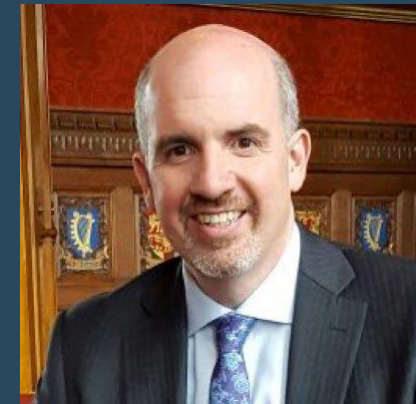




GUEST LECTURE SERIES »SOCIETY:
STATUS QUO AND NORMATIVE CHANGE«

JUST WAR AND SELF-DEFENCE

Prof. Dr. Thom Brooks



July 10, 2023, 6:15 p.m.

University of Freiburg

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German version below

Thom Brooks is Professor of Law and Government at Durham Law School and focuses on a variety of topics, ranging from global and ecological justice to punishment- and legal theory. As one of the main authorities advising British policy-makers on home affairs and justice policies, especially regarding migration law, he has appeared frequently on television, radio and in print media. Prominently, he was responsible for the wording “leave or remain” in the 2016 Brexit referendum.

Brooks has written 8 books, edited 30 books and published over 150 journal articles or book chapters since 2001. In his early work, he has established himself as one of the leading experts for Hegel’s philosophy of law in the anglosphere.

He held visiting appointments at various universities, including Harvard Law School, Columbia Law School and the Faculty of Philosophy at Oxford University.

Abstract

“Just war theorising has undergone a renaissance inspired by the ground-breaking work of Jeff McMahan. Central to the new orthodoxy is the claim that self-defence is a right that can justify a right to inflict harm on unlawful aggressors. Crucially, this is a right to inflict harm available to both the victim and others even if these others are not harmed or threatened. This talk explores how this view of just war as self-defence justifying a right to harm is based on a misunderstanding of how self-defence works in criminal law. This alternative view understands self-defence as a kind of defence, such as duress, which might provide an excuse for wrongs and not a justification to do wrong. The talk examines the consequences for just war theorising, such as whether understanding just war as excused sets a higher threshold for justification.”

Thom Brooks ist Professor of Law and Government an der Durham Law School. Seine Forschungsinteressen sind breit gefächert und erstrecken sich von der Verfassungs- und Strafrechtstheorie bis zu Fragen globaler Gerechtigkeit. Er gilt als führender Politikberater des Vereinigten Königreich in Angelegenheiten der Innenpolitik, insbesondere dem Migrationsrecht und dem Staatsangehörigkeitswesen. Er tritt regelmäßig mit Radio-, Fernseh- und Zeitungsbeiträgen medial in Erscheinung. Besondere Prominenz erlangte er mit der Prägung der Fragestellung „leave or remain“ im Rahmen des Brexit-Referendums 2016.

Brooks hat 8 Monographien veröffentlicht, sich an 30 Herausgeberschaften beteiligt und über 150 Artikel bzw. Buchkapitel verfasst. Mit seinen frühen Arbeiten hat er sich als führender Experte für die hegelsche Rechtsphilosophie im englischsprachigen Raum namhaft gemacht.

Er war Gastwissenschaftler an einer Vielzahl renommierter Forschungseinrichtungen, unter anderem der Harvard Law School, der Columbia Law School und der Philosophischen Fakultät der Oxford University.

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