

CALL FOR PAPERS

Nordic jurists and legal internationalism, 1880s-1970s

Workshops: 12-14 September 2022 & 26-28 January 2023

Co-organized by: PluriCourts, University of Oslo; Centre for Modern European Studies, University of Copenhagen; Hans Blix Centre for the History of International Relations, Stockholm University.

From the late 19th century and into the 20th century international law became increasingly woven into the fabric of international relations. With the creation of global intergovernmental organizations on the back of the first and second world war, moreover, international law, legal techniques and the juridification of multilateralism and global governance has been a fundamental staple of international politics. Supporters have lauded it the meta-language of a globalizing world, able to regulate the conduct of nations and discipline the dynamics of an anarchic system. Critics have, at best, seen it as a utopian but unsuccessful force to civilise international politics, at worst another tool in the box of hegemonic powers, with the ability to distinguish between the civilized and uncivilized, the deserving and undeserving, a stranglehold to keep the society of states in a hierarchy of graded sovereignty.

Throughout this period, the Nordic states have been some of the most ardent supporters of a world governed by laws. International law ensured their neutrality and mercantile rights before WWI; it was at the heart of their visions of the post-World War I order; and it remained a fundamental feature of their commitment to the UN system, international refugee law, human rights, and laws of the sea (to name a few subjects) in the post-World War II decades. One possible explanation for this was general in nature: small states want rule-based international systems, because it minimizes the risk of being the victim of the arbitrary force of larger states. Another, not necessarily contradictory, reason for the Nordic's support for an international rule-based system lies in the positive experience of Nordic states in resolving international disputes peacefully through judicial means. From

the interwar period onwards, Scandinavia and later Norden, became a zone of relative tranquillity, partly because disputes (like Aaland Islands and Greenland) were settled through legal mechanisms.

The Scandinavian and later Nordic countries were also granted privileged access, among the small states, within the essentially west-centric international systems of the inter- and postwar decades, socializing them into the language and practice of internationalism, global governance, and international law. Nordic lawyers were important actors in these 'socializing' processes (e.g. Alf Ross, Åke Hammarskjöld). However, the perhaps most striking feature is the sustained contribution and leading role taken by Nordic jurists from the late 19th century onwards in the revision and renewal of international law. Systematically, Nordic jurists (e.g. Östen Undén, Frede Castberg, Erik Castrén, Erik Colban, Francis Hagerup, Sture Petrén, Max Sørensen, Hans Blix) have been at the entrepreneurial forefront of legal internationalism; weaving international law into the fabric of international relations.

With these general observations in mind, this two-part workshop invites papers that explore several fundamental questions under the broad heading *Nordic jurists and legal internationalism, 1880s-1970s*:

- Who were the key proponents of international law in Norden between the 1880s and 1970s? What commonalities and differences can we see between them? What areas of international law were of more interest to them, and how, if at all, did that change over time as international law underwent revisions and renewals? Which regional and global arenas, institutions and networks shaped their worldview and work?
- May we speak of a particular Nordic legal internationalism, or was it mostly a local replica of broader trends? Which were the dominant intellectual currents that shaped Nordic legal scholars and practitioners of international law, and how may we understand these in relation to the 19th and 20th century development of legal thought?

- How did these individuals understand their own role/s in the development of an international legal order, in particular in relation to their respective national legislatures? Were they to remain, as Alf Ross (1953) contended with reference to the national level, experts focused only on matters “of legal sociology [rettssociologiske]” and compromises between the interests of dominant groups (*Om ræt og rettfærdighet*, 1953, p.421)? Or, ought they have professional positions independent of any type of legislature and influential parties on the question of internationalism? What part should/could moral considerations play, if any, in such positions? Did ideas and practice when it came to their role/s differ and, if so, how and why?
- What understandings and positions existed in relation to the on-going changes to the concept/principle of State Sovereignty among these jurists? How did they conceptualise phenomena like e.g. the ‘international legal order’ and ‘international society’? Was there a particularly Nordic approach to ideas of the rights and duties of sovereign states both to each other and to individuals within their jurisdiction?
- How did international law cement itself in the fabric of Nordic foreign politics? In which ways has it been instrumentalized – either in word or in deed – as part of the Nordics’ conduct on the world stage? Did it have an impact on the timing of Nordic foreign policy rhetoric becoming so-called legalised? Which maladies, dilemmas, contradictions, and/or silences may we discern in the long history of Nordic legal internationalism?
- Is or was there a tradition for Nordic legal internationalism to presuppose the existence of the state or did internationalism turn to ‘supra-nationalism’ at any point? How did Nordic legal internationalism navigate a political ocean where ideas of regional and world federation existed?
- Nordic jurists as a group constituted an elite dominated by men. Which standards, habitus or episteme did this group exhibit/adhere to? What masculinities can we see at play when we study them, and what implications did these have for a possible Nordic legal internationalism? What room was there for marginalised voices (sex, gender, class, geography, ethnicity etc.) to break through in this milieu, if any?

Proposals for papers should be 300-400 words in length, together with a short biography of the author/s and should be sent to Haakon A. Ikonomou (ikonomou@hum.ku.dk).

Deadline for proposals: 01.04.2022.

Participants will convene for two workshops:

- **12-14 September 2022, Copenhagen:** PluriCourts, University of Oslo & Centre for Modern European Studies, University of Copenhagen.
- **26-28 January 2023, Stockholm:** Hans Blix Centre for the History of International Relations, Stockholm University.

Travel and accommodation will be covered.

If you have any queries feel free to contact:

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