
Public Law Conference 2024

July 3-5, 2024, at the University of Ottawa

PUBLIC LAW: RIGHTS, DUTIES AND POWERS

The theme of the conference will be ‘Public Law: Rights, Duties and Powers’. Like the themes of the previous conferences in the series, the theme we have selected for the 2024 conference aims to facilitate a number of streams of inquiry while setting parameters that will enable meaningful dialogue both within and across those streams. In particular, the theme is intended to invite engagement with a range of topics related to the conceptual building blocks of public law systems, with a focus on rights, duties and powers. Such topics may include:

Rights

- Rights-based theories of public law, and critiques of such theories.
- The role of different public institutions such as the legislature, executive, courts or fourth branch of government, in recognising, interpreting and implementing rights.
- Adjudication of specific rights-issues in comparative perspective.
- The nature of different types of public law rights, including human, Indigenous, welfare and fundamental rights, and consideration of different sources of rights, such as constitutions, Indigenous law, statutes, and the common law.
- The connection between public law rights and remedies, and the impact of rights-commitments on public decision-making.

Duties

- Theories of public law based in duties, such as fiduciary duties, and critiques of such theories.
- The nature and legal regulation of different types of public law duties, including duties owed by the state to Indigenous peoples, individuals, and to the community as a whole.
- The role of courts, the administration and other institutions in interpreting and implementing public law duties, including aspirational duties, duties of progressive realisation, and duties to provide public goods.

Powers

- Distribution of powers among subnational jurisdictions, and within single jurisdictions.
- The nature and legal regulation of public powers including statutory, prerogative, executive, de facto, and contractual powers.
- How public law principles may inform legal regulation of powers exercised by private or international institutions.
- How public law ought to respond to new modes of public power such as new technologies and soft law techniques.

Please note that the foregoing is intended to be illustrative of the issues raised by the conference theme, rather than prescriptive or exhaustive. In this regard, while the theme focuses attention on the concepts of rights, duties and powers, the convenors also welcome papers which relate

to other concepts relevant to public law such as, for example, immunities or liabilities, and papers which consider how different concepts interrelate or interact, for example how rights and duties interrelate.

Common law and mixed systems

One of the aims of the Public Law Conference series is to enable dialogue to take place between participants from different legal systems. In order to allow this to happen within manageable parameters the focus of the conference is on common law jurisdictions. In keeping with the fact that the conference takes place in Canada, the 2024 version will also include sessions which consider the conference theme from the perspective of mixed jurisdictions, where common law, civil law and Indigenous law live side by side.

Submissions of abstracts

Prospective speakers are invited to submit abstracts of no more than 500 words addressing any aspect of the conference theme. Submissions are to be made via the electronic submission system, which will open on Thursday, June 15, and abstracts have to be submitted by Monday, August 21, 2023. We expect to provide decisions on acceptance of abstracts by the end of September.

Abstracts are invited from those at any career stage. Up to 70 papers may be accepted and papers will be selected on the basis of merit and fit with the conference theme. Those who have their abstracts accepted will be required to submit a full written paper by Monday, June 10, 2024 for distribution to conference delegates. Please note that speakers will have to meet their own expenses and pay the conference fee in the ordinary way. In common with previous conferences it is intended that an edited collection will be published by Hart Publishing, the conference sponsor, of a small selection of the papers given at the 2024 conference.

Doctoral Students

The 2024 conference, like previous conferences, will include dedicated panels for doctoral students, and a fee-waiver programme has been established for doctoral candidates whose papers are accepted.

Richard Hart Prize

The Richard Hart Prize for the best paper by an early career scholar will be awarded at the 2024 conference. Those who are eligible and wish to be considered for the Prize should indicate this by ticking the relevant box in the electronic application system, which includes the detailed eligibility criteria. The Prize will be awarded on the basis of the full written papers submitted in advance of the conference.

