

CALL FOR PAPERS

EUROPEAN YEARBOOK OF CONSTITUTIONAL LAW (EYCL), VOLUME 4 (2022)

THE CONSTITUTIONAL IDENTITY OF THE EUROPEAN UNION

The *European Yearbook of Constitutional Law* is pleased to announce a call for submissions for its fourth volume (2022) on *the constitutional identity of the European Union*.

Globalisation has not only impacted trade and markets, but also the constitutional conditions under which public power is exercised. The role played by states in modern-day constitutionalism, although still important, is increasingly being qualified by *multilevel regimes*. In the search for a constitutional model to operate such regimes, the EU deserves particular inspection. The reality of this shared constitutional space is that of a multilevel order characterised by a heterarchical/pluralist relationship between the EU level and the Member States. An emerging element of the multilevel exchange in this shared space is the concept of *constitutional identity*. The notion of identity usually refers to the expression of a legal entity's individuality in deciding on and developing its fundamental constitutional features and values.

To date scholarship and case law have focussed on the constitutional identities of the Member States, which are to be respected by the EU according to article 4(2) TEU. This stands in stark contrast to the notion of an *EU constitutional identity*. Such an identity features very little in academic literature, and has only been referred to by Advocates-General of the CJEU on a few occasions. Consequently, the new volume of the Yearbook will address this gap in legal research by studying constitutional identity with a focus on that of the EU itself. In this way, a fuller and more inclusive picture can be formed of constitutional identity in the shared multilevel space. 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 the following:

- Could the function and application of an EU constitutional identity be paradigmatic for the operation of comparable multilevel regimes in a regional and global setting? What does the conceptualisation of an EU constitutional identity contribute to the interaction between the components of such regimes?
- Critical analyses focussed on the need, justification and legitimacy of an EU constitutional identity are invited. This includes questions as to whether the EU can possess a constitutional identity at all, or whether it lacks proper constitutional credentials in contrast to its Member States and their constituent powers.
- What is or should be the function, mandate or effect of an EU constitutional identity? For example, what is the added value of such an identity in relation to the EU's interactions with the Member States in the context of multilevel constitutionalism? And, what is the (possible) impact of such an identity in relation to the EU's international law obligations and interactions (including with the UN and the Council of Europe)? Related questions include the concept's worth in guiding the accession of new members (EU enlargement), or the departure of existing members (Brexit).
- What can or should belong to an EU constitutional identity, and how can such content be characterised/systemised/classified? How is the EU's identity formed/developed/changed, and what are its sources? Does the EU's constitutional identity resemble that of its Member States, or not? How does its identity relate to the fundamental values in article 2 TEU, citizenship, fundamental rights and settled doctrines such as the primacy of EU law?

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 contributions on its wider application to other regions and organisations are also explicitly invited, including those located in the Global South.

DEADLINE FOR PROPOSALS: 1 June 2021, 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 4" in the subject line of your email. Successful applicants will be notified by 1 July 2021. Complete papers must be submitted by 1 December 2021. 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 was entitled 'Judicial Power: Safeguards and Limits in a Democratic Society' (2019), Volume 2 was devoted to 'The City in Constitutional Law' (2020), and volume 3 to 'Constitutional Advice' (2021). 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 University (Editor), Dr. Gerhard van der Schyff, Tilburg University (Editor), Dr. Maartje de Visser, Singapore Management University (Editor) and Maarten Stremmer LLM, Maastricht University (Managing Editor).