

Understanding International Law

Neutrality in International Law War Law Understanding International Law, Second Edition, 2015 Russian Approaches to International Law Public International Law Third World Approaches to International Law Understanding International Law through Moot Courts Chance, Order, Change: The Course of International Law, General Course on Public International Law Mobilizing for Human Rights Understanding International Trade Law International Law and Transitional Governance International Law as a Profession European Private International Law Complicity in International Law How to Do Things with International Law Understanding Jus Cogens in International Law and International Legal Discourse Neoliberal Legality The Oxford Handbook on the Sources of International Law International Law in the U.S. Legal System How International Law Works Understanding International Law International Law and International Relations The Use of Force and International Law Understanding International Criminal Law Between Equal Rights The Power and Purpose of International Law Understanding International Law, Second Edition, 2015 Ordering Pluralism Understanding International Arbitration Non-Legality in International Law Is International Law International? Understanding International Criminal Law The Oxford Handbook of the History of International Law Interdisciplinary Perspectives on International Law and International Relations Concepts for International Law The Continent of International Law International Law Politics of International Law and International Justice Participants in the International Legal System Understanding Torture

Neutrality in International Law

Beth Simmons demonstrates through a combination of statistical analysis and case studies that the ratification of treaties generally leads to better human rights practices. She argues that international human rights law should get more practical and rhetorical support from the international community as a supplement to broader efforts to address conflict, development, and democratization.

War Law

International Law in the U.S. Legal System provides a wide-ranging overview of how international law intersects with the domestic legal system within the United States, and points out various unresolved issues and areas of controversy. Curtis Bradley covers all of the principal forms of international law: treaties, decisions and orders of international institutions, customary international law, and jus cogens norms. He also explores a number of issues that are implicated by the intersection of U.S. law and international law, such as foreign sovereign immunity, international human rights litigation, war powers, extradition, and extraterritoriality. This book highlights recent decisions and events relating to the topic (including decisions and events arising out of the war on terrorism), while also taking into account relevant historical materials, including materials relating to the U.S. Constitutional founding. Written by one of the most cited international law scholars in the United States, the book is a resource for lawyers, law students, legal scholars, and judges from around the world.

Understanding International Law, Second Edition, 2015

This volume examines the role of international law in shaping and regulating transitional contexts, including the institutions, policies and procedures that have been developed to steer constitutional regime changes in countries affected by catalytic events. The book offers a new perspective on the phenomenon of conflict-related transitions, whereby societies are re-constitutionalized through a set of interim governance arrangements subject to variable degrees of internationalization. Specifically, this volume interrogates the relevance, contribution and perils of international law for this increasingly widespread phenomenon of inserting an auxiliary phase between two ages of constitutional government. It develops a more nuanced understanding of the various international legal discourses surrounding conflict- and political crisis-related transitional governance by studying the contextual factors that influence the transitional arrangements themselves, with a specific focus on international aspects, including norms, actors and related forms of expertise. In doing so, the book builds an important bridge between comparative constitutional law and international legal scholarship in the practical and highly dynamic terrain of transitional governance. This book will be of much interest to practitioners and students of international law, diplomacy, mediation, security studies and International Relations.

Russian Approaches to International Law

An introduction to international law for politics and IR students This textbook introduction to international law and justice is specially written for students studying law in other departments, such as politics and IR. Written by a lawyer and a political theorist, it shows how international politics has influenced international law. Edwin Egede and Peter Sutch show that neglected questions of justice and ethics are essential to any understanding of the institutions of international society. They walk students through the most crucial questions and critical debates in international law today: sovereignty and global governance, sovereign and diplomatic immunity, human rights, the use of force, sanctions and the domestic impact of international law.

Public International Law

This clearly written Understanding treatise is designed to explain what international law is, why it exists, and the basic subjects it covers. The law of treaties is given particular attention, chiefly because of the increasing importance of the treaty in international life. The number of treaties has mushroomed since the Second World War and many of these agreements include over 100 states as parties. Because of their number and the breadth of their coverage, treaties are thus the main form of international legislation. But since they are also contractual in character, and since many multilateral treaties allow states to place conditions on their acceptance of them, the law governing treaties is necessarily more complex than if they were the exact equivalent of national legislation. Understanding International Law, Second Edition also provides introductory coverage of topics of current relevance, such as terrorism, international criminal

law, use and applicability of international law in United States courts, and the law governing the use of military force. The new second edition of Understanding International Law: • Surveys the ways in which law is made and functions in the international community • Covers the basic subjects of international law • Comprehensively updates all chapters of the first edition • Brings up to date the Supreme Court's treatment of international law through its decisions on the Vienna Convention on Consular Relations and the Alien Tort Statute • Discusses developments in treaty interpretation, including recent decisions supporting an evolutionary interpretation of the terms of a treaty • Updates material on the United States position on anticipatory self-defense The eBook versions of this title feature links to Lexis Advance for further legal research options.

Third World Approaches to International Law

Shows how international lawyers make non-law (extra-legal, illegal and other non-legal phenomena) and why this matters in global politics today.

Understanding International Law through Moot Courts

Neoliberalism has been studied as a political ideology, an historical moment, an economic programme, an institutional model, and a totalising political project. Yet the role of law in the neoliberal story has been relatively neglected, and the idea of neoliberalism as a juridical project has yet to be considered. That is: neoliberal law and its interrelations with neoliberal politics and economics has remained almost entirely neglected as a subject of research and debate. This book provides a systematic attempt to develop a holistic and coherent understanding of the relationship between law and neoliberalism. It does not, however, examine law and neoliberalism as fixed entities or as philosophical categories. And neither is its objective to uncover or devise a 'law of neoliberalism'. Instead, it uses empirical evidence to explore and theorise the relationship between law and neoliberalism as dynamic and complex social phenomena. Developing a nuanced concept of 'neoliberal legality', neoliberalism, it is argued here, is as much a juridical project as a political and economic one. And it is only in understanding the juridical thrust of neoliberalism that we can hope to fully comprehend the specificities, and continuities, of the neoliberal period as a whole.

Chance, Order, Change: The Course of International Law, General Course on Public International Law

This book brings together the most influential contemporary writers in the fields of international law and international relations to take stock of what we know about the making, interpretation, and enforcement of international law. The contributions to this volume critically explore what recent interdisciplinary work reveals about the design and workings of international institutions, the various roles played by international and domestic courts, and the factors that enhance compliance with international law.

Mobilizing for Human Rights

This book takes the reader on a sweeping tour of the international legal field to reveal some of the patterns of difference, dominance, and disruption that belie international law's claim to universality. Pulling back the curtain on the "divisible college of international lawyers," Anthea Roberts shows how international lawyers in different states, regions, and geopolitical groupings are often subject to distinct incoming influences and outgoing spheres of influence in ways that reflect and reinforce differences in how they understand and approach international law. These divisions manifest themselves in contemporary controversies, such as debates about Crimea and the South China Sea. Not all approaches to international law are created equal, however. Using case studies and visual representations, the author demonstrates how actors and materials from some states and groups have come to dominate certain transnational flows and forums in ways that make them disproportionately influential in constructing the "international." This point holds true for Western actors, materials, and approaches in general, and for Anglo-American (and sometimes French) ones in particular. However, these patterns are set for disruption. As the world moves past an era of Western dominance and toward greater multipolarity, it is imperative for international lawyers to understand the perspectives and approaches of those coming from diverse backgrounds. By taking readers on a comparative tour of different international law academies and textbooks, the author encourages them to see the world through the eyes of others -- an essential skill in this fast changing world of shifting power dynamics and rising nationalism.

Understanding International Trade Law

"John Parry's *Understanding Torture* is an important contribution to our understanding of how torture fits within the practices and beliefs of the modern state. His juxtaposition of the often indeterminate nature of the law of torture with the very specific state practices of torture is both startling and revealing." ---Paul W. Kahn is Robert W. Winner Professor of Law and the Humanities at Yale Law School and author of *Sacred Violence* "Parry is effective in building, deploying, and supporting his argument . . . that the law does not provide effective protections against torture, but also that the law is in itself constitutive of a political order in which torture is employed to create---and to destroy or re-create---political identities." ---Margaret Satterthwaite, Faculty Director of the Center for Human Rights and Global Justice and Associate Professor of Clinical Law, NYU School of Law "A beautifully crafted, convincingly argued book that does not shy away from addressing the legal and ethical complexities of torture in the modern world. In a field that all too often produces simple or superficial responses to what has become an increasingly challenging issue, *Understanding Torture* stands out as a sophisticated and intellectually responsible work." ---Ruth Miller, Associate Professor of History, University of Massachusetts, Boston Prohibiting torture will not end it. In *Understanding Torture*, John T. Parry explains that torture is already a normal part of the state coercive apparatus. Torture is about dominating the victim for a variety of purposes, including public order; control of racial, ethnic, and religious minorities; and--- critically---domination for the sake of domination. Seen in this way, Abu Ghraib sits on a continuum with contemporary police violence in U.S. cities; violent repression of racial minorities throughout U.S. history; and the exercise of power in a variety of political, social, and interpersonal contacts. Creating a separate category for an intentionally narrow set of practices labeled

and banned as torture, Parry argues, serves to normalize and legitimate the remaining practices that are "not torture." Consequently, we must question the hope that law can play an important role in regulating state violence. No one who reads this book can fail to understand the centrality of torture in modern law, politics, and governance. John T. Parry is Professor of Law at Lewis & Clark Law School.

International Law and Transitional Governance

"The description for this book, How to Do Things with International Law, will be forthcoming. "--

International Law as a Profession

Filling a conspicuous gap in the legal literature, Andrew T. Guzman's *How International Law Works* develops a coherent theory of international law and applies that theory to the primary sources of law, treaties, customary international law, and soft law. Starting where most non-specialists start, Guzman looks at how a legal system without enforcement tools can succeed. If international law is not enforced through coercive tools, how is it enforced at all? And why would states comply with it?--Publisher.

European Private International Law

This book examines how international law prohibits state and individual complicity. Complicity is a derivative form of responsibility that links an accomplice to the wrongdoing of a principal actor. Whenever a legal system prohibits complicity, it must address certain questions as to the content and structure of the rules. To understand how international law answers these questions, this book proposes an analytical framework in which complicity rules may be assessed and defends a normative claim as to how they should be structured. Anchored by this framework and normative claim, this book shows that international criminal law regulates individual complicity in a comprehensive way, using the doctrines of instigation and aiding and abetting to inculcate complicit participants in international crimes. By contrast, international law's regulation of state complicity was historically marked by an absence of complicity rules. This is changing. In respect of state complicity in the wrongdoing of another state, international law now imposes both specific and general complicity obligations, the latter prohibiting states from aiding or assisting another state in the commission of any internationally wrongful act. In respect of the ways that states participate in harms caused by non-state actors, the traditional normative structure of international law, which imposed obligations only on states, foreclosed the possibility of prohibiting the state's participation as a form of complicity. As that traditional normative structure has evolved, so the possibility of holding states responsible for complicity in the wrongdoing of non-state actors has emerged. More and more, both the wrongs that international actors commit, and the wrongs they help or encourage others to commit, matter.

Complicity in International Law

This clearly written Understanding treatise is designed to explain what international law is, why it exists, and the basic subjects it covers. The law of treaties is given particular attention, chiefly because of the increasing importance of the treaty in international life. The number of treaties has mushroomed since the Second World War and many of these agreements include over 100 states as parties. Because of their number and the breadth of their coverage, treaties are thus the main form of international legislation. But since they are also contractual in character, and since many multilateral treaties allow states to place conditions on their acceptance of them, the law governing treaties is necessarily more complex than if they were the exact equivalent of national legislation.

Understanding International Law, Second Edition also provides introductory coverage of topics of current relevance, such as terrorism, international criminal law, use and applicability of international law in United States courts, and the law governing the use of military force. The new second edition of Understanding International Law:

- Surveys the ways in which law is made and functions in the international community
- Covers the basic subjects of international law
- Comprehensively updates all chapters of the first edition
- Brings up to date the Supreme Court's treatment of international law through its decisions on the Vienna Convention on Consular Relations and the Alien Tort Statute
- Discusses developments in treaty interpretation, including recent decisions supporting an evolutionary interpretation of the terms of a treaty
- Updates material on the United States position on anticipatory self-defense

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How to Do Things with International Law

The book features contributions by renowned scholars each of whom looks at a region, theory or tradition of international law, and considers how that approach to international law has determined the understanding of the role and status of non-State actors within that particular school of thought. The book takes a critical approach as it seeks to gauge the extent to which each conception and understanding of international law is instrumental to that perception of non-State actors. In undertaking this study the book necessarily assess the current position of the State in the international legal order and examine the contemporary changes that have affected the State itself.

Understanding Jus Cogens in International Law and International Legal Discourse

This valuable introduction to International Trade Law examines the interconnection and the practical relevance of the different contracts to be concluded in pursuance of a single international sale transaction. Its focus is on the sale of goods, transported by ship, road and air with the main attention given to sea transport. Important trade terms and Incoterms used in international sale contracts and common law are explained as well as highlighting essential issues of contracts of carriage and cargo insurance.

Neoliberal Legality

Provides a detailed analysis of how Russia's understanding of international law has developed. Draws on historical, theoretical, and practical perspectives to offer the reader the 'big picture' of Russia's engagement with international law. Extensively uses sources and resources in the Russian language, including many which are not easily available to scholars outside of Russia.

The Oxford Handbook on the Sources of International Law

The definitive and authoritative international law text, updated to reflect key case law, international practice and treaty developments.

International Law in the U.S. Legal System

The Use of Force and International Law offers an authoritative overview of international law governing the resort to force. Looking through the prism of the contemporary challenges that this area of international law faces, including technology, sovereignty, actors, compliance and enforcement, this book addresses key aspects of international law in this area: the general breadth and scope of the prohibition of force, what is meant by 'force', the use of force through the UN and regional organisations, the use of force in peacekeeping operations, the right of self-defence and the customary limitations upon this right, forcible intervention in civil conflicts, the controversial doctrine of humanitarian intervention. Suitable for advanced undergraduate and postgraduate students, academics and practitioners, The Use of Force and International Law offers a contemporary, comprehensive and accessible treatment of the subject.

How International Law Works

The Oxford Handbook of the History of International Law provides an authoritative and original overview of the origins, concepts, and core issues of international law. The first comprehensive Handbook on the history of international law, it is a truly unique contribution to the literature of international law and relations. Pursuing both a global and an interdisciplinary approach, the Handbook brings together some sixty eminent scholars of international law, legal history, and global history from all parts of the world. Covering international legal developments from the 15th century until the end of World War II, the Handbook consists of over sixty individual chapters which are arranged in six parts. The book opens with an analysis of the principal actors in the history of international law, namely states, peoples and nations, international organisations and courts, and civil society actors. Part Two is devoted to a number of key themes of the history of international law, such as peace and war, the sovereignty of states, hegemony, religion, and the protection of the individual person. Part Three addresses the history of international law in the different regions of the world (Africa and Arabia, Asia, the Americas and the Caribbean, Europe), as well as 'encounters' between non-European legal cultures (like those of China, Japan, and India) and Europe which had a lasting impact on the body of international law. Part Four examines certain forms of 'interaction or imposition' in international law, such as diplomacy (as an example of interaction) or colonization and domination (as an example of imposition of law). The classical juxtaposition of the civilized and the uncivilized is

also critically studied. Part Five is concerned with problems of the method and theory of history writing in international law, for instance the periodisation of international law, or Eurocentrism in the traditional historiography of international law. The Handbook concludes with a Part Six, entitled "People in Portrait", which explores the life and work of twenty prominent scholars and thinkers of international law, ranging from Muhammad al-Shaybani to Sir Hersch Lauterpacht. The Handbook will be an invaluable resource for students and scholars of international law. It provides historians with new perspectives on international law, and increases the historical and cultural awareness of scholars of international law. It is the standard reference work for the global history of international law.

Understanding International Law

This Understanding treatise is divided into four parts:

- The first part provides a general overview, with definitions to key terms that appear throughout the book. It covers the area of jurisdiction, as this is the starting point in determining the applicability of using international law.
- The second part covers selected areas of international criminal law. It is not exhaustive of all areas of international or transnational law. Choices of specific crimes to cover were made on the basis of showing a diversity of topics, new and developing areas such as computer crimes, and the older more traditional areas such as piracy. It provides materials on both violent and non-violent crimes. Areas of immediate importance, such as terrorism and narcotics trafficking, are discussed.
- The third part covers procedural issues. It includes constitutional issues, immunities, obtaining evidence from abroad, obtaining people from abroad, and post conviction issues such as prisoner transfers.
- The final part of this treatise covers the international aspects of international criminal law. In addition to examining what constitutes an international crime, it looks at human rights issues, international tribunals, and the International Criminal Court.

International Law and International Relations

Neutrality is a legal relationship between a belligerent State and a State not participating in a war, namely a neutral State. The law of neutrality is a body of rules and principles that regulates the legal relations of neutrality. The law of neutrality obliges neutral States to treat all belligerent States impartially and to abstain from providing military and other assistance to belligerents. The law of neutrality is a branch of international law that developed in the nineteenth century, when international law allowed unlimited freedom of sovereign States to resort to war. Thus, there has been much debate as to whether such a branch of law remains valid in modern international law, which generally prohibits war and the use of force by States. While there has been much debate regarding the current status of neutrality in modern international law, there is a general agreement among scholars as to the basic features of the traditional law of neutrality. Wani challenges the conventional understanding of the traditional neutrality by re-examining the historical development of the law of neutrality from the sixteenth century to 1945. The modification of the conventional understanding will provide a fundamentally new framework for discussing the current status of neutrality in modern international law.

The Use of Force and International Law

The world is poised for another important transition. The United States is dealing with the impact of the Afghan and Iraq wars, the use of torture and secret detention, Guantanamo, climate change, nuclear proliferation, weakened international institutions, and other issues related directly or indirectly to international law. The world needs an accurate account of the important role of international law and *The Power and Purpose of International Law* seeks to provide it. Mary Ellen O'Connell explains the purpose of international law and the power it has to achieve that purpose. International law supports order in the world and the attainment of humanity's fundamental goals of peace, prosperity, respect for human rights, and protection of the natural environment. These goals can best be realized through international law, which uniquely has the capacity to bind even a superpower of the world. By exploring the roots and history of international law, and by looking at specific events in the history of international law, this book demonstrates the why and the how of international law and its enforcement. It directly confronts the notion that international law is "powerless" and that working within the framework of international law is useless or counter-productive. As the world moves forward, it is critical that both leaders and their citizens understand the true power and purpose of international law and this book creates a valuable resource for them to aid their understanding. It uses a clear, compelling style to convey topical, informative and cutting-edge information to the reader.

Understanding International Criminal Law

The question of the sources of international law inevitably raises some well-known scholarly controversies: where do the rules of international law come from? And more precisely: through which processes are they made, how are they ascertained, and where does the international legal order begin and end? These traditional questions bear on at least two different levels of understanding. First, how are international norms validated as rules of international "law", i.e. legally binding norms? This is the static question of the pedigree of international legal rules and the boundaries of the international legal order. Second, what are the processes through which these rules are made? This is the dynamic question of the making of these rules and of the exercise of public authority in international law. The *Oxford Handbook on the Sources of International Law* is the very first comprehensive work of its kind devoted to the question of the sources of international law. It provides an accessible and systematic overview of the key issues and debates around the sources of international law. It also offers an authoritative theoretical guide for anyone studying or working within but also outside international law wishing to understand one of its most foundational questions. This handbook features original essays by leading international law scholars and theorists from a range of traditions, nationalities and perspectives, reflecting the richness and diversity of scholarship in this area.

Between Equal Rights

Every year, states negotiate, conclude, sign, and give effect to hundreds of new international agreements. Koremenos argues that the detailed design provisions of

such agreements matter for phenomena that scholars, policymakers, and the public care about: when and how international cooperation occurs and is maintained. Theoretically, Koremenos develops hypotheses regarding how cooperation problems like incentives to cheat can be confronted and moderated through law's detailed design provisions. Empirically, she exploits her data set composed of a random sample of international agreements in economics, the environment, human rights and security. Her theory and testing lead to a consequential discovery: considering the vagaries of international politics, international cooperation looks more law-like than anarchical, with the detailed provisions of international law chosen in ways that increase the prospects and robustness of cooperation. This nuanced and sophisticated 'continent of international law' can speak to scholars in any discipline where institutions, and thus institutional design, matter.

The Power and Purpose of International Law

Whilst the concept of jus cogens has grown increasingly more important in public international law, lawyers remain hugely divided both over what precisely confers a jus cogens status on a norm, and what this conferral implies in terms of legal consequences. In this ground-breaking book, Ulf Linderfalk clearly and succinctly explores the reasons for this divide in order to facilitate more rational and productive future discourse.

Understanding International Law, Second Edition, 2015

International law is not merely a set of rules or processes, but is a professional activity practised by a diversity of figures, including scholars, judges, counsel, teachers, legal advisers and activists. Individuals may, in different contexts, play more than one of these roles, and the interactions between them are illuminating of the nature of international law itself. This collection of innovative, multidisciplinary and self-reflective essays reveals a bilateral process whereby, on the one hand, the professionalisation of international law informs discourses about the law, and, on the other hand, discourses about the law inform the professionalisation of the discipline. Intended to promote a dialogue between practice and scholarship, this book is a must-read for all those engaged in the profession of international law.

Ordering Pluralism

Concepts shape how we understand and participate in international legal affairs. They are an important site for order, struggle and change. This comprehensive and authoritative volume introduces a large number of concepts that have shaped, at various points in history, international legal practice and thought; intimates at how the many projects of international law have grappled with, and influenced, the world through certain concepts; and introduces new concepts into the discipline.

Understanding International Arbitration

As one of the most definitive texts on the market, European Private International

Law provides an essential guide for both students and practitioners to the complex field of international litigation within the EU. The private international law of the Member States is increasingly regulated by European law, making private international law ever less 'national' and ever more EU based. Consequentially EU law in this area has penetrated national law to a very high degree, making it an essential area of study and an area of increasing importance to practising lawyers. This book provides a thorough overview of core European private international law, including the Brussels I, Rome I and Rome II Regulations (jurisdiction, applicable law for contracts and tort), while additional chapters deal with the recently adopted Succession Regulation, private international law and insolvency, freedom of establishment, and the impact of PIL on corporate social responsibility. From the reviews of the first edition 'As a result of his broad knowledge on the subject and rich professional experience, Mr van Calster provides great insight into current issues within international law. The book is practical as both a student textbook and a general introduction for legal professionals'. Vladimir Cupryszak, Association for International Arbitration 'Excellent overview of European Private International Law issues, as well as a very helpful introduction to basic concepts of conflicts of laws and jurisdictions'. Professor Stavros Brekoulakis, Queen Mary University of London 'This is a most useful book. I recommend it to my students as a great way to come to terms with the EU elements of Private International Law'. Dr David Kenny, Trinity College Dublin 'This book is essential reading for law students in Europe and abroad. It provides a coherent overview of all main elements of European private international law; concepts, legal instruments and practice'. Professor Kim Talus, UEF Law School, Finland 'Well-written, clear and understandable. Excellent value for money'. Dr Jan Oster, King's College London, UK

Non-Legality in International Law

Also available as an e-book Chance, Order, Change: The Course of International Law, General Course on Public International Law by J. Crawford The course of international law over time needs to be understood if international law is to be understood. This work aims to provide such an understanding. It is directed not at topics or subject headings — sources, treaties, states, human rights and so on — but at some of the key unresolved problems of the discipline. Unresolved, they call into question its status as a discipline. Is international law “law” properly so-called ? In what respects is it systematic ? Does it — can it — respect the rule of law ? These problems can be resolved, or at least reduced, by an imaginative reading of our shared practices and our increasingly shared history, with an emphasis on process. In this sense the practice of the institutions of international law is to be understood as the law itself. They are in a dialectical relationship with the law, shaping it and being shaped by it. This is explained by reference to actual cases and examples, providing a course of international law in some standard sense as well.

Is International Law International?

Understanding International Law presents a comprehensive, accessible introduction to the various aspects of international law while addressing its interrelationship with world politics. Presents well-organized, balanced coverage of all aspects

of international law Features an accompanying website with direct access to court cases and study and discussion questions. Visit the site at: <http://www.wiley.com/go/internationallaw> Includes discussion of the efficacy of international law, a topic unique among international law texts Offers discussion of other topics that most texts do not address, such as complete chapters on making the world safer, human rights, the environment, and the world economy

Understanding International Criminal Law

Understanding International Arbitration introduces students to the primary concepts necessary for an understanding of arbitration, making use of illustrative case examples and references to legal practice throughout. This text offers a comprehensive overview of the subject for those new to arbitration. Making use of a unique two-part structure in each chapter, Understanding International Arbitration provides a clear and simple statement of rules, followed by detailed discussion of the ideas underlying those rules, illustrated with relevant comparative law and case examples. Designed with students of arbitration in mind, this text provides both a clear introduction to the subject and a comprehensive course text that will support students in their preparation for exams and practical assessments.

The Oxford Handbook of the History of International Law

From the viewpoint of the constitutional crisis in Europe, slow UN reforms, difficulties implementing the Kyoto Protocol and the International Criminal Court, and tensions between human rights and trade, Mireille Delmas-Marty's 'journey through the legal landscape' of the early years of the 21st century shows it to be dominated by imprecision, uncertainty and instability. The early 21st century appears to be the era of great disorder: in the silence of the market and the fracas of arms, a world overly fragmented by anarchical globalisation is being unified too quickly through hegemonic integration. How, she asks, can we move beyond the relative and the universal to build order without imposing it, to accept pluralism without giving up on a common law? Neither utopian fusion nor illusory autonomy, Ordering Pluralism is her answer: both an epistemological revolution and an art, it means creating a common legal area by progressive adjustments that preserve diversity. Since an immutable world order is impossible, the imaginative forces of law must be called upon to invent a flexible process of harmonisation that leaves room for believing we can agree on - and protect - common values. 'The book is timely and relevant to the practical concerns of those who work with, and within, the legal system. We must thank Professor Delmas-Marty for her fine work.' From the foreword, Stephen Breyer, Washington, DC

Interdisciplinary Perspectives on International Law and International Relations

Mieville critically examines existing theories of international law and offers a compelling alternative Marxist view.

Concepts for International Law

This book addresses the themes of praxis and the role of international lawyers as intellectuals and political actors engaging with questions of justice for Third World peoples. The book brings together 12 contributions from a total of 15 scholars working in the TWAIL (Third World Approaches to International Law) network or tradition. It includes chapters from some of the pioneering Third World jurists who have led this field since the time of decolonization, as well as prominent emerging scholars in the field. Broadly, the TWAIL orientation understands praxis as the relationship between what we say as scholars and what we do – as the inextricability of theory from lived experience. Understood in this way, praxis is central to TWAIL, as TWAIL scholars strive to reconcile international law's promise of justice with the proliferation of injustice in the world it purports to govern. Reconciliation occurs in the realm of praxis and TWAIL scholars engage in a variety of struggles, including those for greater self-awareness, disciplinary upheaval, and institutional resistance and transformation. The rich diversity of contributions in the book engage these themes and questions through the various prisms of international institutional engagement, world trade and investment law, critical comparative law, Palestine solidarity and decolonization, judicial education, revolutionary struggle against imperial sovereignty, Muslim Marxism, Third World intellectual traditions, Global South constitutionalism, and migration. This book was originally published as a special issue of Third World Quarterly.

The Continent of International Law

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International Law

'Gideon Boas's experience as an international litigator and his renown as an academic practitioner means he was well-placed to write a book on international law that both covers this growing field and enters it at key moments to illustrate important themes. This book accomplishes the difficult task of offering a wide-ranging perspective on the whole field, as well as conveying the ferment that

surrounds it. Students of international law will derive great benefit from it.' – Gerry Simpson, University of Melbourne, Australia Public International Law offers a comprehensive understanding of international law as well as a fresh and highly accessible approach. While explaining the theory and development of international law, this work also examines how it functions in practice. Case studies and recent examples are infused in the discussion on each topic, and critical perspectives on the principles are given prominence, building an understanding of how and why the international legal system operates in the way it does and where it is heading. For each principle, the book starts by explaining the theoretical foundations in detail before illustrating how these principles function in practice. Features include:

- a focus on fundamental principles of international law rather than specialist sub-topics;
- integrated and contextual explanation of political and extra-legal dimension of international legal system;
- principles of international law placed within a contemporary real-life context;
- traditional and contemporary case studies explained in the context of legal principles; and
- uniform structure to facilitate understanding.

With insight founded on the author's many years of experience as a practitioner and academic in the field of international law, this work will offer legal practitioners, policy makers and students, both undergraduate and postgraduate, an invaluable insight into the field of international law.

Politics of International Law and International Justice

“Professor Byers’s book goes to the heart of some of the most bitterly contested recent controversies about the International Rule of Law.” —Chris Patten, Chancellor of Oxford University International law governing the use of military force has been the subject of intense public debate. Under what conditions is it appropriate, or necessary, for a country to use force when diplomacy has failed? Michael Byers, a widely known world expert on international law, weighs these issues in *War Law*. Byers examines the history of armed conflict and international law through a series of case studies of past conflicts, ranging from the 1837 Caroline Incident to the abuse of detainees by US forces at Abu Ghraib prison in Iraq. Byers explores the legal controversies that surrounded the 1999 and 2001 interventions in Kosovo and Afghanistan and the 2003 war in Iraq; the development of international humanitarian law from the 1859 Battle of Solferino to the present; and the role of war crimes tribunals and the International Criminal Court. He also considers the unique influence of the United States in the evolution of this extremely controversial area of international law. *War Law* is neither a textbook nor a treatise, but a fascinating account of a highly controversial topic that is necessary reading for fans of military history and general readers alike. “Should be read, and pondered, by those who are seriously concerned with the legacy we will leave to future generations.” —Noam Chomsky

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