

PROF. JEAN D'ASPREMONT

**"The Discourse
on Customary
International Law"**

30.09.2022

13:00 – 14:30

HS 15.05 and online

While many studies have looked at traditional questions of how to identify customary law, this presentation takes a new and original approach. It looks instead at the structure of thought that lies beneath the arguments about customary international law. By examining these structures, the presentation uncovers surprising conclusions, and demonstrates the ‚discursive splendour‘ of customary international law. One of its key claims is that customary international law is not the surviving trace of an ancient law-making mechanism that used to be found in traditional societies. It is also argued that, contrary to mainstream opinion, customary international law is in fact shaped by texts, and originates from a textual environment.

The **GILDS** is founded and chaired by **Professor Erika De Wet**, Head of the Institute of International Law and International Relations.

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