

The Right of Conquest : The Acquisition of Territory by Force in International Law and Practice

Sharon Korman

Note: This is not the actual book cover

Right Of Conquest The Acquisition Of Territory By Force In International Law And Practice

Kari Takamaa, Martti Koskenniemi



Right Of Conquest The Acquisition Of Territory By Force In International Law And Practice:

The Right of Conquest Sharon Korman,1996-10-31 This is an enquiry into the place of the right of conquest in international relations since the early sixteenth century and the causes and consequences of its demise in the twentieth century It was a recognized principle of international law until the early years of this century that a state that emerges victorious in a war is entitled to claim sovereignty over territory which it has taken possession Sharon Korman shows how the First World War which led to the rise of self determination and to calls for the prohibition of war prompted the reconstruction of international law and the consequent abolition of the title by conquest Her conclusion which highlights the merits and defects of the modern law as a vehicle for discouraging war by denying the title to the conqueror challenges many of the assumptions that have come to constitute part of the conventional wisdom of our times This is a study not of international law narrowly conceived but of the place of a changing legal principle in international history and the contemporary world

Imperialism, Sovereignty and the Making of International Law Antony Anghie,2007-04-26

Examines the relationship between imperialism and international law

Boundaries of Discourse in the International Court of Justice Michelle L. Burgis,2009 How can Third World experiences of colonialism and statehood be expressed within the confines of the International Court of Justice How has the discourse of international law developed to reflect postcolonial realities of universal statehood In a close and critical reading of four territorial disputes spanning the Arab World Burgis explores the extent to which international law can be used to speak for and speak to non European experiences of authority over territory The book draws on recent critical international legal scholarship to question the ability of contemporary international adjudication to address Third World grievances from the past A comparative analysis of the cases suggests that international law remains a discourse only capable of capturing a limited range of non European experiences during and after colonialism

Unlawful Territorial Situations in International Law Enrico Milano,2006 This work deals with the question of unlawful territorial situations i e territorial regimes that are established and maintained in defiance of international law The book represents a welcome contribution to an issue of the outmost importance in international affairs at present times It brings together elaborate theoretical discussion and thorough empirical research Students of international law practitioners and anyone interested in deepening the understanding of the role and relevance of international law to territorial occupation will greatly benefit from this study

The Use of Force in International Law Tom Ruys,Olivier Corten,Alexandra Hofer,2018-04-26 The international law on the use of force is one of the oldest branches of international law It is an area twinned with the emergence of international law as a concept in itself and which sees law and politics collide The number of armed conflicts is equal only to the number of methodological approaches used to describe them Many violent encounters are well known The Kosovo Crisis in 1999 and the US led invasion of Iraq in 2003 spring easily to the minds of most scholars and academics and gain extensive coverage in this text Other conflicts including the Belgian

operation in Stanleyville and the Ethiopian Intervention in Somalia are often overlooked to our peril Ruys and Corten's expert written text compares over sixty different instances of the use of cross border force since the adoption of the UN Charter in 1945 from all out warfare to hostile encounters between individual units targeted killings and hostage rescue operations to ask a complex question How much authority does the power of precedent really have in the law of the use of force The Finnish Yearbook of International Law 1998 Kari Takamaa, Martti Koskeniemi, 2000-08-01 Despite its Finnish initiative and pedigrees The Finnish Yearbook of International Law does not restrict itself to purely Finnish topics On the contrary it reflects the many connections in law between the national and the international The Finnish Yearbook of International Law annually publishes articles of high quality dealing with all aspects of international law including international law aspects of European law with close attention to developments that affect Finland Its offerings include longer articles of a theoretical nature exploring new avenues and approaches shorter polemics commentaries on current international law developments book reviews and documentation of relevance to Finland's foreign relations not easily available elsewhere The Finnish Yearbook offers a fertile ground for the expression of and reflection on the connections between Finnish law and international law as a whole and insight into the richness of this interaction **Reflections on the UN Declaration on the Rights of Indigenous Peoples** Stephen Allen, Alexandra Xanthaki, 2011-01-12 The adoption of the Declaration on the Rights of Indigenous Peoples by the United Nations General Assembly on 13 September 2007 was acclaimed as a major success for the United Nations system given the extent to which it consolidates and develops the international corpus of indigenous rights This is the first in depth academic analysis of this far reaching instrument Indigenous representatives have argued that the rights contained in the Declaration and the processes by which it was formulated obligate affected States to accept the validity of its provisions and its interpretation of contested concepts such as culture land ownership and self determination This edited collection contains essays written by the main protagonists in the development of the Declaration indigenous representatives and field leading academics It offers a comprehensive institutional thematic and regional analysis of the Declaration In particular it explores the Declaration's normative resonance for international law and considers the ways in which this international instrument could catalyse institutional action and influence the development of national laws and policies on indigenous issues **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 *The Politics of Self-determination* Volker Prott, 2016 Addresses the pitfalls of border drawing in post WWI Europe arguing that at international and local levels the temptation of violence made national self determination problematic as local elites administrations and paramilitary leaders used ethnic notions of identity to mobilise popular support under a guise of international legitimacy **Transition from Illegal Regimes under International Law** Yaël Ronen, 2011-05-19 Ya l

Ronen analyses the international legal ramifications of illegal territorial regimes namely the illegal annexation of territory or illegal declarations of independence by reference to the stage of transition from an illegal territorial regime to a lawful one. Six case studies: Namibia, Zimbabwe, the Baltic States, the South African Bantustans, East Timor and northern Cyprus are used to explore the tension between the invalidity of the illegal regime's acts and their effectiveness with respect to the international relations of such territories, their domestic legal systems, the status of settlers and land transfers. Relying heavily on primary and previously unconsidered sources, she focuses on the international legal constraints on the post-transition regime's policy, particularly in the context of international human rights law.

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