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Fontes Historiae Iuris Gentium V

Amnon Altman



Fontes Historiae Iuris Gentium V:

Fontes Historiae Iuris Gentium: pt.1. 1380 v. Chr Wilhelm Georg Grewe,1988 **Balance of Power and Norm Hierarchy: Franco-British Diplomacy after the Peace of Utrecht** Frederik Dhondt,2015-05-19 Balance of Power and Norm Hierarchy Franco British Diplomacy after the Peace of Utrecht offers a detailed study of French and British diplomacy in the age of Walpole and Fleury After Louis XIV s decease European international relations were dominated by the collaboration between James Stanhope and Guillaume Dubois Their alliance focused on the amendment and enlargement of the peace treaties of Utrecht Rastatt and Baden In depth analysis of vast archival material uncovers the practical legal arguments used between Hampton Court and Versailles Balance of Power or Tranquillity of Europe were in fact metaphors for the predominance of treaty law even over the most fundamental municipal norms An implacable logic of norm hierarchy allowed to consolidate peace in Europe Research Handbook on Territorial Disputes in International Law Marcelo G. Kohen,Mamadou Hébié,2018-10-26 Territorial disputes remain a significant source of tension in international relations representing an important share of interstate cases brought before international tribunals and courts Analysing the international law applicable to the assessment of territorial claims and the settlement of related disputes this Research Handbook provides a systematic exposition and in depth discussions of the relevant key concepts principles rules and techniques Combining extensive knowledge from across international law Marcelo Kohen and Mamadou H bi expertly unite a multinational group of contributors to provide a go to resource for the settlement of territorial disputes The different chapters discuss the process through which states establish sovereignty over a territory and review the different titles of territorial sovereignty the relation between titles and effectivit s as well as the relevance of state conduct Select chapters focus on the impact of foundational principles of international law such as the principle of territorial integrity the right of self determination and the prohibition of the threat or use of force on territorial disputes Finally technical rules that are crucial for the assessment of territorial claims especially the techniques of intertemporal law and critical date as well as evidentiary rules are presented An essential resource for practitioners international law academics and public officials including judges and arbitrators this Research Handbook is a highly original collection of scholarship and research on territorial disputes and their settlement Contributors include M J Aznar T Christakis A Constantinides K Del Mar G Distefano M H bi P Klein M Kohen V Koutroulis S Lee G Nesi K Parlett The Oxford Handbook of the History of International Law Bardo Fassbender,Anne Peters,Simone Peter,Daniel Högger,2012-11-01 The Oxford Handbook of the History of International Law provides an authoritative and original overview of the origins concepts and core issues of international law The first comprehensive Handbook on the history of international law it is a truly unique contribution to the literature of international law and relations Pursuing both a global and an interdisciplinary approach the Handbook brings together some sixty eminent scholars of international law legal history and global history from all parts of the world Covering international legal

developments from the 15th century until the end of World War II the Handbook consists of over sixty individual chapters which are arranged in six parts The book opens with an analysis of the principal actors in the history of international law namely states peoples and nations international organisations and courts and civil society actors Part Two is devoted to a number of key themes of the history of international law such as peace and war the sovereignty of states hegemony religion and the protection of the individual person Part Three addresses the history of international law in the different regions of the world Africa and Arabia Asia the Americas and the Caribbean Europe as well as encounters between non European legal cultures like those of China Japan and India and Europe which had a lasting impact on the body of international law Part Four examines certain forms of interaction or imposition in international law such as diplomacy as an example of interaction or colonization and domination as an example of imposition of law The classical juxtaposition of the civilized and the uncivilized is also critically studied Part Five is concerned with problems of the method and theory of history writing in international law for instance the periodisation of international law or Eurocentrism in the traditional historiography of international law The Handbook concludes with a Part Six entitled People in Portrait which explores the life and work of twenty prominent scholars and thinkers of international law ranging from Muhammad al Shaybani to Sir Hersch Lauterpacht The Handbook will be an invaluable resource for students and scholars of international law It provides historians with new perspectives on international law and increases the historical and cultural awareness of scholars of international law It is the standard reference work for the global history of international law

Research Handbook on Human Rights and Humanitarian Law Robert Kolb, Gloria Gaggioli, 2013-01-01 This volume by Robert Kolb and Gloria Gaggioli contributed by some of the most renowned experts in the field devotes an impressive amount of legal analysis to the most diverse aspects of the interplay between international humanitarian law and international human rights law in situations of violence in theory and practice It is bound to become an indispensable tool for scholars and practitioners alike Marco Pedrazzi University of Milan Italy This fascinating Handbook explores the interplay between international human rights law and international humanitarian law offering expert analysis on the increasingly complex issues surrounding their application in conflict areas across the world Contributors to this volume provide a comprehensive treatment of the ongoing relationship between human rights law and humanitarian law from the historical background and origins of the two bodies of law to their various applications today Divided into four parts Historical Background Common Issues The Need for a Combined Approach and Monitoring Mechanisms the Handbook presents a rich and varied spectrum of original research and thought from some of the brightest minds in the field This groundbreaking volume will surely have great appeal for anyone with a professional or academic interest in human rights law and humanitarian law from students to professors to practitioners in the field

Human Rights Christian Tomuschat, 2003 This volume presents human rights in action focussing on their effectiveness as legal tools designed to benefit human beings By combining conceptual analysis with an emphasis on procedures and

mechanisms of implementation it provides a multidimensional overview of human rights Beginning with an analysis of the historical and conceptual foundations of human rights the volume then focusses upon the different mechanisms which may be employed in translating human rights from a promise into a reality Special emphasis is placed upon the United Nations procedures available to achieve this end **The Law of Armed Conflict and the Use of Force** Frauke

Lachenmann, Rüdiger Wolfrum, 2017 This volume collects articles on the law of armed conflict and the use of force from the Max Planck Encyclopedia of Public International Law to facilitate easy access to content from the leading reference work in international law The Public International Law Theory of Hans Kelsen Jochen von Bernstorff, 2010-10-28 This analysis of Hans Kelsen's international law theory takes into account the context of the German international legal discourse in the first half of the twentieth century including the reactions of Carl Schmitt and other Weimar opponents of Kelsen The relationship between his Pure Theory of Law and his international law writings is examined enabling the reader to understand how Kelsen tried to square his own liberal cosmopolitan project with his methodological convictions as laid out in his Pure Theory of Law Finally Jochen von Bernstorff discusses the limits and continuing relevance of Kelsenian formalism for international law under the term of reflexive formalism and offers a reflection on Kelsen's theory of international law against the background of current debates over constitutionalisation institutionalisation and fragmentation of international law The book also includes biographical sketches of Hans Kelsen and his main students Alfred Verdross and Joseph L Kunz

Netherlands Yearbook of International Law 2014 Mónika Ambrus, Ramses A. Wessel, 2015-05-15 The Netherlands Yearbook of International Law was first published in 1970 It offers a forum for the publication of scholarly articles of a more general nature in the area of public international law including the law of the European Union One of the key functions or purposes of international law and law in general for that matter is to provide long term stability and legal certainty Yet international legal rules may also function as tools to deal with non permanent or constantly changing issues and rather than stable international law may have to be flexible or adaptive Prima facie one could think of two main types of temporary aspects relevant from the perspective of international law First the nature of the object addressed by international law or the problem that international law aims to address may be inherently temporary temporary objects Second a subject of international law may be created for a specific period of time after the elapse of which this entity ceases to exist temporary subjects These types of temporariness raise several questions from the perspective of international law which are hardly addressed from a more conceptual perspective This volume of the Netherlands Yearbook of International Law aims to do exactly that by asking the question of how international law reacts to various types of temporary issues Put differently where does international law stand on the continuum of predictability and pragmatism when it comes to temporary issues or institutions *To the Uttermost Parts of the Earth* Martti Koskenniemi, 2021-08-26 A critical history of European sovereignty and property rights as the foundation of the international order in 1300 1870 Südosteuropa und das moderne Völkerrecht

Adamantios Theodor Skordos, 2021-03-29 Der bedeutende Einfluss des osteuropäischen Akteure und Konflikte für das moderne Völkerrecht. Osteuropa als historische Teilregion des östlichen Europa war seit dem 19. Jahrhundert im Inneren wie von außen stark umkämpft. Adamantios Skordos rückt die damit einhergehende Bedeutung Osteuropas für die Entwicklung des Völkerrechts im 19. und 20. Jahrhundert in den Fokus. Im Zentrum seiner interdisziplinär angelegten Studie steht zum einen die Beteiligung osteuropäischer Völkerrechtler, Diplomaten und Politiker an transnationalen Netzwerken und internationalen Verrechtlichungsprozessen, zum anderen die wichtige Rolle, die das osteuropäische Konfliktgeschehen in den Strategien und Diskursen international einflussreicher außerregionaler Akteure einnahm. Der Autor analysiert eingehend Studien prominenter Völkerrechtsexperten des 19. und frühen 20. Jahrhunderts wie Henry Wheaton, Johan Caspar Bluntschli, Franz von Liszt, Lassa Oppenheim, Ferdinand Martens, Antoine Rougier und John Westlake. Ebenso setzt er sich mit Beschlussfassungen internationaler Organisationen wie des Völkerbunds und der Vereinten Nationen und der Rechtsprechung internationaler Gerichte wie des Tribunals für das ehemalige Jugoslawien auseinander.

Tracing the Earliest Recorded Concepts of International Law Amnon Altman, 2012-05-10 This book offers a unique survey of legal practices and ideas relating to international relations in the Ancient Near East between 2500 and 330 BCE. Rather than entering into the debate on the continuous development of international law in Antiquity, the book discloses a vast amount of textual material from the Ancient Near East which sheds light on the legal regulation and organization of international relations in different epochs of pre-classical Antiquity. The book is a treasure trove of information for the historian of international law who wants to acquaint himself with the remotest history of international law, while it will also serve the general historian of the Ancient Near East who wants to acquaint himself with the international law of the period.

The Roots of International Law / Les fondements du droit international, 2013-11-29 This collection of essays gathers contributions from leading international lawyers from different countries, generations and angles with the aim of highlighting the multifaceted history of international law. This volume questions and analyses the origins and foundations of the international legal system. A particular attention is devoted to Hugo Grotius as one of the founding fathers of the law of nations. Several contributions further question the positivist tradition initiated by Vattel and endorsed by scholars of the 19th Century. This immersion in the intellectual origins of international law is enriched by an inquiry into the practice of the law of nations including its main patterns and changing evolution as well as the role of non-western traditions and the impact of colonization. Le présent ouvrage réunit les contributions de juristes internationaux reconnus en vue de clarifier les multiples facettes de l'histoire du droit international public. L'ouvrage analyse et questionne les origines et les fondements de l'ordre juridique international. Une attention toute particulière est dédiée à Hugo Grotius l'un des premiers fondateurs du droit international. D'autres contributions questionnent également la tradition positiviste initiée par Vattel et confortée par la doctrine du 19^{me} siècle. Cette immersion dans les origines doctrinales du système juridique international est enrichie par l'étude de la pratique du

droit international public son volution ainsi que le r le des traditions non occidentales et l impact de la colonisation

System, Order, and International Law Stefan Kadelbach,Thomas Kleinlein,David Roth-Isigkeit,2017-04-28 For many centuries thinkers have tried to understand and to conceptualize political and legal order beyond the boundaries of sovereign territories Their concepts deeply entangled with ideas of theology state formation and human nature form the bedrock of todays theoretical discourses on international law This volume engages with models of early international legal thought from Machiavelli to Hegel before international law in the modern sense became an academic discipline of its own The interplay of system and order serves as a leitmotiv throughout the book helping to link historical models to contemporary discourse Part I of the book covers a diverse collection of thinkers in order to scrutinize and contextualize their respective models of the international realm in light of general legal and political philosophy Part II maps the historical development of international legal thought more generally by distilling common themes and ideas such as the relationship between universality and particularity the role of the state the influence of power and economic interests on the law and the contingencies of time space and technical opportunities In the current political climate where it appears that the reinvigorated concept of the nation state as an ordering force competes with internationalist thinking the problems at issue in the classic theories point to contemporary questions is an international system without central power possible How can a normative order come about if there is no central force to order relations between states These essays show that uncovering the history of international law can offer ways in which to envisage its future

Offizielle Kriegsbegründungen in der Frühen Neuzeit Anuschka Tischer,2012 Encyclopedia of Public International Law Max-Planck-Institut für Ausländisches Öffentliches Recht und Völkerrecht,1992 Africa 7 T O Elias Journal, Memorials and Letters of Cornelis Matelieff de Jonge Peter

Borschberg,2015-07-31 Admiral Cornelis Matelieff de Jonge was a Director in the Rotterdam chamber of the Dutch East Indies Company VOC for three decades in the early 17th century In May 1605 he set sail from the Dutch Republic with a fleet of 11 ships and in the following year launched an unsuccessful attack on Portuguese Melaka After visiting various locations in the region and signing landmark treaties with the rulers of Johor 1606 and Ternate 1607 he returned to the Netherlands in 1608 There he wrote a series of epistolary reports and memoranda that were carefully studied by leading policy makers in the Republic among them the renowned jurist Hugo Grotius and the politician and diplomat Johan van Oldenbarnevelt Early VOC policy for south eastern Asia drew heavily on Matelieff s submissions and the materials reproduced in this volume provide candid insights into key elements of VOC strategy trade security and regional diplomacy as well as Dutch relations with Spain and Portugal Here translated into English for the first time this collection of Matelieff s writings is an invaluable resource for students of business history early colonial history and the history of international law *Die Ordnung der Praxis* Frank Grunert,Kurt Seelmann,2011-09-12 Mit Stichworten wie die Entdeckung Amerikas der Zerfall der konfessionellen Einheit die zunehmende Bedeutung neuer Handelsbeziehungen und die Zentralisierung staatlicher Macht ist

eine komplexe Problemkonstellation beschrieben die die vielfältigen theoretischen Bemühungen der Spanischen Spätscholastik herausgefordert hat Eine neugewonnene Ordnung der Praxis sollte dabei geeignet sein christliche Tradition einerseits und frühneuzeitliche Modernität andererseits zu vermitteln Der Band versammelt die Beiträge einer internationalen und interdisziplinären Tagung die 1998 in Basel stattgefunden hat *El Siglo Español (1492-1659)* Mariano Delgado, 2021-01-01

En un congreso de historiadores en Viena a principios de siglo un chiste corría de boca en boca Conoce Ud la diferencia entre el buen Dios y un historiador Que Dios no puede cambiar el pasado Este ensayo tampoco pretende hacerlo sino intentar comprenderlo según el antiguo adagio de que la Historia es maestra de la vida Si hablamos de un largo Siglo Español entre 1492-1659 lo hacemos conscientes de que el principio y el final de esas pocas son algo procesual y las fechas concretas solo tienen un valor simbólico La elección parte de que la *Translatio imperii* es decir la conciencia de sentirse elegidos por Dios y los acontecimientos para una misión histórica es lo esencial a la hora de marcar el inicio y el declive de esos periodos al menos en el Antiguo Régimen Esa conciencia de hegemonía no se despierta en España con la llegada de la Casa de Austria sino que aparece ya bien marcada bajo los Reyes Católicos y solo tuvo en el Siglo Español aparte del sultán turco que es otro cantar un serio contrayente en la cristiandad en la figura del rey de Francia Este ensayo se caracteriza por prestar especial atención a las principales controversias que tuvieron lugar en España en ese tiempo Es en cierto modo un estudio de historia espiritual en el sentido francés del término

International Society and the Making of International Order Günther Auth, 2005

Theorising within the American discipline of International Relations has been plagued by a rather severe intellectual crisis Theorists have meant that they need to emulate the natural sciences of the eighteenth and nineteenth centuries in outlook and argumentative style But this has destroyed much awareness for the nature of modern international relations as a dynamically evolving historical process This book seeks to overcome the vicissitudes of mainstream theorising by abandoning the discipline's scientism and by adopting a stance that is more in tune with the standards of modern social science

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