

Call for Papers

Law(s) and international relations (1815-1914).

Actors, institutions, comparative legislations

(Orléans and Paris, 15-17 September 2021)



In the last twenty years, the study of the history of international law and of international relations has witnessed something of a renaissance. Historians have adopted novel approaches to investigate diplomatic relations, the international system, and the discipline of international law. Fruitful perspectives from cultural, social, global and transnational histories as well as from gender studies, Third World approaches to international law, and postcolonial and imperial histories have all shed new light on the evolution of international law in the nineteenth century. The bicentenary of the Congress of Vienna (1814-1815) also led to several new publications on the Congress System and on the “security culture” that was established in the aftermath of Napoleon. Nevertheless, many lacunae remain, especially regarding the relationship between law(s) and international relations during the long nineteenth century and in the sociocultural history of international law as a discipline with its own actors, networks, venues, institutions and power circles. The years 1815-1869 have been relatively neglected in the historiography, doubtless because they have generally been seen as a time when world governance rested more on political relationships than on juridical rules. Historian David Kennedy has thus written provocatively: “For international law, as for much of the rest of twentieth-century legal thought, it is really only the last five minutes of the nineteenth century that count.” And indeed, it is true that many recent and inspiring research works pay scant attention to the first half of the nineteenth century, such as the volumes of *Juristes et relations internationales* (*Relations Internationales* 2012/1) and *Profession, juristes internationalistes ?* (*Monde(s)* 2015/1).

International law was first institutionalized in 1873 with the foundation in Belgium of the *Institut de Droit International* and the *Association pour la réforme et la codification du droit des gens* (known from 1895 onwards as the *International Law Association*). But the basic premises of this development occurred much earlier with the publication of several textbooks on both private and public international law in the 1830s and 1840s. Moreover, legal advisers were already employed in the foreign offices of many European nation-states and empires (as well as their colonies) in the United States, South America and Asia. International law was also spread through various scientific academies across the world, some of which organized contests on international law, such as the competitions organized by the Académie des sciences morales et politiques in France for 1839-1840, 1856-1857, 1892, and 1908. Many scientific journals also contained articles on international law in this earlier period, including the *Thémis ou bibliothèque des jurisconsultes* (1820-1830), the *Kritische Zeitschrift für Rechtswissenschaft und Gesetzgebung des Auslands* (1829-1856), the *Revue de législation et de jurisprudence* (1834-1853), the various journals edited by Jean-Jacques Gaspard Foelix (1834-1850), the *Archives de droit et de législation* (1837-1841), the *Belgique judiciaire* (1843-1914) and the *Revue historique de droit français et étranger* (1855-2021).

The aim of the present conference is to deepen our study of the interconnections between law(s) and international relations through the eyes of a plurality of actors (*e.g.*, legal advisers, lawyers, judges, activists, publicists, journalists, editors), institutions (*e.g.*, foreign

offices, courts, universities, academies of science, associations, libraries) and works on comparative law.

Three focuses will be especially addressed by this conference. The first is the plurality of actors. We welcome proposals on legal advisers within governments, foreign offices and national or colonial administrations; on civil and administrative judges, admiralty courts and prize laws; and on lawyers, academics, peace activists, international thinkers, journalists and editors, including women as well as men. A prosopography of a group of actors is invited as well as individual biographies. The theme of the birth and professionalization of “international lawyers” will be studied as well as the various editors and the book market for international law.

Our second focus will be on institutions. We especially invite papers studying the treatment of law(s) in foreign offices in a comparative perspective. For example, in Great Britain, legal issues were dealt by the Queens Lawyers until 1872 and afterwards by the Legal Adviser of the Foreign Office. In France after 1835, it was the Comité consultatif du contentieux that dealt with legal issues. But what about the foreign offices of other countries? Other institutions (similar to the Conseil d'état in France) may have also had their own “Foreign Office Committee.” How were these organized? Did they cooperate with the foreign office? What role was played by scientific academies in the diffusion of international law? By the universities? By popular libraries?

Our third and final focus is on the study of comparative law and its link to the development of international law. The *Société de législation comparée*, founded in 1869, was full of members of the first generation of the *Institut de Droit International*, while many comparativists were, *vice versa*, members of the *Institut de Droit International*. Scientific journals such as the *Revue historique de droit français et étranger* and the *Revue de droit international et de législation comparée* dealt with both comparative and international law. Papers on the progressive autonomy of the discipline and on the networks of the founding members are especially welcome.

Proposals in French, English or Spanish may be sent by email to raphael.cahen@vub.be, to pierre.allorant@univ-orleans.fr or to walter.badier@univ-orleans.fr. All applications must be sent by 31 March 2021 with a proposal of at least 3,000 characters. The proceedings will appear in a peer-reviewed publication. Transportation and accommodation costs will be covered by organizing institutions.

Short List of Literature

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