Report Essay

Russia’s Standoff with Europe: Contemporary Legal Dilemmas at the Meeting of the RCEEL Editorial Board

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1 Introduction

On 28 April 2017, renowned scholars in the fields of Central and East European (CEE) and EU law, as well as experts in constitutional law – who are also members of the Review of Central and East European Law (RCEEL) Editorial Board – gathered at the Centre for Russian East European Eurasian Studies (REEES), which is based at the Faculty of Law of the University of Graz. At a public workshop, these scholars sought to examine ongoing crises in the Russia-EU relationship through pointed debates covering various fields of law, and by discussing the Review’s role as a critical observer of particular problem-provoking areas. In particular, the underlying philosophy of this workshop was to invigorate the debate on the increasingly disputed and contested concepts of international and constitutional law that have distressed the relationship of Russia vis-à-vis the EU and the international community.
Without indulging in self-aggrandizement, the Review appears to provide the most appropriate setting for such academic discourse: The Review has been targeting the legal conundrums of the CEE and the Commonwealth of Independent States (CIS), and, in particular, Russia for over forty years now. The journal is at the same time – and for this very reason – a first-hand witness of the historic events in this region, demonstrating how the region’s notion of political geography has changed over the years. The journal started in 1975 as the Review of Socialist Law and opened a window – while continuing to pursue fundamental legal research – for the study of Eastern Europe as a whole. Its aim was to examine East European law, striving, among other things, to gain a corresponding insight into societies on the Eastern side of the iron curtain. And it has done so without abandoning its principled critique of communism and its particularly critical attitude towards the functional dimension of law in the socio-political system of the Soviet Union. Its sister publication at Brill Nijhoff, the book series Law in Eastern Europe, represents an even older tradition in this regard, celebrating its 60th anniversary this year.

After the collapse of the Soviet Union, the Review remains the key international academic forum for legal debates on the CEE region, including post-Soviet Russia’s relationship vis-à-vis Europe and, in particular, the legal approximation that has taken the center stage with regard to members of the post-Soviet bloc seeking European integration. Numerous outstanding articles have dealt with the processes of legal approximation, as well as the

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3 This holds true for both the processes on the eve of EU enlargement and Europeanization (against the background of the Copenhagen criteria), as well as for the contemporary adaptation processes of those former Soviet republics which have concluded Association Agreements with the EU.