

Law & Geoeconomics

HELSINKI INITIATIVE ON LAW & GEOECONOMICS: CALL FOR PAPERS

Background

The series *Springer Studies in Law & Geoeconomics* is dedicated to analysing the role of law in shaping geoeconomic power and the impact of geoeconomic power on the formation, enforcement, and variation of laws and norms. This series integrates insights from multiple disciplines, including law, international relations, geography, sociology, anthropology, politics, epistemology, history, economics, game theory, probability theory, negotiation theory, cognitive science, and social psychology. It welcomes contributions from legal scholars, IR scholars, political economists, and interdisciplinary researchers, publishing work that follows a rigorous double-blind peer-review process.

Theme of the Volume

Law, Geoeconomics, and the Breakdown of the International Rules-Based Order: Economic Lawfare Amid Rising “Geolegal” Rivalry (working title)

The contemporary global landscape is marked by intensifying competition between major powers, notably the United States and China. This rivalry extends profoundly into the legal sphere, often involving a set of practices referred to as “lawfare.” Lawfare involves the strategic use, misuse, or abuse of legal instruments, legal claims, legal arguments, legal professionals, legal language, or legal institutions to achieve geopolitical ends, thereby leveraging the legitimacy of the law itself as an object of power projection.

The term “geolegal” refers to the geostrategic use of legal authority for power political purposes. In this context, geolegal competition includes the strategic deployment of legal tools to gain economic advantages and exert geopolitical influence. For example, the U.S. has used the Committee on Foreign Investment in the United States (CFIUS) to block Chinese investments in American tech companies, citing national security concerns. Meanwhile, China has enacted the Cybersecurity Law and created the Unreliable Entity List to scrutinize and potentially block foreign investments affecting its economic security. In both instances, the United States and China simultaneously seek to either dominate or undermine the singular international rules-based order, while promoting their own geolegal authority through their domestic legal systems or bilateral and plurilateral international arrangements. The EU too is a geolegal actor but lacks the capabilities, determination, and resolve to project geolegal power through lawfare. For instance, the EU’s General Data Protection Regulation (GDPR) sets stringent data privacy standards but has limited enforcement power beyond its borders compared to the extraterritorial reach of U.S. sanctions or China’s cybersecurity measures.

The international rules-based order, always susceptible to geopolitical influences, is now breaking down due to intensifying rivalries. Efforts to uphold this order may only expose its inherent weaknesses. As this order suffers, regulation and compliance regimes are thriving, potentially signalling a shift from the rule of law to rule by law. The U.S. and China are increasingly employing legal strategies to influence international norms, control critical technologies such as artificial intelligence (AI) and quantum computing, and assert their dominance in global governance.

This volume seeks to explore how these legal strategies are employed, the implications for the international legal order, and the broader impact on global governance. We are

interested in contributions that dissect the mechanics of lawfare, evaluate its effectiveness, and examine its consequences for international law and order. Key themes include:

1. **Mechanisms of Economic Lawfare:** How do states utilize legal instruments to achieve geoeconomic objectives? What are the processes and tools involved in this strategic legal engagement? Examples include the use of sanctions, investment screening, and export controls.
2. **Impact on International Norms:** How is the rules-based international order being challenged or eroded by the legal strategies of major powers? What are the implications for global governance and international cooperation? Illustrations might involve the fragmentation of trade agreements or disputes within the World Trade Organization (WTO).
3. **Comparative Analysis:** How do the legal strategies of the U.S. and China differ? What are the similarities and divergences in their approaches to using law as a tool of geopolitical competition? For example, compare the U.S.'s use of the Foreign Corrupt Practices Act (FCPA) with China's Anti-Monopoly Law.
4. **Sectoral and Thematic Variations:** How does lawfare manifest across different sectors (e.g., technology, trade, human rights) and thematic areas (e.g., investment screening, sanctions)? Case studies might include the tech war over 5G technology, AI, and quantum computing or disputes over rare earth minerals.
5. **Responses and Countermeasures:** What are the responses of other states and international bodies to these geolegal strategies? How effective are these countermeasures in preserving the integrity of the international legal order? Responses might include the European Union's regulatory framework for data protection and privacy (GDPR) as a counterbalance to both U.S. and Chinese influence.
6. **Theoretical Implications:** How does the weaponization of the legal order challenge traditional International Relations (IR) and International Political Economy (IPE) theories that often assume laws and regulations as stable, definitive, and outside the purview of contestation other than through the mechanisms made available for its contestation?
7. **Practical Implications for the Legal Profession:** How does the erosion of the global legal order impact the role and responsibilities of legal professionals? Will "law" perish while "regulation" and "compliance" thrive? Is the rule of law being displaced by "rule by law" both in the West and the rest? What does the future lawyer look like in this evolving landscape?

Invitation for Paper Proposals and Workshop Details

The upcoming volume of *Springer Studies in Law & Geoeconomics* proposes to explore these themes. We are especially interested in contributions that examine the national security context in which states employ legal strategies in international settings, or within or across particular policy domains. We welcome theoretical diversity and methodological pluralism and are receptive to a broad range of research objectives, from concept and theory development, to thick description and theory testing, as well as work grounded in comparative legal or historical analysis.

We invite legal scholars and IR/IPE scholars alike to consider how existing law shapes lawfare and geolegal competition and/or how lawfare and geolegal competition shape the content or function of law.

To develop coherence across the papers and ensure that the volume will add up to more than the sum of its individual parts, the editors will host a workshop during the Helsinki Geoeconomics Week 2024 on 12 August. Contributing authors will present initial versions of their work and receive feedback from other authors and invited discussants. Participants are expected to attend the entire workshop, engage actively in discussions, and review other participants' papers in advance.

Submission Information

Important Dates:

- **Deadline for Paper Proposals:** June 14th, 2024
- **Decision on Paper Proposals:** June 17th, 2024
- **Submission of Working Papers:** August 5th, 2024
- **Workshop Presentation:** August 12th, 2024, during Helsinki Geoeconomics Week
- **Submission of Revised Papers:** January 31st, 2025

Submission Guidelines: Authors are invited to submit their paper proposals, including an abstract (up to 500 words) outlining the research question, argument, and proposed contributions to editorialoffice@lawandgeoeconomics.org by June 14th, 2024. Proposals should be well-developed but need not be fully polished papers. Selected authors will then be required to submit working papers (4,000-6,000 words) by August 5th, 2024, and fully developed papers by January 31st, 2025.

Participation Benefits: Successful applicants will have their registration fees for HGW24 waived and will be offered discounted hotel accommodation on a first-come, first-served basis.

Contact Information: For submissions and further inquiries, please contact the organizing committee at editorialoffice@lawandgeoeconomics.org.

The Series Editors of *Springer Studies in Law & Geoeconomics*

May 15th, 2024