

See discussions, stats, and author profiles for this publication at: <https://www.researchgate.net/publication/378461630>

International Law and International Relations: Quo Vadis?

Article in *Alternatives Journal* · February 2024

DOI: 10.1177/03043754241236310

CITATION

1

READS

257

1 author:



Lacin Idil Oztig

Yildiz Technical University

65 PUBLICATIONS 467 CITATIONS

SEE PROFILE

International Law and International Relations: Quo Vadis?

Alternatives: Global, Local, Political
2024, Vol. 0(0) 1–15

© The Author(s) 2024

Article reuse guidelines:

sagepub.com/journals-permissions

DOI: 10.1177/03043754241236310

journals.sagepub.com/home/alt



Lacin Idil Oztig¹ 

Abstract

The wars in Ukraine and Gaza poignantly reveal the inadequacy of the current international system in maintaining peace. The United Nations faces major limitations due to the absence of enforcement mechanisms and disagreement among permanent members of the Security Council. Stronger global cooperation to enhance the international system's ability to prevent and resolve wars and conflicts seems like a utopia, but it is necessary for the sake of humanity. The world needs a reimagined international system that prioritizes diplomacy and mediation over military intervention. There is a pressing need for new visions of peace and a closer dialogue between International Law and IR. This review essay critically examines the dialogue between the two disciplines since the interwar period. It highlights that liberal internationalism constituted an important intersection point between the two disciplines during the interwar period. Although the two disciplines grew apart after World War II, the post-Cold War period has witnessed a renewed interdisciplinary dialogue. However, despite this dialogue, scholars of both disciplines lack conversations on novel visions of peace. The complex and evolving challenges of our time urgently require new perspectives on peace beyond mainstream theories and methods. The essay concludes by suggesting that scholars of both disciplines should combine their experience and perspectives to develop innovative ideas for peace.

Keywords

International Law, International Relations, liberal internationalism, interdisciplinary dialogue, peace

Introduction

The world is in an impasse. In response to the recent developments in Gaza, UN Secretary General Antonio Guterres expressed concern about the effectiveness of the UN Security Council in maintaining peace ([Ground News, 2023](#)). A reform of the UN Security Council (that necessitates the agreement of two-thirds of its member states as well as the agreement of all permanent members of the UN Security Council) is almost impossible. Against the backdrop of ongoing wars and the inadequacy of the current international system, peace seems like a distant dream. However, the world needs, more

¹ Department of Political Science and International Relations, Faculty of Economics and Administrative Sciences, Yildiz Technical University, Istanbul, Turkey

Corresponding Author:

Lacin Idil Oztig, Department of Political Science and International Relations, Faculty of Economics and Administrative Sciences, Yildiz Technical University, Davutpasa street, Esenler, Istanbul 34349, Turkey.

Email: loztig@yildiz.edu.tr

than ever, alternative imaginations of peace. At this juncture, there is a pressing need for a closer dialogue between International Law and International Relations (IRs). This review essay critically examines the dialogue between International Law and IR since the interwar period and argues that greater interdisciplinary collaboration is necessary to develop innovative ideas for peace in the current global context.

International Law and IR are distinct fields with their own disciplinary approaches and priorities. However, during the interwar period, the disciplinary boundaries between them were not yet sharpened (Oztig, 2021). Liberal internationalism¹ constituted an intersection point between these two related but distinct disciplines. During this period, scholars of both disciplines were preoccupied with ideas and norms to improve the international system. They believed in the possibility of an effective implementation of international law and the maintenance of peace. This period witnessed a close dialogue between the two disciplines, as many scholars of international law produced innovative responses to the problems of international relations (Long, 2003) and IR scholars accorded central importance to international law in their theorizing. Yet, the disciplinary boundaries between International Law and IR were sharpened after the World War II period. This period witnessed a sharp divergence in the approaches and methodologies used by scholars of international law and IR scholars. The end of the Cold War brought about significant paradigmatic changes in the international system, with the end of bipolarity and the emergence of new, multifaceted global challenges. Against the backdrop of new dynamics, in the post-Cold War period, the two disciplines have engaged in a renewed dialogue.

The historical development of the relationship between International Law and IR is complex and multifaceted. This essay critically reviews the relationship between both disciplines, examining their historical development and the different perspectives that have shaped their disciplinary evolution. Understanding the interplay between these two fields is crucial for mapping out avenues for potential interdisciplinary dialogue. Different disciplines have different ways of knowing and doing things. Interdisciplinary approaches can foster creativity and out-of-the-box thinking through transcending traditional disciplinary boundaries. Importantly, by engaging in diverse ideas, theories, and methodologies, these approaches have the potential to generate innovative and holistic solutions to the world's current problems.

The essay reveals that while the two disciplines have engaged in renewed dialogue in the post-Cold War period, this dialogue misses out on new visions of peace. Against the backdrop of current multifaceted security challenges, scholars from both disciplines should combine their expertise and perspectives in developing innovative ideas for peace, even though their implementation seems difficult. Greater interdisciplinary collaboration is necessary to provide comprehensive and effective peace visions.

International Law and IR: The Background of the Interdisciplinary Dialogue

A Brief Overview of International Law and Liberal Internationalism

The discipline of International Law has its roots in European law which developed and expanded in parallel to treaty-making practices (Lorca, 2014). In this respect, the Treaty of Westphalia of 1648 is of fundamental importance as it laid out principles regarding relations between European states, paving the way for the emergence of the European interstate system (Lorca, 2012).² Furthermore, from the 17th century onward, treaty-making between European and non-European polities increased, albeit unequal in nature (Lorca, 2014).

With the weakening of religious authority, newly emerging nations lacked norms and standards that would regulate their courses of action toward one another (Cortright, 2008). This period witnessed the

growth of states' military power, state-building, and colonization. There were no constraints on states' armament (Schwarzenberger, 1990). It is against this backdrop that Hugo Grotius formulated a number of principles with the objective of imposing moral constraints on the use of military force (Cortright, 2008).³

Grotius' thinking was built on the concept of natural law, a binding force for all people, including rulers. He developed a universal idea of international society that did not only contain Christian states, but all states and individuals and non-state groups. Yet, he accorded a more central place to states as compared to individuals and non-state groups. He underlined the importance of solidarism in the international society for the definition and implementation of international rules (Roelofsen, 1990).

Samuel von Pufendorf (1632–1694), a German law scholar and historian, made important contributions to international law. He questioned the Hobbesian view on the state of nature in his contemplations about international jurisprudence. He highlighted the distinction between just versus unjust causes of wars (Gismondi, 2008). Emer De Vattel (1714–1767), a Swiss legal scholar, published *The Law of Nations* in 1758 which had an immense influence on the discipline of international law. Vattel stressed the importance of diplomacy and the balance of power in the maintenance of order among states (Armstrong, 2012).

Throughout the 18th and 19th centuries, international legal theory downplayed the difference between just and unjust causes of war, which resulted in the omission of moral criteria in international law (Roelofsen, 1990). Strongly affiliated with scientific materialism, the positivist legal doctrine strived to reconstruct international law so that it could be studied through a scientific framework (Anghie, 2004; Nussbaum, 1954). The positivist legal doctrine dismissed the natural law doctrine that saw law indissolubly linked to morality (Cali, 2006).

The main scholarly preoccupation of scholars of international law belonging to the positivist tradition was the maintenance of a balance of power in the international system (Roelofsen, 1990). The concept of balance of power was manifested in the 1815 Congress of Vienna, which brought about a new order following the Napoleonic wars (Anghie, 2006). The positivist legal doctrine adopted a state-centered view of international law. It accepted the anarchic nature of the world as a given and limited its objective to the prevention of violence among states (Neff, 2014).

Legal scholars who adhered to the positivist doctrine left foreign policymaking to state actors and assumed the task of laying out recommendations to state actors concerning the lawfulness or legal implications of their actions (Neff, 2014). During this period, there were also dissident voices that could be grouped into the natural law tradition, liberalism, the nationality school, and solidarism. All of these schools challenged the positivist view of law by seeing international law as an instrument that could change the world. They believed in the possibility of progress in international relations. They saw international law as “a system of rules to which states were subject, making states the servants and not the creators of law, as they were for the positivists” (Neff, 2014, pp. 260-1).

Throughout the 19th and 20th centuries, two approaches dominated the international legal thought with different visions of internationalism: conservative internationalism and liberal internationalism. The first called for increased cooperation among states, albeit with skepticism toward binding arbitration and permanent international organizations. The latter embraced principles such as humanitarianism, and self-determination, universal participation, and stressed the importance of arbitration and permanent international organizations for dispute resolution and war prevention. The progressive line of thought supported international efforts that would impose constraints on states to prevent aggression and that would create conditions in favor of greater economic opportunity and poverty reduction, which are assumed to be the underlying conditions of war. They argued in favor of the establishment of a council of nations and international courts that would authorize sanctions and even the use of force as means to prevent wars (Lorca, 2014). To put it more generally, while conservative internationalists saw international agreements and organizations as a means to maintain

the established order and promote the national interest, liberal internationalists saw them as steps toward global governance.

At the beginning of the 20th century, the international system witnessed fundamental changes with the participation of semi-peripheral states (such as Brazil, China, Japan, and Iran) to international conferences, the collapse of empires, and the revision or abrogation of unequal treaties between European and non-European polities (Lorca, 2014). Concomitant with these developments, international law evolved into “a full-fledged legal order, including international tribunals, permanent interstate organizations, and a greater number of rules limiting a state’s autonomous behavior” (Lorca, 2014, p. 143). The mainstream international legal thought built around the principle of absolute sovereignty and legal positivism (i.e., in sharp contrast to the natural law tradition that views law indissolubly linked to morality) started to be challenged (Cali, 2006; Lorca, 2014). International law “was no longer seen as a reflection of a uniform perception of Europe’s great powers and their generally shared policy preferences” (Orakhelashvili, 2020, p. 42).

The creation of the League of Nations marked an important stepping stone in the evolution of the discipline of international law (Anghie, 2004). The League of Nations was built upon the concept of collective security, with Article 10 of its Covenant requiring all of its member states to respect the territorial integrity and political independence of other states against external aggression (Anghie, 2004). The establishment of the Permanent Court of International Justice (PCIJ), which was established in 1920, constituted a novelty in the domain of international law (Anghie, 2006).

Until the early 20th century, the mainstream legal thought treated the states as the subjects of international law and people and non-state groups as the objects of international law. After World War I, the idea that envisioned the international society of peoples or nations (which was antithetical to the state-centered conception of international society) gained momentum (Roelofsen, 1990). The recognition of individuals as active participants in international affairs marked a significant departure from the traditional state-centric approach to international law.

Liberal Internationalism and International Law during the Interwar Period

Scholars of international law during the interwar period, most notably Georges Scelle (1878–1961), Nicolas Politis (1872–1942), Hersch Lauterpacht (1897–1960), Walther Schucking (1875–1935), and Hans Wehberg (1885–1962) countered the positivist legal doctrine. These legal scholars made significant contributions to the liberal internationalist school by adopting a worldview rooted in the notions of progress, the importance of the individual in the international system, and the interconnectedness of law and morality (Oztig, 2023). They criticized the foundational tenets of classical international law in general and legal positivism in particular. They were optimistic about the prevention of conflicts and wars, with an emphasis on the transformative potential of international law (Oztig, 2023). In other words, by embracing this transformative perspective, they believed that international law could serve as a powerful tool for resolving disputes, and ultimately preventing conflicts and wars. In this sense, they made important contributions to the early development of IR.

More specifically, George Scelle attributed the cause of World War I to “the anti-social ideas of sovereignty” (Koskenniemi, 2004, p. 330). He declared sovereignty as an outdated ideology of tribal nationalism (Scelle, 1932). He recommended that the world community should work toward the creation of “progressive universal federalism” (Scelle, 1933). He envisioned an international order in which social solidarity supersedes states’ sovereign authority (Focarelli, 2012). Nicolas Politis give pivotal importance to arbitration (takes place through legal mechanisms) for the resolution of interstate disputes (Papadaki, 2012). He suggested that the solidarity of human relations should override state sovereignty (Politis, 1927). He focused on the importance of individual liberty and social justice for the establishment of an international system that effectively deters wars (Papadaki, 2012). Hersch Lauterpacht (1936) stressed the importance of the effective implementation of international law for

collective security. He evaluated the aggressive form of nationalism as the driver of World War I and supported the functional orientation of international law toward world peace and the protection of human rights (Koskeniemi, 1997). Walther Schucking recommended taming war by “turning it into an instrument of law” (García-Salmones, 2011, p. 764). Schucking advocated for a robust interaction of science and politics, emphasizing the importance of scientists examining contemporary political matters and proposing concrete solutions to political challenges based on scientific approaches (Bodendiek, 2011). Wehberg emphasized the importance of the comprehensive transformation of international law and the abolishment of sovereign states’ right to self-defense for the maintenance of world peace (Smeltzer, 2020).

Liberal Internationalism and the Development of the IR Discipline

IR was established as a discipline in the post-World War I period against the backdrop of societal changes, such as the growth of interest groups, unions, political parties, the media, the increase in mass literacy, and the development of social sciences (Knutsen, 2018).⁴ The first step toward the institutionalization of IR took place with the foundation of the first Chair of International Politics at Aberystwyth in 1919. Subsequently, the London School of Economics and the University of Chicago introduced courses in international affairs (Ashworth, 2014).

The discipline of IR was created by scholars who analyzed the drivers of World War I and theorized about the causes of war and peace (Lawson, 2015). With the systematization of old arguments, the introduction of new ones, a new discipline was born (Knutsen, 2018). The formation of the League of Nations and the growth of the discipline of international law tapped into the growing popularity of liberal international thought among IR scholars during the interwar period (Oztig, 2021).

After World War I, many European foreign office archives were opened which revealed “the complicated and secret nature of prewar maneuvering” and the failure of diplomats in preventing the war (Howard, 2001, p. 7). These developments stirred up scholarly interest in international law, arbitration, and international institutions (Sylvest, 2005). The catastrophic consequences of World War I instigated many liberals to envision a variety of forms of internationalism as a way to prevent aggression and war. Liberal internationalism during the interwar years tapped into rising anti-war sentiments among many societies and the U.S. President Woodrow Wilson’s support for transparent and peaceful foreign relations embodied in the Fourteen Points (Herren, 2016).⁵

For example, Alfred Zimmern (1879–1957), the first Professor of International Relations at the Woodrow Wilson Chair at Aberystwyth, noted that the logic of internationalism was a sine qua non for the progress of humanity. Zimmern propounded a version of liberal internationalism that focused on strengthening the League’s role in advancing international law (Lawson, 2015). Norman Angell (1872–1967) supported collective security in international relations and a moral-based foreign policy (Griffiths, 1999; Reus-Smith 2001). In parallel with the view that accords a central role to the rule of law in domestic peace, Angell supported the rule of law for the promotion of international peace (Griffiths, 1999). John Hobson (1858–1940) developed a concept of internationalism that encompassed both interstate relations and transnational relations of individuals and groups (Hobson, 1933). Viewing sovereignty as detrimental to human welfare and a hindrance against the establishment of a world society, Hobson suggested the development of federalism on an international scale for international peace (Long, 1996).

Taken together, the interwar period witnessed a growing convergence between the disciplines of International Law and IR (Long, 2003). IR scholars who adhered to liberal internationalism accorded a central importance to international law and international institutions (Malchow, 2016). They believed that peace could be achieved through international law and collective security (Pugh, 2012). International law occupied a central place in the formation of the IR discipline. Following World War I, the Carnegie Endowment for International Peace financed the publication of the works of scholars of

international law, including Grotius, Vitoria, Gentili, Pufendorf, Vattel, and many others (Howard, 2001). During this period, mainstream IR textbook titles such as *International Law, the Law of Nations, International Government, the Function of Law in International Community, the League of Nations, and the Rule of Law* are exemplary of the close dialogue between both disciplines (Knutsen, 2016).

The Post-World War II Period: The Thickening of Disciplinary Boundaries

The optimism of the interwar period did not last long. The initial hope that accompanied the establishment of the League of Nations was shattered by its inability to effectively maintain peace and security starting from the mid-1920s. In 1923, the League of Nations was unable to prevent France and Belgium from occupying the Ruhr region in 1923 (an event triggered by Germany's failure to pay its reparation payments). In the same year, Italy occupied Greece's Corfu Island and dismissed the League's orders to withdraw. The League also failed at taking effective measures when Italy occupied Ethiopia in 1935, when German troops marched into the demilitarized Rhineland in 1936, and when Japan invaded China in 1937.

The failures of the League and appeasement policies in preventing growing aggression on an international scale and most importantly the outbreak of World War II played instrumental roles in the rise of realist thinking and the waning of liberal internationalism (Brown & Ainley, 2005; Schmidt, 2012). The post-World War II environment witnessed the fading of liberal international theory and the growing divergence between IR and international law disciplines.⁶

Edward H. Carr in *The Twenty Years' Crisis* labeled the optimistic view of international politics utopian due to its focus on laying out norms about international peace. He argued that "[t]he bankruptcy of utopianism resides not in its failure to live up to its principles, but in the exposure of its inability to provide any absolute...standard for the conduct of international affairs" (Carr, 2001, p. 80). Carr's overall attack on the idealist tradition (which liberal internationalism is part of) was so powerful that it led a number of thinkers to argue that a "Kuhnian-style paradigm shift" within the IR discipline occurred as the idealist approach broke down due to its inability to account for the dynamics of international events (Wilson, 2011).

Realist accounts criticized the liberal internationalist view on the grounds that it was built on "abstract principles" and "wishful thinking" (Jahn, 2018). Put differently, liberalism was seen as contradictory to a scientific approach (Reus-Smith, 2001). Liberal internationalists during the interwar period were labeled as "pacifists, moralists, and legalists" who turned their attention toward reforming international politics with their naive ideas which resulted in the failure of a rigorous examination of international dynamics (Schmidt, 2012). The realists associated the failure of the explanatory power of the idealist worldview with the failure of the League of Nations to prevent World War II (Schmidt, 2012).

In this respect, realists geared their attention to the explanation of "what is" rather than of "what ought to be" (Jahn, 2018). In *Politics Among Nations*, Morgenthau defined realism as a rational theory with its focus on the analysis of political actions and their potential consequences, a stark contrast to the analysis of ideological incentives of these actions (Morgenthau, 1954). Morgenthau explained international politics through the balance of power.

Neorealists, following Kenneth Waltz, strived for a parsimonious explanation of international phenomena without taking into consideration normative commitments. In *Theory of International Politics*, Waltz aimed to construct a systemic theory by explaining international outcomes taking into consideration the changes which take place on the international system. Rather than explaining international outcomes by examining the actions of states, he pointed out that changes in the international system affect the type of interaction among states (Waltz, 1979). Realist schools of thought

questioned the role of morality in international law and the transformative potential of international law in the international arena (Jeffery, 2006).

The waning of liberal internationalism took place concomitantly with the widening gap between the disciplines of IR and international law.⁷ The mainstream IR theories that were built upon the positivist tenets saw legitimacy and justice as normative ideas and as such overlooked them in explaining international politics (Sutch, 2012). In parallel with the objective of generating “non-ideological” knowledge, IR scholars incorporated scientific methods from other disciplines and started to analyze political phenomena by using statistical techniques (Jahn, 2018).⁸

The Post-Cold War Period: A Renewed Interdisciplinary Dialogue

Concomitant with the end of the Cold War which heralded the triumph of liberal democracy and the prospect of the integration of liberal norms into the legal and institutional structure of the international system, scholarly interest in liberalism was stimulated (Jahn, 2018). Liberal thinking inspired many approaches that include the democratic peace thesis, neoliberal institutionalism, cosmopolitan democracy, and globalization theories (Jahn, 2018). Yet, liberal theories, that emerged after the Cold War, were different from liberal internationalism during the interwar period as they were built upon a positivist paradigm (Burley, 1993). For example, one of the most prominent theorists of democratic peace, Michael W. Doyle underlined that from the 18th century onward, a zone of peace came into being among the European states and the United States. By stressing that liberal states act peacefully toward one another, he argues that realist theories are inadequate in explaining the zone of peace created among liberal states (Doyle, 2005). Doyle argued that the strength of liberalism derives from its claims that can be tested in the empirical examination (Doyle, 1997).

Andrew Moravcsik, who developed liberal intergovernmentalism in the 1990s, treats liberal theory as a progressive research program, underlining that the liberal theory has better explanatory power in explaining post-Cold War European politics, the linkages between economic, political, and social changes, and state actions in world politics (Moravcsik, 2003). Moravcsik summarizes the basic tenets of the new liberal approach in the following words:

The central insight distinguishing Liberal international relations theory is that States are embedded in domestic and international civil society, which decisively constrains the underlying State interest on which foreign policy is based. This concern with State-society relations permits Liberals to endogenize variation in national identity, interest and purpose within the explanations of the international behavior of States. This insight can be restated in the form of three non-utopian assumptions: (1) the fundamental actors in world politics are individuals and privately constituted groups with self-interest and risk-averse preferences; (2) national governments are representative institutions, whose policies reflect some subset of societal interests; and (3) State behavior is shaped primarily by the configuration of governmental interests, rather than resources, institutions or other external political constraint (Moravcsik, 1993, p.3).

Liberal optimism for enhanced opportunities for cooperation has been criticized by Samuel Huntington and John Mearsheimer, who pointed to the increasing possibility of a divided world marked by regional power blocs (Gismondi, 2008). The liberal assumption that global liberal order is attainable through an international legal system (that could constrain state behavior) is in stark contrast to the realist view that focuses on states’ reluctance to abide by international law (Gismondi, 2008).

The liberal revival in the post-Cold War period has also made inroads into the international law discipline. Recent years have witnessed the incorporation of liberal theory into the positive and normative analysis of international law (Moravcsik, 2013). The liberal conception of international law is also a stark contrast to the traditional international law, which treats states as its subjects. Rather than states, it treats individuals and groups as its subjects (Burley, 2004). In general, a liberal approach to

international law is built upon the assumption that international law should be linked to the developments in the IR discipline, especially liberal IR theory which gives fundamental importance to individuals (Wrangle, 2000).

In tune with the liberal revival, the post-Cold War period has witnessed enthusiasm for interdisciplinary studies between IR and international law (Beck, 2009). In his article published in 1989, Abbott noted that the theoretical approaches, insights and tools of modern IR theory presented an opportunity to integrate the two disciplines (Abbot, 1989). Burley (1993) called for interdisciplinarity by mentioning the growing visibility and effectiveness of international rules and organizations. In a later article, Burley (1998) explained the ways in which scholars of international law contributed to the IR theory by identifying problems and providing legal solutions; explaining the structure or roles of specific international legal rules or institutions; reconceptualizing international law. Arend (1997–1998) employed a Constructivist perspective to account for the impact of international law on state identity and actions. In *Legal Rules and International Society*, Arend (1999) examined the ways in which international law matters in international politics. In *Custom, Power, and the Power of Rules*, Byers (1999) analyzed the impact of principles of international law on state behavior.

The 1999 special issue of the American Journal of International Law titled “Symposium on Method in International Law” constitutes an important milestone in the dialogue between two disciplines. The symposium engaged with legal positivism, the New Haven school, international legal process, critical legal studies, international law and international relations, feminist jurisprudence, and law and economics. A year later, IR’s one of the most prominent journals, International Organization published a special issue *Legalization and World*, focusing on issues including hard and soft law in international governance, legalized dispute resolution, the European Union’s legal system, international human rights law, and many more.

Reus-Smit’s edited book *Politics of International Law* (2009) offered a Constructivist perspective on the politics of international law with the analysis of case studies that include the use of force, climate change, landmines, the rights of migrants, the International Criminal Court, the Kosovo bombing campaign, international financial institutions, and global governance. *The Impact of International Law on International Cooperation: Theoretical Perspectives* edited by Benvenisti and Hirsch (2004) explores the ways in which international norms and international institutions impact states’ incentives to cooperate on environmental and economic issues. Orakhelashvili (2020) examined the foundations on which both international law and international politics are built and compared the reasoning and methodologies of both disciplines. Equally important, the book *International Law and International Relations*, edited by Simmons and Steinberg (2006), explores the relationship between the two disciplines.

Scholars have also moved down the ladder of grand topics to focus on more specific and niche areas of study. For example, Chaisse and Hsieh (2023) explore new Asian regionalism and its implications for global economic and geopolitical landscapes. The authors argue that with the legalization of the ASEAN, new Asian regionalism gained momentum, which constitutes an alternative to the Washington Consensus). Equally important, they highlight the paradigmatic implications of this novel regional dynamic on international economic law and the multilateral trading system. Qian’s (2020) analysis of China International Commercial Court, blending legal and geopolitical perspectives is an interesting example.

Taken together, in the post-Cold War period, legal scholars have increasingly relied on qualitative and quantitative methods from the IR discipline (Dunoff & Pollack, 2012). In parallel, IR scholars have put more emphasis on legal norms and rules in explaining international politics (Dunoff & Pollack, 2012). Despite these developments, the two disciplines lack a dialogue on visions of peace. An interdisciplinary dialogue on roadmaps for peace is essential for the provision of holistic solutions to global conflicts. Scholars of both disciplines should contemplate and collaborate more on an “ideal international system” that is conducive to peace. By sharing their expertise and perspectives, scholars

from both disciplines can gain a deeper understanding of the complexities of global conflicts and work toward innovative solutions.

Discussion and Conclusion: The Need for New Visions of Peace

Liberal internationalism, that is, based on the idealistic vision of the international system with its emphasis on the increasing interdependence of states and the unity of humankind, was a dominant tradition both in IR and international law disciplines during the interwar years (Wilson, 2011). Liberal thinkers during this period aimed at “countering *realpolitik* through a moral, ethical approach to international order with a concern to stress international justice and provide an alternative to power politics” (Pugh, 2012, p. 3). The literature on liberal internationalism that burgeoned after World War I was, to a large extent, normative and descriptive (Stein, 2016). Rather than analyzing the causes of war and peace on empirical grounds, many scholars during this period provided an optimistic picture of international cooperation and devoted their attention to ways of overcoming conflict and instability in the international arena. Even though the post-Cold War period has witnessed a renewed interdisciplinary dialogue, there is more room for closer dialogue between International Law and IR.

Territorial invasion and aggression, global terrorism, radicalization, cyber warfare, and drone warfare are some of the most important threats that the international community faces today. These threats have become increasingly complicated and interconnected, making it more difficult for traditional methods of security and diplomacy to effectively address them. There is a pressing need for an interdisciplinary approach to provide the analytical and intellectual energy to generate new peace agendas. Scholarly collaboration on new peace visions could further bridge the gap between International Law and IR and might yield innovative ideas for challenging the norms and institutions of the current international system.

For example, the idea of a world parliament is a promising topic for interdisciplinary dialogue. Against the backdrop of growing critiques pointed at the UN, this idea taps into aspirations for democratizing global politics (Pfeifer, 2016). Innovative ideas for parliament and representation are already floating. One suggestion is to abandon the practice of determining constituencies based on geography (as this can result in an imbalanced representation of the world population) and organize constituencies based on thematic considerations (Pfeifer, 2016). Some see the establishment of a world parliament alongside the current UN institutions as a crucial progression toward a more democratic and inclusive global political system (Pfeifer, 2016). There is also an argument in favor of establishing a UN Parliamentary Assembly (Bummel, 2011). Bummel describes this idea in the context of “a global democratic revolution.” He goes on to say that:

... the assembly would be the first institution in human history that creates a direct link between every single human being and the planet, without any intermediary. It would embody the idea that every human being is a responsible member of the global community and not a passive subject of an impenetrable global apparatus, whether its name is G-8, G-20, WTO or IMF (Bummel, 2011, p.108).

Similar to how the European Parliament played a significant role in advancing European integration during critical moments, a United Nations Parliamentary Assembly (UNPA) could serve as a vital political force in driving global transformation (see Bummel, 2014). Ideas concerning global democracy carry the potential to become avenues for disciplinary dialogue between International Law and IR.

Furthermore, it is important to acknowledge the current international institutions' inadequacy in effectively responding to global problems and crises. There is a need to create new international institutions tailored to new and complex problems and issues of today's world. While the International Organization for Migration (created in 1951) operates in the field of migration, another institution

specialized in climate change-induced migration can be created. Another example of an innovative idea for peace could be the support for legally binding treaties and agreements on drone warfare. It is essential to establish clear guidelines and regulations for the use of drones in warfare. This would not only help prevent potential conflicts, but also promote accountability and mitigate the risk of civilian casualties caused by drone strikes.

At this juncture, the creation of more interdisciplinary journals and institutes could lead to a permissive environment for closer collaboration between scholars from both disciplines, facilitating the exchange of ideas, theories, and methodologies. Put simply, interdisciplinary journals and institutes might lead to the cross-pollination of new visions of peace and the systematization of such ideas. While the current international system perpetuates pessimism regarding the possibilities of change, it opens up space for alternative imaginations.

Declaration of Conflicting Interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author(s) received no financial support for the research, authorship, and/or publication of this article.

ORCID iD

Lacin Idil Oztig  <https://orcid.org/0000-0001-7192-193X>

Notes

1. Liberal internationalism has its roots in the Enlightenment philosophy with its focus on reason, equality, liberty, and the individual. Enlightenment philosophers believed in the goodness of human nature and “saw war not as part of the natural order or a necessary instrument of state power, but as a foolish anachronism, perpetuated only by those who enjoyed or profited by it” (Howard, 2001, p. 26). With their guidelines to peace, John Locke (1632–1704) and Immanuel Kant (1724–1804) were the most influential philosophers who impacted the liberal internationalist tradition (Franceschet, 2002; Lawson, 2015). Overall, liberal internationalism promulgates the idea that the international system should be reconfigured to enhance human well-being (Griffiths, 2011).
2. This mainstream argument that dates the creation of the modern international system to the 1648 Treaty of Westphalia is criticized by some scholars who argue that the Westphalian state system was not truly global in nature. Paredesi (2018) illustrates the existence of the Eurasian international system constituted by the Mughal Empire. Spruyt (2020) showed how Sinocentric tributary system differed from the Westphalian state system. In their recent analysis, Balci and Kardas (2023) argue an Ottoman international system existed between the early 16th century and the late 18th century.
3. The origins of international law in the West date back to the writings of Dutch legal scholar Hugo Grotius (1583–1645) in the 17th century. Grotius’ influence on international law is such that he is called the “Father of International Law” (Oppenheim, 1905). Grotius lived during a period in which the Papal authority was weakened due to the Reformation and the modern nation-state started to evolve in Europe (Cortright, 2008). He witnessed the barbarity of the Thirty Years War, the Dutch war of independence against the Spanish, the growth of Dutch maritime power (Kingsbury & Roberts, 1990). Many historians of international law trace the primitive origins of international law to Francisco de Vitoria (1486–1546), a Spanish theologian and jurist, who defended the rights of Indians against Spanish colonialism. Vitoria was preoccupied with the relationship between divine and natural law, universalism, particularism, and sovereignty. See Anghie (2004). There are historians who trace the origins of international law in medieval canon lawyers. See Muldoon (1972).
4. IR has its roots in the 19th century, a period in which many modern academic disciplines were established. From 19th century onwards, the rising economic and technological interdependence between states, free trade,

international law and organizations, imperialism, democracy, and nationalism became subjects of scholarly attention. Even though IR as a discipline did not exist in this period, issues on war, peace, and power were dealt within the academic disciplines of law and history (Knutsen 2018).

5. Woodrow Wilson (1856–1924), one of the founding fathers of the League of Nations is an important figure in liberal internationalism. His ideas belong to a particular version of liberal internationalism, known as “Wilsonianism” or “Wilsonian idealism” (Lawson, 2015). He was an avid supporter of self-determination and public international law that would constrain state behavior (Gismondi, 2008).
6. It should be noted that while the post-World War II period witnessed a decline in the liberal internationalist doctrine, but it also witnessed the rise of “the liberal international order.” The liberal international order has three pillars: the security order, the economic order, and the human rights order. The security order encompasses alliances led by the United Nations and the United States, which aim to promote collaborative approaches to security and mitigate great power rivalry through international law and treaty obligations. The economic order is based on the tenets of free trade and multinational arrangements that are related to the governance of the world economy. The human rights order comprises normative obligations toward democracy, individual liberty, human rights, and freedom of movement (Funabashi & Ikenberry, 2020). The emergence of the neoliberal economic order went hand in hand with the growing prominence of International Economic Law (IEL) (Chaisse & Dimitropoulos, 2023). Various characteristics of IEL have evolved independently and in a fragmented manner, at varying speeds and across different levels of governance. A wide array of epistemic communities emerged, encompassing several fields such as trade law, investment law, competition law, corporate law, labor and human rights law, tax law, migration law, energy law, environmental law, and more (Cottier, 2022). For conflicting economic paradigms in global economic governance, see Petersmann and Steinbach (2021).
7. While liberal internationalism lost its popularity in the post-World War II period, the liberal tradition continued to take root through the emergence of the functionalist theory of international regimes in the 1940s, neo-functionalism in the 1950s, and interdependence theory in the 1970s. These theories challenged the realist arguments on survival, security, and power politics by presenting optimistic views about interstate cooperation. However, the realist approaches maintained their explanatory rigor against the backdrop of escalated tensions between the United States and the Soviet Union throughout the 1970s (Grieco, 1988). For a detailed analysis, see Mitrany (1966), Haas (1964), and Cooper (1972). Liberal institutionalism developed in the 1980s primarily as a response to the neorealist scholarship. In *After Hegemony: Cooperation and Discord in the World Political Economy*, Keohane (1984) focused on international regimes and analyzed the conditions under which they foster cooperation. The liberal institutionalist theory posits that international relations can be best understood by focusing on global governance and the role of international institutions.
8. Although disciplinary boundaries thickened during the Cold War, it is important to highlight that during this period, IR and international law did not completely close their dialogue. Scholars within the English school of IR emphasized the roles of norms, rules, in international society, as well as their affiliation with the Grotian tradition (Beck, 2009). Hedley Bull (1977) devotes significant attention to Hugo Grotius in his book *the Anarchical Society*.

References

- Abbott, K. W. (1989). Modern international relations theory: A prospectus for international lawyers. *Yale Journal of International Law*, 14, 335–411.
- Anghie, A. (2004). *Imperialism, sovereignty and the making of international law*. Cambridge University Press.
- Anghie, A. (2006). Basic principles of international law: A historical perspective. In B. Cali (Ed.), *International law for international relations*. Oxford University Press.
- Arend, A. C. (1997-1998). Do legal rules matter? International law and international politics. *Virginia Journal of International Law*, 107, 107–153.
- Arend, A. C. (1999). *Legal rules and international society*. Oxford University Press.

- Armstrong, D. (2012). *Theo farrell and helene lambert, international law and international relations*. Cambridge University Press.
- Ashworth, L. M. (2014). *A History of International Thought from the origins of the modern state to academic international relations*. Routledge.
- Balci, A., & Kardas, T. (2023). The ottoman international system: Power projection, interconnectedness, and the autonomy of frontier polities. *Millennium*, 51(3), 866–891. <https://doi.org/10.1177/03058298231185974>
- Beck, R. J. (2009). International law and international relations scholarship. In D. Armstrong (Ed.), *Routledge handbook of international law*. Routledge.
- Benvenisti, E., & Hirsch, M. (Eds.), (2004). *The impact of international law on international cooperation: Theoretical perspectives*. Cambridge University Press.
- Bodendiek, F. (2011). Walther schücking and the idea of ‘international organization. *European Journal of International Law*, 22(3), 741–754. <https://doi.org/10.1093/ejil/chr053>
- Brown, C., & Ainley, K. (2005). *Understanding international relations* (3rd ed.). Palgrave Macmillan.
- Bull, H. (1977). *The anarchical society: A study of order in world politics*. Colombia University Press.
- Bummel, A. (2011). Towards a global democratic revolution. *Cadmus*, 1(2), 103–108.
- Bummel, A. (2014). A world parliament and the transition from international law to world law. *Cadmus*, 2(3), 121–128.
- Burley, A.-M. S. (1993). International law and international relations theory: A dual agenda. *American Journal of International Law*, 87(2), 205–239. <https://doi.org/10.2307/2203817>
- Burley, A.-M. S. (1998). International law and international relations theory: A new generation of interdisciplinary scholarship. *American Journal of International Law*, 92(3), 367–397.
- Burley, A.-M. S. (2004). “International law and international relations theory: A prospectus”. In E. Benvenisti & M. Hirsch (Eds.), *The impact of international law on international cooperation: Theoretical perspectives*. Cambridge University Press.
- Byers, M. (1999). *Custom, power, and the power of rules*. Cambridge: Cambridge University Press.
- Cali, B. (2006). “International law and international relations: Foundations for interdisciplinary study”. In B. Cali (Ed.), *International law for international relations*. Oxford University Press.
- Carr, E. H. (2001). *The twenty years’ Crisis, 1919-1939*. Palgrave Macmillan.
- Chaisse, J., & Dimitropoulos, G. (2023). Domestic investment laws and international economic law in the liberal international order. *World Trade Review*, 22(1), 1–17. <https://doi.org/10.1017/S1474745622000404>
- Chaisse, J., & Hsieh, P. L. (2023). Rethinking Asia-Pacific regionalism and new economic agreements. *Asia Pacific Law Review*, 31(2), 451–468. <https://doi.org/10.1080/10192557.2023.2216056>
- Cooper, R. C. (1972). Economic interdependence and foreign policies in the “1970’s”. *World Politics*, 24, 1958–1981. <https://doi.org/10.2307/2009735>
- Cortright, D. (2008). *Peace: A history of modern movements and ideas*. Cambridge University Press.
- Cottier, T. (2022). Linking the traits of international economic law. *The Journal of World Investment and Trade*, 23(1), 1–7. <https://doi.org/10.1163/22119000-12340236>
- Doyle, M. W. (1997). *Ways of war and peace*. W. W. Norton and Co.
- Doyle, M. W. (2005). Liberalism and world politics. In R. J. Art & R. Jervis (Eds.), *International politics: Enduring concepts and contemporary issues*. Pearson/Longman.
- Dunoff, J. L., & Pollack, M. A. (2012). *Interdisciplinary perspectives on international law and international relations: The state of the art*. Cambridge University Press.
- Focarelli, C. (2012). *International law as social construct: The struggle for global justice*. Oxford University Press.
- Franceschet, A. (2002). *Kant and liberal internationalism: Sovereignty, justice, and global reform*. Palgrave Macmillan.
- Funabashi, Y., & Ikenberry, G. J. (2020). *The Crisis of liberal internationalism: Japan and the world order*. Brookings Institution Press.
- García-Salmones, M. (2011). Walther schücking and the pacifist traditions of international law. *European Journal of International Law*, 22(3), 755–782. <https://doi.org/10.1093/ejil/chr055>

- Gismondi, M. D. (2008). *Ethics, liberalism and realism in international relations*. Routledge.
- Grieco, J. M. (1988). Anarchy and the limits of cooperation: A realist critique of the newest liberal institutionalism. *International Organization*, 42(3), 485–507. <https://doi.org/10.1017/s0020818300027715>
- Griffiths, M. (1999). *Fifty key thinkers in international relations*. Routledge.
- Griffiths, M. (2011). *Rethinking international relations theory*. Palgrave Macmillan.
- Ground News. (2023). “UN security council’s authority, credibility severely undermined: UN chief,” December 9, <https://ground.news/article/un-security-councils-authority-credibility-severely-undermined-un-chief>
- Haas, E. B. (1964). *Beyond the nation-state: Functionalism and international organization*. Stanford University Press.
- Herren, M. (2016). International organizations, 1865-1945. In J. K. Cogan, I. Hurd, & I. Johnstone (Eds.), *Oxford handbook of international organization*. Oxford University Press.
- Hobson, J. A. (1933). *Rationalism and humanism*. Watts and Co.
- Howard, M. (2001). *The invention of peace*. Profile Books, 2001.
- Jahn, B. (2018). Historical context. In B. J. Steele & E. A. Heinze (Eds.), *Routledge handbook of ethics and international relations*. Routledge.
- Jeffery, R. (2006) “Hersh Lauterpacht, the realist challenge and the ‘Grotian tradition’ in the 20th-century international relations,” *European Journal of International Relations*, 12 (2), 223-250.
- Keohane, R. O. (1984). *After Hegemony: Cooperation and Discord in the world political*. Princeton University Press.
- Kingsbury, B., & Roberts, A. (1990). Introduction: Grotian thought in international relations. In H. Bull, B. Kingsbury, & A. Roberts (Eds.), *Hugo Grotius and international relations*. Oxford University Press.
- Knutsen, T. L. (2016). *A history of international relations theory*. Manchester University Press.
- Knutsen, T. L. (2018). The origins of international relations: Idealists, administrators and the institutionalization of a new science. In A. Gofas, I Hamati-Ataya, N Onuf, et al., (Eds.) *The Sage handbook of the history, philosophy and sociology of international relations*. Sage Publications.
- Koskenniemi, M. (1997). Lauterpacht: The victorian tradition in international law. *European Journal of International Law*, 8(2), 215–263. <https://doi.org/10.1093/oxfordjournals.ejil.a015565>
- Koskenniemi, M. (2004). *The gentle civilizer of nations: The rise and fall of international law 1870–1960*. Cambridge University Press.
- Lauterpacht, H. (1936). *Neutrality and collective security*. London School of Economics and Political Science.
- Lawson, S. T. (2015). *Theories of international relations*. Polity Press.
- Long, D. (1996). *Towards a new liberal internationalism: The international theory of J. A. Hobson*. Cambridge University Press.
- Long, D. (2003). Conclusion: Interwar idealism, liberal internationalism, and contemporary international theory. In D. Long & P. Wilson (Eds.), *Thinkers of the twenty years’ Crisis: Interwar idealism reassessed*. Oxford University Press.
- Lorca, A. B. (2012). Eurocentrism in the history of international law. In B. Fassbender & A. Peters (Eds.), *The oxford handbook of the history of international law*. Cambridge University Press.
- Lorca, A. B. (2014). *Mestizo international law: A global intellectual history 1842-1933*. Cambridge University Press.
- Malchow, H. L. (2016). *History and international relations: From the ancient world to the 21st century*. Bloomsbury Academic.
- Mitrany, D. M. (1966). *A working peace system*. Quadrangle Press.
- Moravcsik, A. (1993). *Liberalism and international relations theory, working paper series, the center for international affairs*. Harvard University Paper No 92-6. https://www.princeton.edu/~amoravcs/library/liberalism_working.pdf
- Moravcsik, A. (2003). “Liberal international relations theory: A scientific assessment”. In C. Elman & M. F. Elman (eds) *Progress in international relations theory: Appraising the field*. MIT Press.
- Moravcsik, A. (2013). Liberal theories of international law. In J. L. Dunoff & M. A. Pollack (Eds.), *Cambridge University Press. Interdisciplinary perspectives on international law and international relations: A state of art*.

- Morgenthau, H. J. (1954). *Politics among nations*. Alfred A. Knopf.
- Muldoon, J. (1972). The contribution of the medieval canon lawyers to the formation of international law. *Traditio*, 28, 483–497. <https://doi.org/10.1017/s0362152900011600>
- Neff, S. C. (2014). *Justice among nations: A history of international law*. Harvard University Press.
- Nussbaum, A. (1954). *A concise history of the law of nations* (Revised Ed.). The Macmillan Company.
- Oppenheim, L. (1905). *International law*. Longmans, Green, and Co.
- Orakhelashvili, A. (2020). *International law and international politics: Foundations of interdisciplinary analysis*. Edward Elgar Publishing.
- Oztig, L. I. (2021). Liberal IR theorizing during the early 20th century: 1900-1939. In K. E. Jorgensen (Ed.), *The liberal international theory tradition in Europe*. Palgrave.
- Oztig, L. I. (2023). Theorising about peace: International lawyers during the interwar period. *University of Tartu Journal of International Law and Human Rights*, 1(2), 1–11.
- Papadaki, M. (2012). The ‘government intellectuals’: Nicolas Politis – an intellectual portrait. *European Journal of International Law*, 23(1), 221–231. <https://doi.org/10.1093/ejil/chr108>
- Pardesi, M. S. (2018). Mughal hegemony and the emergence of South Asia as a “region” for regional order-building. *European Journal of International Relations*, 25(1), 276–301. <https://doi.org/10.1177/1354066118761537>
- Petersmann, E., & Steinbach, A. (2021). Neo-liberalism, state-capitalism and ordo-liberalism: ‘Institutional economics’ and ‘constitutional choices’ in multilevel trade regulation. *The Journal of World Investment and Trade*, 22(1), 1–40. <https://doi.org/10.1163/22119000-12340202>
- Pfeifer, H. (2016). “The Idea of a World Parliament.” IFAIR, December 5, <https://ifair.eu/2016/12/05/the-idea-of-a-world-parliament/>
- Politis, N. (1927). *Les nouvelles tendances du droit international*. Hachette.
- Pugh, M. C. (2012). *Liberal internationalism: The interwar movement for peace in Britain*. Palgrave Macmillan.
- Qian, X. (2020). The legal legitimacy of the China international commercial court: History, geopolitics, and law. *Asia Pacific Law Review*, 28(2), 360–379. <https://doi.org/10.1080/10192557.2020.1856310>
- Reus-Smit, C. (2001). The strange death of liberal international theory. *European Journal of International Law*, 12(3), 573–594. <https://doi.org/10.1093/ejil/12.3.573>
- Reus-Smit, C. (2009). *The politics of international law*. Cambridge University Press.
- Roelofsen, C. G. (1990). Grotius and the international politics of the seventeenth century. In H. Bull, B. Kingsbury, & A. Roberts (Eds.), *Hugo Grotius and international relations*. Oxford University Press.
- Scelle, G. (1932). *Précis de droit des gens; principes et systématique*. Librairie du Recueil Sirey.
- Scelle, G. (1933). Le droit constitutionnel international. In C. Pfister & J. Duquesne (Eds.), *Mélanges R. Carré de Malberg*. Librairie du Recueil Sirey.
- Schmidt, B. C. (2012). Introduction. In B. C. Schmidt (Ed.), *International relations and the first great debate*. Routledge.
- Schwarzenberger, H. (1990). The Grotius factor in international law and relations: A functional approach. In H. Bull, B. Kingsbury, & A. Roberts (Eds.), *Hugo Grotius and international relations*. Oxford University Press.
- Simmons, B. A., & Steinberg, R. A. (2006). *International law and international relations*. Cambridge University Press.
- Smeltzer, J. (2020). Hans Wehberg and the jus belli ac pacis in interwar international law. *Global Intellectual History*, 5(4), 355–373. <https://doi.org/10.1080/23801883.2018.1500867>
- Spruyt, H. (2020). *The world imagined: Collective beliefs and political order in the sinocentric, islamic and southeast asian international societies*. Cambridge University Press.
- Stein, A. A. (2016). Neoliberal institutionalism. In J. Katz Cogan, I. Hurd, & I. Johnstone (Eds.), *Oxford handbook of international organization*. Oxford University Press.
- Sutch, P. (2012). Normative IR theory and the legalization of international politics: The dictates of humanity and of the public conscience as a vehicle for global justice. *Journal of International Political Theory*, 8(1-2), 1–24. <https://doi.org/10.3366/jipt.2012.0023>

- Sylvest, C. (2005). Continuity and change in British liberal internationalism, c. 1900-1930. *Review of International Studies*, 31(2), 263–283. <https://doi.org/10.1017/s0260210505006443>
- Waltz, K. N. (1979). *Theory of international politics*. Addison-Wesley Pub. Co.
- Wilson, P. (2011). Idealism in international relations. In K. Dowding (Ed.), *Encyclopedia of power*. Sage Publications.
- Wrange, P. (2000). *Liberalism and the end of international law?* Stockholm Faculty of Law Research Paper Series. No. 18. <https://dx.doi.org/10.2139/ssrn.3048274>

Author Biography

Lacin Idil Oztig (PhD) is Associate Professor at Yıldız Technical University, Istanbul. She teaches Middle East politics and international organizations. She does research on border politics, democratization, human rights, secularism, and populism. Her work has appeared in various journals including *Environment and Planning C: Politics and Space*, *Government and Opposition*, *Territory, Politics, Governance*, *Third World Quarterly*, *European Policy Analysis*, *Public Health*, *Middle East Policy*, *the Social Science Journal*, *Cambridge Review of International Affairs*, *Journal of Borderlands Studies*, and *Journal of Balkan and Near Eastern Studies*.