turn to history' can be appropriately called critical. Arguably, their disruptive nature is compromised because they have all remained articulated around the same European markers and figures. Questioning the kinship between critical thought and the turn to history in international law allows this workshop to take a hard look at the 'critical' character of the new histories and counter-histories of international law. The aim of this workshop is to shed a new light on the historicization of international law and its limits. To that end, participants are invited to reflect on the preconditions, modes and legacies of the 'turn to historiography'.

Particular attention will be paid to the interaction between the turn to history and post-colonial studies, in particular the works of scholars affiliated with the so-called 'Third World Approaches to International Law' (TWAIL). The legacy of the historical turn cannot be evaluated independently from TWAIL engagements with the history of international law.

The workshop will be held in an informal setting with a group of 15-20 participants, enabling open and mutually stimulating discussions.

The questions of particular interest include (but are not limited to):

- The genealogy between the linguistic turn to the turn to history in international law
- The move from theory to the history of international law
- The distinct generations of engagements with history among international lawyers
- The genealogy between the linguistic turn, TWAIL and the turn to history
- The methodological challenges associated with the writing of critical histories
- The possibility of new modes of critique
- The use of global history
- The use of micro-histories and macro-histories, narratives and counter-narratives, local impact
- The role of aporias, fundamental assumptions, 'positionality' of historicization, agendas of historicization
- The challenge of 'anachronism'
- The modes of historicization of TWAIL vs. other modes of historicization in international law

Submissions:

Interested scholars should submit an abstract of no more than 800 words by **31 January 2020**. Abstracts should contain the title of the paper, as well as the name, title and affiliation of the author(s). Please send abstracts and a CV including a list of publications to susanne.prater@uni-jena.de. If you wish to discuss topics or ideas informally, please thomas.kleinlein@uni-jena.de and/or jean.daspremont@sciencespo.fr. Speakers will be informed by **15 February 2020** whether or not their paper has been accepted.

Venue:

The workshop will be held in the Old Castle in Dornburg/Thuringia (Altes Schloss von Dornburg, 25 min from Jena) on 4 and 5 June 2020. Travel and accommodation expenses will be covered on the basis of the Thuringia public-sector regulations governing travel expenses.

Timeline:

Abstract submission by: 31 January 2020

Selection of papers by: 15 February 2020

Workshop: 4–5 June 2020