



**NUS**  
National University  
of Singapore

Centre for Legal Theory  
Faculty of Law

## “Global Investment Rules as a Site for Moral Inquiry”

BY **Steven R. Ratner**

**Bruno Simma Collegiate Professor of Law  
University of Michigan Law School**

**Chairperson: Professor M. Sornarajah, NUS Law**

05 MARCH 2019, TUESDAY

5.00PM – 7.00PM (*TEA RECEPTION STARTS AT 4.45PM*)

NUS LAW (BUKIT TIMAH CAMPUS)

FEDERAL BUILDING LEVEL 1, FEDERAL CONFERENCE ROOM

### ABSTRACT

The last two decades have witnessed significant criticism from states, NGOs, and scholars of international investment law’s rules and procedures. Running in parallel, contemporary political philosophers have developed theories for a just international political and economic order, even as they have not engaged much with investment law per se. Philosophical approaches have great potential for appraising investment law because they offer a rigorous framework for analyzing existing rules; because rules that align with moral precepts are more likely to be respected; and because they invite lawyers to be more honest about the moral assumptions they already make in defending or attacking international investment law. The talk will map the questions of international political morality surrounding investment rules through the lens of two critiques of the law – that it takes advantage of the global South and that it constrains the policy choices of host states. It will unpack certain moral and empirical assumptions underlying these critiques. The talk will also address the distributive justice implications of international investment rules. The aim of such an analysis is to develop an interdisciplinary agenda – among law, philosophy, and social science – for inquiry into the justice of investment law and reform of its unjust elements.

### ABOUT THE SPEAKER



Steven Ratner is the Bruno Simma Collegiate Professor of Law at the University of Michigan Law School. His research addresses a range of public international law issues, including the normative orders concerning armed conflict, regulation of foreign investment, individual and corporate accountability for human rights violations, and the intersection of international law and global justice. He has served on two expert panels of the UN Secretary-General addressing post-conflict justice in Cambodia and in Sri Lanka and is a member of the U.S. Department of State Advisory Committee on International Law. A former member of the Board of Editors of the American Journal of International Law, he is also currently a member of the international Working Group on Business and Human Rights Arbitration, which is promoting the development of arbitration as a means to address human rights violations by corporations and those in their supply chain. His most recent book is *The Thin Justice of International Law: A Moral Reckoning of the Law of Nations*, issued by Oxford University Press in 2015. The fifth edition of his casebook, *International Law: Norms, Actors, Process* (Kluwer Law, with Jeffrey Dunoff and Monica Hakimi), will be published next year.

### Participation is by Invitation Only

Registration commences at 4.45pm and light refreshments will be served.

For more information, please contact Alexandria at [alexandria.chan@nus.edu.sg](mailto:alexandria.chan@nus.edu.sg)