

## CALL FOR PAPERS

### EUROPEAN YEARBOOK OF CONSTITUTIONAL LAW (EYCL), VOLUME 5 (2023)

#### CONSTITUTIONAL LAW AND THE ALGORITHMIC STATE

The *European Yearbook of Constitutional Law* is pleased to announce a call for submissions for its fifth volume (2023) on *Constitutional law and the algorithmic state*.

The emergence of new, machine-oriented technologies surpassing individual human capacities has brought the administrative state to the next level: the algorithmic state. In such a state, algorithms are used to support or automate regulation and administrative decision-making processes. Algorithmic law- and decision-making ranges from the use of simple, code-driven, rule-based algorithms, such as (blockchain-based) smart contracts, to complex self-learning algorithms based on 'big data' and artificial intelligence. Algorithmic law- and decision-making impacts constitutional values and fundamental principles of constitutional law, such as legality, the separation of powers, fundamental rights, democracy and effective judicial control. Whereas on the one hand digitalisation impacts constitutions and constitutional values, constitutions and constitutional values on the other hand may also affect digitalisation by means of regulation. The primary goals of this volume of the EYCL are (i) to interrogate the constitutional challenges arising from the algorithmic state, and (ii) to analyse and develop potential responses and remedies that constitutional law can provide to face the algorithmic society.

The EYCL therefore invites scholars to address the theme of this call for papers and welcomes contributions devoted, but not limited to the following:

- the effects of digitalisation and new technologies on the structural aspects of states, such as the separation of powers and checks-and-balances;
- the effects of digitalisation and new technologies on fundamental rights, such as (but not limited to) the right to privacy and freedom of expression;
- the impact of the attenuation of the traditional distinction between rulemaking and decision-making due to the rigid, automated application of algorithmic rules on the level of discretionary power of administrative authorities and on the level of deference of (administrative) courts;
- specific (disruptive) technologies, such as artificial intelligence, blockchain, robotics, the automation of justice, or specific case studies of any of these technologies, and their effects on constitutional law;
- normative counterreactions to face the challenges of digital technology, including digital constitutionalism;
- contributions that more broadly discuss the regulation of technologies and/or regulation by technologies (by-design, law as code).

Authors are warmly encouraged to take a multi- and/or interdisciplinary approach. We also welcome publications that take (or combine) different methodological approaches, such as legal doctrinal research, comparative constitutional legal research or empirical qualitative or quantitative research.

**DEADLINE FOR PROPOSALS:** 1 June 2022, although earlier submissions are encouraged.

**PROPOSAL SUBMISSION:** Proposals of 350 to 500 words should be submitted to [eycl@uvt.nl](mailto:eycl@uvt.nl). Please put "Proposed paper, volume 5" in the subject line of your email. Successful applicants will be notified by 1 July 2022. Complete papers must be submitted by 1 December 2022. Manuscripts should be no longer than 10,000 words, including footnotes. In preparing their manuscript, authors should follow the EYCL Style Guide, which will be sent to them when notified about their successful application. Decisions to publish a submission are based on editorial and double-blind peer review.

**ABOUT THE EYCL:** The *European Yearbook of Constitutional Law* is an annual publication devoted to the study of constitutional law. The Yearbook provides a forum for in-depth analysis and discussion of new developments in constitutional law in Europe and beyond. Each issue is dedicated to a specific theme. The inaugural volume of the Yearbook (2019) was entitled 'Judicial Power: Safeguards and Limits in a Democratic Society', volume 2 (2020) was devoted to 'The City in Constitutional Law', volume 3 (2021) to 'Constitutional Advice' and volume 4 (2022) to 'The Constitutional Identity of the European Union'. The Yearbook is published by T.M.C. Asser Press in cooperation with Springer Publishers. The Editorial Board consists of Prof. Dr. Jurgen de Poorter, Tilburg University (Editor), Prof. Dr. A.E.M. Leijten, Tilburg University (Editor), Dr. Gerhard van der Schyff, Tilburg University (Editor), Dr. Maartje De Visser, Singapore Management University (Editor), Dr. Maarten Stremmer, Maastricht University (Managing Editor), and Charlotte van Oirsouw LL.M., Tilburg University (Managing Editor).