

Public International Law

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clearly and accessibly written this new text provides a valuable resource for undergraduate and postgraduate students of international law and covers subjects including the history theories and sources of international law as well as current areas of interest such as international criminal law

international law lies at the heart of our interaction with the global community it protects rights imposes duties and establishes a framework for the conduct of almost every social political and economic activity lowe considers how international law can be used to protect against concerns about terrorism international violence and poverty

this new edition of hugh thirlway's authoritative text provides an introduction to one of the fundamental questions of the discipline what is and what is not a source of international law traditionally treaties between states and state practice were seen as the primary means with which to create international law however more recent developments have recognized customary international law alongside international treaties and instruments as a key foundation upon which international law is built this book provides an insightful inquiry into all the recognized or asserted sources of international law it investigates the impact of ethical principles on the creation of international law whether soft law norms come into being through the same sources as binding international law and whether jus cogens norms and those involving rights and obligations erga omnes have a unique place in the creation of international legal norms it studies the notion of general principles of international law within international law's sub disciplines and the evolving relationship between treaty based law and customary international law re examining the traditional model it investigates the increasing role of international jurisprudence and looks at the nature of international organisations and non state actors as potential new sources of international law this revised and updated book provides a perfect introduction to the law of sources as well as innovative perspectives on new developments making it essential reading for anyone studying or working in

international law

international law is no longer a sufficient rubric to describe the complexities of law in an era of globalization accordingly this collection situates cross border norm development at the intersection of interdisciplinary scholarship on comparative law conflict of laws civil procedure cyberlaw legal pluralism and the cultural analysis of law as well as traditional international law it provides a broad range of seminal articles on transnational law making governmental and non governmental networks judicial influence and cooperation across borders the dialectical relationships among national international and non state legal norms and the possibilities of bottom up and plural law making processes the introduction situates these articles within the framework of law and globalization and suggests four important ways in which such a framework enlarges the traditional focus of international law this book therefore provides a crucial reference for scholars and practitioners seeking to understand the varied processes of norm development in the emerging global legal order

this book explores the question of how the multiplication of judicial decisions on international law has influenced the way in which legal findings in international law adjudication are justified international law practitioners frequently cite judicial decisions to persuade courts interpreting international law are no exception to this practice however judicial decisions do much more than persuading they enable and constrain interpretive discretion instead of taking the road of the sources of international law this book turns to the somewhat uncharted terrain of legal argumentation using international criminal law as a case study it shows how the growing number of judicial decisions has normalised courts resort to them in legal justification and enabled some argumentative practices to become constitutive of international law in so doing it critically revisits the implications of an iterative use of judicial decisions and reassesses the influence of the judicialisation turn on the ways in

which the meaning of international law is formed shaped and reshaped by reference to judicial decisions

international law shapes nearly every aspect of our lives it affects the food we eat the products we buy the rights we hold and the wars we fight yet international law is often believed to be the exclusive domain of well heeled professionals with years of legal training this text uses clear accessible writing and contemporary political examples to explain where international law comes from how actors decide whether to follow international law and how international law is upheld using legal and political tools suitable for undergraduate and graduate students this book is accessible to a wide audience and is written for anyone who wants to understand how global rules shape and transform international politics each chapter is framed by a case study that examines a current political issue such as the bombing of yemen or the use of chemical weapons in syria encouraging students to draw connections between theoretical concepts and real world situations the chapters are modular and self contained and each is paired with multiple supplemental cases edited and annotated judicial opinions accompanied by ready to use powerpoint slides and a testbank for instructors

the definitive and authoritative international law text updated to reflect key case law international practice and treaty developments

clear and concise a landmark publication in the teaching of international law from one of the world s leading international lawyers

a user friendly comprehensive and modern account of international law combining political science and law for students at multiple levels

this book examines the convergences divergences and reciprocal lessons that the brics countries brazil russia india china and south africa share with one another in developing the principles of private international law the chapters provide a thematic understanding of the cornerstones of private international

law in each of the brics countries namely 1 the procedure to initiate claims in civil and commercial matters 2 the law that would govern such matters in litigation and arbitration as well as 3 the mechanism to recognise and enforce foreign judgments and arbitral awards written by leading private international law scholars and practitioners the chapters draw on domestic legislation and its interpretation through cases decided by the courts in each of these emerging economies and explicitly cover the rules applicable in contractual and non contractual concerns and issues of choice of court agreements issues around marriage divorce matrimonial property succession and surrogacy are also addressed considering the implication of such aspects through the increased movement of persons the book is a useful comparative resource for the governments of the brics countries legislators traders academics researchers and students looking for an in depth discussion of the reciprocal lessons that these countries may have to offer one another on these issues

the principle of non discrimination underlies society s goal of achieving relative equality among all human beings this book by an internationally acclaimed practitioner provides the materials necessary for understanding how international law protects individuals from the discrimination it includes treaties other instruments cases and a concise description of the law isbn 978 0 9743 5704 1

the arrival of the international law achievements and prospects can fairly be described as a major event in international legal publishing it has been written by international lawyers from the north the south the east and the west whose differing origins and different or even opposed academic backgrounds have ensured that the book encapsulates and brings into focus the main forms of civilization and the principal legal systems of the world the book s most distinctive feature is its international multi cultural and polyphonic nature international law achievements and prospects aims to inform and to educate to make the discipline of international law accessible to a very broad public

and to promote a meeting of minds on fundamental notions key concepts and the guiding principles of international law over and beyond frontiers ideologies and doctrines in addition it is intended to provide a framework for thought to describe what international law is today to specify its nature define its purpose and show its strengths and also to point out its weaknesses all the contributing authors are or have been practitioners of international law their contributions express a global view of international law which helps to unravel the complex reality of the contemporary world international law achievements and prospects has been produced under the auspices of unesco its content also aspires to reflect in some measure the imprint of that organization s sponsorship

this provides a comprehensive approach and includes both literal translations and definitions with several useful innovations included is not only the modern english pronunciation but also the classical or restored one each entry is also cross referenced to related terms for ease of use

international law treaty questions in vol 1 pt 3

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

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