

International Law

The focus of this law school casebook is on constitutional law as it relates to the conduct of foreign relations, primarily with that subfield dealing with the "separation of powers." Foreign relations law refers to the rules, principles, practices and procedures which structure the formation and execution of U.S. foreign policy, including it's participation in international law and institutions.

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.

International Law and the European Union addresses the public international law issues that arise from the European Union's international action.

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.

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. C

An exploration of human choice in international legal and political decision making that investigates the neurobiology of choice and the history of how it has affected international peace and security.

This book explores the whole of the large and controversial subject of the use of force in international law; it examines not only the use of force by states but also the role of the UN in peacekeeping and enforcement action, and the growing importance of regional organizations in the maintenance of international peace and security. Since the publication of the second edition of *International Law and the Use of Force* the law in this area has continued to undergo a fundamental

reappraisal. Operation Enduring Freedom carries on against Al Qaida and the Taliban in Afghanistan six years after the terrorist attacks of 11 September 2001. Can this still be justified as self-defence in the 'war on terror'? Is there now a wide right of pre-emptive self-defence against armed attacks by non-state actors? The 2006 Israel/Lebanon conflict and the recent intervention of Ethiopia in Somalia raise questions about whether the 'war on terror' has brought major changes in the law on self-defence and on regime change. The 2003 invasion of Iraq gave rise to serious divisions between states as to the legality of this use of force and to talk of a crisis of collective security for the UN. In response the UN initiated major reports on the future of the Charter system; these rejected amendment of the Charter provisions on the use of force. They also rejected any right of pre-emptive self-defence. They advocated a 'responsibility to protect' in cases of genocide or massive violations of human rights; the events in Darfur show the practical difficulties with the implementation of such a duty.

Events: The Force of International Law presents an analysis of international law, centred upon those historical and recent events in which international law has exerted, or acquired, its force. From Spanish colonization and the Peace of Westphalia, through the release of Nelson Mandela and the Rwandan genocide, and to recent international trade negotiations and the 'torture memos', each chapter in this book focuses on a specific international legal event. Short and accessible to the non-specialist reader, these chapters consider what forces are put into play when international law is invoked, as it is so frequently today, by lawyers, laypeople, or leaders. At the same time, they also reflect on what is

entailed in naming these 'events' of international law and how international law grapples with their disruptive potential. Engaging economic, military, cultural, political, philosophical and technical fields, *Events: The Force of International Law* will be of interest to international lawyers and scholars of international relations, legal history, diplomatic history, war and/or peace studies, and legal theory. It is also intended to be read and appreciated by anyone familiar with appeals to international law from the general media, and curious about the limits and possibilities occasioned, or the forces mobilised, by that appeal.

International Law: Our Common Future offers a dynamic approach to the study of international law that actively engages students in ways that more traditional textbooks do not. One way this is achieved is by focusing on recent events, including international terrorism, extraordinary rendition, the legality of drone strikes, environmental devastation, and human rights. Another is by having students wrestle with actual court rulings rather than being given short summaries of these decisions. These cases, which are from a wide array of international, regional, and domestic tribunals, are followed by a series of provocative and challenging questions and prompts that will naturally lead to classroom discussion and debate. The book recognizes the importance of visual media in terms of student learning. In addition to photographs of individuals and events that feature prominently in the development of international law, each chapter has sections entitled "International Law at the Movies" which highlight feature films and documentaries

that explore the topic at hand. What students will quickly come to realize is that international law is not a distant and abstract entity, but rather, is intimately connected to various aspects of their daily lives. The book shows some of the remarkable changes in international law, most notably the declining importance of the role of the state. As a final point, the book is written in an engaging, almost conversational, style that is accessible to students in a wide array of academic disciplines.

FEATURES OF THIS INNOVATIVE TEXT This book is specifically designed to appeal to student interest, to promote active learning, and to integrate carefully edited court cases with explanatory text. Here are just a few of the features devoted to achieving these goals: Boxed text highlighting current events “International Law at the Movies” boxes Photos illustrating key moments and figures in international law Cases carefully edited and set off from the main text Notes and Comments following court case excerpts References for each chapter divided into key types of sources including Books and Articles, Reports, Agreements, and Cases (international, regional, and domestic tribunals) Glossary of key terms putting terms in context with events Filmography Table of Cases with links to original sources

A NOTE ABOUT THE

COVER ART Title: “María, inside since April 14, 2014”

Artist: Ben Betsalel The cover image is from a prison project in Colombia, "Human Beings Inside and Outside," done in collaboration with the International Committee of the Red Cross (ICRC).

International Law in the U.S. Legal System provides a wide-ranging overview of how international law intersects

with the domestic legal system of the United States, and points out various unresolved issues and areas of controversy. Curtis Bradley explains the structure of the U.S. legal system and the various separation of powers and federalism considerations implicated by this structure, especially as these considerations relate to the conduct of foreign affairs. Against this backdrop, he covers all of the principal forms of international law: treaties, executive agreements, 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 treaty withdrawal, foreign sovereign immunity, international human rights litigation, war powers, extradition, and extraterritoriality. This book highlights recent decisions and events relating to the topic, including various actions taken during the Trump administration, 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 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 courtcases and study and discussion questions. Visit the site at: <http://www.>

wiley.com/go/internationallaw"www.wiley.com/go/internationallaw/a Includes discussion of the efficacy of international law, atopic 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

This book examines theoretical and practical issues concerning the relationship between international law, time and history. Problems relating to time and history are ever-present in the work of international lawyers, whether understood in terms of the role of historic practice in the doctrine of sources, the application of the principle of inter-temporal law in dispute settlement, or in gaining a coherent insight into the role that was played by international law in past events. But very little has been written about the various different ways in which international lawyers approach or understand the past, and it is with a view to exploring the dynamics of that engagement that this book has been compiled. In its broadest sense, it is possible to identify at least three different ways in which the relationship between international law and (its) history may be conceived. The first is that of a "history of international law" written in narrative form, and mapped out in terms of a teleology of origins, development, progress or renewal. The second is that of "history in international law" and of the role history plays in arguments about law itself (for example in the construction of customary international law). The third way of understanding that relationship is in terms of "international law in history": of understanding how

international law has been engaged in the creation of a history that in some senses stands outside the history of international law itself. The essays in this collection make clear that each type of engagement with history and international law interweaves various different types of historical narrative, pointing to the typically multi-layered nature of international lawyers' engagement with the past and its importance in shaping the present and future of international law.

Now in its third edition, *International Law: Cases and Materials with Australian Perspectives* remains an authoritative textbook on international law for Australian students. With a strong focus on Australian practice and interpretation, the text examines how international law is developed, implemented and interpreted within the international community and considers new and developing approaches within this field. This edition has been comprehensively updated to address recent developments in international law. The selection of cases and materials provides a thorough coverage of core areas and addresses a range of contemporary challenges, including climate change, human rights, nuclear proliferation and the South China Sea. A new chapter on international trade law reflects the growing importance of this body of law in Australian practice. Guiding commentary provides a rigorous analysis of key principles. Written by a team of experts with substantial experience in this field, *International Law* is an essential resource for students.

Offers an accessible discussion of conceptual and moral questions on international law and advances the debate

on many of these topics.

The Charter of the United Nations was signed in 1945 by 51 countries representing all continents, paving the way for the creation of the United Nations on 24 October 1945. The Statute of the International Court of Justice forms part of the Charter. The aim of the Charter is to save humanity from war; to reaffirm human rights and the dignity and worth of the human person; to proclaim the equal rights of men and women and of nations large and small; and to promote the prosperity of all humankind. The Charter is the foundation of international peace and security.

Is International Law International? Oxford University Press

This book sets out to articulate a comprehensive theory of customary international law that can effectively resolve the conceptual and practical enigmas surrounding it. It takes a multidisciplinary approach and draws insights from international law, legal theory, political science, and game theory. It is anchored in a sophisticated ethical framework and explores the interrelationships between customary international law and ethics.

International Law provides a fresh, student-focused approach and European perspective on the central issues in public international law. Providing ideal coverage for short foundational courses, this engaging textbook introduces all the essential topics in a concise and manageable way. Dedicated

chapters on environmental law, economic law, and human rights are included, ensuring that appropriate coverage is given to the various areas affected by international law. The core topics are fully explained in plain terms and the principles and key terminology outlined in an accessible style. Taking a critical perspective throughout, Henriksen introduces the areas of debate and builds students' confidence in understanding the complexities of the international legal system and its operation across borders.

Particular emphasis is placed on the key issues in civil law jurisdictions, making this text perfectly suited for students based in mainland Europe. A range of learning features highlight the important areas of debate and encourage students to engage critically with important disputes. Central issues boxes introduce each chapter, highlighting the controversies and key principles explored; chapter summaries provide an overview for students to review their understanding of a particular topic; discussion questions encourage students to apply their knowledge to addressing specific problems within the context of the subject; and carefully selected recommended reading lists guide students' wider research and enable them to broaden and consolidate their learning. Online Resources International Law offers a range of freely available materials to support lecturers and students in their studies. These resources include: - Short podcasts

introducing the core topics covered - Advice on answering the Questions for Discussion at the end of each chapter - Links to other international law resources

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

A collection of essays on the various aspects of the legal sources of international law, including theories of the origin of international law, explanation of its binding force, normative hierarchies and the relation of international law and politics.

This book seeks to analyse various aspects of international law, the link being how they structure and marshal the different forces in the international legal order. It takes the following approaches to the matter. First, an attempt is made to determine the fundamental characteristics of international law, the forces that delineate and permeate its applications. Secondly, the multiple relations between law and policy are analysed. Politics are a highly relevant factor in the implementation of every legal order (and also a threat to it); this is all the more true in international law, where the two forces, law and politics, have significant links. Thirdly, the discussion focuses on a series of fundamental socio-legal notions: the common good, justice, legal security, reciprocity (plus equality and proportionality), liberty, ethics and social morality, and reason.

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:

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

This guide has become a best-selling classic for law students and attorneys interested in starting an international legal practice - as a private practitioner, as in-house counsel, in the public sector, or working at an NGO. This Fifth Edition presents a broad lineup of diverse contributors, who share their experiences of how they transitioned into international legal practice. Fifteen authors detail their goals, their paths, and how their professional lives have evolved.

This book provides a comprehensive review of the state of international law as it applies to transboundary groundwater resources and aquifers. The main focus is on recent developments and the emerging international law for transboundary

aquifers as reflected in the practice of states and the work of the UN International Law Commission, UN Economic Commission for Europe, and International Law Association. The author takes an interdisciplinary approach to the subject matter and provides the scientific hydro-geological underpinning for the application of law and policy to transboundary groundwater resources. He also addresses the growing global dependence on this hidden resource, as well as both the historical and scientific context for development of the law. The book provides case examples throughout to illustrate the various concepts and developments. These include more detailed examinations of the few existing transboundary aquifer agreements in operation, such as for aquifers between France and Switzerland and Jordan and Saudi Arabia, as well as aquifers in North Africa and in South America.

In a world full of armed conflict and human misery, global justice remains one of the most compelling missions of our time. Understanding the promises and limitations of global justice demands a careful appreciation of international law, the web of binding norms and institutions that help govern the behaviour of states and other global actors. This book provides a new interdisciplinary approach to global justice, one that integrates the work and insights of international law and contemporary ethics. It asks whether the core norms of

international law are just, appraising them according to a standard of global justice derived from the fundamental values of peace and the protection of human rights. Through a combination of a careful explanation of the legal norms and philosophical argument, Ratner concludes that many international law norms meet such a standard of justice, even as distinct areas of injustice remain within the law and the verdict is still out on others. Among the subjects covered in the book are the rules on the use of force, self-determination, sovereign equality, the decision making procedures of key international organizations, the territorial scope of human rights obligations (including humanitarian intervention), and key areas of international economic law. Ultimately, the book shows how an understanding of international law's moral foundations will enrich the global justice debate, while exposing the ethical consequences of different rules.

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

This intellectually rigorous introduction to international law encourages readers to engage with multiple aspects of the topic: as 'law' directing and shaping its subjects; as a technique for governing the world of states and beyond statehood; and as a framework within which several critical and constructivist projects are articulated. The articles

situate international law in its historical and ideological context and examine core concepts such as sovereignty, jurisdiction and the state. Attention is also given to its operation within international institutions and in dispute settlement, and a separate section is devoted to international law's 'projects': protecting human rights, eradicating poverty, the conservation of resources, the regulation of international trade and investment and the establishment of international order. The diverse group of contributors draws from disciplinary orientations ranging from positivism to postmodernism to ensure that this book is informed theoretically and politically, as well as grounded in practice.

Secrecy is a staple of world politics and a pervasive feature of political life. Leaders keep secrets as they conduct sensitive diplomatic missions, convince reluctant publics to throw their support behind costly wars, and collect sensitive intelligence about sworn enemies. In *The Shadow of International Law* explores one of the most controversial forms of secret statecraft: the use of covert action to change or overthrow foreign regimes. Drawing from a broad range of cases of US-backed regime change during the Cold War, Michael Poznansky develops a legal theory of covert action to explain why leaders sometimes turn to covert action when conducting regime change, rather than using force to

accomplish the same objective. He highlights the surprising role international law plays in these decisions and finds that once the nonintervention principle—which proscribes unwanted violations of another state's sovereignty—was codified in international law in the mid-twentieth century, states became more reluctant to pursue overt regime change without proper cause. Further, absent a legal exemption to nonintervention such as a credible self-defense claim or authorization from an international body, states were more likely to pursue regime change covertly and concealing brazen violations of international law. Shining a light on the secret underpinnings of the liberal international order, the conduct of foreign-imposed regime change, and the impact of international law on state behavior, Poznansky speaks to the potential consequences of America abandoning its role as the steward of the postwar order, as well as the promise and peril of promoting new rules and norms in cyberspace. A number of recent events in the last decade have renewed interest in Russian discourses on international law. This book evaluates and presents a contemporary analysis of Russian discourses on international law from various perspectives, including sociological, theoretical, political, and philosophical. The aim is to identify how Russia interacts with international law, the reasons behind such interactions, and how such interactions compare with

the general practice of international law. It also examines whether legal culture and other phenomena can justify Russia's interaction in international law. *Russian Discourses on International Law* explains Russia's interpretation of international law through the lens of both leading western scholars and contemporary western-based Russian scholars. It will be of value to international law scholars looking for a better understanding of Russia's behavior in international legal relations, law and society, foreign policy, and domestic application of international law. Further, those in fields such as sociology, politics, philosophy, or general graduate students, lawyers, think tanks, government departments, and specialized Russian studies programs will find the book helpful.

This text challenges students to understand the concepts of international law in order to apply these concepts to specific cases for the purpose of taking a position on existing political and legal debates within the fields of international law and international studies.

Clear and concise: a landmark publication in the teaching of international law from one of the world's leading international lawyers.

International Law in the Long Nineteenth Century gathers ten studies that reflect the ever-growing variety of themes and approaches that scholars from different disciplines bring to the historiography of

international law in the period.

Two fish are swimming in a pond. "Do you know what?" the fish asks his friend. "No, tell me." "I was talking to a frog the other day. And he told me that we are surrounded by water!" His friend looks at him with great scepticism: "Water? What's that? Show me some water!" This book is an attempt to stir up "the water" the two fish are swimming in. It analyses the different theoretical approaches to international law and invites readers to engage with legal thinking in order to familiarize ourselves with the water all around us, of which we hardly have any perception. International lawyers and students of international law often find themselves focused on the practice of the law rather than the underlying theory. The main aim of this book is to provide interested scholars, practitioners, graduate, and postgraduate students in international law and other disciplines with an introduction to various international legal theories, their genealogies, and critique. By providing an analytical approach to international legal theory, the book encourages readers to sharpen their sensitivity to these different methodologies and to consider how the presuppositions behind each theory affect analysis, research, and practice in international law. *Theories of International Law* is intended to assist students, scholars, and practitioners in reflecting more generally how knowledge is formed in the field.

This book is the first book-length analysis of investor accountability under general and customary international law, international human rights law, international environmental law, international humanitarian law, as well as international investment law. International investment law is currently facing growing criticisms for its failure to address corruption, abuse, environmental damage, and other forms of investor misconduct. Reform initiatives range from the rejection of international law as a governing regime for investors, to the dramatic overhaul of investment treaties that supposedly enable investor overprotection, to the creation of a multilateral international instrument that would enable the litigation of claims against errant businesses before an international tribunal. Whether these initiatives succeed in disciplining investors remains to be seen. What these initiatives undeniably show however, is that change is warranted to counteract this lopsided investors' international law. Each chapter in the book addresses a different and underexplored dimension of investor accountability, thus offering a novel and consolidated study of international law. The book will be of immense assistance to legal practitioners, academics and policy makers involved in the design, drafting, application and reform of various international instruments addressing investor accountability.

Institutional and political developments since the end of the Cold War have led to a revival of public interest in, and anxiety about, international law. Liberal international law is appealed to as offering a means of constraining power and as representing universal values. This book brings together scholars who draw on jurisprudence, philosophy, legal history and political theory to analyse the stakes of this turn towards international law. Contributors explore the history of relations between international law and those it defines as other - other traditions, other logics, other forces, and other groups. They explore the archive of international law as a record of attempts by scholars, bureaucrats, decision-makers and legal professionals to think about what happens to law at the limits of modern political organisation. The result is a rich array of responses to the question of what it means to speak and write about international law in our time.

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