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Central and Eastern European  
Network of Legal Scholars



# 4<sup>th</sup> Annual CEENELS Conference

Legal Innovativeness in Central and Eastern Europe

Moscow, 14-15 June 2019

National Research University "Higher School of Economics", Law Faculty, Moscow  
in collaboration with the University of Graz, Faculty of Law "Eastern Europe"  
under the patronage of the *Review of Central and Eastern European Law*

### Call for papers

Central and Eastern Europe is a cultural site which has been described mainly as being a recipient of legal theories, concepts, doctrines and institutions originating in Western Europe and, more recently, also the United States. This process of legal transplanting started arguably at least in the 19<sup>th</sup> century alongside a process of modernisation, as evidenced by the reception of Western European codes of law, starting from the *Code civil*, and Western European forms of legal scholarship, such as the German *Pandektistik* or the French School of Exegesis. This phenomenon did not stop in the 20<sup>th</sup> century, and it can even be shown to have only intensified after the fall of actually existing socialism, with all Central and Eastern European countries joining the European Convention of Human Rights and many of them also joining the EU. Moreover, the reception of Western-centric, especially Anglo-American legal theories has also become visible in the field of jurisprudence, with H.L.A Hart and Ronald Dworkin being the standard references for legal theorists in the region. These changes in the understanding of legality as well as the appropriations of the ways of practicing and conceptualising law have more often than not taken place with little attention being paid to either the historical trajectory of the region or to the inner grammars of the respective legal traditions existing within this space.

Against this backdrop, the aim of the 4<sup>th</sup> CEENELS conference is to revisit and react to these trends by bringing to the fore *original legal and jurisprudential constructions* stemming from our region responding to the particular conditions of Central and Eastern Europe. We invite papers discussing any original legal developments within the region, covering either a historical dimension or the contemporary legal landscape. Thus, we are particularly interested in original legal institutions, as well as original concepts in legal theory, sociology of law or doctrinal legal research ('legal dogmatics'). Papers dealing with the interaction of Central and Eastern European legal cultures with international and supranational legal orders are also welcome.

Potential topics of interest could include the following:

- analyses of original innovations in legal theory or a specific branch of law (private law, administrative law, criminal law, constitutional law etc.), in a historical and comparative perspective;
- specific legal institutions that developed locally in Central and Eastern Europe in response to specific social, economic and political dynamics;
- originality of Central and Eastern European countries in their appropriation of legal institutions from abroad (phenomenon of legal acculturation);
- analyses of the interaction of Central and Eastern European legal cultures with supranational and international legal orders;
- innovative developments in legal theory, philosophy of law and sociology of law, originating in the region;

- alternative legal methodologies, e.g. using literary arguments in the courtroom or using cognitive science to explain legal concepts;
- revolutionary and other radical critiques of law in Central and Eastern Europe
- analyses of the current constitutional changes in Central and Eastern Europe against the backdrop of the broader comparative and historical context: towards a ‘new constitutionalism’?
- Central and Eastern European contributions to the development of public international law (related, for instance, to the concept of crimes against humanity, human rights protection, etc.)
- the legal order and the state of exception: traditions of Central and Eastern Europe and global trends
- regulations *versus* the rule of law: regional genealogy of a global issue;
- positivism (legal formalism, normativism) as a *legal lingua franca* for Central and Eastern Europe?
- legal dialogue between Central and Eastern European states and other legal actors (especially supranational legal orders of the EU and ECHR);
- the legal identity of Central and Eastern Europe and legal innovations in the region
- law and new technologies in Central and Eastern Europe: how do CEE legislatures, judges and legal academics coping with these new challenges? are they original and innovative in the solutions proposed, or mainly rely on what their colleagues in the West are doing
- challenges for the legal profession and legal professionalism in Central and Eastern Europe.

We invite submissions originating from all areas of legal scholarship, including legal theory, philosophy of law, history of legal ideas and the broader intellectual history, legal history, comparative law, as well as from legal dogmatics, covering all branches of positive law (civil, criminal, constitutional, administrative, etc.).

The conference is open to all scholars who research Central and Eastern European law and legal culture. It is possible either to submit an individual paper (abstract up to 500 words), or to submit **an entire panel** (of 3-4 papers, with a moderator and discussant) devoted to a specific aspect of this year’s CEENELS conference theme.

### **Deadline for submitting abstracts: 1 February 2019.**

We will inform about the acceptance of papers (including panels) by 15 February 2019. There is no conference fee. Materials and meals will be provided by the organisers. The organisers are unable to offer any scholarships to cover the costs of tickets and hotels.

- In order to submit your paper, please use EasyChair:  
<https://easychair.org/conferences/?conf=ceenels4>
- If you have any organisational questions, please do not hesitate to contact us at:  
[ceenels2019@hse.ru](mailto:ceenels2019@hse.ru).



**Convenor:** Dr Vladislav Starzhenetsky, 1<sup>st</sup> Vice Dean & Associate Professor,  
Faculty of Law, HSE Moscow

**Confirmed plenary speakers include:**

- Professor Matyas Bencze (University of Debrecen)
- Professor Adam Bosiacki (University of Warsaw & Hoover Institution)
- Professor Krystyna Chojnicka (Jagiellonian University)
- Professor Roger Cotterell (Queen Mary University of London)
- Professor Anton Ivanov (Higher School of Economics, Moscow)
- Docent Zdeněk Kühn (Charles University, Prague)
- Professor Josef Marko (Graz)
- Professor Jiří Přibáň (University of Cardiff)
- Professor Alan Uzelac (University of Zagreb)

### About CEENELS

The Central and Eastern European Network of Legal Scholars (CEENELS) was created in 2015 in order to foster cooperation between legal academics of the region. It is an informal network, focused on organising conferences and workshops on Central and Eastern European law and legal culture, as well as exchanging information about forthcoming events, interesting publications and opportunities of participating in joint research projects concerning the region. The CEENELS community meets yearly at its Annual Conferences. The 1st CEENELS Annual Conference took place in Brno at the Masaryk University in April 2015. The conference theme was “25 Years After the Transformation: Law and Legal Culture in Central and Eastern Europe: Between Continuity and Discontinuity”. The 2nd CEENELS Annual Conference took place in Kraków at the Jagiellonian University in January 2017. The conference theme was “An Uneasy Legacy: Remnants of Socialist Legal and Political Thinking in Central and Eastern Europe”. The 3rd CEENELS Annual Conference took place in Riga at the University of Latvia in January 2018. The conference theme was “Legal Traditions and Legal Identities in Central and Eastern Europe”. Each year, the CEENELS community collectively decides where to organise its next Annual Conference, based on the official invitations made on behalf potential host universities during the closing session.

### About the Higher School of Economics (HSE University)

The Higher School of Economics (HSE University) is a leader in Russian higher education and one of the preeminent economics and social sciences universities in Eastern Europe and Eurasia. Consistently ranked as one of Russia’s top universities, HSE sets itself apart with its international presence and international cooperation. The University steadily promotes its competitiveness among leading educational and research centers in social sciences and economics. The Faculty of Law of HSE, being nowadays an integral part of the University, was founded in 1997. Young and rapidly growing, the Faculty of Law has already got into the top three among the Russian Law Schools (according to QS Rankings by Subject). Around 2 000 bachelors’, masters’, PhD students and over 160 professors and researchers from Russia and abroad study and work at the Faculty. Graduates of the Faculty pursue careers as in-house lawyers, legal advisers, arbitrators and scholars in business and public administration. International recognition and cooperation is an important part of the Faculty development and educational process. The leading law professors from top-universities worldwide come to the Faculty to deliver guest lectures and master-classes. Teams of HSE Faculty of Law regularly participate in various international moot court competitions and show outstanding performance (Phillip C. Jessup International Law Moot Court Competition, International Criminal Moot Court, the ELSA



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Moot Court Competition on WTO Law, etc). In March, 2018, HSE team became a world champion in the Annual Willem C. Vis International Commercial Arbitration Moot. Since 2008, the Faculty has been issuing the journal *Law. Journal of the Higher School of Economics* where articles in Russian and English are published. In 2012, the Faculty of Law of HSE became one of the founders of Law Schools Global League which unites more than 25 universities all over the world. Together with its international partners the Faculty of Law holds several important international law events every year. One of the major and most recent ones, The European Court of Human Rights in East-West Relations: Norms, Values and Legal Politics, took place in May, 2018 and gathered more than 100 participants from 30 universities from all over the world.