

The Challenge of Carl Schmitt:
Human Rights, Humanitarianism, and International Law

European University Institute
June 29-30, 2009
Cappella, Villa Schifanoia

The German jurist Carl Schmitt (1888-1985) has earned a reputation as one of the most notorious and influential political thinkers of the twentieth century. After rising to prominence during the 1920s, he served as a close adviser to conservative nationalist politicians during the end phase of the Weimar Republic, and afterwards played a prominent role in legitimating the early legal regime of Nazi Germany.

Schmitt's critique of the international rule of law, first framed during the interwar period, has come to be regarded as one of the most devastating attacks on modern liberal democracy. In spite of his morally compromised career, Schmitt has continued to exert a profound—and some would argue worrying—influence on German and European intellectual life, and his legal and political thought has helped to shape the development of critical legal realism in North America.

In the post-Cold War environment, Schmitt's thought has also become a standard point of reference for scholars who grapple with the challenges of a new international rule of law and with the problems that beset liberal approaches to international relations. Critics of Western exceptionalism, global capitalism and the Anglo-American rule of law have frequently cited Schmitt's ideas, in particular his claim that the language of humanitarianism only serves to mask pure power interests. At the same time, those who wish to defend the expansion of the Western human rights tradition have found themselves compelled to address Schmitt's work.

This conference, scheduled for June 29-30, 2009, will subject Schmitt's intellectual legacy to critical examination; each participant will present a 50-minute paper addressing specific aspects of Schmitt's work in relation to just war, human rights regimes, humanitarian intervention and the global rule of law.

Monday, June 29, 2009

9:30-11:00: Peter Schroeder, University College London
"Carl Schmitt's Appropriation of the Early Modern European Tradition of Political Thought on the State and Interstate Relations"

11:00-11:30: Coffee break

11:30-13:00: Tim Stanton, University of York
"Hobbes and Schmitt"

13:00-14:30: Lunch

14:30-16:00: Joshua Derman, European University Institute
"Carl Schmitt on Land and Sea"

16:00-16:30: Coffee/tea break

16:30-18:00: John McCormick, University of Chicago
"Schmitt, Strauss and the Weimar Critique of Enlightenment Humanitarianism"

Tuesday, June 30, 2009

9:30-11:00: William Novak, University of Chicago
"Legal Realism and Human Rights"

11:00-11:30: Coffee break

11:30-13:00: Liisi Keedus, European University Institute
"Arendt and Schmitt"

13:00-14:30: Lunch

14:30-16:00: Niklas Olsen, European University Institute
"Carl Schmitt, Reinhart Koselleck and the Foundations of Political Order"

16:00-16:30: Coffee/tea break

16:30-18:00: Jan-Werner Mueller, Princeton University
"Carl Schmitt's Challenge to International Law: Three Responses"