

Rechtskul- turen

Forum
Transregionale
Studien

Recht / im Kontext



Rechts- kulturen Colloquium

Mon 19 Mar 2012

18:00—20:00

The Rechtskulturen Colloquium meets monthly at Humboldt University Law School for a presentation and discussion of the Fellows' research projects.

*Humboldt-Universität zu Berlin,
Juristische Fakultät, Room E 25,
Unter den Linden 9,
Berlin-Mitte*

RECHTSKULTUREN —
Confrontations Beyond Comparison
www.rechtskulturen.de

Modern Imperialism and the Secularisation of International Law

Mark Somos (RECHTSKULTUREN Fellow)

**Comments: Samantha Besson (Fribourg/Berlin),
Miloš Vec (Frankfurt am Main/Berlin)**

One reason why we fail to prevent and resolve both domestic and international conflict is that Western political and legal concepts are not only secular, but were *designed* to be blind to religion. The primary obstacle to preventing conflict is persistent, but rectifiable ignorance of history.

From the fourth to the seventeenth century, Christian theology underpinned all aspects of thought, from the natural sciences to international law. As the Reformation eroded doctrinal monopoly, much of European thought broke down. Secularisation is the process whereby, in search of common ground, Europe's world-view was rebuilt without theology. Commercial and colonial imperialism spread and imposed secular norms around the world, sometimes with stabilising effect. However, the historical contingency of secularisation is now forgotten, and "Westphalian" norms are considered universal. Had it not been tragic, it would be ironic to note the contrast of this outcome with pacifism, the driving force behind secularisation as a historical process. Perhaps the most important subject to address in the social sciences today is this systemic cause of conflict: the forgotten contingency of secularisation.