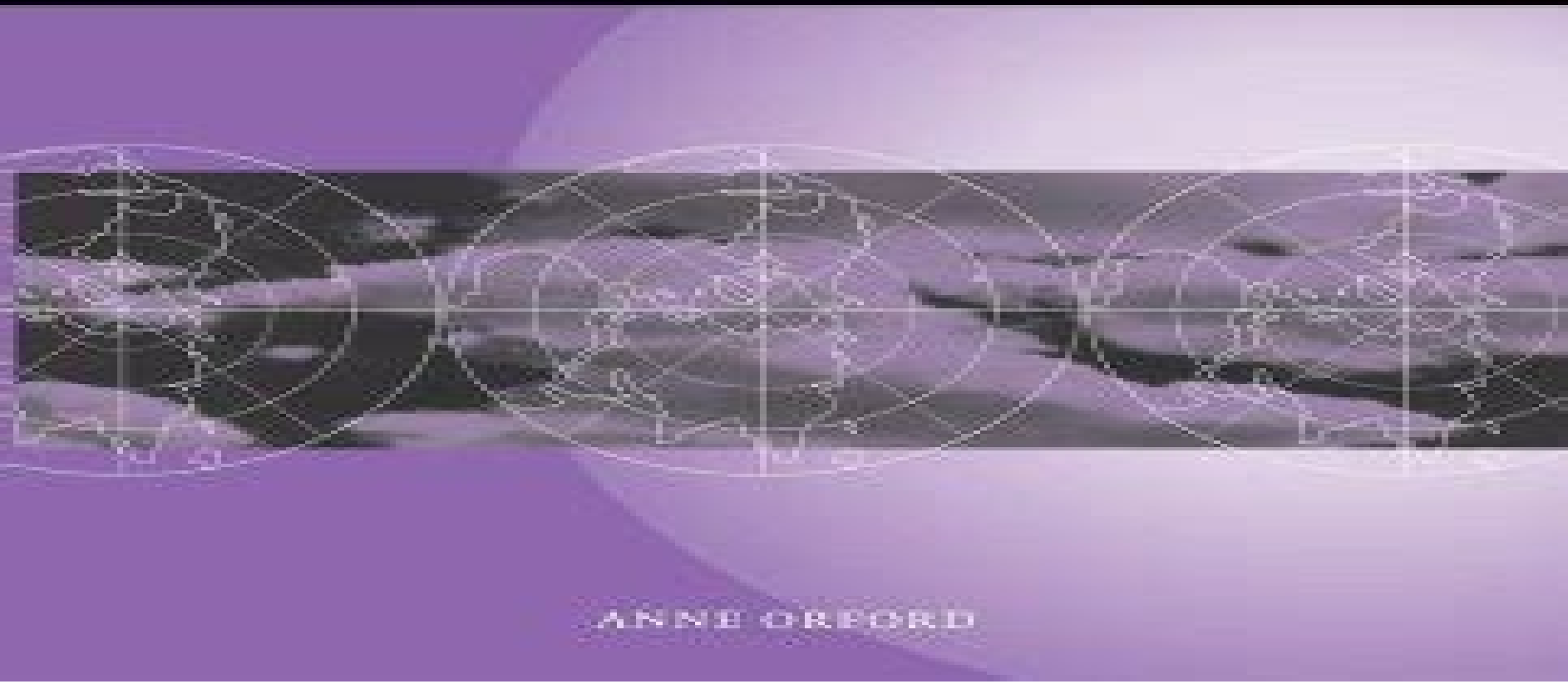


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CAMBRIDGE STUDIES IN INTERNATIONAL AND COMPARATIVE LAW

Reading Humanitarian Intervention

**Human Rights and the Use of Force in
International Law**



ANNE O'REORD

Reading Humanitarian Intervention

Anne Orford



Reading Humanitarian Intervention:

Reading Humanitarian Intervention Anne Orford, 2003-06-26 During the 1990s humanitarian intervention seemed to promise a world in which democracy self determination and human rights would be privileged over national interests or imperial ambitions Orford provides critical readings of the narratives that accompanied such interventions and shaped legal justifications for the use of force by the international community Through a close reading of legal texts and institutional practice she argues that a far more circumscribed exploitative and conservative interpretation of the ends of intervention was adopted during this period The book draws on a wide range of sources including critical legal theory feminist and postcolonial theory psychoanalytic theory and critical geography to develop ways of reading directed at thinking through the cultural and economic effects of militarized humanitarianism The book concludes by asking what if anything has been lost in the move from the era of humanitarian intervention to an international relations dominated by wars on terror *The Current Status of Humanitarian Intervention in Need of Legal Clarification. Analysis of the Legal and Humanitarian Justifications for Intervening In Libya and the Inaction in Syria* Yewande Abiodun, 2020-06-24 Master s Thesis from the year 2014 in the subject Law European and International Law Intellectual Properties grade DISTINCTION University of Hertfordshire Faculty of Law course International Law language English abstract In this thesis the concepts of Sovereignty non intervention and Humanitarian Intervention will gradually be unveiled especially in subsequent chapters The cases of Syria and Libya will serve as watershed for the theoretically unveiled concepts The principle of State Sovereignty plays a great role in the formation of international law as it sets a basic foundation on which the international society is built The natural supposition is that international order is best maintained if states respect one another s sovereignty by adhering to the norms of non intervention in the internal affairs of other states The modern idea of Sovereignty dates back to Ancient Rome in which all sovereign powers were bestowed on the Emperor It was deemed an absolute unified inalienable power based upon a voluntary but irrevocable contract Humanitarian Intervention Thomas G. Weiss, 2013-04-24 A singular development of the post Cold War era is the use of military force to protect human beings From Rwanda to Kosovo Sierra Leone to East Timor and more recently Libya to C te d Ivoire soldiers have rescued some civilians in some of the world s most notorious war zones Could more be saved Drawing on over two decades of research Thomas G Weiss answers yes and provides a persuasive introduction to the theory and practice of humanitarian intervention in the modern world He examines political ethical legal strategic economic and operational dimensions and uses a wide range of cases to highlight key debates and controversies The updated and expanded second edition of this succinct and highly accessible survey is neither celebratory nor complacent The author locates the normative evolution of what is increasingly known as the responsibility to protect in the context of the global war on terror UN debates and such international actions as Libya The result is an engaging exploration of the current dilemmas and future challenges for robust international humanitarian action in the

twenty first century

The Prevention and Intervention of Genocide Samuel Totten, 2008-03-31 This volume is comprised of over 2 300 annotations on a wide array of issues and topics germane to the subject of preventing the atrocities of genocide and managing these conflicts when they do arise Samuel Totten brings together in one comprehensive collection the research and findings in various fields such as political science sociology history and psychology to enable specialists in genocide studies peace studies and conflict resolution to benefit from the insights of a diverse range of scholars and foster an understanding of how the various components of genocide studies connect Among the topics included are key conventions international treaties and covenants genocide early warning signals and forecasting risk data bases sanctions peacekeeping missions conflict resolution the International Criminal Court realpolitik vis vis the issue of genocide prevention and intervention key non governmental agencies key governmental and UN bodies working on these important issues In addition to the annotations Totten frames the bibliography with a major essay that introduces the reader to the subject of prevention and intervention of genocide raising a host of critical issues regarding the strengths weaknesses and limitations of various approaches germane to issues of managing these conflicts

Men, Militarism, and UN Peacekeeping Sandra Whitworth, 2004 In this important controversial and at times troubling book Sandra Whitworth looks behind the rhetoric to investigate from a feminist perspective some of the realities of military intervention under the UN flag Whitworth contends that there is a fundamental contradiction between portrayals of peacekeeping as altruistic and benign and the militarized masculinity that underpins the group identity of soldiers Examining evidence from Cambodia and Somalia she argues that sexual and other crimes can be seen as expressions of a violent hypermasculinity that is congruent with militarized identities but entirely incongruent with missions aimed at maintaining peace She also asserts that recent efforts within the UN to address gender issues in peacekeeping operations have failed because they fail to challenge traditional understandings of militaries conflict and women This unsettling critique of UN operations which also investigates the interplay between gender and racial stereotyping in peacekeeping has the power to change conventional perceptions with considerable policy implications

Diplomatic Interventions K. Fierke, 2005-04-22 Diplomatic Interventions argues that war is a social construction In so doing it unsettles the definition of intervention as a coercive interference by one state in the affairs of another to examine the range of communicative or diplomatic practices which through their presence modify the experience of war The tension between claims that war is pervasive and that war is a social construct is analysed in relation to a range of moral legal military economic cultural and therapeutic interventions The concluding chapter highlights how the book itself is a critical intervention that requires us look at again from a new angle at international practice

International Law and the Use of Force Christine Gray, 2018-02-08 This book explores 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 increasing role of regional organizations in the maintenance of international peace and security The UN

Charter framework is under challenge Russia's invasion of Georgia and intervention in Ukraine the USA's military operations in Syria and Saudi Arabia's campaign to restore the government of Yemen by force all raise questions about the law on intervention The war on terror that began after the 9/11 terrorist attacks on the USA has not been won It has spread far beyond Afghanistan it has led to targeted killings in Pakistan Somalia and Yemen and to intervention against ISIS in Iraq and Syria Is there an expanding right of self defence against non state actors Is the use of force effective The development of nuclear weapons by North Korea has reignited discussion about the legality of pre-emptive self defence The NATO led operation in Libya increased hopes for the implementation of responsibility to protect but it also provoked criticism for exceeding the Security Council's authorization of force because its outcome was regime change UN peacekeeping faces new challenges especially with regard to the protection of civilians and UN forces have been given revolutionary mandates in several African states But the 2015 report *Uniting Our Strengths* reaffirmed that UN peacekeeping is not suited to counter terrorism or enforcement operations the UN should turn to regional organizations such as the African Union as first responders in situations of ongoing armed conflict

Humanitarian Disarmament Treasa Dunworth, 2020-08-06

Humanitarian disarmament is not new but instead represents a re-emergence of a long standing sensibility in disarmament discourse

Images in Law William Pencak, 2016-05-13 What does the law look like While numerous attempts have been made to examine law and legal action in terms of its language little has yet been written that considers how visual images of the law influence its interpretation and execution in ways not discernible from written texts This groundbreaking collection focuses on images in law featuring contributions that show and discuss the perception of the legal universe on a theoretical basis or when dealing with visual semiotics dress ceremony technology etc It also examines language in action analyzing jury instructions police directives and how imagery is used in conjunction with contentious social and political issues within a country such as the image of family in Ireland or the image of racism in France

Normative Readings of the Belt and Road Initiative Wenhua Shan, Kimmo Nuotio, Kangle Zhang, 2018-05-31 This timely book offers revealing insights into the changing role of China in world governance as exemplified by the Silk Road Initiative the People's Republic's first published major initiative for external affairs Focusing on various aspects of the Silk Road Initiative particularly those that are largely neglected in current discussions including culture and philosophy finance and investment environmental protection and social responsibility judiciary and lawyers the authors explore a wide range of contexts in which China's role as an emerging power in international relations and international law is examined In the current era of ever increasing populism protectionism and challenges to globalization the authors explore the Chinese philosophy underpinning Chinese norms of regional and international development Bearing in mind the political and economic uncertainties hampering the establishment of such norms the authors offer crucial insights into how the Silk Road Initiative could or should be developed and regulated Given its depth of coverage the book is an indispensable read for anyone interested in the Initiative and its

social legal implications *Imagining the International* Nesam McMillan, 2020-09-08 International crime and justice are powerful ideas associated with a vivid imagery of heinous atrocities injured humanity and an international community seized by the need to act Through an analysis of archival and contemporary data *Imagining the International* provides a detailed picture of how ideas of international crime crimes against all of humanity and global justice are given content foregrounding their ethical limits and potentials Nesam McMillan argues that dominant approaches to these ideas problematically disconnect them from the lived and the specific and foster distance between those who have experienced international crime and those who have not McMillan draws on interdisciplinary work spanning law criminology humanitarianism socio legal studies cultural studies and human geography to show how understandings of international crime and justice hierarchize spectacularize and appropriate the suffering of others and promote an ideal of justice fundamentally disconnected from life as it is lived McMillan critiques the mode of global interconnection they offer one which bears resemblance to past colonial global approaches and which seeks to foster community through the image of crime and the practice of punitive justice This book powerfully underscores the importance of the ideas of international crime and justice and their significant limits cautioning against their continued valorization **International Law** Jan Klabbers, 2013-03-28 Clear and concise a landmark publication in the teaching of international law from one of the world's leading international lawyers *The Law of Armed Conflict and the Use of Force* Frauke Lachenmann, Rüdiger Wolfrum, 2017 This volume collects articles on the law of armed conflict and the use of force from the Max Planck Encyclopedia of Public International Law to facilitate easy access to content from the leading reference work in international law *Existing Legal Limits to Security Council Veto Power in the Face of Atrocity Crimes* Jennifer Trahan, 2020-08-13 In this book the author outlines three independent bases for the existence of legal limits to the veto by UN Security Council permanent members while atrocity crimes are occurring The provisions of the UN Charter creating the veto cannot override the UN's Purposes and Principles nor jus cogens peremptory norms of international law There are also positive obligations imposed by the Geneva and Genocide Conventions in situations of war crimes and genocide conventions to which all permanent members are parties The author demonstrates how vetoes and veto threats have blocked the Security Council from pursuing measures that could have prevented or alleviated atrocity crimes genocide crimes against humanity war crimes in places such as Myanmar Darfur Syria and elsewhere As the practice continues despite regular condemnation by other UN member states and repeated voluntary veto restraint initiatives the book explores how the legality of this practice could be challenged **The Use of Force and International Law** Christian Henderson, 2023-11-09 Newly revised this textbook provides an authoritative conceptual and practical overview of international law governing the resort to force Following an introductory chapter with a section on the key issues in identifying the law and actual and potential changes to it the book addresses the breadth and scope of the prohibition of the threat or use of force and the meaning of force as the focus of this The book proceeds to address the use of force through the

United Nations and regional organisations the use of force in peacekeeping operations the right of self defence and the customary limitations upon this right the controversial right of humanitarian intervention and forcible interventions in civil conflicts Updated to include greater focus on aspects such as cyber operations the threat of force and the human element to the use force as well as the inclusion of recent developments such as the 2022 Russian invasion of Ukraine it seeks to address the contemporary legal framework through the prism of contemporary challenges that it currently faces

Territorial Politics and Secession Martin Belov, 2021-03-29 This book offers a broad perspective of revolutionary territorial politics by putting secession in the context of other forms of revolutionary territorial politics This allows for a more complex and profound account of secession and offers the reader a conceptual approach to politics of revolutionary discontent with territorial status quo Second the book provides a multidiscursive approach which combines the efforts of constitutional and comparative constitutional law scholars with international lawyers EU lawyers and specialists in international relations This allows for multifaceted and in that regard more adequate balanced and rich analysis of secession and the other forms of revolutionary territorial politics

The Inter American Court of Human Rights Natalia Zúñiga, 2022-07-05 This book provides a critical legal perspective on the legitimacy of international courts and tribunals The volume offers a critique of ideology of two legal approaches to the legitimacy of the Inter American Court of Human Rights IACtHR that portray it as a supranational tribunal whose last say on human rights protection has a transformative effect on the democracies of Latin America The book shows how the discussion between these Latin American legal strands mirrors global trends in the study of the legitimacy of international courts related to the use of constitutional analogies and concepts such as the notion of judicial dialogue and the idea of democratic transformation It also provides an in depth analysis of how through the use of those categories legal experts studying the legitimacy of the IACtHR enact self validation processes by making themselves the principal agents of transformation These self validation processes work as ideological apparatuses that reproduce and entrench the mindset that the legal discipline is a driving force of change in itself Further the book shows how profiling the Court as an agent of transformation diverts attention from the ways in which it has pursued a particular view of human rights and democracy in the region that creates and reproduces relations of inequality and domination Rather than discarding the IACtHR this book aims to de centre the focus away from formal legal institutions engaging with the idea that ordinary people can mobilise and define the content of law to transform their lives and territories The book will be a valuable resource for scholars working in the areas of human rights law law public international law legal theory constitutional law political science and legal philosophy

Culture and International Law Hikmahanto Juwana, Jeffrey Thomas, Mohd Hazmi Mohd Rusli, Dhiana Puspitawati, 2019-09-03 In this era of globalization International Law plays a significant role in facing rapid development of various legal issues Cultural preservation has emerged as an important legal issue that should be considered by States This book consists of academic papers presented and discussed during the 9th

International Conference of the Centre of International Law Studies 9th CILS Conference held in Malang Indonesia 23 October 2018 The title of the book represents the major theme of the conference Culture and International Law It is argued that along with globalization cultural preservation is slowly ignored by States Various papers presented in the book cover five topics cultural heritage cultural rights culture and economic activity culture and armed conflict and a general topic The authors of the papers are outstanding academics from various countries Lithuania United States of America Australia Thailand and Indonesia The conference was organized by Universitas Indonesia in collaboration with Brawijaya University This book aims to give a useful contribution to the existing literature on International Law specifically focussing on cultural issues from the perspective of cultural heritage and rights economic as well as armed conflict International Law and the Politics of History Anne Orford, 2021-08-05 Explores the ideological political and economic stakes of struggles over international law s history and its relation to empire and capitalism **Reading Walzer** Yitzhak Benbaji, Naomi Sussmann, 2013-10-30 Michael Walzer is one of the world s leading philosophers and political theorists In addition to his best known books such as Spheres of Justice and Just and Unjust Wars he has contributed to contemporary political debates beyond academia in the New York Times the New Yorker and Dissent Reading Walzer is the first book to assess the full range of Walzer s work An outstanding team of international contributors consider the following topics in relation to Walzer s work the moral standing of nation states individual responsibility and laws governing the conduct of war debates over intervention and non intervention human and minority rights moral and cultural pluralism equality justice Walzer s radicalism and role as a critic All chapters have been specially commissioned for this collection and Walzer s responses to his critics makes Reading Walzer essential reading for students of political philosophy and political theory

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