

CALL FOR PAPERS

EUROPEAN YEARBOOK OF CONSTITUTIONAL LAW (EYCL), VOLUME 3 (2021)

CONSTITUTIONAL ADVICE

The *European Yearbook of Constitutional Law* is pleased to announce a call for submissions for its third volume (2021) on the theme of rendering *advice on constitutional issues in modern polities*. This important and structural area of constitutional law is often overlooked by scholarship.

Traditionally constitutional law in its approach and thinking departs from the classic separation of powers and the main legislative, executive and judicial bodies implied by this. While useful, a one-sided focus on these aspects risks obscuring the functions and bodies grouped around and in support of the legislators, administrators and judges that form the frontline of the modern-day constitutional edifice. Also, the increasing political polarisation and near gridlock in many societies today highlight the need for professional/independent/technocratic/scientific/objective/scholarly advice in matters of constitutional importance, thereby rising above entrenched partisan lines and short-term thinking so characteristic of many polities. The EYCL invites scholars to address the theme of this call for papers in a holistic fashion, and welcomes contributions devoted, but not limited to:

- Critical analyses focussed on the need, justification, legitimacy, scope, effect, function, mandate and nature of advising on constitutional issues. How is/can/should such advice be rendered in modern polities, taking into account their political, constitutional and institutional context, complexity and problems? In short, analyses dealing with the why, what, when, how, with what effect and by whom of advising on constitutional issues are sought. The purpose is to go beyond mere description, by focussing on critical constitutional and/or theoretical analysis in order to understand and evaluate the theme fully.
- In addressing these issues, the attention can turn to (comparative) studies of (i) ad hoc State, Royal or Law Reform Commissions which are focussed on a particular issue or set of issues including constitution-making, reform and interpretation; (ii) parliamentary bodies such as the UK Joint Committee on Human Rights and the Finnish Constitutional Law Committee reviewing the quality of human rights protection among other issues; (iii), fixed bodies such as Councils of State and National Human Rights Institutes rendering constitutional/human rights advice on legislative bills and other issues on an ongoing basis.
- A focus beyond the state is also welcomed, such as the Venice Commission which advises the Council of Europe on constitutional affairs, the EU Fundamental Rights Agency which provides independent evidence-based human rights advice to the EU and its Member States, or the European Convention which drafted the unsuccessful EU Constitutional Treaty of 2004, among other examples.

While the EYCL is devoted to the study of aspects of constitutional law and constitutionalism, interdisciplinary contributions and submissions from scholars researching the topic from a (social-) geographical, historical, anthropological or political science perspective are also welcomed. The EYCL is interested in submissions that examine the theme with reference to the European experience, but also explicitly invites submissions that focus on other countries and regions, including those located in the Global South.

DEADLINE FOR PROPOSALS: 1 June 2020, 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 3" in the subject line of your email. Successful applicants will be notified by 1 July 2020. Complete papers must be submitted by 1 December 2020. Manuscripts should be no longer than 10,000 words, including footnotes. In preparing their manuscript, authors should follow the EYCL Style Guide, which will be sent to them when notified about their 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. The inaugural volume of the Yearbook covered the theme of 'Judicial Power: Safeguards and Limits in a Democratic Society' (2019) The second theme is devoted to 'The City in Constitutional Law' (2020). The Yearbook is published by T.M.C. Asser Press in cooperation with Springer Publishers. The Editorial Board consists of Prof. dr. Ernst M.H. Hirsch Ballin, Tilburg Law School and Amsterdam Law School (Editor), Dr. Gerhard van der Schyff, Tilburg Law School (Editor), Dr. Maartje de Visser, Singapore Management University School of Law (Editor) and Maarten Stremmer LL.M., Maastricht Law School (Managing Editor).