

**From Legal Innovation to Failure? –  
The Struggle for Restricting the Right to Wage War in the Inter-War Period**

27/28 March 2025

University of Cologne

Institute for Public International Law and Comparative Public Law/  
Cologne Center for Advanced Studies in International History and Law (CHL)  
Schloss Wahn

In recent years, historians and international lawyers alike have rediscovered the interwar period as the *laboratoire* for today's international legal framework. When it comes to peace and security, some have praised the 1919 League of Nations Covenant and the 1928 Kellogg-Briand Pact for their innovative character. At the same time, the invasions of Manchuria, Ethiopia, Bolivia, Poland and Finland for long have been regarded as evidence for the complete failure of the international legal system in the 1930s.

The workshop aims at bringing the debate about innovation and failure to life. How innovative were the legal instruments in the first place? Where were their blind spots, for instance when it came to semi-sovereign states or colonized territories? How did the competing ideologies of fascism, communism and liberalism influence the international legal ideas? How did actors from the periphery participate in the debate? Who did push for legal innovation in a time of crisis and why? Who wanted to keep traditional ideas and concepts and for which reasons?

By engaging with these questions on the basis of primary sources, the workshop is supposed to make a contribution to uncovering the divergent positions in the struggle for restricting the right to wage war in the inter-war period.

Thursday, 27 March 2025

12.30 pm: Reception

2-2.15 pm: Introduction

2.15-3.45 pm: Panel I: An Age of Innovation?

Chair: Paula Rhein-Fischer (University of Cologne)

Measures Short of War as Ultimate Excuse?, Jochen von Bernstorff (University of Tübingen)

Non-recognition of military fait accompli: from a US doctrine to a collective obligation?,

Anne Lagerwall (Université libre de Bruxelles)

The Promise and Pitfalls of Humanitarian Intervention, Fabian Klose (University of Cologne)

4.15-5.45 pm: Panel II: Competing Ideologies on War and Peace

Chair: Hendrik Simon (Peace Research Institute Frankfurt)

Communism, Lauri Mälksoo (University of Tartu)

Fascism, Yolanda Gamarra (University of Zaragoza)

Liberalism, Jean d'Aspremont (Sciences Po)

Friday, 28 March 2025

9-10.30 pm: Panel III: Perspectives from Some Regions

Chair: Eliav Lieblich (Tel Aviv University)

Centralizing the Chaco War, Arnulf Becker Lorca (European University Institute)  
Africa and the League, Inge van Hulle (MPI for Legal History and Legal Theory)  
Appealing to Kellogg Briand from China, Ryan Martínez Mitchell (Chinese University of Hongkong)

11-12.30 pm: Panel IV: Implications for the Charter and Today

Chair: Christian Tams (University of Glasgow)

Legal Personality from Covenant to Charter, Kiran Patel (University of Munich)  
The Absence of the PCIJ on Manchuria, Tomoko Akami (EUI)

12.30-12.45pm: Conclusion