



CALL FOR PAPERS
ICON-S BENELUX Chapter
Second Conference
22-23 May 2025
Brussels, Belgium

Public Law in an Age of Contestation and Systemic Change

The ICON-S Benelux Chapter will organize its second conference on 22-23 May 2025. The conference will take place in Bruxelles (BE), hosted by the Université libre de Bruxelles - Faculty of Law and Criminology, with a fully in-person program of panels and keynote sessions. The overarching theme of the conference is *Public Law in an Age of Contestation and Systemic Change*.

Conference Theme

Western societies are changing quite quickly and profoundly in the face of events such as the rise of populism, the retreat of liberal democracy, shifting geopolitical landscapes, environmental crises and the ongoing impact of technology. These dynamics have sparked social, political, and legal conflicts across various institutional and non-institutional arenas, fuelled by diverse actors either pushing for or resisting change. This has led to significant debates on the legitimacy, adaptability, and resilience of public law in the face of evolving governance challenges.

Neither the Benelux region, nor the EU have been immune to these trends.

For example, Belgian complex federal arrangements have been the object of recurring and deep contestation from many quarters, with views for the future of Belgium ranging from moving resolutely into the direction of further devolution to ensure the autonomy or even the independence of the Belgian regions to returning to stronger central government in order to better address global issues such as climate change. The role of judges and their legitimacy in making decisions with substantial policy consequences has also been the subject of heated debates, as reflected in the discussions around the role of the Belgian Constitutional Court in the protection of socio-economic rights or in relation to the Belgian Climate Case decided in appeal in October 2023.

A similar trend can be observed in Luxembourg, where the constitutional system has been subject to amendments and adaptations, leading to the entry into force of a 'revised Constitution' in July 2023, after several years of discussions and preparatory works aiming at modernizing the Luxembourgish constitutional framework. In the Netherlands, Geert Wilders' far-right Party for Freedom (PVV) won the general election in 2023 and became the biggest party in the Lower House of Parliament, leading to a 'Dutch rule of law alert' amidst a worldwide autocratization trend. PVV joined cabinet Schoof

which took office as of 2 July 2024. However, explicit agreements had to be made between the four coalition parties about ‘a common baseline for safeguarding the Constitution, fundamental rights and the democratic rule of law’ due to concerns about viewpoints and proposals by the PVV that clashed with the rule of law. Nonetheless, the first period of this cabinet has been dominated by severe rule of law critique on the planned government’s (ab)use of state emergency law to set aside parts of the Aliens Act of 2000. Moreover, fundamental rights such as the right of assembly and demonstration are under pressure, worldwide but also in The Netherlands. More generally, the recent report of the State Commission on the Rule of Law, established in the wake of the Dutch Childcare Allowance Scandal, warns that the promise of the rule of law is not being fulfilled for a significant group of citizens.

At the European level, questions of distribution of powers and conflicts about preserving values such as the rule of law have also been particularly pronounced. The turn towards climate protection was an integrating moment but the re-creation of borders and the rise of nationalistic authoritarianism is posing new challenges to Benelux and European integration. Likewise, international institutions have also been put in the spotlight. As contestation extends well beyond national borders, it has also challenged the role that international organizations should take in providing solutions to pressing societal issues, such as the war in Ukraine or the erosion of democratic and rule of law values.

Overall, the question arises whether and how public law is transforming in the face of this double trend of systemic change and contestation that characterize contemporary societies, and whether the role of public law and public institutions should be rethought and reshaped in the face of ongoing systemic changes. Further, the conference theme also invites (re)consideration of a variety of other topics and approaches that are of ongoing and widespread interest in public law, including but not limited to questions of constitutional identities and pluralism, alternative approaches to rights protection, comparative constitutional law and institutional design, and political versus legal constitutionalism, among others.

Keynote speakers will include

- Prof. Emmanuelle Bribosia (Belgian Constitutional Court, Université libre de Bruxelles)
- Prof. Herwig Hofmann (University of Luxembourg)

Submissions

In addition to two plenary sessions, the ICON-S Benelux Chapter second conference will feature parallel panel sessions, which will take place over the two days of the conference and will be composed from the submissions selected through this Call. Submissions should relate to the overarching conference theme.

Furthermore, to mark the 10th anniversary of the creation of the Center for European Law of the Université libre de Bruxelles (<https://cde.ulb.be/>), submissions that would approach the conference theme from the perspective of European Union law are particularly encouraged.

There are two types of submissions: fully formed panels and individual submissions. Submission of fully formed panels is strongly encouraged. Fully formed panel proposals should include between 3 and 5 presentations by participants who have agreed in advance to give their presentations as a panel.

In addition, each panel may have a chair and one or more discussant(s). In total, no more than five persons can be part of the panel (including speakers, discussants, and chair panel).

Fully formed panels should be formed in accordance with the Chapter's commitment to gender balance and diversity in academic affiliation. We particularly invite panels which include scholars from different organizations and countries.

In the submission form, the panel title, a description of the panel, and information about the speakers, and – if applicable – the panel chair and discussants must be indicated. For each speaker, the title of the presentation and individual abstract of up to 250 words must be added. The email address associated with each panel participant should also be provided. Fully written papers are not required. Individual submissions must include a title and an abstract of up to 250 words and information, including email, of the speaker(s).

Please note that each participant may present no more than 2 papers and may participate – as a speaker, chair, or discussant – in no more than 3 panels, providing that it is possible to schedule the panels in a way that accommodates all 3 panels to which a participant plans to contribute.

We encourage submissions in English. However, submissions for fully-formed panels in French, Dutch, and German (or a combination of these languages) will be accepted. Scholars who wish to propose a fully-formed non-English panel must submit the panel proposal in English, include an English-language title, and identify the language(s) of the panel in the title, using parentheses, e.g., “Judicial Review in Emergency Regimes (Dutch or Dutch/French).”

Who Can Participate in this Conference?

The ICON-S Benelux Chapter second conference is neither restricted to Benelux scholars nor to public lawyers. We welcome proposals that offer multi-disciplinary perspectives from various areas of law (including civil, criminal, tax, and labor law), as well as from scholars in e.g. the humanities and the social sciences (e.g. history, economics, political science, sociology) with an interest in the conference's theme.

We welcome submissions from both senior and junior scholars (including doctoral students) as well as interested practitioners. With regard to young scholars in particular, the Chapter Young Scholar Research Forum (YSRF) will also host a dedicated workshop. More information on this will follow.

How and When to Submit?

The Call for Paper closes on 15 February 2025.

Submissions in response to this Call must be sent via email to ICON.S.Benelux2025@ulb.be

Conference Organizing Committee

Chiara Armeni, Chloé Brière, Paul Dermine, Mariolina Eliantonio (Co-Chair ICONs Benelux), Franco Peirone (Chapter Manager ICONs Benelux), Emmanuel Slautsky (Co-Chair ICONs Benelux).