

Connecting International and Public law

Call for abstracts for papers for fourth workshop in series:

Proposed dates: **Monday 19th – Wednesday 21st: July 2010**

Allegiance and Identity in a Globalised world

Background

The Centre for International and Public Law (CIPL) was established by ANU in 1990 under the formal title “Centre for Advanced Legal Studies in International and Public Law”. Its mission is to advance international and public law, focussing on the relationship between governments, and between governments and their citizens, from both a domestic and international perspective.

Setting up a Centre linking public law and international law proved a stroke of prescience. As the first review report of CIPL stated “the most remarkable developments of the past decade or so have been the “internationalisation” and “globalisation” of different dimensions of Australian society, the Australian economy and the Australian legal system.” The review affirmed the Centre had sought to respond to these inexorable trends by adopting a “genuinely integrated approach to its work in various fields of both public and international law.”

Workshops/Books Series

CIPL initiated a series of workshops bringing public and international lawyers and public and international policy makers together for interdisciplinary discussion on selected topics and themes, extending CIPL’s unique project emphasising the links between international and public law. A book series from the workshops, jointly edited by Professor Kim Rubenstein and Professor Thomas Pogge with the series title *Connecting International law with Public law* is an outcome of this initiative, published by *Cambridge University Press*. See further <http://www.cambridge.org/series/sSeries.asp?code=ILPL>

The first workshop in July 2007 looked at the complexities of accountability and governance in a globalised world, using sanctions as a framework into the issues. The papers from that workshop are in the first book edited by Kim Rubenstein and Jeremy Farrall, *Sanctions Accountability and Governance in a Globalised World*.

<http://www.cambridge.org/catalogue/catalogue.asp?isbn=9780521114929>

In the second workshop in May 2008 CIPL joined with Professor Thomas Pogge and CAPPE (the Centre for Applied Philosophy and Public Ethics) at ANU, to examine global health and access to essential medicines. The papers from this workshop are in the second book in the series, edited by Kim Rubenstein, Thomas Pogge and Matthew Rimmer, *Incentives for Global Public Health: Patent Law and Access to Essential Medicines*.

<http://www.cambridge.org/catalogue/catalogue.asp?isbn=9780521116565>

The third workshop was held in August 2009 and CIPL joined with the Australian Centre for Environmental Law (ACEL) from the ANU College of Law to examine the topic of *Environmental discourses in international and public law*. The book is now in press to be jointly edited by Kim Rubenstein and Brad Jessup.

Each of the themes of the 2nd, 3rd, 4th and final book in the series draws from the original 4 themes of the International Association of Research Universities (IARU) (<http://www.iaruni.org/>) and this fourth workshop draws directly from the theme: Movement of People. This workshop also consciously seeks to draw in philosophers, psychologists and political scientists to engage with the issues with the public and international lawyers.

Process

At each of the workshops participants address specific questions and issues regarding the theme so as to better develop each other's understandings and knowledge about public and international law and policy and the links between the disciplines as they intersect with the chosen subject.

Each participant prepares a **draft** paper for debate and discussion during the workshop. Each paper is allocated an hour. Twenty minutes is for presentation and 40 minutes for discussion.

At the end of the workshop participants, with the benefit of discussion, finalise their papers for a refereed book that will become part of the CUP book series *Connecting International law with Public law*

Topic for 2010

Allegiance and Identity in a Globalised World

This fourth workshop focuses on the impact of the movement of people on the concepts of allegiance and identity within a globalised world and its impact on law and policy at the domestic and international levels. The intention of the workshop is to explore how law, philosophy, psychology and other disciplines engage with the concepts of allegiance and identity so that the engagement can enrich public and international law's frameworks for categorising membership, in the context of the large-scale movement of people throughout the globe.

Issues to be addressed include, but are not limited to:

- What is allegiance and has its meaning changed over time?
- How does domestic/public law recognize identity and how does this sit with concepts of allegiance and identity?
- How does international law conceive of identity and how well does it reflect and incorporate movements of people?
- How do understandings of geopolitical conflict and their presumed allegiances affect the legal or social treatment of asylum-seekers and immigrants?
- Has the rise of dual citizenship had an impact on allegiance and national identity?
- How does a person's formal legal status impact on their sense of membership?

- Should citizenship policy and social policy develop to better incorporate multiple citizenship and multiple/layered identities?
- Are there particular forms of commitment (for example, religious or based on kinship) that might conflict with the national allegiances required by secular and democratic states?
- What does it mean in terms of identities and identifications to become a ‘member’ of a community?
- If the aim of policy is to promote social cohesion, how does allegiance and identity fit in developing that aim?
- Is a singular legal status of citizenship insensitive to the deeper conditions of active membership integral to a dynamic involvement in the identities, principles and values held out by a liberal democratic society?
- Does the concept of multiculturalism deal sufficiently with concepts of dual citizenship, and multiple national identities?
- Do international human rights frameworks incorporate well the rise of dual citizenship?
- Should a “national” be subject to an ever-increasing array of extra-territorial forms of legal regulation?
- Does the nation-state have a greater obligation to protect its nationals when their recognised rights under international law are infringed;
- Are there other legitimate categories of ‘membership’ for individuals within the international legal system, which should result in entitlements and also obligations.
- How should national Constitutions respond to movements of people and changes in the composition of society?

Logistics

This workshop will be held at the ANU College of Law, The Australian National University, Canberra, at the proposed date of **Monday 19th through Wednesday 21 July 2010**. Participants are expected to be at the whole conference as the aim is for all participants to engage fully with the other papers to ensure a coherent book is produced.

Accommodation and all meals will be provided throughout the workshop.

This workshop is open to anyone whose abstract is accepted and researchers, policy makers and practitioners from around the globe are encouraged to consider submitting an abstract. Due to the nature of the workshop there is a limit to the number of abstracts that can be accepted to fit within the 3 day timetable, allowing an hour for each paper as explained above.

Abstracts chosen from individuals who are at one of the International Association of Research Universities (IARU)* will be able to apply to their IARU secretariat to request assistance in providing travel costs to travel to the ANU and the ANU IARU Secretariat will cover the accommodation costs of those participants. Individuals not part of the IARU and needing assistance with travel costs to the ANU should also speak about this with the organizers.

We would be delighted if you would submit an abstract (of between 200-500 words maximum) for a paper addressing any of the issues raised by the topic of the workshop by **Friday 12 March 2010**.

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*The IARU universities are the ANU, ETH Zürich, National University of Singapore, Peking University, University of California, Berkeley, University of Cambridge, University of Copenhagen, University of Oxford, University of Tokyo and Yale University.