

Ethics And Authority In International Law

[#ethics international law](#) [#authority global governance](#) [#international legal legitimacy](#) [#moral principles world order](#) [#rule of law international](#)

Explore the fundamental relationship between ethics and authority in international law, dissecting how moral principles influence global governance and the legitimacy of global legal frameworks. This discussion examines the challenges states face in upholding rule of law internationally, understanding the sources of international legal power, and its application in fostering a more just and stable world order.

We aim to make scientific and academic knowledge accessible to everyone.

We would like to thank you for your visit.

This website provides the document Authority Global Governance you have been searching for.

All visitors are welcome to download it completely free.

The authenticity of the document is guaranteed.

We only provide original content that can be trusted.

This is our way of ensuring visitor satisfaction.

Use this document to support your needs.

We are always ready to offer more useful resources in the future.

Thank you for making our website your choice.

This document is one of the most sought-after resources in digital libraries across the internet.

You are fortunate to have found it here.

We provide you with the full version of Authority Global Governance completely free of charge.

Ethics and Authority in International Law

The specialized vocabularies of lawyers, ethicists, and political scientists obscure the roots of many real disagreements. In this book, the distinguished American international lawyer Alfred Rubin provides a penetrating account of where these roots lie, and argues powerfully that disagreements which have existed for 3,000 years are unlikely to be resolved soon. Attempts to make 'war crimes' or 'terrorism' criminal under international law seem doomed to fail for the same reasons that attempts failed in the early nineteenth century to make piracy, war crimes, and the international traffic in slaves criminal under the law of nations. And for the same reasons, Professor Rubin argues, it is unlikely that an international criminal court can be instituted today to enforce ethicists' versions of 'international law'.

Ethics and Authority in International Law

The specialized vocabularies of lawyers, ethicists, and political scientists obscure the roots of many real disagreements. In this book, the distinguished American international lawyer Alfred Rubin provides a penetrating account of where these roots lie, and argues powerfully that disagreements which have existed for 3,000 years are unlikely to be resolved soon. Attempts to make 'war crimes' or 'terrorism' criminal under international law seem doomed to fail for the same reasons that attempts failed in the early nineteenth century to make piracy, war crimes, and the international traffic in slaves criminal under the law of nations. And for the same reasons, Professor Rubin argues, it is unlikely that an international criminal court can be instituted today to enforce ethicists' versions of 'international law'.

The Role of Ethics in International Law

The purpose of this book is to explore what role ethical discourse plays in public and private international law. The book seeks (1) to delineate the role of ethical investigation in creating, sustaining, challenging and changing international law and (2) to open up a conversation between two related disciplines - public and private international law - that frequently labor in different vineyards. By examining the role of ethical discourse in international law's public and private dimensions, this volume will hopefully open new avenues for cross-disciplinary exchange in these important fields and related disciplines. The chapters in this book show that there is a way to engage the ethical dimension of international law without seeking to use ethics as raw politics and the will to power.

An Ethic of Responsibility in International Relations

Questioning many of the traditional assumptions found in discussions of ethics in international relations, Warner introduces a new way of thinking about moral responsibility and invites reflection on the nature of communities and states.

The Philosophy of International 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.

Ethics, Authority, and War

In original essays written by both senior scholars as well as rising younger scholars in the field of international ethics, this volume addresses the ethics of war in an era when non-state actors are playing an increasingly prominent role in armed conflict.

International Society

In a time of eroding sovereignty and resurgent nationalism, this collection provides a searching investigation of the moral foundations of the international order. Drawing on diverse philosophical and theological perspectives, the contributors debate the character of international society, the authority of international law and institutions, and the demands of international justice. In a series of philosophical essays, each followed by a critical commentary, the book considers the contributions of legal positivism, natural law, Kantian ethics, contractarian theory, and moral cosmopolitanism to the discussion of law and justice in international society. It also includes commentaries by experts in Jewish, Christian, and Islamic moral theology, and a concluding chapter that compares and contrasts the views presented without seeking to adjudicate their differences. Because of its comprehensive approach and the diversity of its viewpoints, the volume serves as an introduction to the topic and as a resource for scholars, journalists, policy makers, and anyone else who wants to understand better the range of moral perspectives that underlies discussion of the current international order. In addition to the editors, the contributors are Brian Barry, Chris Brown, John Charvet, Richard Friedman, Robert P. George, Sohail Hashmi, Pierre Laberge, David Miller, David Novak, Max L. Stackhouse, Fernando R. Tesón, and Frederick G. Whelan.

The Authority of International Law

Offering a nuanced and realistic account of the authority of international law, this book discusses whether international law is obeyed, and the type of duties it imposes on the state. Through a review of present accounts ranging from the mainstream to extra-disciplinary, the extent of authority is explored.

Rethinking International Law and Justice

General principles of law have made, and are likely further to make, a significant contribution to our understanding of the constituent elements of global justice. Dealing extensively with global headline issues of peace, security and justice, this book explores justice arising in specific areas of international law, as well as underlying theories of justice from political science and international relations. With contributions from leading academics and practitioners, the book adopts an interdisciplinary approach. Covering issues such as international humanitarian law, and examining the significance of non-state actors for the development of international law, the collection concludes with the complex question of how best to rethink aspects of international justice. The lessons derived from this research will have wide implications for both developed and emerging nation-states in rethinking sensitive issues

of international law and justice. As such, this book will be of interest to academics and practitioners interested in international law, environmental law, human rights, ethics, international relations and political theory.

The Natural Law Tradition and the Theory of International Relations

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.

Politics of International Law and International Justice

Public international law has embarked on a new chapter. Over the past century, the classical model of international law, which emphasized state autonomy and interstate relations, has gradually ceded ground to a new model. Under the new model, a state's sovereign authority arises from the state's responsibility to respect, protect, and fulfill human rights for its people. In *Fiduciaries of Humanity: How International Law Constitutes Authority*, Evan J. Criddle and Evan Fox-Decent argue that these developments mark a turning point in the international community's conception of public authority. Under international law today, states serve as fiduciaries of humanity, and their authority to govern and represent their people is dependent on their satisfaction of numerous duties, the most general of which is to establish a regime of secure and equal freedom on behalf of the people subject to their power. International institutions also serve as fiduciaries of humanity and are subject to similar fiduciary obligations. In contrast to the receding classical model of public international law, which assumes an abiding tension between a state's sovereignty and principles of state responsibility, the fiduciary theory reconciles state sovereignty and responsibility by explaining how a state's obligations to its people are constitutive of its legal authority under international law. The authors elaborate and defend the fiduciary model while exploring its application to a variety of current topics and controversies, including human rights, emergencies, the treatment of detainees in counterterrorism operations, humanitarian intervention, and the protection of refugees fleeing persecution.

Fiduciaries of Humanity

This book articulates a systematic vision of an international legal system grounded in the commitment to justice for all persons. It provides a probing exploration of the moral issues involved in disputes about secession, ethno-national conflict, 'the right of self-determination of peoples,' human rights, and the legitimacy of the international legal system itself. Buchanan advances vigorous criticisms of the central dogmas of international relations and international law, arguing that the international legal system should make justice, not simply peace, among states a primary goal, and rejecting the view that it is permissible for a state to conduct its foreign policies exclusively according to what is in the 'the national interest'. He also shows that the only alternatives are not rigid adherence to existing international law or lawless chaos in which the world's one superpower pursues its own interests without constraints. This book not only criticizes the existing international legal order, but also offers morally defensible and practicable principles for reforming it. Justice, Legitimacy, and Self-Determination will find a broad readership in political science, international law, and political philosophy. Oxford Political Theory presents the best new work in political theory. It is intended to be broad in scope, including original contributions to political philosophy and also work in applied political theory. The series contains works of outstanding quality with no restrictions as to approach or subject matter. Series Editors: Will Kymlicka, David Miller, and Alan Ryan

Justice, Legitimacy, and Self-Determination

This volume explores moral and legal issues relating to sovereignty by addressing foundational questions about its nature, examining state sovereignty between states, and dealing with post 9/11 developments in the U.S., potentially destabilizing received views of democratic sovereignty. With essays addressing foundational, state and international sovereignty, the book focuses on Post 9/11 developments including the profusion of secret national security programs, including those pertaining to

the interrogation, rendition, and detention of terror suspects; signal intercepts and meta-data analysis; and targeted killing of irregular militants; prompting questions regarding the legitimacy of executive power in this arena.

Sovereignty and the New Executive Authority

Defined by custom and treaty, and now increasingly embodied in charters, regulations, and resolutions of international organizations, does the existence of international law point to progress in humankind's capacity for moral conduct? Or does the lack of a discernible ethical foundation in either law or political action make progress impossible to define? In *Law and Moral Action in World Politics*, the authors -- activists and scholars of international law and international relations -- pose these questions in new ways. Some adhere to a progressive reading of the law; others adopt a critical stance. Topics included the function and historical evolution of the law; the cultural and intellectual assumptions of influential legal texts; and the experiences of legal activists in using law to pursue moral ends, including the rights of indigenous people and the protection of international law itself.

The Ethical Basis of International Law

Ethical constraints on relations among individuals within and between societies have always reflected or invoked a higher authority than the caprices of human will. For over two thousand years Natural Law and Natural Rights were the constellations of ideas and presuppositions that fulfilled this role in the west, and exhibited far greater similarities than most commentators want to admit. Such ideas were the lens through which Europeans evaluated the rest of the world. In his major new book David Boucher rejects the view that Natural Rights constituted a secularisation of Natural Law ideas by showing that most of the significant thinkers in the field, in their various ways, believed that reason leads you to the discovery of your obligations, while God provides the ground for discharging them. Furthermore, the book maintains that Natural Rights and Human Rights are far less closely related than is often asserted because Natural Rights never cast adrift the religious foundationalism, whereas Human Rights, for the most part, have jettisoned the Christian metaphysics upon which both Natural Law and Natural Rights depended. Human Rights theories, on the whole, present us with foundationless universal constraints on the actions of individuals, both domestically and internationally. Finally, one of the principal contentions of the book is that these purportedly universal rights and duties almost invariably turn out to be conditional, and upon close scrutiny end up being 'special' rights and privileges as the examples of multicultural encounters, slavery and racism, and women's rights demonstrate.

Law and Moral Action in World Politics

This is the first comprehensive study of how different ethical traditions deal with the central moral problems of international affairs. Using the organizing concept of a tradition, it shows that ethics offers many different languages for moral debate rather than a set of unified doctrines. Each chapter describes the central concepts, premises, vocabulary, and history of a particular tradition and explains how that tradition has dealt with a set of recurring ethical issues in international relations. Such issues include national self-determination, the use of force in armed intervention or nuclear deterrence, and global distributive justice.

The Limits of Ethics in International Relations

This is a comprehensive presentation, analysis and evaluation of the conceptual and legal foundations of humanitarian intervention culminating in a theoretical reorientation based on a human-centred approach.

Traditions of International Ethics

International law is fragmented and complex, and at the same time increasingly capable of shaping reality in areas as diverse as human rights, trade and investment, and environmental law. The increased influences of international law and its growing institutionalization and judicialization invites reconsideration of the question how should the authority to make and interpret international law be allocated among states, international organizations and tribunals, or in other words, "who should decide what" in a system that formally lacks a central authority? This is not only a juridical question, but one that lies at the very heart of the political legitimacy of international law as a system of governance, defining the relationship between those who create the law and those who are governed by it in a

globalizing world. In this book, leading international legal scholars address a broad range of theoretical and practical aspects of the question of allocation of authority in international law and debate the feasibility of three alternative paradigms for international organization: Sovereignty, Supremacy and Subsidiarity. The various contributions transcend technical solutions to what is in essence a problem of international constitutional dimensions. They deal, inter alia, with the structure of the international legal system and the tenacity of sovereignty as one of its foundations, assess the role of supremacy in inter-judicial relations, and draw lessons from the experience of the European Union in applying the principle of subsidiarity. This volume will be of great interest to scholars and practitioners of international law alike.

Jurisprudence of International Law

The question of how to constrain states that commit severe abuses against their own citizens is as persistent as it is vexing. States are imperfect political forms that in theory possess both a monopoly on coercive power and final jurisdictional authority over their territory. These twin elements of sovereignty and authority can be used by state leaders and political representatives in ways that stray significantly from the interests of citizens. In the most extreme cases, when citizens become inconvenient obstacles in the pursuit of the self-serving ambitions of their leaders, state power turns against them. Genocide, torture, displacement, and rape are often the means of choice by which the inconvenient are made to suffer or vanish. In *Divided Sovereignty*, Carmen Pavel explores new institutional solutions to this abiding problem. She argues that coercive international institutions can stop these abuses and act as an insurance scheme against the possibility of states failing to fulfill their most basic sovereign responsibilities. She thus challenges the longstanding assumption that collective grants of authority from the citizens of a state should be made exclusively for institutions within the borders of that state. Despite worries that international institutions such as the International Criminal Court could undermine domestic democratic control, citizens can divide sovereign authority between state and international institutions consistent with their right of democratic self-governance. Pavel defends universal, principled limits on state authority based on *jus cogens* norms, a special category of norms in international law that prohibit violations of basic human rights. Against skeptics, she argues that many of the challenges of building an additional layer of institutions can be met if we pay attention to the conditions of institutional success, which require experimentation with different institutional forms, limitations on the scope of authority for coercive international institutions, and an appreciation of the limits of existing knowledge on institutional design. Thoughtfully conceived and forcefully argued, *Divided Sovereignty* will challenge what we think we know about the relationship between international institutions and the pursuit of the fundamental requirements of justice.

The Shifting Allocation of Authority in International Law

This book examines the different ways in which the laws governing the use of force and the conduct of warfare have become subject to intense scrutiny and contestation since the initiation of the war on terror. Since the end of the Cold War, the nature of security challenges has changed radically and this change has been recognised by the UN, governments and academics around the world. The 9/11 attacks and the subsequent launch of the 'war on terror' added a new dimension to this debate on the nature and utility of international law due to the demands from some quarters for a change in the laws governing self-defence and humanitarian intervention. This book analyses the nature of these debates and focuses on key issues that have led to the unprecedented contemporary questioning of both the utility and composition of international law on the use of force as well as the practicability of using force, including handling of 'prisoners' and 'security risks'. It also identifies the sources of division and addresses the capacities of security policy and international law to adapt to the changed international environment. This book will be of much interest to students of international law, war and conflict studies, and IR and Security Studies in general.

Divided Sovereignty

In *Philosophy and International Law*, David Lefkowitz examines core questions of legal and political philosophy through critical reflection on contemporary international law. Is international law really law? The answer depends on what makes law. Does the existence of law depend on coercive enforcement? Or institutions such as courts? Or fidelity to the requirements of the rule of law? Or conformity to moral standards? Answers to these questions are essential for determining the truth or falsity of international legal skepticism, and understanding why it matters. Is international law morally defensible? This book

makes a start to answering that question by engaging with recent debates on the nature and grounds of human rights, the moral justifiability of the law of war, the concept of a crime against humanity, the moral basis of universal jurisdiction, the propriety of international law governing secession, and the justice of international trade law.

International Law, Security and Ethics

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.

Philosophy and International Law

This book offers an innovative interdisciplinary approach that elucidates the importance of virtue ethics to help better understand the role of leadership in international organisations. The authors use a combination of theoretical and conceptual narratives as well as case studies to highlight both the advantages and weaknesses that the angle of virtue ethics offers. A particularly important step in times of uncertainty or crisis when the demand for leadership becomes more urgent yet more daunting. In this sense, this volume oscillates between critique and hope, since it provides a plausible, rather than a purely abstract, approach to the conceptualization and concretization of ethical leadership.

The Institutes of the Law of Nations

The history of ideas on rule of law for world order is a fascinating one, as revealed in this comparative study of both Eastern and Western traditions. This book discerns 'rule of law as justice' conceptions alternative to the positivist conceptions of the liberal internationalist rule of law today. The volume begins by revisiting early-modern European roots of rule of law for world order thinking. In doing so it looks to Northern Humanism and to natural law, in the sense of justice as morally and reasonably ordered self-discipline. Such a standard is not an instrument of external monitoring but of self-reflection and self-cultivation. It then considers whether comparable concepts exist in Chinese thought. Inspired by Confucius and even Laozi, the Chinese official and intellectual elite readily imagined that international law was governed by moral principles similar to their own. A series of case studies then reveals the dramatic change after the East-West encounters from the 1860s until after 1901, as Chinese disillusionment with the Hobbesian positivism of Western international law becomes ever more apparent. What, therefore, are the possibilities of traditional Chinese and European ethical thinking in the context of current world affairs? Considering the obstacles which stand in the way of this, both East and West, this book reaches the conclusion that everything is possible even in a world dominated by state bureaucracies and late capitalist postmodernism. The rational, ethical spirit is universal.

International Law and Ethics after the Critical Challenge

Effective managers must accurately assess the legal and ethical ramifications of complex business transactions. This requires familiarity with the basic principles of international law, and an understanding of the importance of culturally diverse ethical traditions in all of their business relationships. Legal and Ethical Aspects of International Business is your authoritative guide to the law and ethics of business leadership in the global market. It provides the vehicle for today's and tomorrow's managers to successfully navigate the legal and ethical environment of business around the world. Classroom-tested and business-world vetted, Legal and Ethical Aspects of International Business provides: Overviews and opening questions at the outset of each chapter that forecast central concepts and learning objectives A variety of cases that will peak student interest and fuel class discussion Careful editing of cases that preserves the legal and ethical issues confronting global business managers, without miring the reader in jargon and extraneous details Questions and Problem Cases at the end of each chapter that provide opportunities to test knowledge and apply theory to practice In Focus and Global Note inserts that explore hot topics like privacy, cyber security, and sustainability International and comparative perspectives, as the authors look at how substantive issues are addressed by different legal systems around the world Visual aids, such as flowcharts, integrated throughout the book, that illustrate and reinforce key concepts Ethics in Action inserts that demonstrate the role of ethics in global business transactions

Ethical Leadership in International Organizations

Whilst Christian theology is familiar with questions about the relation of church and state, divine and human law, little attention has been devoted to questions of international law. Esther D. Reed offers a systematic engagement with contemporary issues of international law and its relevance for modern theology. Reed discusses numerous issue driven topics, including: challenges to classic just-war thinking from so-called fourth generation warfare, peoples and nationhood within divine providence, the ethics of territorial borders and the militarization of human intervention. By discussing selected biblical texts Reed helps to move the issues of international law higher up the agenda of Christian theology, ethics and moral reasoning.

Morality and Responsibility of Rulers

This volume offers a new dimension to realist theories about world politics. It questions both the theoretical and empirical foundations of much of traditional realist thought by offering realist-oriented analyses that emphasize the possibilities of cooperation and accommodation through agreement over common motivations and concerns. The articles in this volume demonstrate that moral considerations can and do play a significant role in shaping state behavior and that despair about the possibility of improving the systems and institutions within which we live is unwarranted. Specific points of normative convergence are raised in some detail, especially on issues of war, membership and authority, humanitarian concern and the social consequences of globalization. Three ethical concepts form the core of the 'realism reconsidered' argued for here, namely, the ideas of pluralism, rights and fairness.

Legal and Ethical Aspects of International Business

The question of the authority of international law over domestic authorities and the duties of state officials to international law are fundamental concerns in international law theory and practice. The Authority of International Law: Obedience, Respect, and Rebuttal addresses these concerns by reviewing the present accounts of authority in international law constructing the authority of international law as imposing three different layers of duties on domestic officials: the duty to obey, the duty to respect and the duty to rebut, carefully setting out the duties owed by domestic political and legal authorities towards international law. This book provides an original account of the authority of international law, one that is not tied to prior state consent or domestic constitutional frameworks. It offers a nuance account, arguing that whether or not international law is obeyed within any given situation depends on the type of duty it imposes on the state, and that duties normative force. There is no black and white framework in which international law always trumps domestic law or vice versa. Instead, Cali presents a realistic account of when international law has absolute authority, and when it can afford a margin of appreciation to states. The Authority of International Law: Obedience, Respect, and Rebuttal contributes to existing debates on the authority of international law through considering the gap between consent-based jurisprudential theories of authority and self-interest and identity-based theories of compliance; looking at the importation of often highly demanding concepts of authority and legitimacy from standard domestic political and legal theory, to identify the shortcomings of the authority of international law; and by considering monism, dualism, and normative pluralism as theories for addressing authority competition between domestic legal orders and international law.

Theology for International Law

The just war tradition is central to the practice of international relations, in questions of war, peace, and the conduct of war in the contemporary world, but surprisingly few scholars have questioned the authority of the tradition as a source of moral guidance for modern statecraft. Just War: Authority, Tradition, and Practice brings together many of the most important contemporary writers on just war to consider questions of authority surrounding the just war tradition. Authority is critical in two key senses. First, it is central to framing the ethical debate about the justice or injustice of war, raising questions about the universality of just war and the tradition's relationship to religion, law, and democracy. Second, who has the legitimate authority to make just-war claims and declare and prosecute war? Such authority has traditionally been located in the sovereign state, but non-state and supra-state claims to legitimate authority have become increasingly important over the last twenty years as the just war tradition has been used to think about multilateral military operations, terrorism, guerrilla warfare, and sub-state violence. The chapters in this collection, organized around these two dimensions, offer a compelling reassessment of the authority issue's centrality in how we can, do, and ought to think about war in contemporary global politics.

Ethics and International Relations

Re-Framing the International insists that, if we are to properly face the challenges of the coming century, we need to re-examine international politics and development through the prism of ethics and morality. International relations must now contend with a widening circle of participants reflecting the diversity and unevenness of status, memory, gender, race, culture and class.

The Authority of International Law

Law, Ethics and the Biopolitical explores the idea that legal authority is no longer related to national sovereignty, but to the 'moral' attempt to nurture life. The book argues that whilst the relationship between law and ethics has long been a central concern in legal studies, it is now the relationship between law and life that is becoming crucial. The waning legitimacy of conventional conceptions of sovereignty is signalled the renewal of a version of natural law, evident in discourses of human rights, that de-emphasises the role of a divine law-giver in favour of an Aristotelian conception of the natural purpose of life and the 'common good'. Synthesising elements of legal scholarship on sovereignty, theories of biopolitics and biopower, as well as recent developments in the domains of ethics, Amy Swiffen examines the invocation of 'life' as a foundation for legal authority. The book documents the connection between law, life and contemporary forms of biopolitical power by critically analysing the fundamental principles of the bioethical paradigm. Unique in its critical and cross-disciplinary approach, Law, Ethics and the Biopolitical will be of interest to students and teachers in the areas of law and society, law and literature, critical legal studies, social theory, bioethics, psychoanalysis, and biopolitics.

Just War

This book sets out to articulate a comprehensive theory of customary international law that can effectively resolve the conceptual and practical enigmas surrounding it. It takes a multidisciplinary approach and draws insights from international law, legal theory, political science, and game theory. It is anchored in a sophisticated ethical framework and explores the interrelationships between customary international law and ethics.

Reframing the International

This innovative and systematic work on the political and ethical dimensions of the International Criminal Court (ICC) is the first comprehensive attempt to situate the politics of the ICC both theoretically and practically. Steering a new path between conventional approaches that stress the formal link between legitimacy and legal neutrality, and unconventional approaches that treat legitimacy and politics as inextricable elements of a repressive international legal order, Steven C. Roach formulates the concept of political legalism, which calls for a self-directed and engaged application of the legal rules and principles of the ICC Statute. Politicizing the International Criminal Court is a must-read for scholars, students, and policymakers interested in the dynamics of this important international institution.

Law, Ethics and the Biopolitical

In a world full of armed conflict and human misery, global justice remains one of the most compelling missions of our time. Understanding the promises and limitations of global justice demands a careful appreciation of international law, the web of binding norms and institutions that help govern the behaviour of states and other global actors. This book provides a new interdisciplinary approach to global justice, one that integrates the work and insights of international law and contemporary ethics. It asks whether the core norms of international law are just, appraising them according to a standard of global justice derived from the fundamental values of peace and the protection of human rights. Through a combination of a careful explanation of the legal norms and philosophical argument, Ratner concludes that many international law norms meet such a standard of justice, even as distinct areas of injustice remain within the law and the verdict is still out on others. Among the subjects covered in the book are the rules on the use of force, self-determination, sovereign equality, the decision making procedures of key international organizations, the territorial scope of human rights obligations (including humanitarian intervention), and key areas of international economic law. Ultimately, the book shows how an understanding of international law's moral foundations will enrich the global justice debate, while exposing the ethical consequences of different rules.

Customary International Law

This Companion provides scholars and graduates, serving and retired military professionals, members of the diplomatic and policy communities concerned with security affairs and legal professionals who deal with military law and with international law on armed conflicts, with a comprehensive and authoritative state-of-the-art review of current research in the area of military ethics. Topics in this volume reflect both perennial and pressing contemporary issues in the ethics of the use of military force and are written by established professionals and respected commentators. Subjects are organized by three major perspectives on the use of military force: the decision whether to use military force in a given context, the matter of right conduct in the use of such force, and ethical responsibilities beyond the end of an armed conflict. Treatment of issues in each of these sections takes account of both present-day moral challenges and new approaches to these and the historical tradition of just war. Military ethics, as it has developed, has been a particularly Western concern and this volume reflects that reality. However, in a globalized world, awareness of similarities and differences between Western approaches and those of other major cultures is essential. For this reason the volume concludes with chapters on ethics and war in the Islamic, Chinese, and Indian traditions, with the aim of integrating reflection on these approaches into the broad consideration of military ethics provided by this volume.

Politicizing the International Criminal Court

This collection brings together major writers and major works on what Emmanuel Levinas means to law, and injects Levinas' provocative ethics right into the heart of living law, radically changing our understanding of both.

The Thin Justice of International Law

This book examines the international political order in the post-Cold War era, arguing that this order has become progressively more punitive. This is seen as resulting from both a human-rights regime that emphasizes legal norms and the aggressive policies of the United States and its allies in the 'War on Terror'. While punishment can play a key role in creating justice in a political system, serious flaws in the current global order militate against punishment-enforcing global norms. The book argues for the necessary presence of three key concepts - justice, authority and agency - if punishment is to function effectively, and explores four practices in the current international system: intervention, sanctions, counter- terrorism policy, and war crimes tribunals. It concludes by suggesting ways to revise the current global political structure in order to enable punitive practices to play a more central role in creating a just world order. This book will be of much interest to students of International Law, Political Science and International Relations.

The Ashgate Research Companion to Military Ethics

Essays on Levinas and Law