



CENTER FOR THE STUDY OF LAW AND SOCIETY BERKELEY LAW

CSLS SPEAKER SERIES

Monday, February 27, 2017

MONICA HAKIMI

Professor of Law, University of Michigan

“The Project of International Law”

Professor Hakimi's lecture will crystallize and then critique a prominent view of international law. The view--what she calls the "cooperation thesis"--is that the role of international law in the world order is to help global actors cooperate, specifically by: (1) curbing their disputes, and (2) promoting their shared goals. The cooperation thesis often appears as a positive account of international law; it purports to explain or describe what international law does. But it also has normative force; international law is widely depicted as dysfunctional when it does not satisfy the thesis. In particular, heated or intractable conflict is thought to betray the limits of international law--to show that, on some issues, international law is not serving its functions.

Hakimi will argue that the cooperation thesis is conceptually flawed. It incorrectly assumes that conflict is an impediment to international law or a problem for international law to mitigate. As scholars from other disciplines have shown, however, conflict is symbiotic with the very functions that the thesis prizes. Even as international law enables global actors to curb their disputes and work toward their shared aims, it also enables them to do the opposite: to hone in their differences and disagree--at times fiercely and without resolution. It does so because the two kinds of interactions are interdependent, and the legal mechanisms for both are the same. To put the point more starkly, conflict does not necessarily reveal deficiencies in international law because enabling it is part of the project of international law.

PLACE Selznick Seminar Room, 2240 Piedmont Ave.
TIME **12:45 – 2:00pm.** Coffee and water provided. Bag lunches welcome.
INFO <https://www.law.berkeley.edu/centers/center-for-the-study-of-law-society/>
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