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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

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 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

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

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

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

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

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

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

from its earliest decisions in the 1790s the us supreme court has used international law to help resolve major legal controversies this book presents a comprehensive account of the supreme court s use of international law from its inception to the present day addressing treaties the direct application of customary international law and the use of international law as an interpretive tool this book examines all the cases or lines of cases in which international law has played a material role showing how the court s treatment of international law both changed and remained consistent over the period although there was substantial continuity in the supreme court s international law doctrine through the end of the nineteenth century the past century has been a time of tremendous doctrinal change few aspects of the court s international law doctrine remain the same in the twenty first century as they were two hundred years ago

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

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

straits are peripheral formations in the study of geography but have long been a source of controversy in international relations they connect separate seas and divide the territory of states this geographical fact invites legal disputes over international boundary drawing request for passage by foreign ships assertion of territorial control over the waters forming straits and the basis for a regime generally accepted as law in our times this is a

thorough and well documented book which combines elements of history geography international shipping and the law of the sea it asks the central question what exactly is the current law governing this area and also goes on to consider the concept of international straits the distinction between existing treaty based regimes and the general regime and the special characteristics of straits that separate them from similar arms of the sea in terms of law in answering these questions the author takes us back to the first regime for international straits in 1949 through to the practices of the present day this will be an invaluable text for all international lawyers particularly those specializing in the law of sea

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

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Introduction

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