

School of Political Science
and International Studies

**GRADUATE CENTRE
IN GOVERNANCE AND
INTERNATIONAL**

MASTERCLASS

with Dr Adriana Sinclair



“Re-imagining international law and its causal power: elucidating the deep structure’

The cross-over literature of international relations theory and international law (IR/IL) sees international law in three main ways: as a channel, as an institution, or as a practice. However, each of these depictions underestimates international law’s causal power, preferring to see ultimate causal power as residing outside of international law and with any causal power international law has as deriving from elsewhere. This paper uses Shklar’s legalism and Giddens’ notion of structure to argue that both international law’s ontology and its causal power should be seen as far greater than these accounts allow. This paper argues for an alternative way of understanding international law: international law as a structure. There are four reasons for doing so. First, it is a useful heuristic device which forces us to think about international law differently, seeing its ontology, and hence power, as bigger. Second, it forces us to take into account entities that most of IR/IL skips over: class, race, gender and capitalism, to start, and provides a way of theorising the relationship between these structures and international law. Third, structures play an important ordering role, both in ordering discourses and social relations, but also in ordering other structures. Law has this power. Fourth, seeing international law as a structure is useful because it expands the focus of analysis beyond elites and legal professionals, anchoring it in society as a whole, rather than just a part.

Questions

- What is international law? What does it comprise? Rules? Norms? Principles? A way of viewing the world?
- What is international law’s causal power? What does it have the power to do?
- How is international law’s ontology related to its causal power?

WHEN: Thursday 23rd August, 2018
TIME: 1pm - 4pm
WHERE: UQ Campus GPN39A Room 402
TO REGISTER: email polsis.gradcentre@uq.edu.au
(essential)



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