

OXFORD

RECOGNITION OF  
GOVERNMENTS IN  
INTERNATIONAL LAW

WITH PARTICULAR REFERENCE  
TO GOVERNMENTS IN EXILE

*Stefan Talmon*

OXFORD MONOGRAPHS IN INTERNATIONAL LAW

# Recognition Of Governments In International Law

**Ademola Abass**



## **Recognition Of Governments In International Law:**

**Recognition of Governments in International Law** Stefan Talmon, 1998 Based on an analysis of the diplomatic practice of States and decisions by national and international courts this book explores the two central questions of the recognition of governments These are namely what are the meanings of the term recognition and its variants in international law and what is the effect of recognition on the legal status of foreign authorities and in particular of authorities in exile recognized as governments The book is comprehensive in its analysis of the issues and covers material which is of significant historical interest as well as highly topical material such as recent developments in Angola Kuwait and Haiti Thus Talmon's book will hold great appeal for international law scholars and practitioners alike It may also be of interest to diplomats and civil servants working in organizations such as the United Nations

**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 Identity of Governments in International Law** Niko Pavlopoulos, 2024 The Identity of Governments in International Law provides a comprehensive account of the international legal regulation of governmental status This includes the concept of the government the rules on recognition of and criteria for governmental status and matters concerning the identity of governments in international organizations

**The international law of recognition** Ti-Chiang Chen, 1951

**Recognition in International Law** Hersch Lauterpacht, 2012-11 Originally published by Hersch Lauterpacht in 1947 this book presents a detailed study of recognition in international law examining its crucial significance in relation to statehood governments and belligerency The author develops a strong argument for positioning recognition within the context of international law reacting against the widely accepted conception of it as an area of international politics Numerous examples of the use of law and conscious adherence to legal principle in the practice of states are used to give weight to this perspective This paperback re issue in 2012 includes a newly commissioned Foreword by James Crawford Whewell Professor of International Law at the University of Cambridge

and a Fellow of Jesus College Cambridge      **Handbook of International Law** Anthony Aust, 2010-04-01 To the new student of international law the subject can appear extremely complex a system of laws created by states international courts and tribunals operating at the national and global level A clear guide to the subject is essential to ensure understanding This handbook provides exactly that written by an expert who both teaches and practises in the field it focuses on what the law is how it is created and how it is applied to solve day to day problems It offers a practical approach to the subject giving it relevance and immediacy The new edition retains a concise user friendly format allowing central principles such as jurisdiction and the law of treaties to be understood In addition it explores more specialised topics such as human rights terrorism and the environment This handbook is the ideal introduction for students new to international law

**International Law** Boleslaw Adam Boczek, 2005 The system of public international law has reached a major turning point in its history and is confronting serious challenges generated by a variety of developments unfolding in the structure of the international society This Dictionary acquaints legal and other professionals students and interested general readers with the basic tenets of public international law combining the features of both a brief encyclopedic dictionary and a textbook in clear understandable language A list of acronyms and abbreviations a glossary of Latin phrases a chronology that offers a historical perspective by listing major developments relating to international law throughout the centuries a table of cases with references to entries and a list of the 373 entries precede the main text The survey of international law is organized into nine chapters Chapter I contains the usual introductory topics found in international law textbooks the nature of this law its sources the relationship between international and national municipal law and some other general problems Chapters II VIII deal with matters coming within the scope of the law of peace organized according to the framework consisting of states individuals spatial context and interaction Chapter IX whose subject unfortunately becomes ever more relevant describes the rules governing the conduct of warfare that is international humanitarian law Numerous cross references in bold lead the reader to appropriate entries and the abundant references to primary sources mostly treaties and court cases enable the reader to locate the materials needed for research The selective bibliography includes books research aids textbooks and casebooks as well as recent books on special international law topics This Dictionary is a useful addition to both public and academic libraries including in particular libraries of law schools The format of the book allows it to be used as a reference guide for legal professionals scholars inter      Recognition in International Law Carnegie Endowment for International Peace. Library, 1933      *Akehurst's Modern Introduction to International Law* Peter Malanczuk, 2002-04-12 First published in 2002 Routledge is an imprint of Taylor Francis an informa company      Recognition in International Law Stefan Talmon, 2021-10-18 The bibliography lists the literature and State practice on the question of recognition in international law for the last two hundred years It contains books and articles ie contributions to journals and other collected works such as Festschriften and Encyclopaedias as well as published and unpublished theses pamphlets compilations of diplomatic

documents and case notes As many of the monographs on recognition in international law will not be available in all libraries book reviews have been included in the bibliography in order to enable the user to decide whether it may be advisable to order a certain work by inter library loan Its 4 500 entries are arranged systematically according to subject categories in fourteen main sections Each main section is further subdivided with ever increasing specificity into sub sections on codification codification attempts general studies studies of certain recognition questions and studies of specific recognition cases The bibliography employs a broad meaning of recognition It is not restricted to the question of status of an authority or entity in international law but encompasses also the question of relations with it As many of the recognition cases must be considered and can only be understood against their historic political and sometimes even economic background the bibliography includes not only purely legal treaties but also publications of a primarily historical political or economic content which incidentally deal with aspects of recognition in international law This is reflected by the titles of the 730 journals from more than 50 countries in 20 different languages which have been used to compile the bibliography The bibliography contains both an author and a comprehensive subject index to enable users to locate works of a particular writer or a specific problem

#### **Governmental Illegitimacy in International Law** Brad R. Roth,1999

When is a de facto authority not entitled to be considered a government for the purposes of International Law In this book Brad Roth offers a detailed examination of collective non recognition of governments

#### Complete International Law Ademola Abass,2012

Complete International Law provides law students with a clear and highly accessible guide to this fascinating subject Extracts from a wide range of source material are intertwined with clear and incisive commentary from the author providing students with easy access to a wide range of primary materials and academic perspectives

#### International Law United

States. Department of the Army,1964 *State Sovereignty* E. Kurtulus,2005-11-26 State sovereignty is the foundation of international relations This thought provoking book explores the gap between seeing sovereignty as either absolute or relative It argues that state sovereignty is both factual and judicial and that the loss of sovereignty exists only at the margins of the international society With many interesting real world examples of ambiguous sovereignty examined this is an important argument against those who are quick to claim that sovereignty is under assault

#### **Public International Law**

Alina Kaczorowska-Ireland,2010-07-12 The fourth edition of Public International Law provides a very readable lively detailed and easily understood introduction to the fundamental principles and structures of international law without compromising on analysis and depth of coverage Whilst the traditional topics of public international law are central to this book new developments including the impact of Kosovo s unilateral declaration of independence from Serbia the fight against terrorism the implications of cases currently pending before the International Court of Justice on State immunity and the exercise of universal jurisdiction by States are also detailed In addition new actors on the international stage such as non governmental organisations multinational corporations and terrorist groups are identified examined and commented upon The entire stance

of the book allows the reader to appreciate the historic perspective and the evolving nature of public international law This fourth edition includes an enhanced layout and student friendly features such as advice on further reading highlighted cases aides memoire chapter outlines and summaries UGC NET Law Unit-3 PUBLIC INTERNATIONAL LAW AND IHL book theory + 400 Question Answer as per Syllabus DIWAKAR EDUCATION HUB,2022-08-18 theory MCQ of UGC NET Law Unit 3 PUBLIC INTERNATIONAL LAW AND IHL **International Law: Politics and Values** Louis Henkin,2023-11-27 This volume derives from a series of lectures delivered as the general course at the Hague Academy of International law in July 1989 Like those lectures this volume does not pretend to provide a complete treatise covering all international law Rather it offers a particular perspective on the principal subjects of traditional international law elaborates new developments and dares reexamine assumptions and premises The book is built on three themes The first addresses law as politics and international law as the law of a political system now comprised of more than 180 separate independent states The essential autonomy of states accounts for the political as well as economic and cultural heterogeneity in a pluralist and fragmented system and international law as its common denominator of normative expression A second theme explores change in international law as reflecting change in the values and purposes of the international political system It traces the pursuit through law of the traditional ideal of the state system to secure every state s right to realize its own agenda through its own institutions and the superimposed contemporary purpose to promote individual human rights and welfare in every society The third theme perceives a movement in the law from conceptualism to functionalism from logical deduction out of abstract principles to pragmatic attention to practical needs and solutions to new and old human problems Each of these themes dominates in several chapters but the other themes are not absent from any of them Each will add a fresh perspective and contribute to understanding the nature and operation of international law in the international political system at the turn of a new century *International Law Reports* E. Lauterpacht,C. J. Greenwood,1996-10-17 International Law Reports is the only publication in the world wholly devoted to the regular and systematic reporting in English of courts and arbitrators as well as judgements of national courts A Principled Approach to State Failure Chiara Giorgetti,2010 This book is the first legal study of state failure in international law Dr Giorgetti specifically analyses health environmental and human rights emergencies and suggests concrete instruments for international actors facing emergencies in failing states Her Principles for Action are an important contribution to the development of international law Basic Topics in Public International Amos O Enabulele,Bright Bazuaye,2025-03-06 This book stands out as a remarkable work of thought provoking scholarship reflecting the formidable academic prowess of its authors renowned law scholars and professors at the University of Benin Their deep expertise is evident as they explore foundational topics in international law which serve as a gateway to understanding its evolving complexities The book breaks down intricate concepts making them accessible and practical It promises to be an invaluable resource for students practitioners scholars and policymakers alike offering insightful guidance

on core principles and contemporary issues in international law What sets this book apart is the insightful approach taken by its two distinguished authors Instead of merely explaining international law concepts in abstract or from a Eurocentric lens they skillfully frame their discussion around how international law responds to the unique circumstances of the African Continent This perceptive method offers a more comprehensive understanding of the law s application in diverse contexts Two examples in particular stand out to illustrate this nuanced and regionally relevant perspective First the authors provide a dynamic analysis of *uti possidetis juris* diving deep into its origins and implications They explore how this principle rooted in colonial era boundaries that ignored the cultural social and religious fabric of local populations has fueled many of the ethno religious conflicts that continue to afflict post independence Africa Their discussion sheds light on how these artificially imposed borders have sowed discord leading to armed crises across the continent and make a compelling case for a re evaluation of this concept in light of Africa s unique history and needs The second is in chapter Thirteen where the authors sharply critique how international law scholars and policymakers often overlook the devastating impact of the slave trade and colonialism on Africa They are particularly struck by the contrast between the ongoing discussions and reparations for World War II atrocities and the relative silence on the injustices of colonialism and slavery The book engages a broad audience students legal practitioners scholars and policymakers by encouraging a more inclusive narrative that acknowledges these historical wrongs and their lasting effects This book serves students by simplifying complex international law concepts using familiar examples and clear explanations making the subject accessible For practitioners and scholars it offers bold thought provoking arguments that challenge established views For instance in Chapter Three the authors critically analysed the interaction between Nigerian and international law particularly focusing on the Court of Appeal and Supreme Court s handling of *Abacha v Fawehinmi* 2001 1 NWLR Pt 662 228 They persuasively argue for overturning the legal precedent set by this case Though the call to reconsider established legal precedents may seem unconventional it effectively challenges readers to reevaluate the judgment in the light of the authors persuasive arguments Notably the book delves into the International Court of Justice s decision in *Land and Maritime Boundary between Cameroon and Nigeria Cameroon v Nigeria Equatorial Guinea Intervening* ICJ Rep 2002 303 The authors highlight how the judgment was executed without recourse to article 12 1 of the Nigerian Constitution Their observation particularly around why the constitution should have been amended to excise the affected territories from the constitutionally recognised territories of Nigeria invites a deeper reflection on the relationship between Nigerian law and international law It is instructive that the difficulties which the authors envisaged in the previous edition of this work for and for which they strongly called for a reconsideration of *Abacha v Fawehinmi* became a reality in the recent case of *Nnamdi v FRN* SC CR 1361 2022 of 15 December 2023 In the case the Supreme Court had to wriggle its way out of the constraining effect of the *Abacha* decision on the hierarchy of implementing pieces of legislation vis a vis other Statutes of the National Assembly To policymakers across Africa whether at

the national level within the African Union or across various sub regional legal frameworks this book presents a compelling critique of the current fragmented approach to integration It highlights the complex dual nature of the African Charter on Human and Peoples Rights as both national and international law resulting in inconsistencies in interpretation and application The authors expressed concerns over the lack of a unified approach revealing gaps between national and international courts and urging policymakers to bridge these divides for more effective implementation The authors focus on the Economic Community of West African States is remarkable I am yet to see any text on public international law that gives so much attention to Africa ECOWAS and Nigeria as did this book In all the authors did not shy away from highlighting problems and suggesting solutions Confident in their substantial contribution to the field the authors navigate this book with remarkable assurance and scholarly rigor Their work stands out as an exceptional addition to the study of international law With its depth of insight and thought provoking analysis this book is not just informative but transformative challenging readers to rethink established perspectives I wholeheartedly recommend this work to students practitioners scholars and anyone interested in a deeper understanding of international law



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