



Centre for European Law and Internationalisation

LEICESTER PEACE TALKS 2018-19

Semester 1

Thursday, 15 November 2018, 4.15 (tea) for 4.30 (talk),
Fielding Johnson Building, room L67 (second floor)

Public Seminar:

Covenant, Charter and Grand Bargain: International Law and the Institutionalization of Peace

Professor Nigel White (School of Law, University of Nottingham)

The 'Covenant' embodied the idea of a contract for peace agreed by the victorious powers at the end of the first global conflict in 1919, to be achieved by what turned out to be ineffective legal procedures. The 'Charter', adopted at the end of the second global conflict in 1945, appeared to embody a world constitution but one that gave five states the power to determine the nature of the post-war peace. In 1968, that peace was turned into one underpinned by the 'Grand Bargain' on nuclear weapons, which again privileged those five states, and ensured that the peace depends on the costs of using such weapons of mass destruction outweighing the benefits – a precarious peace indeed. This lecture examines what may be called international law's failure to wrest the concept of peace away from power.

Wednesday, 21 November 2018, 4.15 (tea) for 4.30 (talk)

Fielding Johnson Building, room L67 (second floor)

Public Seminar:

Paris 1919: A Wilsonian Order for Europe, and How it Failed

Dr Alex Korb (Department of History and Stanley Burton Centre for Holocaust and Genocide Studies, University of Leicester)

During the Great War, US President Woodrow Wilson expressed America's commitment to self-determination, at least for European states. He raised high hopes not only among European nationalists, but also among anti-colonial activist across the globe, thus creating what scholars called the "Wilsonian moment". During the negotiations for the Paris Peace Treaties in 1919, however, Wilson faced all kinds of imperial and national interests. The outcome was more self-determination for some, less for others and none for the peoples in the European colonies. The talk will analyse the consequences and impact of the failure of the Wilsonian Order. In Central and Eastern Europe, the mix of high hopes, raised through Wilson's promises, and high frustration, caused by the Paris Peace treaties, caused violence and ethnic cleansing. In the long run, it was Hitler who appeared to deliver on Wilson's promises and who was hailed by many Central and Eastern European nationalists for supporting their claims to territorial revision and ideology to achieving ethnically homogeneous populations in their territories.

Wednesday, 5 December 2018, 4.45 (tea) for 5 pm (talk), room TBC

Public Seminar:

Incitement to Hatred: Hate Propaganda and the Preventive Function of the International Criminal Courts and Tribunals

Prof Mohamed Badar (Northumbria School of Law)

In the resolution creating the ICTY, the Security Council cited its determination not only to deter further atrocities but also ‘to take effective measures to bring to justice the persons who are responsible for them.’[1] In the ICTY’s first annual report to the UN General Assembly and Security Council, then ICTY President Antonio Cassese described this aim with elegant simplicity—“to do justice.”[2] Judgments such as the one rendered by the Trial Chamber in *Šešelj* fail miserably this mission. Received by the affected communities with utter shock, a disappointment in the tribunal and a deep sense of insult, the judgment essentially declared one of the biggest war propagandists of the Balkan wars in the 1990s innocent on all grounds of the indictment. On the other hand from a deterrence point of view a signal has been sent that as long as you are clever enough about your hate propaganda you remain untouchable by the law. Unsurprisingly the judgment received an epilogue at the Appeal Chamber, which substantially reversed its findings, however not to a sufficient extent. Apart from the failure of the Chambers themselves, one can also observe an essentially problematic applicable law when it comes to questions of hate propaganda during armed conflicts and the dilemma encountered by international criminal courts and tribunals in attributing responsibility of international crimes to hate propagandists.

Semester 2

Thursday, 24 January 2019, 4.30 pm (tea from 4.15), room TBC

Public Seminar:

From Sanctions to Nonviolence: Assessing the Alternatives to War

Professor James Pattison (Department of Politics, University of Manchester)

It is widely held that war should be eschewed and that nonviolent alternatives should be pursued. For instance, various pacifist approaches assert that war is impermissible and we should adopt nonviolent alternatives. Just War Theory asserts that war should meet the comparative principles of last resort or necessity in *jus ad bellum*, which highlight to some extent the moral importance of considering the alternatives to war. However, although both pacifists and Just War Theorists typically assert the need to pursue alternatives to war, there has generally been a lack of systematic ethical analysis of these alternatives. There are numerous potential measures, ranging from comprehensive economic sanctions, diplomacy, and positive incentives, to criminal prosecutions, nonviolent resistance, and arming rebels. Although the options are several, each raises tricky ethical issues. In this talk, Pattison will consider the ethics of the alternatives to war. The central aim will be to sketch out a moral map of the main alternatives to war. He will draw on central moral considerations in political philosophy to highlight the issues that the alternatives raise, and to consider if, and how, we can navigate these issues. In doing so, he will argue that the case for war is weaker and the case for many of the alternatives is stronger than commonly thought. Professor Pattison has developed these ideas in his book *The Alternatives to War: From Sanctions to Nonviolence* (Oxford University Press 2018).

Wednesday, 30 January 2019, 4.30 pm (tea from 4.15), room TBC

Public Seminar:

The Trial of the Kaiser.

The Negotiations at the Paris Peace Conference Relating to Prosecution of Kaiser Wilhelm

Professor William Schabas (School of Law, Middlesex University)

Following the armistice, diplomats at the Paris Peace Conference debated whether to try Kaiser Wilhelm II, where to try him, and the crimes with which he might be charged. This provoked the first significant debate at the international level about the illegality of aggressive war. Although the delegates disagreed on whether criminal responsibility could be imposed for starting the First World War, there was general consensus that in the future the use of force to settle international disputes should be outlawed. The 1919 debates at the Peace Conference were therefore the prelude to the Kellogg Briand Pact of 1928, and the Charter of the United Nations, which leave no doubt about the prohibition of the use of force. Professor Schabas will discuss the developments at the Paris Peace Conference in light of his new book *The Trial of the Kaiser* (Oxford University Press 2018).

Thursday, 31 January 2019 (9.30 am – 5pm TBC)

Conference:

The Legacy of the League of Nations

Convenors: Dr Rossana Deplano and Professor Katja Ziegler
(CELI and Leicester Law School)

Speakers include: Dr Richard Collins, University College Dublin; Professor Jean d'Aspremont, Manchester; Dr Rossana Deplano, Leicester; Dr Rose Sydney Parfitt, Kent; Professor William Schabas, Middlesex; Professor Nicholas Tsagourias, Sheffield; Professor Nigel White, Nottingham

Wednesday, 27 February 2019, 4.30 pm (tea from 4.15), room TBC

Public Seminar:

**The UN's Architecture and Art collection as a Way of Exploring its Early Understandings of Peace
(1945 to 1952)**

Dr Isobel Roele (School of Law, Queen Mary University of London)

Wednesday, 8 May 2019, 4.30 pm (tea from 4.15), room TBC

Public Seminar:

The Trump Administration and International Law

Professor Harold Hongju Koh
(Sterling Professor of International Law, Yale Law School)

Who is winning: Donald Trump or International Law? Harold Hongju Koh, currently Sterling Professor of International Law at Yale and Goodhart Visiting Professor at Cambridge, formerly Yale Law Dean and U.S. State Department Legal Adviser and Assistant Secretary for Democracy, Human Rights and Labor, surveys the landscape and gives his assessment (which is set forth in his new book, *The Trump Administration and International Law* (Oxford University Press 2018).

All welcome!

Attendance is free but please register if you can: celi@le.ac.uk

A campus map can be found at <https://www.le.ac.uk/maps/documents/uol.pdf>

Please check our website for up-to-date information before you travels.

<https://www2.le.ac.uk/departments/law/research/celi/>