

A NORMATIVE APPROACH TO WAR

*Peace, War, and Justice in
Hugo Grotius*

Edited by
YASUAKI ONUMA



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Normative Approach To War Peace War And Justice In Hugo Grotius

Seth Lazar, Helen Frowe



Normative Approach To War Peace War And Justice In Hugo Grotius:

A Normative Approach to War Yasuaki Ōnuma, Onamu, 1993 Based on the editor's Japanese work entitled *Senso to heiwa no ho* The Law of war and peace 1987 *Human Rights Horizons* Richard A. Falk, 2002-09-11 In *Human Rights Horizons* one of the world's foremost authorities on human rights and international relations maps out the way to a more just and human global society Borders are being erased democracy and capitalism are spreading The world is rapidly changing and these changes are opening the door for the promotion of human rights to become an integral part of worldwide politics and law In his provocative new book Falk discusses the borderline between the promotion of human rights and the promotion of interventionist and coercive diplomacy Can the US and the UN find an acceptable balance between unnecessary protracted violence Somalia and simply letting genocide spread Rwanda While looking at specific cases Falk also sheds important new light on non Western attitudes toward human rights the challenge of genocidal politics the intersection of morality and global security and the pursuit of international justice Thoughtful and very accessibly written *Human Rights Horizons* clearly presents a path to an original new humanitarian policy for the 21st century **Hugo Grotius in International Thought** R. Jeffery, 2006-09-02 Drawing on the development of Grotian scholarship in international legal and political thought this book seeks to ascertain precisely what the term has meant both historically and as it is employed in contemporary scholarship *Grotius and Law* Larry May, Emily McGill, 2017-07-05 The essays collected for this volume represent the best scholarly literature on Hugo Grotius available in the English language In the English speaking world Grotius is not as well known as his fellow 17th century political philosophers Thomas Hobbes or John Locke but in legal theory Grotius is at least as important Even on central political concepts such as liberty and property Grotius has important views that should be explored by anyone working in legal and political philosophy And Grotius's work especially *De Jure Belli ac Pacis* is much more important in international law and the laws of war than anyone else's work in the 17th or 18th centuries This volume is therefore useful not only to Grotius scholars but also to anyone interested in historical and modern debates on key issues in political and legal philosophy more broadly and international law in particular **The Oxford Handbook of Ethics of War** Seth Lazar, Helen Frowe, 2018-01-12 Recent years have seen a resurgence of interest among both philosophers legal scholars and military experts on the ethics of war Due in part due to post 9 11 events this resurgence is also due to a growing theoretical sophistication among scholars in this area Recently there has been very influential work published on the justification of killing in self defense and war and the topic of the ethics of war is now more important than ever as a discrete field The 28 commissioned chapters in this Handbook will present a comprehensive overview of the field as well as make significant and novel contributions and collectively they will set the terms of the debate for the next decade Lazar and Frowe will invite the leading scholars in the field to write on topics that are new to them making the volume a compilation of fresh ideas rather than a rehash of earlier work The volume will be divided into five sections Method History

Resort Conduct and Aftermath The contributors will be a mix of junior and senior figures and will include well known scholars like Michael Walzer Jeff McMahan and David Rodin The Cambridge Handbook of the Just War Larry May,2018-02-15 A comprehensive exploration of contemporary debates in Just War Theory addressing moral political and legal issues The Laws of War in International Thought Pablo Kalmanovitz,2020-09-15 The Law of Armed Conflict is usually understood to be a regime of exception that applies only during armed conflict and regulates hostilities among enemies It assigns privileges to states far beyond what they are allowed to do in peacetime and it mandates certain protections for non combatants which can often be defeated by appeals to military necessity or advantage The Laws of War in International Thought examines the intellectual history of the laws of war before their codification It reconstructs the processes by which political and legal theorists built the laws distinctive vocabularies and legitimized some of their broadest permissions and it situates these processes within the broader intellectual project that from early modernity spelled out the nature function and powers of state sovereignty The book focuses on four historical moments in the intellectual history of the laws of war the doctrine of just war in Spanish scholasticism Hugo Grotius s theory of solemn war the Enlightenment theory of regular war and late nineteenth century humanitarianism By looking at these moments Pablo Kalmanovitz shows how challenging and polemical it has been for international theorists to justify the exceptional and permissive character of the laws of war In this way he contributes to recover a sense of the historical foundations and many still problematic aspects of the Law of Armed Conflict *Research Handbook on the Theory and History of International Law* Alexander Orakhelashvili,2020-12-25 This updated and revised second edition with contributions from renowned experts provides a comprehensive scholarly framework for analyzing the theory and history of international law Featuring an array of legal and interdisciplinary analyses it focuses on those theories and developments that illuminate the central and timeless basic concepts and categories of the international legal system highlighting the interdependency of various aspects of theory and history and demonstrating the connections between theory and practice International Relations and the Limits of Political Theory Howard Williams,2016-07-27 This book shows how the traditional concerns of political theory push it increasingly into the study of international relations This is done first by demonstrating how many of the issues usually dealt with by political theory such as democracy and justice arise within an increasingly global context and secondly by considering how international issues such as colonialism and war are best illuminated by building on the work of political theorists The book suggests that political theory and international relations theory can now both be successfully engaged in as a joint enterprise only **Time, History and International Law** Matthew C. R. Craven,Malgosia Fitzmaurice,Maria Vogiatzi,2007 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

The Law of War Em Prof Ingrid Detter, 2013-07-28 The third edition of Ingrid Detter's authoritative work explores the changing legal context of modern warfare in light of events over the last decade The new edition covers post 9 11 events and the resulting changes in the ethos of war It analyses the role of military companies sometimes authorised by States to act in war like situations and examines what their legitimacy means for international society The edition also discusses certain intrinsic rules such as rules giving individuals the right to be spared genocide torture slavery and apartheid and assure them basic democratic rights

The Cambridge History of Medieval Philosophy Robert Pasnau, Christina van Dyke, 2014-06-19 The Cambridge History of Medieval Philosophy comprises over fifty specially commissioned essays by experts on the philosophy of this period Starting in the late eighth century with the renewal of learning some centuries after the fall of the Roman Empire a sequence of chapters takes the reader through developments in many and varied fields including logic and language natural philosophy ethics metaphysics and theology Close attention is paid to the context of medieval philosophy with discussions of the rise of the universities and developments in the cultural and linguistic spheres A striking feature is the continuous coverage of Islamic Jewish and Christian material There are useful biographies of the philosophers and a comprehensive bibliography The volumes illuminate a rich and remarkable period in the history of philosophy and will be the authoritative source on medieval philosophy for the next generation of scholars and students alike

Jurisprudence of international law Nikolaos Tsagourias, 2022-12-20 Now available as an eBook for the first time this 2000 book from the Melland Schill series looks at the humanitarian intervention at the centre of legal political and ethical discourse as the century of violence ended Increasing recourse to such a doctrine was occasioning widespread reflection on the big questions of how and why states behave whether there is a meaningful concept of an international community how fundamental values are determined and how they relate to each other

poses challenges to thinking and argumentation and proposes a redescription of humanitarian intervention The book presents and evaluates the bearing of legal theories natural law positivism realism and critical theory on humanitarian intervention and how the legal framework in particular Articles 2 4 and 51 of the United Nations Charter is moulded by theoretical arguments and influences state practice Tsagourias develops a discursive model where the value of human dignity is attained through dialogue reflection and projection embedded in a sense of responsibility and human solidarity The book revisits humanitarian intervention from the perspective of human dignity by re combining theory doctrine and practice within a discursive process This book is written for theorists and practitioners of both international law and international relations

Classical Theories of International Relations Ian Clark,Iver B. Neumann,2016-07-27 Drawing on a tripartite taxonomy first suggested by the so called English School of International Relations of a Hobbesian tradition of power politics a Grotian tradition of concern with the rules that govern relations between states and a Kantian tradition of thinking which transcends the existence of the states system this book discusses the thinking of central political theorists about the modern states system Thinkers covered are Hobbes Grotius Kant Vitoria Rousseau Smith Burke Hegel Gentz and Vattel

Indigenous Peoples as Subjects of International Law Irene Watson,2017-07-14 For more than 500 years Indigenous laws have been disregarded Many appeals for their recognition under international law have been made but have thus far failed mainly because international law was itself shaped by colonialism How this volume asks might international law be reconstructed so that it is liberated from its colonial origins With contributions from critical legal theory international law politics philosophy and Indigenous history this volume pursues a cross disciplinary analysis of the international legal exclusion of Indigenous Peoples and of its relationship to global injustice Beyond the issue of Indigenous Peoples rights however this analysis is set within the broader context of sustainability arguing that Indigenous laws philosophy and knowledge are not only legally valid but offer an essential approach to questions of ecological justice and the co existence of all life on earth The Open Access version of this book available at <http://www.taylorfrancis.com> has been made available under a Creative Commons CC BY NC ND 4 0 license

Catholic and Reformed Traditions in International Law Paulo Emílio Vauthier Borges de Macedo,2017-08-28 This book compares the respective concepts of the law of nations put forward by the Spanish theologian Francisco Su rez and by the Dutch jurist Hugo Grotius This comparison is based on the fact that both thinkers developed quite similar notions and were the first to depart from the Roman conception which persisted throughout the entire Middle Ages and the early Renaissance In Rome jus gentium was a law that applied to foreigners within the Empire and one which was often mistaken for Natural Law itself These two features can be found even in the works of writers such as Francisco de Vit ria and Alberico Gentili In Su rez and Grotius the law of nations is applicable to an extra national domain and inarguably becomes positive law Yet it also contains an ethical element that prevents it from transforming into a mere reflection of state interests This work argues that this resemblance is hardly a coincidence Grotius

has read Su rez and that influence has modified the foundations of his early thoughts on jus gentium This should not be taken to imply that the Dutch jurist wasn't original in both authors the definition of the law of nations pursues his own internal logic Nevertheless Su rez's oeuvre allowed Grotius to solve a fundamental problem touched on in his early writings that had remained unanswered Accordingly his oeuvre promises to clarify one of the most significant moments in the History of International Law

Humanistica Lovaniensia - Volume XLIII, Corona Martiniana Gilbert Tournoy, 1994-02-15 Volume 43

The Republican Legacy in International Thought Nicholas Greenwood Onuf, 1998-01-08 Republicanism has enjoyed a revival of scholarly interest in several fields In this book Nicholas Onuf provides the first major treatment of the republican way of thinking about law politics and society in the context of international thought The author tells two stories about republicanism starting with Aristotle and culminating in the eighteenth century when international thought became a distinctive enterprise These two stories surround the thought of Vattel and Kant and by telling them side by side the author identifies a substantial but little acknowledged legacy of republicanism in contemporary discussions of sovereignty intervention international society peace levels of analysis and the global economy In identifying this legacy in contemporary thought Nicholas Onuf develops his constructivist approach to international theory

Civilians and War in Europe 1618-1815 Erica Charters, Professor Eve Rosenhaft, Hannah Smith, 2012-03-12 This interdisciplinary volume examines the relationship between civilians and war in Europe in the period 1618 to 1815 challenging familiar narratives of the rise of modern war and the nature of early modern warfare

Peacemaking, Power-sharing and International Law Martin Wählisch, 2019-09-05 This monograph provides a contemporary analysis of the frictions between peacemaking and international human rights law based on the cases of postconflict power sharing in Lebanon and Bosnia Herzegovina In this context it evaluates the long standing debate in the United Nations and human rights bodies about the imperfect peace Written from a practitioner scholarly viewpoint and drawing from new authentic sources the book describes the mechanisms used in peace agreements and post conflict constitutions for managing ethnic or religious diversity explains their legal limits under international human rights law and provides a conceptual framework for analysing the nexus between law and peacemaking The book argues that the relationship between the content of peace agreements and post conflict constitutions their negotiation process and the element of time needs to be untangled to better understand the legal limits of statebuilding in the aftermath of armed conflict It is a key resource for scholars in human rights law and peace and conflict studies advisers in peace processes constitution makers and peace mediators

Unveiling the Power of Verbal Beauty: An Psychological Sojourn through **Normative Approach To War Peace War And Justice In Hugo Grotius**

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