

WESTERN SYDNEY UNIVERSITY



School of Law Research Seminar Series Autumn 2016

Who Should Have the Power to Launch War?

Professor Michael Head, Western Sydney University and Mr Kristian Boehringer, Western Sydney University

Since the turn of the century, public, parliamentary and constitutional debates have erupted in relation to the question of the war power in Western countries. Events such as the 'war on terror', the United States-led intervention in Iraq in 2003 and, ten years later, the defeat by the United Kingdom House of Commons of a government motion to authorise military action in Syria, have amplified these debates. Today, the clouds of war hang over not just Iraq and Syria but also Ukraine and the South China Sea, raising the spectre of wider wars involving the nuclear powers of the US, Russia and China. This seminar addresses key legal and constitutional questions that to date have received insufficient attention:

Who currently has the power/authority to declare war?
How and why have those powers arisen historically?
Who **should** hold such powers?
How, if at all, can those powers be controlled, legally or politically?
What are the domestic legal consequences of going to war?
What are the implications for basic legal and democratic rights?

Professor Michael Head teaches law and writes on legal theory at Western Sydney University.

Kristian Boehringer is enrolled in a PhD with the School of Law at Western Sydney University. His thesis is titled *The War Power in 21st Century Australia: A Comparative Constitutional Analysis*. Kristian is currently teaching Enterprise Law at Western Sydney University and Business Law at Torrens University and is a higher education consultant.

Date: Wednesday 2 March 2016
Time: 11.30am - 12.30pm
Venue: Moot Court, Building EO, Parramatta South Campus

Co-ordinator: Dr Catherine Renshaw – c.renshaw@westernsydney.edu.au

Lunch will be Provided

RVSP by Wednesday 24 February 2016