

Law and Morality in International Relations

The seminar is concerned with the role of norms – both legal and moral – in international relations. The absence of a traditional monopoly on the use of force in international relations sustains the widespread skepticism in popular and academic discourse about the capacity of international law to induce compliant behavior. By the same token, the international system's cultural heterogeneity and the plurality of value systems across those cultures seem to limit the scope and importance of shared normative beliefs in international relations. Nonetheless, few scholars or policy-makers would altogether deny the use and effects of normative discourse in the interaction of states and non-state actors across international boundaries. In fact, in stark contrast to the traditional doubts about the role of norms in international relations, recently scholars have started to claim a constitutionalization of international relations.

Between these opposing discourses this seminar seeks to establish a differentiated picture of the scope, importance and effects of norms in international relations. We will first seek to gain an understanding of a number of basic concepts and theoretical questions: What are different ways of conceptualizing the relationship between law and morality? How do they relate to fairness and legitimacy? The second part of the seminar systematically investigates the definition and role of norms and international law according to various international relations theories. In addition, we will explore in what sense these theories themselves contain certain normative commitments? In the third part the seminar launches into more concrete questions: What are the benefits and disadvantages of addressing soldiers in a language of legal rather than moral or professional obligation? Who should bear the costs of climate change mitigation? To what extent are/should international financial institutions (be) mechanisms for the redistribution of wealth? Throughout the seminar, we will seek to bring out the potentials and pitfalls of addressing international issues through legal and moral prisms.