

THE POLITICS OF INTERNATIONAL LAW

U.S. Foreign Policy
Reconsidered

David P. Forsythe

Politics Of International Law

Martti Koskenniemi



Politics Of International Law:

The Politics of International Law Christian Reus-Smit, 2004-04-29 Politics and law appear deeply entwined in contemporary international relations Yet existing perspectives struggle to understand the complex interplay between these aspects of international life In this path breaking volume a group of leading international relations scholars and legal theorists advance a new constructivist perspective on the politics of international law They reconceive politics as a field of human action that stands at the intersection of issues of identity purpose ethics and strategy and define law as an historically contingent institutional expression of such politics They explain how liberal politics has conditioned modern international law and how law feeds back to constitute international relations and world politics This new perspective on the politics of international law is illustrated through detailed case studies of the use of force climate change landmines migrant rights the International Criminal Court the Kosovo bombing campaign international financial institutions and global governance

Between Peril and Promise J. Martin Rochester, 2011-11-08 In this concise introduction to international law students gain a clear appreciation for how politics shapes the development of international law and how international law shapes political relations between states Throughout the book Rochester takes this complex subject and makes it accessible with his vibrant easy to read prose After exploring the parameters of international law its intrinsic challenges and the various approaches to it Rochester then examines its five major sectors the law of the sea airspace and outer space human rights war and peace states and markets and the environment all through the lens of international relations theory Students will appreciate numerous pedagogical features such as instructive case studies photos and cartoons discussion questions and new to this edition an International Law in Action box which uses real world cases to flesh out the inner workings of international law Based on reviewer feedback the author reorganized several chapters bringing coverage of jurisdiction to the forefront in order to better set the stage for subsequent chapters With updates to all of the book's data factual information and hundreds of endnotes Rochester presents the latest IL scholarship in a clear and straightforward manner

The Politics of International Law Martti Koskeniemi, 2011 Today international law is everywhere Wars are fought and opposed in its name It is invoked to claim rights and to challenge them to indict or support political leaders to distribute resources and to expand or limit the powers of domestic and international institutions International law is part of the way political and economic power is used critiqued and sometimes limited Despite its claim for neutrality and impartiality it is implicit in what is just as well as what is unjust in the world To understand its operation requires shedding its ideological spell and examining it with a

Politics and International Law Leslie Johns, 2022-06-09 Teaches how and why states make break and uphold international law using accessible explanations and contemporary international issues

The Politics of International Law Nicole Scicluna, 2021 The Politics of International Law offers an introduction to the role of law in contemporary international affairs Through a case study driven analysis of topics such as human rights the use of force international environmental law

international trade law international criminal justice and the right to self determination the book explains the interaction between law and politics in the world today demonstrating that one cannot be understood without the other The book is divided into two parts Part I introduces contemporary international law with a focus on constitutive legal principles such as sovereignty territorial integrity and the legal equality of states Through these introductory chapters students are encouraged to take a holistic view of the processes and actors that drive international affairs and explore the fascinating paradox that while international law is largely created through political processes it also constitutes the environment in which international politics is practiced Part II builds on the foundations laid in Part I to analyze contemporary controversies in international law and politics Chapters focus on a number of substantive issue areas including international environmental law international economic law human rights law self determination and secession the law governing the use of force and international criminal justice This book is written to impart on readers a deepened understanding of both the possibilities and limits of international law as a tool for structuring relations in the world Digital Formats and Resources Also available as an e book with functionality navigation features and links that offer extra learning support The Politics of International Law Martti Koskenniemi, 2011-06-10 Today international law is everywhere Wars are fought and opposed in its name It is invoked to claim rights and to challenge them to indict or support political leaders to distribute resources and to expand or limit the powers of domestic and international institutions International law is part of the way political and economic power is used critiqued and sometimes limited Despite its claim for neutrality and impartiality it is implicit in what is just as well as what is unjust in the world To understand its operation requires shedding its ideological spell and examining it with a cold eye Who are its winners and who are its losers How if at all can it be used to make a better or a less unjust world In this collection of essays Professor Martti Koskenniemi a well known practitioner and a leading theorist and historian of international law examines the recent debates on humanitarian intervention collective security protection of human rights and the fight against impunity and reflects on the use of the professional techniques of international law to intervene politically The essays both illustrate and expand his influential theory of the role of international law in international politics The book is prefaced with an introduction by Professor Emmanuelle Jouannet Sorbonne Law School which locates the texts in the overall thought and work of Martti Koskenniemi Politics of International Law and International Justice Edwin Egede, 2013-08-20 An introduction to international law for politics and IR students This textbook introduction to international law and justice is specially written for students studying law in other departments such as politics and IR Written by a lawyer and a political theorist it shows how international politics has influenced international law Edwin Egede and Peter Sutch show that neglected questions of justice and ethics are essential to any understanding of the institutions of international society They walk students through the most crucial questions and critical debates in international law today sovereignty and global governance sovereign and diplomatic immunity human rights the use of force sanctions and the domestic impact of

international law **Transforming the Politics of International Law** P. Sean Morris, 2021-10-15 This volume examines the role of League of Nations committees particularly the Advisory Committee of Jurists ACJ in shaping the statute of the Permanent Court of International Justice PCIJ The authors explore the contributions of individual jurists and unofficial members in shaping the League's international legal machinery It is a companion book to *The League of Nations and the Development of International Law A New Intellectual History of the Advisory Committee of Jurists* Routledge 2021 One of the guiding principles of the book is that the development of international law was a project of politics where the idea and notion of an international society must contend with the political visions of each state represented on the different legal committees in the League of Nations during the drafting of the Covenant The book constitutes a major contribution to the literature in that it shows the inner workings of some of the legal committees of the League and how the political role of unofficial members was influential for the development of international law in the early twentieth century and how they influenced the political and legal process of the ACJ The book will be an essential reference for those working in the areas of International Law Legal History International Relations Political History and European History *Research Handbook on the Politics of International Law* Wayne Sandholtz, Christopher A. Whytock, 2017-02-24 What is the relationship between politics and international law Inspired by comparative politics and socio legal studies this Research Handbook develops a novel framework for comparative analysis of politics and international law at different stages of governance and in different governance systems It applies the framework in a wide range of fields from human rights and environmental standards to cyber conflict and intellectual property to show how the relationship between politics and international law varies depending on the sites where it unfolds **The Politics of International Law and Compliance** Nikolas M. Rajkovic, 2012-01-30 Leading the debate on the domestic effect of the growing influence of international adjudication this invaluable text examines Serbia and Croatia's erratic record of compliance with the International Criminal Tribunal for the Former Yugoslavia ICTY Since the demise of the Milosevic and Tudjman regimes Serbian and Croatian governments have been inconsistent in cooperating with the ICTY despite the conditions of EU membership and US financial incentives This study reconstructs events before during and after extradition to build up a picture of the complex politics involved in ICTY relations and provides a conceptual framework to study compliance in international relations and law Through this analysis a historical tracing of varied factors of political influence and a conceptualization of compliance is provided resulting in a rich interdisciplinary work embracing political science international relations and social theory By scrutinizing the social meanings and political practices which become attached to prescribed norms in compliance processes this book provides a highly relevant insight into contemporary meanings of compliance Politics of International Law and Compliance will be of interest to students and scholars of politics international relations and international law and European politics

Strategically Created Treaty Conflicts and the Politics of International Law Surabhi Ranganathan, 2014-12-18 A

richly textured account of the making implementing and changing of international legal regimes which encompasses law politics and economics *Politics of International Law and International Justice* Edwin Egede, 2013-08-20 A textbook introduction to international law and justice is specially written for students studying law in other departments such as politics and IR Students will engage with debates surrounding sovereignty and global governance sovereign and diplomati

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 *The Law and Politics of International Regime Conflict* Dirk Pulkowski, 2014-02-13 The international order is constituted by a plurality of international regimes institutionalized arrangements in different issue areas that possess their own norms and procedures The present book examines how conflict among regimes may arise and probes the role that international law can play in managing such conflict Throughout the book the example of trade in cultural products is used to illustrate the evolution of regime conflict and the potential for its management Conflicts between the goals of free trade and cultural diversity have notably surfaced within the World Trade Organization WTO and the United Nations Educational Scientific and Cultural Organization UNESCO As a result there is a potential for conflict among WTO law the UNESCO s Convention on the Protection and Promotion of the Diversity of Cultural Expressions and human rights The book posits that three dimensions are characteristic for regime conflict First regime conflict is a function of conflict among different social goals or values Second such goal conflicts are institutionalized through the interaction of a variety of political actors struggling for influence often in intergovernmental organizations Third regime conflict may manifest itself in conflicts of legal rules If a state acts in conformity with the rules of one regime its conduct may trigger a violation of the rules of another regime The author argues that while international law cannot be construed as a fully integrated and unified system it does provide a common language for different regimes to engage with each other The shared discourse rules of international law enable a degree of coordination of the policies of different regimes notably through techniques of interpretation and legal priority rules International law contributes to the management of regime conflict by providing commonly accepted reasons for choosing among competing policy goals

Research Handbook on the Politics of International Law Garrick Elwin, 2017-06 Law and politics are deeply entwined Law is a vital tool of government action an instrument with which government tries to influence society Law is also the means by which government itself is structured regulated and controlled It is no surprise then that law is an important prize in the political struggle and that law shapes how politics is conducted The scholarly study of law and politics is a growing and assorted field The range of scholarship in the area reflects the wide scope of issues and questions that are relevant to the field of law and politics and that invite new and further study Law and politics create their own particular pictures of reality Sometimes those pictures overlap sometimes they differ Yet there is something that the law should never include in its sphere namely the differentiation of adversaries according to a purely political criterion This leads to a strict

separation between ours and yours or in its most radical expression to a strict separation between friend and enemy When the latter occurs politics inevitably prevails over the law and reduces or damages the autonomy of the rule of law The diversity of scholarly interest in law and politics also reflects the interdisciplinary conversation that the field invites Research Handbook on the Politics of International Law presents the studies for comparative analysis of politics and international law at different stages of governance and in different governance systems It examines some basic characteristics of the relationship between national and international law and politics The text introduces the theoretical frameworks empirical cases policy instruments and cutting edge discussions in the field of international law from an International Relations perspective It will examine the interrelationships between international politics and international law in several specialised areas of international law such as human rights the environment international criminal justice trade and or the use of force

Politics and the Histories of International Law, 2021-07-19 What are the implications of writing the history of legal issues Eighteen authors from different legal systems and backgrounds offer different answers by examining the history writing on issues ranging from slavery over the use of force to extraterritorial jurisdiction Contributions show how historiography has often distorted or neglected regional cultures and suggest alternative methods and approaches to history writing These studies are highly relevant for current international relations in which the fight over master narratives is especially fierce among governments in different academic fields and also between governments and academics Contributors are Jean d Aspremont Julia B hner Emiliano J Buis Maria Adele Carrai Jacob Katz Cogan R n Derrig Angelo Dube Michel Erpelding Etienne Henry Madeleine Herren Randall Lesaffer Anne Charlotte Martineau Parvathi Menon Momchil Milanov Hirofumi Oguri Gustavo Prieto Hendrik Simon Sebastian Spitra and Deborah Whitehall **The Power of Deliberation** Ian Johnstone, 2011-04-19 Arguing about matters of public policy is ubiquitous in democracies The ability to resolve conflicts through peaceful contestation is a measure of any well ordered society Arguing is almost as ubiquitous in international affairs yet it is not viewed as an important element of world order In The Power of Deliberation International Law Politics and Organizations Ian Johnstone challenges the assumption that arguing is mere lip service with no real impact on the behavior of states or the structure of the international system Johnstone focuses on legal argumentation and asks why if the rhetoric of law is inconsequential governments and other international actors bother engaging in it Johnstone joins the efforts of international relations scholars and democracy theorists who consider why argumentation occurs beyond nation states He focuses on deliberation in and around international organizations drawing on various strands of legal political and international relations theory to identify common features of legal argumentation and deliberative politics Johnstone s central claim is that international organizations are places where interpretive communities coalesce and the quality of the deliberations these communities provoke is a measure of the legitimacy of the organization **World Politics and International Law** Francis Anthony Boyle, 2013-07-22 This work tries to bridge the gap between international lawyers and

those political scientists who write about international politics In the first part the author discusses the influence of Professor Morgenthau's realist school on the current thinking of political scientists and the abandonment of this school by its originator in the last years of his life The author concludes that the best way to test the validity of different approaches is to discuss various international crises in the light of contrasting theories and to analyze each situation from both the legal and political points of view In particular he tries to ascertain to what extent vital national interests could be accommodated within an international legal framework or could require a distortion of international rules in order to achieve national objectives In the second part the author dissects the Entebbe raid where Israeli forces rescued a group of hostages being detained by hijackers at a Ugandan airport His analysis shows the deficiencies of the international system in dealing with such a complex issue where several contradictory principles of international law could be applied and were defended by various protagonists The third part starts with a parallel problem the Iranian hostages crisis where a group of U S officials found themselves in an unprecedented situation of being captured by a band of students A critical analysis of the handling of this problem by the Carter Administration is followed by vignettes of other crises faced by the Administration and by its successor the Reagan Administration This part is less analytical and more prescriptive The author is no longer satisfied with pointing out what went wrong instead he departs from the usual hands off policy of political scientists and tries to indicate how much better each situation could have been handled if the decision makers had been paying more attention to international law and international organizations The theme is slowly developed that in the long run national interest is better served not by practicing power politics and relying on the use of threat of force but by strengthening those international institutions that can provide a neutral environment for first slowing down a crisis and then finding an equitable solution acceptable to most of the parties in conflict The value of this book lies primarily in giving the reader a real insight into several important issues of today that are familiar to most people only from newspaper headlines and television news While not everybody can agree with all his criticisms of the mistakes of various governments there is an honest attempt by the author to present issues impartially and to let the blame fall where it may Being both an international lawyer and a political scientist the author has had the advantage of combining the methodology of these two social sciences into a rich tapestry with some startling shades and tones

Legalization of International Law and Politics Henry (Chip) Carey, Stacey M. Mitchell, 2023-01-01 This book provides an expanded conceptualization of legalization that focuses on implementation of obligation precision and delegation at the international and domestic levels of politics By adding domestic politics and the actors to the international level of analysis the authors add the insights of Kenneth Waltz Graham Allison and Louis Henkin to understand why most international law is developed and observed most of the time However the authors argue that law breaking and law distorting occurs as a part of negative legalization Consequently the book offers a framework for understanding how international law both produces and undermines order and justice The authors also draw from realist liberal constructivist

cosmopolitan and critical theories to analyse how legalization can both build and or undermine consensus which results in either positive or negative legalization of international law The authors argue that legalization is a process over time and not just a snapshot in time

The Sentimental Life of International Law Gerry Simpson, 2021

The Sentimental Life of International Law is about our age old longing for a decent international society and the ways of seeing being and speaking that might help us achieve that aim This book asks how international lawyers might engage in a professional practice that has become to adapt a title of Janet Malcolm s both difficult and impossible It suggests that international lawyers are disabled by the governing idioms of international lawyering and proposes that they may be re enabled by speaking different sorts of international law or by speaking international law in different sorts of ways In this methodologically diverse and unusually personal account Gerry Simpson brings to the surface international law s hidden literary prose and offers a critical and redemptive account of the field He does so in a series of chapters on international law s bathetic underpinnings its friendly relations the neurotic foundations of its underlying social order its screened off comic dispositions its anti method and the life worlds of its practitioners Finally the book closes with a chapter in which international law is re envisioned through the practice of gardening All of this is put forward as a contribution to the project of making international law again a compelling language for our times

Enjoying the Track of Expression: An Mental Symphony within **Politics Of International Law**

In some sort of taken by displays and the ceaseless chatter of instantaneous transmission, the melodic beauty and emotional symphony produced by the prepared word usually diminish into the backdrop, eclipsed by the persistent noise and distractions that permeate our lives. However, located within the pages of **Politics Of International Law** a charming fictional prize overflowing with organic feelings, lies an immersive symphony waiting to be embraced. Constructed by a masterful musician of language, that captivating masterpiece conducts viewers on an emotional trip, well unraveling the concealed tunes and profound affect resonating within each cautiously crafted phrase. Within the depths of the moving review, we shall explore the book is central harmonies, analyze their enthralling publishing model, and submit ourselves to the profound resonance that echoes in the depths of readers souls.

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