



# REFRACTING LOTUS

## Jurisdiction as a Kaleidoscope of International Law

**25–26 February 2027 | Max Planck Institute for Comparative Public Law and International Law, Heidelberg | Organisers: Carolina Bejarano-Martinez, Chiara Gentile, Max Noll, Anna Sophia Tiedeke**

In recent years, the centenary of the *Lotus* judgment has inspired renewed scholarly attention, culminating in a wide range of academic engagements which revisit its historical significance and doctrinal legacy. This conference adopts a deliberately more focused lens: rather than addressing the *Lotus* case in all its dimensions, it seeks to revisit questions of jurisdiction as the conceptual and structural core of the judgment and as one of the foundational doctrines of international law.

More precisely, this conference aims to zoom in on and refract jurisdiction. Approaching jurisdiction as a kaleidoscope allows us to unveil its distinct components and complexities, as well as to study different configurations of assemblages of authorities, normativities, and subjectivities. This objective can be pursued from different theoretical and methodological angles.

Under the doctrinal framework commonly associated with *Lotus*, jurisdiction continues to appear as an emanation of pre-existing state sovereignty and a renegotiation of the territorial nexus. Consequently, international law is conceived as a horizontal order, in which restrictions on state sovereignty cannot be presumed. Yet contemporary developments challenge this state-centric vision. International criminal tribunals, human rights bodies, and functional treaty regimes increasingly articulate forms of jurisdiction that cannot be reduced or tied back to territorial sovereignty.

The relevance of this inquiry becomes particularly visible when extraterritoriality is used as an analytical lens. Questions concerning human rights obligations beyond borders, transboundary environmental harm, global governance of and by data, economic sanctions, migration control, and global supply chains are often understood as a challenge to the territorial nexus of jurisdiction and a prompt to reconsider other nexuses and the relationship between them. Courts and treaty bodies have developed competing approaches to extraterritorial jurisdiction, oscillating between control-based tests, functional criteria, and relational conceptions of authority. Against this backdrop, we seek to explore extraterritoriality not merely as an exception to territorial jurisdiction, but as a central arena in which the principles, limits, reach, and legitimacy of international legal authority and the spatiality of the international legal order are renegotiated. Revisiting jurisdiction from this perspective allows us to ask whether contemporary extraterritorial practices reflect continuity with the presumptions associated with state sovereignty, or whether and in what way they signal a deeper reconfiguration of how jurisdiction is allocated and justified.

Filtered through doctrinal reconstruction, these shifts invite us to reconsider several well-rehearsed questions anew and with different tools: Why does a judgment delivered in a radically different legal and political context still function as a standard point of reference, and legal authority? Does its persistence reflect conceptual adequacy, analytical clarity or rather the scarcity of alternative doctrinal materials? What does this tell us about the limits of traditional doctrinal reasoning and the need to complement it with new doctrinal, historical, socio-legal, and critical approaches? And ultimately, what kind of legal order are contemporary doctrines of jurisdiction producing.

The conference invites participants to engage with rules of jurisdiction established in *Lotus* not as an untouchable precedent, but as a productive site for rethinking the past, present, and future of authority, normativity, and subjectivity in international law.



Refracting jurisdiction foregrounds that it goes beyond a technical allocation of competences; it is a structuring device of authority and a site where power is asserted, contested, and stabilized. It determines who may speak in the name of the law, which fora become authoritative, and how overlapping normative orders interact in an increasingly interconnected world. By refracting and reassembling jurisdiction, this conference seeks to create a space for sustained reflection on how international law structures authority, allocates power, and reimagines its foundations in a changing legal order.

The conference is organised around four thematic strands. The first, **Jurisdiction as a Conceptual Prism (1)**, invites contributions exploring how jurisdictional rules shape our understanding of space, time, and the subjects of international law, as well as related questions concerning the conceptual architecture of the international legal order. The second strand examines the conceptualisation of legal authority through the **Territorial/Extraterritorial Dichotomy (2)** and welcomes reflections on a range of issues, such as whether contemporary forms of extraterritorial regulation are best understood as a continuation of the conception articulated in *Lotus* or as a departure from it. The third strand, **Sovereignty and Subjectivity (3)**, addresses questions concerning the relationship between jurisdiction, sovereignty, and legal subjectivity, for instance whether jurisdiction is increasingly structured by institutional frameworks and community interests rather than by unilateral state discretion. The fourth strand, **Jurisdiction and the Methods of International Law (4)**, invites contributions on the methodological dimensions of jurisdiction, including, among other possible inquiries, why *Lotus*, decided in 1927, continues—one hundred years later—to function as a central doctrinal point of reference in relation to certain questions of international law.

## Call for Papers

We invite scholars to submit abstracts engaging with one or more of the following four thematic strands. We warmly encourage submissions from scholars based in or from the Global South, early-career researchers, women, and members of historically underrepresented groups in academia.

Selected participants are expected to submit a draft paper by mid-August. We aspire to offer funding to cover travel and accommodation (up to two nights). However, we cannot yet guarantee full coverage of costs at this stage. Any coverage of travel and accommodation costs is conditional upon submitting the draft paper by the above deadline.

We are currently exploring publication opportunities in collaboration with academic outlets; details will follow.

### **Submission Guidelines**

We invite abstracts of 500–700 words, clearly indicating the thematic strand addressed.

Please send submissions to [lotus2027@mpil.de](mailto:lotus2027@mpil.de) indicating “LOTUS2027” in the subject line and make sure your submission includes:

- Title of the proposed paper
- Author name, Institutional affiliation and position
- Email

Deadline for submission: 31 July 2026

Notification of acceptance: 18 September 2026