

## The Politics Of International Law

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Explore the complex interplay between politics and international law, examining how geopolitical realities, state sovereignty, and power dynamics shape legal frameworks on a global scale. This analysis delves into the political dimensions that influence the creation, interpretation, and enforcement of international agreements, crucial for understanding global governance and international relations in the modern world.

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### Politics and International Law

Teaches how and why states make, break, and uphold international law using accessible explanations and contemporary international issues.

### The Politics of International Law

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.

### The Politics of International Law

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.

### International Law and the Politics of History

Explores the ideological, political, and economic stakes of struggles over international law's history and its relation to empire and capitalism.

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### Research Handbook on the Politics of International Law

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.

### Politics International Law

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

### Strategically Created Treaty Conflicts and the Politics of International Law

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

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.

### The Politics of International Law

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.

### The Politics of International Law and Compliance

This book brings together 18 contributions by authors from different legal systems and backgrounds. They address the political implications of the writing of the history of legal issues ranging from slavery over the use of force and extraterritorial jurisdiction to Eurocentrism.

### Politics and the Histories of International Law

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.

### Between Peril and Promise

This illuminating book explores a multitude of areas in which law and politics intersect on the international plane, providing a comprehensive analysis of the foundations on which both international law and politics rest. The book examines both disciplines' mutual interaction in more specific areas such as public authority, global space, and peace.

### International Law and International Politics

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.

### Transforming the Politics of International Law

A runner-up for the 2018 Chadwick Alger Prize, International Studies Association's International Organization Section, this provocative reassessment of the rule of law in world politics examines how and why governments use and manipulate international law in foreign policy.

### How to Do Things with International Law

A compelling new look at the role of today's international courts In 1989, when the Cold War ended, there were six permanent international courts. Today there are more than two dozen that have collectively issued over thirty-seven thousand binding legal rulings. The *New Terrain of International Law* charts the developments and trends in the creation and role of international courts, and explains how the delegation of authority to international judicial institutions influences global and domestic politics. The *New Terrain of International Law* presents an in-depth look at the scope and powers of international courts operating around the world. Focusing on dispute resolution, enforcement, administrative review, and constitutional review, Karen Alter argues that international courts alter politics by providing legal, symbolic, and leverage resources that shift the political balance in favor of domestic and international actors who prefer policies more consistent with international law objectives. International courts name violations of the law and perhaps specify remedies. Alter explains how this limited power--the power to speak the law--translates into political influence, and she considers eighteen case studies, showing how international courts change state behavior. The case studies, spanning issue areas and regions of the world, collectively elucidate the political factors that often intervene to limit whether or not international courts are invoked and whether international judges dare to demand significant changes in state practices.

### The New Terrain of International Law

Offers the first analysis of international courts' archives and of how these constitute the international community as a particular reality.

### The Archival Politics of International Courts

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.

### Politics of International Law and International Justice

The potential engagement of British forces in military action often leads to intense public debate. This book assesses the public legal justifications for such operations. It critiques the idea that using international legal norms to justify decisions on the use of force will necessarily result in fewer instances of military intervention.

### Decolonising International Law

This study proposes a new basis for international law. The author rejects a moral basis for international law, advocating instead the substitution of a functional one. Philosophy, sociology and legal theory are all brought to bear on the question, what law best suits the modern world.

### The Politics of Justifying Force

This title is a compilation of materials designed to bridge the gap between the disciplines of international law and international relations. It could be used as a companion to case books for a course in international law, as a reader in an advanced seminar in international law, or in a political science class on international relations of globalization.

#### Law Without Force

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.

#### Foundations of International Law and Politics

The Politics of International Criminal Law is an interdisciplinary collection of original research that examines the often noted but understudied political dimensions of International Criminal Law, and the challenges this nascent legal regime faces to its legitimacy in world affairs.

#### The Politics of International Economic Law

This title was first published in 2002: The purpose of this volume is to provide a map of some of the great theoretical debates within the discipline of international law. The essays included are structured as dialogues between international legal theorists on concrete subjects such as democracy, gender, compliance, sovereignty and justice. They represent the most interesting theoretical work undertaken in international law.

#### The Politics of International Criminal Law

The second edition of International Law in World Politics--thoroughly updated and now including a full chapter on the use of force--introduces the concepts, the rules, and the functioning of international law in a way that is accessible to students of political science. Shirley Scott covers such core topics as the nature of legal argument, the negotiation and implementation of multilateral treaties, and the place of both intergovernmental organizations and nonstate actors in the international legal system. Equally important, she connects the content of laws to current issues and problems, using case studies to bring the subject to life. The result is a rare text that effectively explains the role that international law plays in the changing arena of world politics.

#### The Nature of International Law

Influential writers on international law and international relations explore the making, interpretation and enforcement of international law.

#### International Law in World Politics

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

#### Interdisciplinary Perspectives on International Law and International Relations

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.

#### Diplomacy and the Making of World Politics

The dispute over genetically modified organisms has brought the US and the EU into conflict. This book examines the dynamic interactions of domestic law and politics, transnational networks, international regimes, and global markets, through a theoretically grounded and empirically comprehensive analysis of the governance of GM foods and crops.

#### World Politics and International Law

The book offers insights on whether international law can shape the politics of the Security Council and conversely, the extent to which the latter contribute to the development of international law. By providing a systematic analysis of the quantity and quality of international legal instruments referred to in the text of resolutions, the book reconstructs patterns of the Security Council's behavioural regularities and assesses them against the provisions of the United Nations Charter, which establishes its mandate. The analysis is divided into three periods – the origins and Cold War period, post-Cold War period and the twenty-first century – and assesses the resolutions passed in each period by thematic category. The book argues that while international law plays an important role in shaping the politics of the Security Council, the Council's resolutions do not contribute significantly to the development of international law.

#### When Cooperation Fails

This interdisciplinary volume examines the highly topical issue of the role international law plays in international politics today.

#### The Strategic Use of International Law by the United Nations Security Council

Foucault's challenging view of power and knowledge as the basis for interpreting the international system forms the central themes of this book. As the application of international law expands and develops this book considers how Foucault's approach may create a viable framework that is not beset by ontological issues. With international law essentially stuck within an older framework of outmoded statist approaches, and overly broad understanding of the significance of external actors such as international organizations; current interpretations are either rooted in a narrow attempt to demonstrate a functioning normative structure or interpret developments as reflective of some emerging and somewhat unwieldy ethical order. This book therefore aims to ameliorate the approaches of a number of different 'schools' within the disciplines of international law and international relations, without being wedded to a single concept. Current scholarship in international law tends to favour an unresolved critique, a utopian vision, or to refer to other disciplines like international relations without fully explaining the significance or importance of taking such a step. This book analyses a variety of problems and

issues that have surfaced within the international system and provides a framework for consideration of these issues, with a view towards accounting for ongoing developments in the international arena.

### The Development of International Law Through the Political Organs of the United Nations

Set in the context of growing interdisciplinarity in legal research, *The Political Economy of International Law: A European Perspective* provides a much-needed systematic and coherent review of the interactions between Political Economy and International Law. The book reflects the need felt by international lawyers to open their traditional frontiers to insights from other disciplines - and political economy in particular. The methodological approach of the book is to take the traditional list of topics for a general treatise of international law, and to systematically incorporate insights from political economy to each.

### The Role of Law in International Politics

When studying international law there is often a risk of focusing entirely on the content of international rules (i.e. regimes), and ignoring why these regimes exist and to what extent the rules affect state behavior. Similarly, international relations studies can focus so much on theories based on the distribution of power among states that it overlooks the existence and relevance of the rules of international law. Both approaches hold their dangers. The overlooking of international relations risk assuming that states actually follow international law, and discounting the specific rules of international law makes it difficult for readers to understand the impact of the rules in more than a superficial manner. This book unifies international law and international relations by exploring how international law and its institutions may be relevant and influence the course of international relations in international trade, protection of the environment, human rights, international criminal justice and the use of force. As a study on the intersection of power and law, this book will be of great interest and use to scholars and students of international law, international relations, political science, international trade, and conflict resolution.

### A Foucauldian Approach to International Law

*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.

### The Political Economy of International Law

A critical history of European sovereignty and property rights as the foundation of the international order in 1300-1870.

### Power and Law in International Society

"This book investigates one of the most controversial forms of secret statecraft in international politics: the use of covert action to overthrow foreign regimes. The central question it asks is why leaders sometimes turn to the so-called quiet option when conducting regime change rather than using overt means. Whereas existing works prioritize the desire to control escalation or avoid domestic-political constraints to explain this variation, this book highlights the surprising role that international law plays in these decisions. When states cannot locate a legal exemption from the nonintervention principle-the prohibition on unwanted violations of another state's sovereignty, codified in the United Nations Charter and elsewhere-they are more likely to opt for covert action. Concealing brazen violations of nonintervention helps states evade hypocrisy costs and avoid damaging their credibility. These claims are tested against four regime change operations carried out by the United States in Latin America during the Cold War using declassified government documents, interviews with former government

officials, and historical accounts. The theory and findings presented in this book expose the secret underpinnings of the liberal international order and speak to longstanding debates about the conduct of foreign-imposed regime change as well as the impact of international law on state behavior. This book also has important policy implications, including what might follow if America abandons its role as the steward of the postwar order as well as the promise and peril of promoting new rules and norms in cyberspace"--

## The Sentimental Life of International Law

To the Uttermost Parts of the Earth