

International Law A Critical Introduction

We take rights to be fundamental to everyday life. Rights are also controversial and hotly debated both in theory and practice. Where do rights come from? Are they invented or discovered? What sort of rights are there and who is entitled to them? In this comprehensive introduction, Tom Campbell introduces and critically examines the key philosophical debates about rights. The first part of the book covers historical and contemporary theories of rights, including the origin and variety of rights and standard justifications of them. He considers challenges to rights from philosophers such as Bentham, Burke and Marx. He also examines different theories of rights, such as natural law, social contract, utilitarian and communitarian theories of rights and the philosophers and political theorists associated with them, such as John Stuart Mill, John Rawls, Robert Nozick and Michael Sandel. The second part of the book explores the role of rights-promoting institutions and critically assesses legal rights and international human rights, including the United Nations. The final part of the book examines how philosophies of rights can be applied to freedom of speech, issues of social welfare and the question of self-determination for certain groups or peoples. *Rights: A Critical Introduction* is essential reading for anyone new to the subject of rights and any student of political philosophy, politics and law.

Despite their apparent separation, law and literature have been closely linked fields throughout history. Linguistic creativity is central to the law, with literary modes such as narrative and metaphor infiltrating legal texts. Equally, legal norms of good and bad conduct, of identity and human responsibility, are reflected or subverted in literature's engagement with questions of law and justice. Law seeks to regulate creative expression, while literary texts critique and sometimes openly resist the law. Kieran Dolin introduces this interdisciplinary field, focusing on the many ways that law and literature have addressed and engaged with each other. He charts the history of the shifting relations between the two disciplines, from the open affiliation between literature and law in the sixteenth-century Inns of Court to the less visible links of contemporary culture. Originally published in 2007, this book provides an accessible guide to one of the most exciting areas of interdisciplinary scholarship.

This cross-disciplinary collaboration offers historical and contemporary scholarship exploring the interface of Christianity and international law. *Christianity and International Law* aims to understand and move past arguments, narratives and tropes that commonly frame law-religion studies in global governance. Readers are introduced to a range of confessional and critical perspectives explicitly engaging a diverse range of methodological and theoretical orientations to rethink how we

experience and find ourselves caught within the phenomena of Christianity and international law.

Offers an accessible discussion of conceptual and moral questions on international law and advances the debate on many of these topics.

A Critical Introduction to Translation Studies

Framing the Legal Within the Post-Foundational

International Criminal Law: Cases and Commentary

A Critical Introduction to Law and Literature

An Introduction

Constitutional Law, Administrative Law, and Human Rights provides a unique, cross-disciplinary approach to the study of public law. Engaging, critical and stimulating, it enables the reader to gain a thorough and fundamental appreciation of the law in its wider context.

Introduction to Critical Legal Theory provides an accessible introduction to the study of law and legal theory. It covers all the seminal movements in classical, modern and postmodern legal thought, engaging the reader with the ideas of jurists as diverse as Aristotle, Hobbes and Kant, Marx, Foucault and Dworkin. At the same time, it impresses the interdisciplinary nature of critical legal thought, introducing the reader to the philosophy, the economics and the politics of law. This new edition focuses even more intently upon the narrative aspect of critical legal thinking and the re-emergence of a distinctive legal humanism, as well as the various related challenges posed by our 'new' world order. Introduction to Critical Theory is a comprehensive text for both students and teachers of legal theory, jurisprudence and related subjects.

Presents theories, practices and critiques alongside each other to engage students, scholars and professionals from multiple fields. This title is also available as Open Access on Cambridge Core.

In our globalised world the sources and actors of international law are many and its growth prolific and disorderly. International law governs the actions of states on matters as long-established as diplomatic immunity or as recent as the War on Terror, and it now impacts upon the lives of ordinary citizens in areas as diverse as banking and investment, public health and the protection of the environment. In this accessible introduction Emmanuelle Tourme Jouannet explains the latest developments in international law in the light of its history and culture, presenting it as an instrument both for dominance and for change that adjusts and balances the three pillars of the United Nations Charter: the prohibition of the use of force; economic, social and sustainable development; and human rights.

A Critical Appraisal

Psychology and Law

Philosophy and International Law

Critical International Law

An Inquiry into Different Ways of Thinking

This book discusses the history and institutional framework of the EU without becoming mired in the minutiae of 'black letter' law. It provides an accessible introduction for students to current critical academic commentary on European law.

In *Law and Public Choice*, Daniel Farber and Philip Frickey present a remarkably rich and accessible introduction to the driving principles of public choice. In this, the first systematic look at the implications of social choice for legal doctrine, Farber and Frickey carefully review both the empirical and theoretical literature about interest group influence and provide a nonmathematical introduction to formal models of legislative action. Ideal for course use, this volume offers a balanced and perceptive analysis and critique of an approach which, within limits, can illuminate the dynamics of government decision-making. "Law and Public Choice is a most valuable contribution to the burgeoning literature. It should be of great interest to lawyers, political scientists, and all others interested in issues at the intersection of government and law."—Cass R. Sunstein, University of Chicago Law School

International criminal justice is in transition. This book explores the growing internationalisation of criminal justice as a phenomenon of global governance. It provides students with a critical understanding of the international institutions for regulating transnational crime, the development of alternative justice processes across the globe, and international and supra-national co-operation criminal justice policies and practices. Key topics covered include: The historical development of International Criminal Justice institutions and traditions International Restorative Justice Victim communities and collaborative justice The relationship between crime and war International Human Rights The 'War on Terror' The globalisation of crime and control Developments in global governance, communitarian justice and accountability This text will familiarize students with the literature and debates surrounding international criminal justice and enable them to critically appreciate their theoretical and policy context. In doing so, it encourages students to assess the strengths and weaknesses of different approaches to the study of global justice and the analysis of comparative policy convergence and research. It will also help students to reflect on, and communicate in an informed and critical way theoretical accounts and empirical studies within the field of international criminal justice. This book will be essential reading for upper level undergraduates taking courses in criminal law, international relations and governance and postgraduates engaged in international criminal justice, international law, regulation and governance and human rights. "Postcolonial theory has had the most impact in disciplines such as literature and, to some degree, history, and perhaps the least impact in the discipline of politics. However, there is growing interest in postcolonial theory within politics, and interest is especially high in the subfield of international relations. This text provides a comprehensive survey of how postcolonial theory shapes our understanding of international relations"--

International Law and Ethics After the Critical Challenge

An Introduction to International Criminal Law and Procedure

International Law and Transitional Governance

Critical Introduction to Law

Cassese's International Criminal Law

This book is the authoritative work for students and professionals in psychology and law.

In 1955, a conference was held in Bandung, Indonesia that was attended by representatives from twenty-nine nations. Against the backdrop of crumbling European empires, Asian and African leaders forged new alliances and established anti-imperial principles for a new world order. The conference came to capture popular imaginations across the Global South and, as counterpoint to the dominant world order, it became both an act of collective imagination and a practical political project for decolonization that inspired a range of social movements, diplomatic efforts, institutional experiments and heterodox visions of the history and future of the world. In this book, leading international scholars explore what the spirit of Bandung has meant to people across the world over the past decades and what it means today. It analyzes Bandung's

complicated and pivotal impact on global history, international law and, most of all, justice struggles after the end of formal colonialism.

International Criminology is an easy-access critical introduction to how conventional criminologists in the international arena think about and research crime. By using examples from the US, UK and Australia, the authors outline key ideas, vocabulary, assumptions and findings of the discipline while opening up a set of critical underlying issues and problems. From theoretical traditions to historical perspectives; contemporary criminology to reflexive criminology; this all encompassing text covers it all. This is the most valuable introduction to international criminology available for undergraduates and works as a superb refresher for more experienced students. An introduction to the anthropology of law that explores the connections between law, politics, and technology. From legal responsibility for genocide to rectifying past injuries to indigenous people, the anthropology of law addresses some of the crucial ethical issues of our day. Over the past twenty-five years, anthropologists have studied how new forms of law have reshaped important questions of citizenship, biotechnology, and rights movements, among many others. Meanwhile, the rise of international law and transitional justice has posed new ethical and intellectual challenges to anthropologists. Anthropology and Law provides a comprehensive overview of the anthropology of law in the post-Cold War era. Mark Goodale introduces the central problems of the field and builds on the legacy of its intellectual history, while a foreword by Sally Engle Merry highlights the challenges of using the law to seek justice on an international scale. The book's chapters cover a range of intersecting areas including language and law, history, regulation, indigenous rights, and gender. For a complete understanding of the consequential ways in which anthropologists have studied, interacted with, and critiqued, the ways and means of law, Anthropology and Law is required reading.

Critical Pasts and Pending Futures

***State Responsibility in the International Legal Order
Rights***

***Postrealism, Postcolonialism, and Transnationalism
The Law of Trusts***

Jean Boase-Beier's Critical Introduction To Translation Studies demonstrates a keen understanding of theoretical and practical translation. It looks to instances where translation might not be straightforward, where stylistics play an important role. Examples are discussed from works of literature, advertisements, journalism and others, where effects on the reader are central to the text, and are reflected in the style. It begins by setting out some of the basic problems and issues that arise in the study of translation, such as: the difference between literary and non-literary translation; the role of language, content and style; the question of universals and specifics in language and the notion of context. The book then goes on to focus more closely on style and how it enables us to characterise literary texts and literary translation. The final part looks at the translation of poetry. Throughout, it is conscious of the relationship between theory and practice in translation. This book offers a new approach to translation, grounded in stylistics, and it will be an invaluable resource for undergraduates and postgraduates approaching translation studies.

This market-leading textbook gives an authoritative account of international criminal law, and focuses on what the student needs to know - the crimes that are dealt with by international courts and tribunals as well as the procedures that police the investigation and prosecution of those crimes. The reader is guided through

controversies with an accessible, yet sophisticated approach by the author team of four international lawyers, with experience both of teaching the subject, and as negotiators at the foundation of the International Criminal Court and the Rome conference. It is an invaluable introduction for all students of international criminal law and international relations, and now covers developments in the ICC, victims' rights, and alternatives to international criminal justice, as well as including extended coverage of terrorism. Short, well chosen excerpts allow students to familiarise themselves with primary material from a wide range of sources. An extensive package of online resources is also available.

This volume examines the role of international law in shaping and regulating transitional contexts, including the institutions, policies and procedures that have been developed to steer constitutional regime changes in countries affected by catalytic events. The book offers a new perspective on the phenomenon of conflict-related transitions, whereby societies are re-constitutionalized through a set of interim governance arrangements subject to variable degrees of internationalization. Specifically, this volume interrogates the relevance, contribution and perils of international law for this increasingly widespread phenomenon of inserting an auxiliary phase between two ages of constitutional government. It develops a more nuanced understanding of the various international legal discourses surrounding conflict- and political crisis-related transitional governance by studying the contextual factors that influence the transitional arrangements themselves, with a specific focus on international aspects, including norms, actors and related forms of expertise. In doing so, the book builds an important bridge between comparative constitutional law and international legal scholarship in the practical and highly dynamic terrain of transitional governance. This book will be of much interest to practitioners and students of international law, diplomacy, mediation, security studies and International Relations.

The third edition of International Criminal Law expounds the general principles governing international crimes as well as the fundamentals of both substantive and procedural international criminal law, bringing the political and human contexts to the fore.

A Critical Introduction to European Law

A Critical Introduction

Constitutional Law, Administrative Law, and Human Rights

Criminal (In)Justice

Introduction to Critical Legal Theory

This volume in the 'Core Text Series' covers the law of trusts, explaining from first principles what 'trusts' is about and providing the student with an understanding of the law and the important academic controversies surrounding it.

The number of scholars engaging critically with the paradoxes hidden in international law continues to grow. This edited volume features contributions by scholars from around the world, from different generations, and with different critical perspectives, reflecting the vibrancy of contemporary critical debates. The editors have identified three main streams representing critical international law. While Postrealism discusses international laws and international politics, Postcolonialism grapples with the understanding of international law vis-a-vis decolonized countries informed by sociology, philosophy and history.

Transnationalism displaces states as the primary makers of international law to include non-state actors in the global governance, if any, of international law. This book would be useful to students and researchers in international law and related

disciplines (e.g. international relations, global studies, political science, sociology of law).

International Criminal Law: Cases and Commentary presents a comprehensive, pragmatic explanation of the development of substantive international criminal law through key illustrative cases from domestic and international jurisdictions. Presents concise and stimulating commentaries by the leading academics in the field.

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.

Development, Economic Growth and the Politics of Universality

International Law

International Law Theories

A critical introduction

Diplomacy and the Making of World Politics

The book analyzes State responsibility in international law from a holistic and critical perspective.

This advanced introduction to central questions in legal philosophy attempts to breathe new life into stalled research.

"Criminal (In)Justice presents an overview of the criminal justice system from the angle of critical criminology instead of the traditional 'this is who we are and this is what we do' approach. This book makes students ask why the system is what it is and why it does what it does—and what are the results of those actions." -Milton C. Hill, Stephen F. Austin State University Criminal (In)Justice: A Critical Introduction takes an unflinching look at the American criminal justice system and the social forces that affect the implementation of justice. Author Aaron Fichtelberg uses a unique, critical perspective to introduce students to criminal justice and encourages them to look closer at the intersection of race, class, gender, and inequality in the criminal justice system. Covering each of the foundational areas of the criminal justice system—policing, courts, and corrections—this book takes an in-depth look at the influence of inequality, making it ideal for instructors who want students to

critically assess and understand the American criminal justice system. The universal promise of contemporary international law has long inspired countries of the Global South to use it as an important field of contestation over global inequality. Taking three central examples, Sundhya Pahuja argues that this promise has been subsumed within a universal claim for a particular way of life by the idea of 'development'. As the horizon of the promised transformation and concomitant equality has receded ever further, international law has legitimised an ever-increasing sphere of intervention in the Third World. The post-war wave of decolonisation ended in the creation of the developmental nation-state, the claim to permanent sovereignty over natural resources in the 1950s and 1960s was transformed into the protection of foreign investors, and the promotion of the rule of international law in the early 1990s has brought about the rise of the rule of law as a development strategy in the present day.

Bandung, Global History, and International Law

Postcolonial Theory and International Relations

What Makes Law

An Introduction to the Philosophy of Law

Critical Approaches to International Criminal Law

This text contains 29 cutting-edge essays by philosophers and lawyers which address the central philosophical questions about international law. Its overarching theme is the moral and political values that should guide and shape the assessment and development of international law and institutions.

Recasting the critical challenge to international law in positive terms, this book examines what is left of international law if we accept both that apolitical rules are impossible and that the values used to justify them are irreducibly, radically subjective.

"It is eight years since the first edition of this book was published. Where relevant, I have sought to update the argument with new case and statute law. I have also developed the analysis, especially in Chapter 3, where a closer link between the two main sections, on motive and intention and indirect intention, is established"--

International Criminal Law: A Critical Restatement is an essential guide to the relatively recent, but rapidly growing field of international criminal justice. Written by four leading practitioners and academics associated with the International Criminal Tribunals for the former Yugoslavia and Rwanda, this book analyzes the tribunals' substantive and procedural law from an entirely new and critical perspective. In addition, the book explains the tribunals' place in the international legal order, and their relationships with - and ramifications for - national jurisdictions.

The Philosophy of International Law

Law and Public Choice

The Politics of International Law

Crime, Reason and History

Christianity and International Law

Two fish are swimming in a pond. 'Do you know what?' the fish asks his friend. 'No, tell me.' 'I was talking to a frog the other day. And he told me that we are surrounded by water!' His friend looks at him with great scepticism: 'Water? Whats that? Show me some water!' International lawyers often find themselves focused on the practice of the law rather than the underlying theories. This book is an attempt to stir up 'the water' that international lawyers swim in. It analyses a range of theoretical approaches to international law and invites readers to engage with different ways of legal thinking in order to familiarize themselves with the water all around us, of which we hardly have any perception. The main aim of this book is to provide interested scholars, practitioners, and students of international law and other disciplines with an introduction to various international legal theories, their genealogies, and possible critiques. By providing an analytical approach to international legal theory, the book encourages readers to enhance their sensitivity to these different approaches and to consider how the presuppositions behind each theory affect analysis, research, and practice in international law. International Law Theories is intended to assist students, scholars, and practitioners in reflecting more generally about how knowledge is formed in the field.

This book challenges the usual introductions to the study of law. It argues that law is inherently political and reflects the interests of the few even while presenting itself as neutral. It considers law as ideology and as politics, and critically assesses its contribution to the creation and maintenance of a globalized and capitalist world. The clarity of the arguments are admirably suited to provoking discussions of the role of law in our contemporary world. This third edition provides contemporary examples to sustain the arguments in their relevance to the twenty-first century. The book includes an analysis of the common sense of law; the use of anthropological examples to gain external perspectives of our use and understanding of law; a consideration of central legal concepts, such as order, rules, property, dispute resolution, legitimation and the rule of law; an examination of the role of law in women's subordination and finally a critique of the effect of our understanding of law upon the wider world. This book is ideal for undergraduate and postgraduate students reading law.

Drawing on the critical legal tradition, the collection of international scholars gathered in this volume analyse the complicities and limitations of International Criminal Law. This area of law has recently experienced a significant surge in scholarship and public debate; individual criminal accountability is now firmly entrenched in both international law and the international consciousness as a necessary mechanism of responsibility. Critical Approaches to International Criminal Law: An Introduction shifts the debate towards that which has so far been missing from the mainstream discussion: the possible injustices, exclusions, and biases of International Criminal Law. This collection of essays is the first dedicated to the topic of critical approaches to international criminal law. It will be a valuable resource for scholars and students of international criminal

law, international law, international legal theory, criminal law, and criminology.

The Truth and Reconciliation Commission urged a better understanding of Aboriginal law for all Canadians. This book responds to that call, outlining significant legal developments in straightforward, non-technical language. Jim Reynolds provides the historical context needed to understand the relationship between Indigenous peoples and settlers and explains key topics such as sovereignty, fiduciary duties, the honour of the Crown, Aboriginal rights and title, treaties, the duty to consult, Indigenous laws, and international law. He concludes that rather than leaving the judiciary to sort out essentially political issues, politicians need to take responsibility for this crucial aspect of building a just society.

Critical Perspectives

International Criminal Law

International Criminology

Anthropology and Law

A Critical Introduction to International Criminal Law

Shows how changing diplomatic practices are central in explaining key dimensions of world politics, from law to war.

This new edition provides a critical introduction to the concepts, principles and rules of international law through a consideration of contemporary international events. It examines both the possibilities and limitations of the legal method in resolving international disputes, and notes the actual effects of international law upon international disagreements. Such an approach remains sceptical rather than cynical, and is intended to provide the means by which the role of international law may be evaluated. This entails discussion of the legal quality of international law; the relationship between international law and international relations; the Eurocentricity of international law; and the connection between political power and the ability to use or abuse (or ignore) international law. The new edition explores the impact of the United States' latest direction in foreign policy (arguably an intensification of pre-existing neo-conservative trends); considers in greater depth the issue of economic self-determination in relation to ex-colonial nations; expands the discussion of jurisdiction to cover immunity from jurisdiction; and covers recent developments at the International Criminal Court. Underlying the book is the assertion that international law is political in content (in the sense of being concerned with the exercise of power) but that it draws much of its effectiveness from its self-portrayal as being apolitical, or at least politically neutral.

International and Comparative Criminal Justice

Aboriginal Peoples and the Law

A Short Introduction to International Law

Decolonising International Law