

CALL FOR PAPERS

Training, Ideas and Practices. The Law of Nations in the Long Eighteenth Century

(Paris, 18-19 May 2017)



FONDATION BIERMANS-LAPÔTRE
MAISON DES ÉTUDIANTS BELGES ET LUXEMBOURGEOIS – CITÉ INTERNATIONALE UNIVERSITAIRE DE PARIS



CONTEXTUAL
RESEARCH
IN LAW



Instituut voor
Rechtsgeschiedenis
Ghent Legal
History Institute

The purpose of this conference is to explore the roots of international law and the various concepts related to the “law of nations” by looking at the legal language of diplomats and foreign offices in Europe during the long eighteenth century. The conference also aims to render the variety and complexity of specific mechanisms through which the law of nations was applied for diplomatic use, to explore social and cultural aspects, and to investigate the practical questions that diplomats frequently faced (N. Drocourt & E. Schnakenbourg (eds.), *Thémis en diplomatie*, PURennes, 2016).

The relationship between diplomacy and the law of nations is at best ambiguous. On the one hand, the law of nations seems to be a **hybrid product of philosophical concepts and a digest of diplomatic practice**. Lawyers have difficulty resisting the temptation to write a purely academic or genealogical history of the law of nations. The frequent invocation of authors such as Vattel as an authority seems to support this (P. Haggemacher & V. Chetail (eds.), *Vattel's International Law from a XXIst Century Perspective*, Brill, 2011). On the other hand, **interaction in negotiations involves a lot more than invoked legal principles**. A thorough analysis of diplomatic practice often reveals implicit rules within diplomacy as a social field (P. Bourdieu, *Sur l'Etat*, Seuil, 2012). Legal arguments are a part of this microcosm, but geopolitical determinants and state interests can bend and bow the use of legal language.

One of the main issues of this conference will be **whether law of nations theories influenced diplomatic practice and at the same time whether diplomatic practice altered traditional law of nations concepts**. Through fruitful dialogue between young legal historians, historians of political thought and historians of politics from France, Germany and other parts of Europe, we would like to explore and investigate three different scenarios in which law of nations theories emerged both in the practice and the doctrine of diplomacy:

1) Training of diplomats

Was the law of nations the basis of diplomatic education? Did diplomats also receive specific, in-house, foreign affairs training? Was it only theoretical or also based on practice and experience? Was there already a form of **professionalisation** of diplomats, especially in view of later developments in the 19th century (L. Nuzzo & M. Vec (dir.), *Constructing International Law – The Birth of a Discipline*, V. Klostermann, 2012)? Finally, to what extent can we envisage a **common** European diplomatic culture?

2) Circulation of ideas and diplomatic networks

What was the legal and intellectual background of the various *traités du droit des gens*? To what extent were legal expertise (G. Braun, *La connaissance du Saint-Empire en France du baroque aux Lumières* (1643-1756), De Gruyter, 2010) or legal rhetorics pragmatic tools used in everyday politics? **For whom did thinkers such as Abbé de Saint-Pierre (1658-1743) write their treatises?** The sovereign? Legal advisers? *Public opinion*? If the law of nations formed a kind of a common European diplomatic culture, **how did it spread throughout Europe?** Can we identify the same use in various diplomatic flows of the time? How were diplomatic networks organised? Can we find examples of specific territories - such as the principalities of Walachia and Moldova, between the Ottoman Empire and the “European” powers – functioning as kinds of “diplomatic hubs”?

3) Transformation

Is the diplomatic *habitus* of the **Vienna Congress a turning point**? Where did the transition from the 18th to the 19th century take place, both in theory and in practice? How important was the impact of Enlightenment and French Revolutionary thought (M. Bélibise, *Fraternité universelle et intérêt national*, 1713-1795, Kimé, 1998)? How far can we find echoes in diplomatic culture and correspondence?

We kindly invite **young scholars (up to 6 years after PhD)** to present their new research within French-German and European perspectives. All applications must be sent by **20 February 2017** with a short CV (5 to 10 lines) and a proposal of **400 words** to diplomacyconference2017@gmail.com. Results will be communicated by **15 March 2017**. This conference has received the generous support of the **CIERA (Centre interdisciplinaire d'études et de recherches sur l'Allemagne, www.ciera.fr)** as a *colloque junior* and will take place on the **18th (afternoon) and 19th (morning) of May 2017**.

Papers can be presented in **English, French or German**. A **peer-reviewed publication** of the proceedings is envisaged.

Organising Committee

Raphael Cahen (Orléans/VUB-FWO)
Frederik Dhondt (VUB/Antwerp/Ghent-FWO)
Elisabetta Focchi Malaspina

Scientific Committee

Jacques Boineau (La Rochelle)
Paul De Hert (VUB)
Dirk Heirbaut (Ghent)
Christine Lebeau (Paris I)
Gabriella Silvestrini (Piemonte Orientale)
Matthias Schmoeckel (Bonn)
Antonio Trampus (Venezia)
Miloš Vec (Vienna)