



Distinguished Lecture Series: Vitoria and Carl Schmitt: friends or foes? (25 April 2023)

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In light of a forthcoming book on Histories of International Law in China: All Under Heaven? (edited by Ignacio de la Rasilla, Jiangyu Wang, and Congyan Cai, Oxford University Press 2025), the Centre for Chinese and Comparative Law (CCCL), in partnership with Wuhan University Law School and Fudan University Law School, is organizing a massive series of public lectures on the histories of international law from both Chinese and global perspectives. On 25 April 2023, the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong's School of Law hosted the fifth distinguished lecture to assist students and lawyers in discovering theories of the history of international law during the republican period. **José María Beneyto (Professor of International Law and Director Royal Institute for European Studies, University San Pablo; CEU Visiting Professor, Harvard Law School)** was invited as our distinguished speaker.

Prof. Ignacio de la Rasilla, Wuhan University delivered a welcome speech to start the public lecture.

José María Beneyto was a Member of the Spanish Parliament, Spokesperson for Foreign Affairs, and Vice Chair of the Parliamentary Assembly of the Council of Europe. A practicing international lawyer, his last two books are on the EU and China, and on the External Relations of the EU. In 2017, he was a Pierre Keller Visiting Professor at the Harvard Kennedy School and is also a former Visiting Scholar at the Center for European Studies at Harvard University. He holds a Ph.D. in Law and a Ph.D. in Philosophy from the University of Munster and an LLM from Harvard Law School.

He began the lecture by introducing his outline of the talk. He stated that within the war of friends or foes, whose framework remained the spiritual order of Christianity but a precursor of the total war unleashed after the end of the Eurocentric conception of international law. In the interpretation of Carl Schmitt, if normal, Victoria was not fully assimilated into modernity and modern humanism. Parallel to the war arguments, says Schmitt, the maximum discriminatory and the capacity of the enemy becomes, according to him, apparent. The enemy is no longer used as a hostess but as a criminal offender and father. Victoria is unable to answer the question of

what happened, if both sides consider themselves to have just cause, turns unable to formally respect the enemy, and is even portrayed as an intellectual source for the destruction of German and European thought. Human anthropology, according to the Schmitt of the Glossarium, demands a radical political theory that does not admit the medieval remnant of Victorian thoughts.

Profesor Nehal Bhuta, Professor of Public International Law, Edinburg Law School led a discussion session following **Prof. José María Beneyto's** thought-provoking speech, in which they shared their insights. The majority of all those attending took the opportunity to express themselves, and many of them were insightful and imaginative. **Prof. Ignacio de la Rasilla** gave a closing remark in which he thanked all of the attendants for their contributions to the lecture's success.



Prof. José María Beneyto.



Prof. Nehal Bhuta.



Prof. Ignacio de la Rasilla.