

Sánchez, M. (2016). "The sovereign power and tension between normality and exceptionality in the international outlook", in: Cárdenas, D.; Ortiz, L.; Rodríguez, G.; Arbeláez, N.; Sánchez, M. Approaches to legal culture in Latin America and Colombia. Bogotá: Universidad Nacional de Colombia. Pp. 175 – 231.

Analyze how the decision on exceptionality and normality structures the international system as it relates to the use of war, human rights and international courts of justice.

It includes theories on exceptionality, the international system and three points of discussion.

Efforts to regulate international relations will always collide with the exceptionality of the sovereign, who moves in and out of the system, supports the protection of human rights and international justice and, at the same time, refuses to sign human rights treaties, does not allow his nationals to be tried.

The *theoretical discussion* on the nature of the state of exception reflects the problematic relationship between normality, the content of which varies according to the theory used. For example, for legal globalism, normality would be the respect and primacy of the normative system; for the realism of international relations, it would be the sovereignty of nation-states and the struggle for power, and finally, for Hardt and Negri's theory, it would be represented by the conditions that allow the empire to exercise its new paradigm of domination throughout the world, that is, that global capitalism can continue to govern the future of states and the lives of individuals, together with the exceptionality where violence and the calculations of pure politics reign.

Human rights and courts, despite representing a seemingly centralized international organization that outlaws the use of force and promotes the peaceful settlement of conflicts, are still dynamic creations that adapt to the needs of the new global order. This fundamentally undermines the objectivity of the international organization and its legitimacy facing other States, many of which contradict the Western system.

In the international sphere, legal normality would be represented by the set of norms and institutions conceived as part of the system of States. The actions of any State that contradict these postulates, as in the case of humanitarian interventions, which go against the general prohibition of the use of force by States and the principle of the sovereignty of nationals, could be catalogued as extraordinary situations, but which fall within the political aims of the empire as stabilization of States.

International law is a tool of domination that can be put aside, as long as it is with the purpose of achieving the necessary conditions for the empire to be maintained. In this case, the abnormality would have a legal nature that could only be destroyed if pure politics, represented in violence, blurs the postulates of the empire, threatening the world order.