

CALL FOR PAPERS
EUROPEAN YEARBOOK OF CONSTITUTIONAL LAW (EYCL), VOLUME 7 (2025)

FUNDAMENTAL RIGHTS IN TIMES OF CRISIS

The *European Yearbook of Constitutional Law* is pleased to announce the call for submissions for its seventh volume (2025) which will be devoted to the theme ‘Fundamental Rights in Times of Crisis’.

Fundamental rights, as enshrined in constitutions and human rights treaties, have always been considered a topic central to the study of constitutional law. In numerous (comparative) studies, arguments have been developed concerning their role in constitutional orders and the responsibilities of the courts and the other branches in protecting these rights. Also, attention is often paid to different legal traditions when it comes to the room for limitations of rights and the way these can be justified. It is clear that constitutional and human rights – at least in large parts of the world – can no longer be seen as a limited set of clearly circumscribed standards or as norms that can (almost) never be interfered with. In line with the idea of rights as principles, but also due to their proliferation and expansion in the realm of positive obligations and the socio-economic sphere, the central question these days is often not whether a right is at stake, but whether a limitation thereof can be justified. In other words, attention is increasingly devoted to the question what a State must actively do in order to comply with (even negatively formulated) rights.

These questions take on additional weight in times of crisis. ‘Crisis’ here can refer to the Covid-19 pandemic, as well as to financial or energy crises, geopolitical crises, crises of trust (in government), as well as the climate crisis. Even though a modern understanding of fundamental rights – which allows for justifications of limitations and includes positive obligations – seemingly forms a good starting point for dealing with rights in times of crisis, as is also evidenced by climate judgments all over the world, various questions can be raised. These relate to the downsides of the proportionality paradigm, the role of future generations in our understanding of rights, the relation between individual freedoms and socio-economic rights, and the (changing) expectations towards the legislative and administrative branches when it comes to guaranteeing rights. It is the aim of this volume of the *EYCL* to interrogate the constitutional challenges that come with fundamental rights protection in contexts characterized by (continuous) crisis, both on a more theoretical and conceptual level, as well as when it comes to particular societal developments or jurisdictions.

The *EYCL* therefore invites scholars to address the theme of this call for papers and welcomes contributions that explicitly connect the topics of rights and crisis, and that are devoted, but not limited to the following:

- the need to rethink current paradigms with regard to fundamental rights in times of crises, when it comes to their scope, review of limitations or available remedies;
- the role of fundamental rights in particular types of crises, such as the Covid-19 pandemic, the financial crisis or the climate crisis – in a particular jurisdiction or more generally;
- the relationship between fundamental rights and (a lack of) trust in governments;
- the way in which ‘crisis’ may or may not be a valid reason for derogating from fundamental rights obligations;

- our understanding of the separation of powers and the respective roles and responsibilities of the different branches of the State when it comes to fundamental rights protection in the context of crisis.

Authors are warmly encouraged to take a multi- and/or interdisciplinary approach. We also welcome submissions that follow (or combine) different methodological approaches, such as legal doctrinal research, comparative constitutional legal research or empirical qualitative or quantitative research.

DEADLINE FOR PROPOSALS: 1 June 2024, although earlier submissions are encouraged.

PROPOSAL SUBMISSION: Proposals of 350 to 500 words should be submitted to eycl@uvt.nl. Please put ‘Proposed paper, volume 7’ in the subject line of your email. Successful applicants will be notified by 1 July 2024. Complete papers must be submitted by 1 December 2024. Manuscripts should be no longer than 10,000 words, including footnotes. In preparing their manuscript, authors should follow the EYCL Style Guide, which they will receive upon notification of a successful application. Decisions to publish a submission are based on editorial and double-blind peer review.

ABOUT THE EYCL: The *European Yearbook of Constitutional Law* is an annual publication devoted to the study of constitutional law. The *Yearbook* provides a forum for in-depth analysis and discussion of new developments in constitutional law in Europe and beyond. Each issue is dedicated to a specific theme. Previous themes have included: ‘Judicial Power: Safeguards and Limits in a Democratic Society’ (vol. 1, 2019), ‘The City in Constitutional Law’ (vol. 2, 2020), ‘Constitutional Advice’ (vol. 3, 2021), ‘A Constitutional Identity for the EU?’ (vol. 4, 2022), ‘Constitutional Law in the Digital Era’ (vol. 5, 2023) and ‘Varieties of Constitutionalism’ (vol. 6, 2024).

The *Yearbook* is published by T.M.C. Asser Press in cooperation with Springer Publishers. The Editorial Board consists of Prof. Dr. Ingrid Leijten (Tilburg University), Prof. Dr. Jurgen de Poorter (Tilburg University), Dr. Gerhard van der Schyff (Tilburg University), Dr. Maarten Stremmer (Maastricht University) and Prof. Dr. Maartje De Visser (Singapore Management University). The Managing Editors are Charlotte van Oirsouw LL.M. (Utrecht University) and Sophie Vonk LL.M. (Tilburg University).