



University  
of Manitoba

Faculty of Law



UNIVERSITY OF ALBERTA  
FACULTY OF LAW



RUNNYMEDE SOCIETY

## CALL FOR PAPERS

The Faculty of Law, University of Manitoba,  
The Faculty of Law, University of Alberta,  
and  
The Runnymede Society

*invite paper proposals for a conference on “Private Rights and the Rule of Law”  
Banff, Alberta, July 10, 2023*

The Faculty of Law, University of Manitoba, Faculty of Law, University of Alberta, and the Runnymede Society invite paper proposals in English or in French for a one-day, all-day workshop/symposium on private rights and the rule of law. The symposium will be held in Banff on July 10, 2023. Papers will be published in an edited collection, subject to successful peer review, in a special edition of the *Supreme Court Law Review*. **Justice Suzanne Côté of the Supreme Court of Canada will give the keynote at the symposium and contribute the foreword to the collection.**

The rule of law is a foundational basis of Canada’s constitutional system, being reflected in the preamble to the *Canadian Charter of Rights and Freedoms* and recognized as an unwritten constitutional principle by the Supreme Court of Canada on numerous occasions. Recent years have seen the Supreme Court of Canada put great emphasis on the principle of the rule of law, in circumstances as varied as access to justice (*Trial Lawyers Association of British Columbia v British Columbia (Attorney General)*, 2014 SCC 59), the standard of review in administrative law (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65), and constitutional law, particularly constitutional remedies (*Ontario v G*, 2020 SCC 38).

But while the rule of law is more often emphasized in public law jurisprudence, it has clear implications in the realm of private law as well. Private law is the body of law that governs relations between private parties, including the law of property, contract, and tort. The Supreme Court of Canada, for instance, has emphasized that it is a component of the rule of law that laws need to be known and certain. This has clear implications for private law as a predictable framework for private action that allows for parties to make reliable plans on the basis of their own knowledge, values, and ideals.

We encourage papers that take a range of theoretical, methodological and disciplinary approaches, including but by no means limited to law and economics, legal realist, legal formalist, natural law,

critical theory, liberal, libertarian, progressive, conservative, judicial minimalist, and other approaches.

## **Structure of Workshop**

The symposium will be prefaced by an optional dinner on the evening of July 9. The workshop day will mostly consist of panel presentations, but will also have the opportunity for structured discussions, as well as formal and informal opportunities for discussion and debate. The conference location has been chosen to maximize the potential for deep engagement and discussion in an open, respectful environment. Participants should plan to engage respectfully and in good faith with each other, even and in fact especially where there is disagreement.

A gala dinner will take place the evening of July 10, 2023, where Justice Suzanne Côté of the Supreme Court of Canada will give a keynote.

## **Eligibility**

Submissions are invited primarily from scholars in law, but also those from a cognate discipline such as political science, economics, or philosophy will be welcomed. Submissions will also be gratefully received from graduate students, practising lawyers, and judges.

## **Submission Instructions**

Interested scholars should send an abstract of no more than 350 words by **January 13, 2023** to the following address: [ruleoflawandprivaterights@gmail.com](mailto:ruleoflawandprivaterights@gmail.com). Draft papers will be due on June 3, 2023, and should be no longer than 10,000 words. Following the workshop, final versions of the papers must be submitted for publication by July 31, 2023. Papers must not have been published or slated for publication at the time of the symposium.

## **Funding**

Successful applicants will receive funding for transport to and from another location in Canada to Banff and two nights' accommodation in the Banff Centre, where the symposium will take place. Participants may choose to stay in Banff before or after the symposium, at their own expense (*i.e.*, travel will be covered to and from Banff irrespective of precise dates, so long as it *includes* July 9-11, 2023, but only two nights' accommodation will be covered). Depending on the outcome of funding applications, funds may be available to offset portions of international travel.

## **Questions**

Please direct inquiries to the Symposium Co-Organizers, Professors Malcolm Lavoie ([malcolm.lavoie@ualberta.ca](mailto:malcolm.lavoie@ualberta.ca)), Gerard Kennedy ([gerard.kennedy@umanitoba.ca](mailto:gerard.kennedy@umanitoba.ca)), and/or Kristopher Kinsinger ([kkinsinger@runnymedesociety.ca](mailto:kkinsinger@runnymedesociety.ca)).

*Please circulate this call for papers widely*