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Thomas M. Franck

Power Of Legitimacy Among Nations

Thomas M. Franck



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The Power of Legitimacy among Nations Thomas M. Franck, 1990-07-26 Although there is no international government and no global police agency enforces the rules nations obey international law In this provocative study Franck employs a broad range of historical legal sociological anthropological political and philosophical modes of analysis to unravel the mystery of what makes states and people perceive rules as legitimate Demonstrating that virtually all nations obey most rules nearly all of the time Franck reveals that the more legitimate laws and institutions appear to be the greater is their capacity for compliance Distilling those factors which increase the perception of legitimacy he shows how a community of rules can be fashioned from a system of sovereign states without creating a global leviathan **International Law** Malcolm N. Shaw, 2003-09-25 This fifth edition of Malcolm Shaw's bestselling textbook on international law provides a clear authoritative and comprehensive introduction to the subject fully revised and updated to Spring 2003 Basically preserving the structure which made the previous edition so successful a new chapter on Inter state Courts and Tribunals considers the role of the International Court of Justice and the International Tribunal on the Law of the Sea and there is a new chapter on international humanitarian law Also examined are arbitration tribunals and the role of international institutions such as the WTO in resolving conflicts The prosecution of individuals for violations of international law is examined Additional coverage of events in Kosovo and Iraq analyses the questions of humanitarian intervention and the role of the UN Written in a clear and accessible style setting the subject firmly in the context of world politics and the economic and cultural influences affecting it this book remains a highly readable and invaluable resource for students and practitioners alike The scope of the text makes this essential reading for students of international law international relations and the political sciences The book is also valuable to professionals and governmental and international civil servants The New Sovereignty Abram Chayes, Antonia Handler Chayes, 2009-07-01 States resort to regulatory agreements to address problems as disparate as nuclear proliferation international trade species destruction and intellectual property while threatening military or economic sanctions in order to deter noncompliance This book argues that this approach is misconceived and proposes a new model of treaty compliance **The Oxford Handbook of the Theory of International Law** Anne Orford, Florian Hoffmann, Martin Clark, 2016-09-22 The Oxford Handbook of International Legal Theory provides an accessible and authoritative guide to the major thinkers concepts approaches and debates that have shaped contemporary international legal theory The Handbook features 48 original essays by leading international scholars from a wide range of traditions nationalities and perspectives reflecting the richness and diversity of this dynamic field The collection explores key questions and debates in international legal theory offers new intellectual histories for the discipline and provides fresh interpretations of significant historical figures texts and theoretical approaches It provides a much needed map of the field of international legal theory and a guide to the main themes and debates that have driven theoretical work in international law The Handbook will be an indispensable

reference work for students scholars and practitioners seeking to gain an overview of current theoretical debates about the nature function foundations and future role of international law

No Citizens Here: Global Subjects and Participation in International Law René Urueña, 2012-03-23 Building on the notion of a risk society this book offers an alternative to the traditional notion of international legal subjects by arguing that international law creates fragmented subjectivities whose conflicting identities help perpetuate a certain global loss of sense that is characteristic of our times *A Communitarian Theory of WTO Law* Chios Carmody, 2023-12-21 The interdependence promoted by the WTO Agreement has exposed a number of critical vulnerabilities leading to accusations that the treaty is unjust This book offers a theory of WTO law which explains why the justice of the WTO Agreement needs to be understood on its own terms

Diversity and Self-Determination in International Law Karen Knop, 2002-04-18 The emergence of new states and independence movements after the Cold War has intensified the long standing disagreement among international lawyers over the right of self determination especially the right of secession Knop shifts the discussion from the articulation of the right to its interpretation She argues that the practice of interpretation involves and illuminates a problem of diversity raised by the exclusion of many of the groups that self determination most affects Distinguishing different types of exclusion and the relationships between them reveals the deep structures biases and stakes in the decisions and scholarship on self determination Knop s analysis also reveals that the leading cases have grappled with these embedded inequalities Challenges by colonies ethnic nations indigenous peoples women and others to the gender and cultural biases of international law emerge as integral to the interpretation of self determination historically as do attempts by judges and other institutional interpreters to meet these challenges

The International Rule of Law Heike Krieger, Georg Nolte, Andreas Zimmermann, 2019-08-07 This edited volume examines the role of international law in a changing global order Can we under the current significantly changing conditions still observe an increasing juridification of international relations based on a universal understanding of values Or are we to the contrary facing a tendency towards an informalization or a reformalization of international law or even an erosion of international legal norms Would it be appropriate to revisit classical elements of international law in order to react to structural changes which may give rise to a more polycentric or non polar world order Or are we simply observing a slump in the development towards an international rule of law based on a universal understanding of values In eleven chapters distinguished scholars reflect on how to approach these questions from historical system oriented and actor centered perspectives The contributions engage with the rise of European international law since the 17th century the decay of the international rule of law compliance as an indicator for the state of international law international law and informal law making in times of populism the rule of environmental law and complex problems human rights in Europe in a hostile environment the influence of the BRICS states on international law the impact of non state actors on international law international law s contribution to global justice the contestation of value based norms and the

international rule of law in light of legitimacy claims **Inside the Un Security Council** Jess Gifkins,2024-02-20 Inside the UN Security Council analyses informal practices within Security Council decision making both in general and focused on the case of Darfur in the west of Sudan to pull back the curtain on decision making **The G20** K. Postel-Vinay,2016-01-12 This book argues that the G20 is neither a global executive board for a new world order nor is it just a crisis unit for failing economies It is a laboratory for the observation experimentation and invention of new forms of international cooperation that are redefining global politics Beyond compliance Ann E. Kent,2009 An extensively researched study of Chinese participation in international organisations this book argues that the record of China s international behaviour since the 1970s indicates the long term effectiveness of the multilateral system The Amicus Curiae in International Criminal Justice Sarah Williams,Hannah Woolaver,Emma Palmer,2020-02-06 The amicus curiae or friend of the court is the main mechanism for actors other than the parties including civil society actors and states to participate directly in proceedings in international criminal tribunals Yet reliance on this mechanism raises a number of significant questions concerning the functions performed by amici which actors seek to intervene and why and the influence of amicus interventions on judicial outcomes Ultimately the amicus curiae may have a significant impact on the fairness representativeness and legitimacy of the tribunals proceedings and decisions This book provides a comprehensive examination of the amicus curiae practice of the International Criminal Court and other major international criminal tribunals and offers suggestions for the role of the amicus curiae In doing so the authors develop a framework to augment the potential contributions of amicus participation in respect of the legitimacy of international criminal tribunals and their decisions while minimising interference with the core judicial competence of the tribunal and the right of the accused to a fair and expeditious trial Improving International Investment Agreements Armand De Mestral,Céline Lévesque,2013-02-11 This book presents the reflections of a group of researchers interested in assessing whether the law governing the promotion and protection of foreign investment reflects sound public policy Whether it is the lack of checks and balances on investor rights or more broadly the lack of balance between public rights and private interests the time is ripe for an in depth discussions of current challenges facing the international investment law regime Through a survey of the evolution in IIA treaty making and an evaluation from different perspectives the authors take stock of developments in international investment law and analyze potential solutions to some of the criticisms that plague IIAs The book takes a multidisciplinary approach to the subject with expert analysis from legal political and economic scholars The first part of the book traces the evolution of IIA treaty making whilst the other three parts are organised around the concepts of efficiency legitimacy and sustainability Each contributor analyzes one or more issues related to substance treaty negotiation or dispute resolution with the ultimate aim of improving IIA treaty making in these respects Improving International Investment Agreements will be of particular interest to students and academics in the fields of International Investment Law International Trade Law Business and Economics *The Politics of International Economic*

Law Tomer Broude, Marc L. Busch, Amelia Porges, 2011-03-07 How do politics and international economic law interact with each other Financial crises and shifts in global economic patterns have refocused our attention on how the fingerprints of the visible hand can be seen all over the institutions that underpin the rules of globalization From trade and investment to finance governments are under pressure to enforce resist and rewrite international economic law Lawyers have seldom given enough attention to the influence of politics on law whereas political scientists have had an on again off again fascination with how the law influences relations among states This book leads the way toward filling this interdisciplinary gap through a series of important studies written by leaders in the field on specific problems in international economic relations The book demonstrates a variety of ways in which the international political economic nexus may be researched and understood

Legitimizing International Organizations Dominik Zaum, 2013-09-26 The legitimacy of international and regional organizations and their actions is frequently asserted and challenged by states and commentators alike Their authorisations or conduct of military interventions their structures of decision making and their involvement into what states deem to be domestic matters have all raised questions of legitimacy As international organizations lack the coercive powers of states legitimacy is also considered central to their ability to attain compliance with their decisions Despite the prominence of legitimacy talk around international organizations little attention has been paid to the practices and processes through which such organizations and their member states justify the authority these organizations exercise how they legitimise themselves both vis vis their own members and external audiences This book addresses this gap by comparing and evaluating the legitimization practices of a range of international and regional organizations It examines the practices through which such organizations justify and communicate their legitimacy claims and how these practices differ between organizations In exploring the specific legitimization practices of international organizations this book analyses the extent to which such practices are shaped by the structure of the different organizations by the distinct normative environments within which they operate and by the character of the audiences of their legitimacy claims It also considers the implications of this analysis for global and regional governance

Institutionalizing International Environmental Law Bharat Desai, 2021-10-01 This is a ground breaking study of the law making process and the linkage between international environmental law and international environmental institutions Among many highlights this study shows that international institution building is an organic process directly geared to the needs of states It underscores the fact of international life that institutions are essentially tools operating within legal parameters for states to address global problems Published under the Transnational Publishers imprint

Protecting the Polar Marine Environment Davor Vidas, 2000-11-23 How can we best protect the polar marine environment against pollution Leading scholars on environmental law the law of the sea and Arctic and Antarctic affairs here examine this important question To what extent do existing global instruments of environmental protection apply to the Arctic Ocean and the Southern Ocean Can the arrangements adopted at regional sub regional and national levels provide

adequate protection This book examines and compares various levels of regulation in protecting the marine environment of the Arctic and Antarctic with specific attention to land based activities radioactive waste dumping and shipping in ice covered waters Developments since the establishment of the Arctic Council in 1996 and the entry into force of the Protocol on Environmental Protection to the Antarctic Treaty in 1998 are also discussed This is a volume that will appeal to polar specialists and to all those interested in environmental law and policy Social Power in International Politics Peter van Ham, 2010-04-05 This text introduces and defines the concept of social power and examines how it works in international politics Including perspectives from the EU the US Middle East and China it features a range of case studies on culture and pop culture media public diplomacy and branding *Akehurst's Modern Introduction to International Law* Alexander Orakhelashvili, 2018-12-07 Akehurst's Modern Introduction to International Law continues to offer a concise and accessible overview of the concepts themes and issues central to international law This fully updated eighth edition encompasses the plethora of recent developments and updates in the field and includes new dedicated chapters on international human rights self determination and international economic relations an extended history and theory section reflecting the evolution of new and critical approaches in the field and a greater focus on terrorism and international criminal law New and updated chapters include Creation and recognition of States Territory Law of the sea Immunities State succession Nationality and individual rights Protection of the environment Settlement of disputes Use of force and armed conflict With a distinctive cross jurisdictional approach which opens up the discipline to students from all backgrounds this book will arm the reader with all the tools methods and concepts they need to fully understand this complex and diverse subject As such this is an essential text for students of international law government and politics international relations and a multitude of related subject areas This textbook is supported by a companion website www.routledge.com/cw/orakhelashvili *International Conflict and Security Law* Sergey Sayapin, Rustam Atadjanov, Umesh Kadam, Gerhard Kemp, Nicolás Zambrana-Tévar, Noëlle Quénivet, 2022-07-21 This unique two volume book covers virtually the whole spectrum of international conflict and security law It proceeds from values protected by international law Part I through substantive rules in which these values are embodied Part II to international and domestic institutions that enforce the law Part III It subsequently deals with current challenges in the application of rules of international conflict and security law Part IV and crimes as the most serious violations of those rules Part V Finally in the section on case studies Part VI lessons learnt from a number of conflict situations are discussed Written by an international team of experts representing all the major legal systems of the world the book is intended as a reference work for students and researchers domestic and international judges as well as for legal advisers to governments and international and non governmental organisations Sergey Sayapin is Associate Professor and Associate Dean at KIMEP University School of Law in Almaty Kazakhstan Rustam Atadjanov is Assistant Professor at KIMEP University School of Law in Almaty Kazakhstan Umesh Kadam is formerly Additional Professor at the National Law School of

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Table of Contents Power Of Legitimacy Among Nations

1. Understanding the eBook Power Of Legitimacy Among Nations
 - The Rise of Digital Reading Power Of Legitimacy Among Nations
 - Advantages of eBooks Over Traditional Books
2. Identifying Power Of Legitimacy Among Nations
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Power Of Legitimacy Among Nations
 - User-Friendly Interface
4. Exploring eBook Recommendations from Power Of Legitimacy Among Nations

- Personalized Recommendations
- Power Of Legitimacy Among Nations User Reviews and Ratings
- Power Of Legitimacy Among Nations and Bestseller Lists
- 5. Accessing Power Of Legitimacy Among Nations Free and Paid eBooks
 - Power Of Legitimacy Among Nations Public Domain eBooks
 - Power Of Legitimacy Among Nations eBook Subscription Services
 - Power Of Legitimacy Among Nations Budget-Friendly Options
- 6. Navigating Power Of Legitimacy Among Nations eBook Formats
 - ePub, PDF, MOBI, and More
 - Power Of Legitimacy Among Nations Compatibility with Devices
 - Power Of Legitimacy Among Nations Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Power Of Legitimacy Among Nations
 - Highlighting and Note-Taking Power Of Legitimacy Among Nations
 - Interactive Elements Power Of Legitimacy Among Nations
- 8. Staying Engaged with Power Of Legitimacy Among Nations
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Power Of Legitimacy Among Nations
- 9. Balancing eBooks and Physical Books Power Of Legitimacy Among Nations
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Power Of Legitimacy Among Nations
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Power Of Legitimacy Among Nations
 - Setting Reading Goals Power Of Legitimacy Among Nations
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Power Of Legitimacy Among Nations

- Fact-Checking eBook Content of Power Of Legitimacy Among Nations
- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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