

Second Biennial Conference on Law and Society in Africa

Africa and the Middle East in an era of Global Fragility

Human dignity and the rule of law are under threat across the world. As the foundations of liberal democratic order are being shaken, the first casualties have been the so-called pillars of liberal democracy: the rule of law, constitutional separation of powers, civil liberties and even free trade and the international legal regime governing it. In 2011, we saw the domino effect of social mobilisation and revolutions in many parts of the global south. Since 2015, the reverse of this democratic tide has been taking shape, both in the global north and south. Regional conflict and the biggest refugee crisis since World War II have sparked a mobilisation of identity politics on a scale that some compare to that of the 1920s.

Autocratic rule by populist diktat is becoming increasingly prevalent in old and new democracies alike. Working at the intersection of law and society, we are concerned with the effect these developments are having on social and legal institutions. The erosion of the rule of law and increasing hostility towards “liberal legality” and its institutions—including international institutions such as the ICC—may vary in degree from one place to another, but it acts like a ricocheting ball, with a political event in one country knocking on to others in ways that can be hard to predict. *Fragility* is no longer a term reserved for Middle Eastern and African states. The international legal regime, mega-polities such as the EU, and constitutional democracy in states like the USA, Italy, and Brazil are becoming increasingly fragile. But our region does have its own unique challenges even if we are all on a single continuum of a global democratic crisis. These range from prolonged conflict in Syria and Iraq to the changing face of occupation in Palestine; from difficult transitions and authoritarian turns in Egypt and North Africa to challenges of political consensus and countering terrorism in Tunisia, Kenya, Mali, and Nigeria, and to the rise of populist nationalism in South Africa. A flurry of legislative activity, under the pretext of reform, is taking place in many countries in the region. New internet surveillance and censorship bills have either already been passed or are being discussed in Egypt, Uganda, Tanzania and South Africa. Counter-terrorism legislation and new laws on assembly and association are proliferating. Colonial laws are invoked to stifle contemporary protest and civil society activism.

It is clear that we are in an era of struggle—a social and political struggle that will happen both inside and outside of the law. At the Second Biennial Law and Society in Africa Conference we aim to situate the African and Middle Eastern experience within the current fragile global context and to understand its impact and ramifications on our region.

Call for Papers

We invite scholars, academics, researchers, writers and practitioners to join us in Cairo from 1-3 April for the Second Biennial Law and Society in Africa Conference. Centered around the theme of **Africa and the Middle East in an era of Global Fragility** we invite contributions, in the form of academic papers (but also, contributors interested in presenting research in other formats, such as short films and documentaries, for example, are welcome to submit their projects) on issues of relevance to socio-legal change in Africa and the Middle East, with particular focus on these broad themes outlined below:

Institutions of Law: Do constitutional institutions protect themselves or do societies bear the brunt of protecting them? How are institutions of the law (constitutional courts, judicial bodies, and socio-legal institutions) faring in the current context? What institutional legacies in Africa and the Middle East can be used to protect and uphold the rule of law? What is the future of strategic litigation, constitutional court litigation and “judicial activism” in the region, in an era where realpolitik and anti-legalism are on the rise?

Migration and Refugees: How is the biggest global refugee crisis since World War II affecting the region? What are the consequences of attempts to stem the flow of migrants and refugees from the south on governance and economic and social development in the whole region?

Criminal Justice Reform: Criminal justice reform is at the heart of the rule of law. In Egypt, a complete overhaul of the criminal justice infrastructure is taking place. In other countries, bills and legislative reform attempts are echoing each other from country to country, including counter-terrorism, cyber-crimes and anti-trafficking laws. In South Africa, faith in criminal justice institutions is at an all-time low. Case studies and analysis of the state of criminal justice institutions and laws in the region is of perennial relevance to the study of law and society.

Combating Sexual and Gender Based Violence: Globally, 2017 and 2018 were years of rupture in confronting gender inequalities in the workplace and in society at large. Wartime sexual violence, from ISIS controlled territories to Eastern Congo, is a subject of much debate again, with the Nobel Peace prize going to a Congolese doctor and a Yazidi survivor of ISIS captivity who are active in the fight against rape as a weapon of war. What has been the local impact? How does law matter for combatting sexual and gender based violence?

Traditional Bodies of Law, Alternative Forms of Justice: How is law conceived and practiced outside the boundaries of state law and what is its future in the region? Is the current tumult and global challenge to constitutional institutions one where customary justice and alternative legal systems can thrive or shrink? And what is the place of these institutions in our conceptions of the rule of law and in promoting and protecting human security and justice?

Only papers focused specifically on Africa and the Middle East will be accepted for the conference. Preference will be given to scholars working in the region.