

Call for Papers: Legislation and Legislatures in War and Recovery

Theory and Practice of Legislation, in cooperation with the [Verhovna Rada](#) (The Upper House of Parliament of Ukraine) and the [International Association of Legislation](#) are pleased to announce their forthcoming conference on Legislation and Legislatures in War and Recovery.

The conference will be a hybrid one, held in person in Stockholm and online.

The conference will be held in June 2023 (precise date to be confirmed). Expenses for speakers and discussants will be covered.

We invite those who wish to propose a paper or a panel of papers to send us an abstract of no more than 300 words per paper setting out their proposal. Please also include a brief CV. Abstracts should be sent to mauro.zamboni@juridicum.su.se by the end of October 2022. All abstracts will be considered by the organising committee. Decisions on papers will be taken by the end of November 2022.

We welcome contributions from all over the world, and would welcome in particular contributions from the global South.

Call for papers

How does war, armed conflict or civil unrest affect the operation of legislatures, the nature of legislation-making and the content of the law that is produced during these periods? This is not a question on the laws of war or international humanitarian law which is meant to regulate armed conflict, but instead the domestic response to these circumstances, and how legislatures and domestic law-making are impacted. Cicero famously said that laws fall silent amidst the clash of arms, but does our current political and legal environment overturn that maxim? Does the official response fall within or outside the legal order? Does ordinary law-making continue, or is everything subjugated to the needs of war? Does the relative strengths of executive v parliamentary law-making change? Is there the same need for democratic legitimacy of laws passed? Are new procedures introduced? Are emergency measures introduced, and are they justified by the circumstances, or by reference to constitutionally mandated criteria?

Additional questions can include: What laws are passed (or can legitimately be passed) for territories occupied during a conflict? The Hague Regulations set out an obligation to legislate for public order and safety during an occupation, with a limitation to respect existing laws. The Geneva Conventions contain a limited power to change domestic laws during an occupation. Are these rules observed in practice, and are they still relevant? Does it make a difference if this is a belligerent occupation during an active period of warfare, a prolonged occupation, a post-surrender occupation or an annexation?

What happens during the post-conflict phase? Is legislation used as a tool to promote national or economic recovery? Is this phase an opportunity to sweep away old laws and practices, or is it important to signify normality by returning to those old laws and practices? What is the role of international support in this? Should domestic legislation deal with compensation for injuries suffered during the war, amnesties, pardons, guaranteed political positions for participants in the warfare, or disqualifications for those participants from various aspects of public life?

The war in Ukraine has brought these questions ever more into the public sphere. But this is sadly not the only place in the world where we have conflict. Many countries, in all continents, have

struggled with these questions on how legislation and legislatures ought to respond to war or other violent conflict and its aftermath. We welcome submissions from all these countries focused on the legislative response to war.

Papers presented at the conference will be considered for publication in a special issue of *Theory and Practice of Legislation*, subject to peer review.

Conference Committee

The Committee consists of the editors of [*Theory and Practice of Legislation*](#) :

Dr. Ittai Bar-Siman-Tov, Bar-Ilan University, ittai.bar-siman-tov@biu.ac.il

Dr. Ronan Cormacain, Consultant legislative counsel, ronancormacain@gmail.com

Prof. Patricia Popelier, University of Antwerp, patricia.popelier@uantwerpen.be

Prof. Helen Xanthaki, University College London, h.xanthaki@ucl.ac.uk

Prof. Mauro Zamboni, Stockholm University, mauro.zamboni@juridicum.su.se

For any questions, please contact a member of the conference committee.