



International Society of Public Law

Great Britain and Ireland Chapter

Call for Papers – The Constitutional Architecture of these Islands

Conference blurb

Across Ireland and the United Kingdom, constitutional architecture is being rethought, reconsidered, and tacitly transformed. In the United Kingdom, executive dominance has been restored – and perhaps augmented – post-Brexit, while the devolution settlement, judicial review, and the Human Rights Act are under challenge. In Ireland, the Supreme Court may be adopting a more judicially activist posture while issues surrounding possible Irish unification attract increasing attention. The relations between Ireland and the UK have been strained by Brexit, with the implementation of the Ireland / Northern Ireland Protocol a significant and ongoing concern. EU law, of course retaining its primacy in Ireland, still exerts a significant gravitational effect in Great Britain. This conference will provide a forum to explore these changes and possible future trajectories in a comparative and multi-disciplinary context.

The topics that might be addressed include, but are not limited to, the following:

- the review of the Human Rights Act and reforms to judicial review in the UK
- the changing architecture of devolution in the UK, as well as inter-governmental and cross-jurisdictional relations in these islands
- Ongoing EU-UK relations
- whether there is a political settlement in the United Kingdom
- problems of legality, for example, as suspensions and derogations are sought in respect of EU-UK and GB-NI arrangements, or in ensuring domestic compliance with the Rule of Law
- the role of courts, executives, and legislatures in the renewed constitutional architecture

- the ways in which COVID has been handled, including east-west and north-south dimensions
- issues relating to the Shared Island agenda and possible Irish unification

Papers may focus on the law of a particular jurisdiction or may take comparative, interdisciplinary and/or theoretical approaches. We welcome papers that explore critical perspectives on the conference theme, and particularly papers from diverse and traditionally under-represented perspectives.

Panel and paper submissions

We encourage the submission of fully formed panels, but also welcome the submission of individual papers. Panels should consist of 3 or 4 speakers. Panel submissions should include a panel abstract and an abstract for each paper. Paper submissions should include an abstract. All abstracts should be 100-150 words. Please email your abstract to iconsgbie@gmail.com. The closing date for receipt of abstracts is 20th February 2022.

Eligibility

All are welcome to submit proposals. We strongly encourage PhD students and early career researchers to submit proposals. Submissions should identify each participant and their institutional affiliation (if any).

Schedule

The conference will take place online on 26, 27 and 28 April 2022. Each day there will be one late-morning session and one early-afternoon session. One participant on each panel may be asked to assist with online video conferencing.

Plenary panel: executive power

Tuesday 26 April, 11am-12.30pm

Prof Margit Cohn, University of Jerusalem

Prof Joanne Hunt, University of Cardiff

Prof David Kenny, Trinity College Dublin

James Mitchell, Edinburgh University

While Ireland and the UK both implement the Westminster model of responsible government, executive power manifests itself in very different ways in the two systems. Significant differences include the absence in Irish constitutional law of anything equivalent to the Crown in the UK constitution, the absence in the UK of strong-form judicial review, and the presence in the UK of devolved government. Despite – or perhaps because of – these differences, exploration of executive power in the UK-Irish context raises intriguing possibilities. Among the topics that may be addressed in this panel are theoretical accounts of executive power; the balance of power between the executive and the legislature and/or between the executive and the courts; the coordination of executive activity in a multi-level constitution; relationships of responsibility and control between the political executive and the administrative executive; joined-up government; the role of executive legal advisors.