



Call for Papers

Double Standards and International Law

15-16 July 2024

Freie Universität Berlin; Berlin, Germany

Double standards are ubiquitous within the study and practice of international law. Examples abound as states speak abstractly about the need for accountability and their commitment to international law but in practice act inconsistently, for example, in applying human rights standards, combatting transnational and international crimes, or making and enforcing the rules that govern trade and development. As wars continue to grip parts of Africa, Europe, and the Middle East, many openly question or seek to remake features of the international system, resurrecting old and raising new challenges for global governance and multilateralism. With the United Nations, World Bank and other multilateral bodies struggling for legitimacy, and globalization increasingly associated with unequal outcomes, authoritarian governments and populist movements around the world have re-asserted their authority *inter alia* by challenging the legitimacy of the post-Second World War legal order. It is argued increasingly that a Western-dominated rules-based or liberal international order favors some over others, with expressions of double standards framed as hypocrisy, whataboutism, *tu quoque* arguments, or other variants of inconsistency between rhetoric and practice. Writing at the end of the Cold War, Thomas Franck observed famously that as international lawyers are freed from the constraints of defensive ontology, the most important question before them was whether international law could be fair. Thirty years later, despite the prevalence of double standards in international legal practice and the ubiquity of the perceived duplicity, there has been little treatment of how double standards operate in and impact international law. Yet it seems that double standards pose a risk to international law in new and notable ways that have largely gone unremarked in international legal scholarship.

This workshop seeks to foster debate about how double standards are expressed within international law and enhance understanding of how evidence of double standards impacts perceptions and practice. The organizers welcome papers that show the many ways that claims and evidence of double standards manifest in different forms of international legal argument, as well as time- and area-specific considerations of how double standards operate in different fields of international law. In particular, the workshop aims to clarify how accusations of double standards are formulated and perceived in various contexts and from various perspectives, including from the Global South(s), and how evidence of double standards can be analyzed from a cross-disciplinary angle, including through an empirical lens. This workshop aims to bring together scholars and practitioners, from various fields of international law and through divergent theoretical and geographical perspectives, to analyze how double standards manifest through international law and impact international legal practice.

The workshop is a first step in a larger project on how double standards impact international law's credibility, legitimacy, and efficacy. The papers selected for the workshop will be considered for a special issue in a prestigious journal. A conference scheduled tentatively for early 2025 will lead to further

possibilities for collaboration and publication. We encourage everyone interested in this topic to submit an abstract as we take this project forward.

Potential topics for consideration:

- Double Standards in International Legal Argumentation
- Double Standards, Hypocrisy, Whataboutism – What’s in a Name?
- The Historical Presence of Double Standards in International Law
- Soviet Claims to Double Standards in the Cold-War Era
- Double Standards and International Lawmaking, Interpretation and Enforcement
- The Role of Double Standards in Academia and International Legal Scholarship
- Double Standards and Selectivity in International Criminal Law
- Double Standards in Human Rights
- Double Standards in International Economic Law
- Double Standards in Russia’s War Against Ukraine
- Double Standards and the Israel-Palestine Conflict
- Double Standards in International Law from Regional Perspectives, for example the Third World/Global South(s), Africa, Eastern Europe etc.
- Interdisciplinary Perspectives on Double Standards in International Law
- Critical Approaches to International Law’s Double Standards: A Bug or A Feature of the System?
- Law and Emotions vis-à-vis Double Standards
- Feminist Approaches and Double Standards in International Law
- Empirical Analysis of Double Standards in Practice

Please submit an abstract, max. 500 words, and a brief bio to David Hughes (davidm.hughes@utoronto.ca) and Patryk Labuda (patryk.labuda@graduateinstitute.ch) by **7 April 2024**. An outline of your paper, 1500-2000 words, will be due by **15 June 2024**. Organized by the [Berlin Potsdam Research Group on the International Rule of Law: Rise or Decline?](#) and the [Harvard Law School Program on International Law in Armed Conflict](#), this workshop will allow in-person and virtual attendance. There is a limited budget for travel and accommodation; please specify in your email whether you require funding or intend to present online.