IUS COMMUNE

Ius Commune Conference Leuven, 24-25 November 2026

Call for Papers Workshop on Comparative Legal History:

Ius Commune in the Making: Failure and the Law

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Ius Commune Workshop on Comparative Legal History
Ius Commune in the Making: Failure and the Law
24 November 2026

The 30th Ius Commune Conference will take place in Leuven (24-25 November 2026), and a Workshop will be devoted to "Failure and the Law."

The workshops on "Comparative Legal History – Ius Commune in the Making" aim to reveal and understand the nature and effects of various legal formants in the development of law. Indeed, forces of legal formants are too often lost or hidden beneath a superficies of commonalities. History is a living laboratory. In the past, we explored the role of legal actors (2014), legal sources (2016), force of local laws (2017), methods and dynamics of law (2018), networks (2019), paradigmatic shifts (2020), great debates in the history of law (2021), the concept of innovation in law (2023), manifestations of nature in law (2024), and meaning in law (2025).

This Workshop is dedicated to the place of failure in the life of the law. Not every effort triggers a successful outcome, it should be noted. Efforts in the realm of the law are no exception, and endeavours may fail because of different reasons and at different stages. Failure should be considered a learning experience both for those who attempted to succeed and for those who might attempt in the future. Efforts should not always be considered success stories, yet they should always be considered tools for change and for the advancement of legal science. Thus all legal acting has the inherent capacity to profit from learned experiences, and one should even hold such is the duty of legal scholarship. Failure as a working definition means that a wilful act has not been received effectively, yet the qualification of an act as a failure in itself is profoundly normative as this takes its place in the fabric of legal debate.

The story of failure and success is therefore multi-layered. Failed attempts are omnipresent throughout history and can take different forms. Researchers are invited to explore in this Workshop examples of failed attempts to change or preserve the law as it is, be these, amongst others, legislative, judicial, doctrinal, educational. It may be a failure concerning the fabric of the law itself, as well as in the law's interaction with the real world. Limitations can relate to several aspects, including the practical such as availability of time, access to (re)sources, flaws in argumentative lines, skills of the human resources involved. For example, Diocletian's *Edictum de Pretiis Rerum Venalium* failed in 301 to stop inflation. The medieval feudal system, that failed to maintain personal ties of fealty but turned into a system hereditary rights of succession, eventually creating its own demise. Closer in time, private law codification efforts, such as early-nineteenth century attempts in the Low Countries, provided timely awareness on the merits and weaknesses of those corpora of the law in Europe and beyond. The invention, import or abolition of concepts, rules or methodologies which are considered (not) to fit well may be an illustrative area of research.

Comparative legal historians can benefit from an inventory of what went "wrong" in the selected failure in making or changing the law. This Workshop aims to take stock, inviting for papers that could serve as "logbooks" in that learning process, helping to document failure as it emerged. Awareness of working points can assist in attaining a quick catch-up, something that is recurrent in other sciences, where researchers need to avoid replicating failed exercises that may have taken place in other laboratories. Even when not all experiences may be considered successful, comparative legal history can evolve when failed experiences are assessed and reconsidered.

Senior researchers and PhD candidates are invited to submit an abstract of a paper related to the above-mentioned theme. Abstracts (max. 400 words) should be sent to Agustín Parise (agustin.parise@maastrichtuniversity.nl) no later than **15 August 2026**. Shortly after that, the

authors will be informed whether their papers are selected for a presentation during the Workshop. All contributions should be in English. Co-authored papers will be also considered. The organizing committee will give preference to early-career researchers when facing submissions of similar quality.

Researchers from within and outside the Ius Commune Research School will be eligible to present abstracts. Please also forward this call to colleagues who might be interested.

Should you have any questions please do not hesitate to contact a member of the organizing committee,

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