

REALaw Forum 2026

Escaping accountability *EU law and comparative administrative law perspectives*

3-4 September 2026, Aix-en-Provence

Call for Papers

The editorial board of the Review of European Administrative Law is pleased to announce a new edition of the REALaw Forum for young researchers. The REALaw Forum 2026 will be held in Aix-en-Provence, France, on September 3 and 4, 2026, and will be organised by the Centre de recherches administratives (CRA) and the Laboratoire de droit privé & sciences criminelles (LDPSC) of the University of Aix-Marseille. The main theme of the 2026 Forum is 'Escaping accountability - EU law and comparative administrative law perspectives'.

'Reason of State' (raison d'état) is a concept developed in political philosophy. Its roots are to be found in Machiavelli's approach to the use of violence by the state to ensure its survival. Its relationships with the modern notion of the rule of law, 'Etat de droit' or 'Rechtsstaat' are ambiguous to say the least. If the concept has evolved, traces of its function remain until today. In French law, the 'reason of State' argument allows administrative institutions to derogate from the legal rules of ordinary law in the name of the higher interests of the state such as its security or public order. The argument goes even further as the exceptional circumstances justifying it can even remain secret. When a public institution calls on the 'reason of state', no other reason has to be provided! Once used frequently, today's French administrative law still bears the remnants of this theory as is particularly clear in the so-called 'theory of acts of government': certain government acts are thus placed beyond any control, particularly judicial control. Citizens have then little access to their content, and are prevented from judicially challenging them. The fact that an administrative law technique such as this remains in use – is maybe even gaining new momentum – calls for revisiting this theory in a European and comparative perspective.

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The Forum aims at identifying comparable concepts in EU law and in national administrative law which may allow better understanding of the phenomenon of 'escaping accountability', the areas in which this takes place, the reasons justifying such measures, the instruments used, etc. This may equally contribute to a better understanding of the concept of 'raison d'état'

The Forum is seeking papers that contribute to this aim, for instance:

1. By identifying how this type of argument has been used, and has evolved in European countries;
2. By identifying situations that could be functionally equivalent to the 'reason of state' argument, shielding administrative decisions from judicial challenges (such as Henry VIII clauses in England);
3. By analysing how far these situations derogate from ordinary administrative law (such as access to administrative documents, transparency of administrative action, good administration, and judicial review);
4. By analysing the justification for these situations (complexity, high politics, geopolitical interests) and analysing risks for abuse;
5. By analysing case studies either based on specific EU countries, or EU institutions, agencies or bodies, or specific policy areas (such as immigration, foreign policy, nuclear testing, defence or transfer of prisoners);
6. By analysing how the needs for providing a decision-making space shielded from accountability can be met, and if and to which extent legal safeguards of some forms need to be designed;
7. By discussing if and how a democratic state based on the rule of law can legally speaking derogate to its own legal rules at will and how horizontal (between Member States) and vertical (between the EU and Member States) conflicts between reasons of state can or should be resolved.

The papers can use a combination of methods drawn from doctrinal analysis, political sciences, history, discourse analysis, empirical research methods or otherwise.

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Submission Guidelines

We invite young European researchers to submit an abstract of no more than **500 words** on a topic related to the general theme of the Forum.

Please submit your abstract before **15 November** to realaw@maastrichtuniversity.nl. Submissions will be reviewed by a commission formed by the scientific committee. Acceptances will be notified by 15 December. Draft papers will be due by 1 August.

A selection of the presented papers will be eligible for publication in a special issue of the Review of European Administrative Law, upon successful peer review.

Scientific committee

Delphine COSTA, professor of public law, Aix-Marseille Université

Delphine ESPAGNO-ABADIE, lecturer of public law, IEP Toulouse

Valérie MICHEL, professor of public law, Aix-Marseille Université

Juliette TRICOT, lecturer of private law, Université Paris Nanterre