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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

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

this book in its entirety as well as in each of its parts is an outline of the problems under discussion the subject matter of some eighty sections of the book is extensive it could indeed be presented by experts in as many volumes this study offers an attempt to formulate a synthesis however difficult of the vast amount of available material unlike the well known standard introductions

to international law which deal with all the major fields of international law this book treats exclusively the present conceptions of that law as expressed in legal literature international treaties and other agreements inter national judgements and awards governmental and diplomatic state ments and the like special attention is devoted in several chapters of the book to the teachings of the most highly qualified publicists of the various nations which are considered by article 38 paragraph 1 d of the statute of the international court of justice as subsidiary means for the determination of rules of law an endeavor is made to ascertain whether in certain fields of the theory of international law a communis opinio doctorum has either been reached or is in the process of achievement some readers may consider that there are too many quotations from writings of publicists others will certainly feel as does this writer that too many outstanding international lawyers have not been included

written by a team of distinguished and internationally renowned experts this oxford handbook gives an analytical overview of international law as it applies in armed conflicts the handbook draws on international humanitarian law human rights law and the law of neutrality to provide a comprehensive picture of the status of law in war

the roles of international law in development provides an in depth analysis of the relationship between public international law and development unlike the existing body of literature on public international law this book investigates how international law and development interact and evaluates the significant and multifaceted roles that international law plays in development bringing together a collection of perspectives from contributors working across multiple fields the chapters explore the relevance and applicability of international law to particular sectors and issues implicated in development activities this includes chapters on human rights gender equality race and discrimination environmental law and climate change forced displacement and migration and international trade and investment they analyse how international law rules and processes can influence procedural and substantive aspects of development policies as these regulate various forms of financial support trade technical assistance and policy dialogue they also explore whether and how development could be more effective and yield more equitable and sustainable outcomes if the relevant and applicable rules of international law were better understood consistently incorporated and appropriately applied to development activities a foundational premise of this

book is that development policy and practice should be grounded more systematically in international law rejecting the notion that development law and policy comprise a self contained regime or that development is undertaken in a legal vacuum the proposed systematic grounding in public international law would in turn help uphold international legal accountability in the context of development activities

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 debate about the relationship between international and community law usually centres on the question of which of these two belongs to the other and how special community legal order is in relation to international law in this volume a distinguished group of finnish and british academics and practitioners break new ground by instead of becoming mired in these questions clearly examining the international law aspects of the activities of the community and the union in doing so they have elucidated points of connection and possible points of conflict the result is a thought provoking collection of essays which examines community law through the conceptual grid of international law and thus enriches our understanding of the workings of both

international law refers to the set of standards rules and norms which establish

a common framework and normative guidelines which are used to guide states on a wide variety of subjects such as diplomacy war human rights and trade the key objective of international law is to stabilize international relations some of the common sources of international law are treaties international customs international organizations and law of the sea states which do not abide by the international law can be met with coercive actions which can range from diplomatic and economic pressures to military interventions this book provides significant information of this discipline to help develop a good understanding of international law and related fields it presents the complex subject of international law in the most comprehensible and easy to understand language coherent flow of topics student friendly language and extensive use of examples make this book an invaluable source of knowledge

there has long been an advocacy for the sociology of international law and yet it has never been constructed so systematically and axiomatically as in this book based on vital terms such as action and system this book has conducted an investigation into the auspices or the fundamental international sociological conditions over which international law is built and accordingly into how international law can control global relations the significance of this work lies in its aim of showing by the application of a consistent logic how complex observed phenomena can be explained and understood on the basis of certain shared fundamental perceptions drawn from common experience by asking how a state acts in a complex system that consists of at least two subsystems having different goals and different logics two specific issues are discussed 1 the relationship between domestic and international law namely that between article 9 of the constitution of japan and the un charter especially the provisions for a collective security system as mentioned in chapter vii 2 the relationship between international law and international politics namely the relationship between the prohibition of the use of nuclear weapons and the logic of nuclear deterrence

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

the application of international law by domestic courts has gained increasing attention in recent years in an ever more interconnected world domestic courts now make reference to judgments by foreign courts when faced with similar or identical legal problems involving international law their judgments see increasing recognition of their pivotal role in shaping and interpreting international law understanding them will be of use for any practitioner and scholar in international law international law in domestic courts oxford s online collection of domestic court decisions which apply international law has been providing scholars with at your fingertips access to analysis and commentary for more than a decade first established in 2006 it now includes over 1 700 judgments of cases involving international law related aspects from nearly 100 countries and continues to expand this casebook is the perfect companion presenting a selection of the most important cases along with a commentary to give a holistic overview of the use of international law in national courts and how the jurisprudence has developed international law itself practitioners students and academics will find this an invaluable resource when faced with the complex questions of applying international law in domestic courts

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 three themes are explored international law and revolutions which reappraises the revolutionary period as crucial to understanding the dynamics of international order and law in the nineteenth century in law and empire the traditional subject of nineteenth century imperialism is tackled from the perspective of both theory and practice finally the rise of modern international law covers less familiar aspects of the formation of modern international law as a self standing discipline contributors are camilla boisen raphaël cahen james crawford ana delic

frederik dhondt andrew fitzmaurice vincent genin viktorija jakjimovska stefan kroll randall lesaffer and inge van hulle

this handbook provides a comprehensive account of how international law is understood and practiced in europe which is defined for the purposes of the book as council of europe countries in the past and in the present it is separated into parts covering europe s values intellectual traditions and institutions as well as examinations of european countries and regions a diverse group of leading scholars and practitioners of international law are led by three overarching focus points the success and failures of the pacifying effect of international law the diversity of international legal experiences and traditions within europe and the impact of european ideas on international law globally by examining these areas the book also analyses europe s changing role in the world and the impact of global influences on the understanding of international law in european countries the book is a study of regionalism in international law but also a study of the impact of a region which at least historically has had an overwhelming influence on the development and interpretations of international law

provides an overview of contemporary international law and signposts for additional research includes chapters on the law of the sea international environmental law the use of force and arms control text explores the application and relevance of international law as well as its sources discusses international organizations dispute settlement international law of treaties and the rights of individuals in addition the text addresses jurisdiction u s foreign relations law and immunities also features international legal research sources and methods

incoherence is a term that is all too often associated with the public international law regime to a great extent its incoherence is arguably a natural consequence of the fragmented nature of both the development and overall scope of the discipline despite significant achievements since the universal declaration of human rights 1948 a coherent human rights regime that is properly integrated with other branches of public international law is still lacking this book explores this incoherent approach to human rights including specific challenges that arise as a result of the creation and regulation of legal relationships between parties state and non state that sit outside of the human rights framework with a view to considering how it may be remedied divided

into three parts the collection provides a critical exploration of various challenges and barriers related to the absence of human rights in some instances contemporary emergence of rights and a lack of rights fulfilment in others these three situations are considered within the wider context of and difficulties facing a human rights based approach to international law each of the three parts aligns with one of the three prime responsibilities and duties of states in respect of international human rights to promote to protect and to fulfil the contributions represent different perspectives in international law and human rights and how the global agenda of promoting human rights the rules based international order and multilateralism requires further strengthening the lens of incoherence providing a means to understand particular inconsistencies chapters focus upon subjects including international investment law international financial contracts the arms trade indigenous peoples rights rights of peasants the right to a clean healthy and sustainable environment the right to food and transitional justice presenting a critical exploration of key contemporary challenges and the implementation of human rights law in different contexts the collection will be of interest to a wide ranging audience of international law and international relations scholars and practitioners and students of law politics and globalisation across the world

an accessible introduction to the latest developments in international law in the light of its history and culture

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