The Use of Force under International Law

A systematic study on the legal regulation of the use of military force, both by international organisations and states, at the beginning of the twenty-first century.
The Changing Rules on the Use of Force in International Law

The question of the sources of international law inevitably raises some well-known scholarly controversies: where do the rules of international law come from? And more precisely: through which processes are they made, how are they ascertained, and where does the international legal order begin and end? These traditional questions bear on at least two different levels of understanding. First, how are international norms validated as rules of international "law", i.e. legally binding norms? This is the static question of the pedigree of international legal rules and the boundaries of the international legal order. Second, what are the processes through which these rules are made? This is the dynamic question of the making of these rules and of the exercise of public authority in international law.

The Oxford Handbook on the Sources of International Law is the very first comprehensive work of its kind devoted to the question of the sources of international law. It provides an accessible and systematic overview of the key issues and debates around the sources of international law. It also offers an authoritative theoretical guide for anyone studying or working within but also outside international law wishing to understand one of its most foundational questions. This handbook features original essays by leading international law scholars and theorists from a range of traditions, nationalities and perspectives, reflecting the richness and diversity of scholarship in this area.

Cases and Materials on International Law

How to Do Things with International Law

This book traces the various uses of the concept of necessity in international law, with the goal of determining whether there is any over-arching unity to these uses across the sub-disciplines of international law. The authors not only discuss necessity in international humanitarian law (IHL) and jus in bello, but also aim to situate necessity as understood in IHL within a larger discourse of international law generally. They untangle the confusing and often inconsistent usages of the term "necessity" in these broad areas of international law, including human rights law. The authors argue that necessity in international law has three different conceptions that cut across the various domains: necessity as exception, necessity as license, and necessity as regulation. In this book, the authors describe how these
conceptions differ, and analyze them from a normative standpoint, arguing that necessity by exception requires principled restrictions (as found in international criminal law). They go on to explore necessity as a license in IHL, and offer an articulate and workable standard for its curtailment. Further, the authors' methodology is to interrogate the basic theoretical structure of the law through philosophical investigations, including the analysis of historical and contemporary "Just War Theory," and to determine whether the law ought to be revised or not.

The Oxford Handbook of the Use of Force in International Law Analysis of how to prevent war and reinforce UN systems by imposing accountability on individuals and states for the unlawful use of force.

The Use of Biodiversity in International Law This book provides a comprehensive and detailed analysis of the nature, content and scope of the rules regulating the use of force in international law as they are contained in the United Nations Charter, customary international law and international jurisprudence. It examines these rules as they apply to developing and challenging circumstances such as the emergence of non-State actors, security risks, new technologies and moral considerations.

The Right to Life Under International Law Cases & Materials on International Law is a topical and engaging companion for study, offering broad coverage on public international law and placing disputes directly within the context of contemporary debate. The book contains the essential cases and materials that students need in order to fully understand and analyse the international legal system, drawing on a truly global range of jurisdictions and sources. Expert author commentary and notes place selected extracts within the wider legal framework and explain the complexities of the principles of law to students. The sixth edition includes expanded discussion of developing areas, including UN resolutions on climate change and international environmental law, new material from the International Law Commission, and coverage of major events, such as the annexation of Crimea, the legal context for Scottish independence and the UK's exit from the European Union, and the United Nations Security Council's Resolution on Malaysia Airlines MH17.
The International Court of Justice and Self-Defence in International Law

The Use of Force in International Law Threats of force are a common feature of international politics, advocated by some as an economical guarantee against the outbreak of war and condemned by others as a recipe for war. Article 2(4) of the United Nations Charter forbids states to use threats of force, yet the meaning of the prohibition is unclear. This book provides the first comprehensive appraisal of the no-threat principle: its origin, underlying rationale, theoretical implications, relevant jurisprudence, and how it has withstood the test of time from 1945 to the present. Based on a systematic evaluation of state and United Nations practices, the book identifies what constitutes a threat of force and when its use is justified under the United Nations Charter. In so doing, it relates the no-threat principle to important concepts of the twentieth century, such as deterrence, escalation, crisis management, and what has been aptly described as the 'diplomacy of violence'.

The Use of Force in International Law “Professor Byers’s book goes to the heart of some of the most bitterly contested recent controversies about the International Rule of Law.” — Chris Patten, Chancellor of Oxford University International law governing the use of military force has been the subject of intense public debate. Under what conditions is it appropriate, or necessary, for a country to use force when diplomacy has failed? Michael Byers, a widely known world expert on international law, weighs these issues in War Law. Byers examines the history of armed conflict and international law through a series of case studies of past conflicts, ranging from the 1837 Caroline Incident to the abuse of detainees by US forces at Abu Ghraib prison in Iraq. Byers explores the legal controversies that surrounded the 1999 and 2001 interventions in Kosovo and Afghanistan and the 2003 war in Iraq; the development of international humanitarian law from the 1859 Battle of Solferino to the present; and the role of war crimes tribunals and the International Criminal Court. He also considers the unique influence of the United
States in the evolution of this extremely controversial area of international law. War Law is neither a textbook nor a treatise, but a fascinating account of a highly controversial topic that is necessary reading for fans of military history and general readers alike. “Should be read, and pondered, by those who are seriously concerned with the legacy we will leave to future generations.” — Noam Chomsky

The Changing Practices of International Law This book takes the reader on a sweeping tour of the international legal field to reveal some of the patterns of difference, dominance, and disruption that belie international law's claim to universality. Pulling back the curtain on the "divisible college of international lawyers," Anthea Roberts shows how international lawyers in different states, regions, and geopolitical groupings are often subject to distinct incoming influences and outgoing spheres of influence in ways that reflect and reinforce differences in how they understand and approach international law. These divisions manifest themselves in contemporary controversies, such as debates about Crimea and the South China Sea. Not all approaches to international law are created equal, however. Using case studies and visual representations, the author demonstrates how actors and materials from some states and groups have come to dominate certain transnational flows and forums in ways that make them disproportionately influential in constructing the "international." This point holds true for Western actors, materials, and approaches in general, and for Anglo-American (and sometimes French) ones in particular. However, these patterns are set for disruption. As the world moves past an era of Western dominance and toward greater multipolarity, it is imperative for international lawyers to understand the perspectives and approaches of those coming from diverse backgrounds. By taking readers on a comparative tour of different international law academies and textbooks, the author encourages them to see the world through the eyes of others -- an essential skill in this fast changing world of shifting power dynamics and rising nationalism.

The Law of Nations When the United Nations Charter was adopted in 1945, states established a legal 'paradigm' for regulating the recourse to armed force. In the years since then, however, significant developments have challenged the paradigm's validity, causing a 'paradigmatic shift'.

International Law and the Use of Force traces this shift and explores its implications for contemporary international law and practice.

The Threat of Force in International Law
This dispassionate analysis of the legal implications of non-international armed conflicts explores the rules regulating the conduct of internal hostilities, as well as the consequences of intervention by foreign States, the role of the UN Security Council, the effects of recognition, State responsibility for wrongdoing by both Governments and insurgents, the interface with the law of human rights and the notion of war crimes. The author addresses both conceptual and specific issues, such as the complexities of 'failing' States or the recruitment and use of child soldiers. He makes use of the extensive case law of international courts and tribunals, in order to identify and set out customary international law. Much attention is also given to the contents of available treaty texts. This new updated edition takes into account the latest events in terms of the practice of States, judicial pronouncements and UN Security Council resolutions.

The Use of Force in International Law

Is International Law International? This book analyzes the legality of the use of force by the US, the UK and their NATO allies against Afghanistan in 2001. The work challenges the main ground for resorting to force, namely, self-defence under Article 51 of the United Nations' Charter, by examining each element of Article 51 that ought to have been satisfied in order to legitimise the use of force. It also examines the wider context, including comparable Security Council resolutions in historic situations as well as modern instances where force has been used, such as against Iraq in 2003 and against Lebanon in 2006. As well as making the case against the legality of the use of force, the book addresses wider questions such as the meaning of 'terrorism' in international law, the changing nature of conflict in the twentieth and twenty-first centuries including the impact of non-state actors and an overview of terrorism trends as well as the evolution of limitations on the resort to force from the League of Nations through to 2001. The book concludes with some insight into the possible future implications for the use of force by states, particularly when force is purportedly justified on the grounds of self-defence.
Access Free International Law And Use Of Force

International Law and Civil Wars Countering mainstream theories, this book focuses on the expanding institutionalisation of international law.

Terrorism, War and International Law This volume of essays examines the development of political and legal thinking regarding the use of force in international relations. It provides an analysis of the rules on the use of force in the political, normative and factual contexts within which they apply and assesses their content and relevance in the light of new challenges such as terrorism, weapons of mass destruction and cyber-attacks. The volume begins with an overview of the ancient and medieval concepts of war and the use of force and then concentrates on the contemporary legal framework regulating the use of force as moulded by the United Nations Charter and state practice. In this regard it discusses specific issues such as the use of force by way of self-defence, armed reprisals, forcible reactions to terrorism, the use of force in the cyberspace, humanitarian intervention and the responsibility to protect. This collection of previously published classic research articles is of interest to scholars and students of international law and international relations as well as practitioners in international law.

International Law and the Use of Force by States This book provides a comprehensive and detailed analysis of the nature, content and scope of the rules regulating the use of force in international law as they are contained in the United Nations Charter, customary international law and international jurisprudence. The book’s scope is broad and covers the prohibition on the threat or use of force; the use of force in self-defence; the use of force as part of the United Nations collective security system; the use of force by regional organisations; the use of force in peacekeeping operations; the use of force for humanitarian purposes; the use of force by invitation; armed reprisals; the use of force by and against non-State actors; and the use of force in cyberspace. The book takes an insightful look at the rules regulating the use of force as they are called upon to apply to changing and challenging circumstances such as the emergence of non-State actors, security risks, new technologies and moral considerations. Its arguments balance the interests of stability and change in order to enhance international law’s regulatory potential regarding the use of force. This book is an important resource for students and scholars
of international law, the use of force and collective security and for practitioners involved in the interpretation and application of these legal frameworks.

The Cambridge Companion to International Law International Law in the U.S. Legal System provides a wide-ranging overview of how international law intersects with the domestic legal system of the United States, and points out various unresolved issues and areas of controversy. Curtis Bradley explains the structure of the U.S. legal system and the various separation of powers and federalism considerations implicated by this structure, especially as these considerations relate to the conduct of foreign affairs. Against this backdrop, he covers all of the principal forms of international law: treaties, executive agreements, decisions and orders of international institutions, customary international law, and jus cogens norms. He also explores a number of issues that are implicated by the intersection of U.S. law and international law, such as treaty withdrawal, foreign sovereign immunity, international human rights litigation, war powers, extradition, and extraterritoriality. This book highlights recent decisions and events relating to the topic, including various actions taken during the Trump administration, while also taking into account relevant historical materials, including materials relating to the U.S. Constitutional founding. Written by one of the most cited international law scholars in the United States, the book is a resource for lawyers, law students, legal scholars, and judges from around the world.

The Legitimacy of Use of Force in Public and Islamic International Law

The international law on the use of force is one of the oldest branches of international law. It is an area twinned with the emergence of international law as a concept in itself, and which sees law and politics collide. The number of armed conflicts is equal only to the number of methodological approaches used to describe them. Many violent encounters are well known. The Kosovo Crisis in 1999 and the US-led invasion of Iraq in 2003 spring easily to the minds of most scholars and academics, and gain extensive coverage in this text. Other conflicts, including the Belgian operation in Stanleyville, and the Ethiopian Intervention in Somalia, are often overlooked to our peril. Ruys and Corten's expert-written text compares over sixty different instances of the
use of cross border force since the adoption of the UN Charter in 1945, from all out warfare to hostile encounters between individual units, targeted killings, and hostage rescue operations, to ask a complex question. How much authority does the power of precedent really have in the law of the use of force?

International Law and the Use of Force The author pursues, on historic lines, an estimation of the extent of legal prohibition of the use of force by states. He includes the deliberations and findings of political organs of the League of Nations and the United Nations, as well as a study of the quality of prohibition of force.

The Oxford Handbook on the Sources of International Law The essays in this volume address various challenges posed by globalization to the international legal order, in fields which include the use of force, humanitarian law, international trade and investment law, dispute resolution, human rights, and environmental law.

Jurisdiction in International Law Offers the first-ever comprehensive treatment under international law of the foundational human right to life.

International Law in the US Legal System The international system is becoming increasingly legalized, with legal arguments and legal advisors playing an increasingly important part in the state policymaking process. Presenting a practice-oriented theory of compliance with international law, this book shows how international law affects the behavior of increasingly lawyerized states in an ever more legalized world. By highlighting the legalization of international legitimation and the lawyerization of policymaking as the new engines of compliance, the book’s analytical framework rethinks the relationship between state behavior and international law, and provides an empirical focus on security through the study of NATO’s military intervention in Yugoslavia in 1999 and the changes in the US detention and interrogation programs in the "War on Terror." Relying on primary sources, the author demonstrates the effect of lawyerized decision making on international law compliance, reconstructing the strategies of (de-)legitimation used to show that international law is the hegemonic frame of reference in
interstate debates. This book will be of interest to scholars of international relations, government studies, foreign service studies and lawyers employed in government work.

The Use of Force in International Law This fully revised and updated second edition of International Law and the Use of Force explores the whole of the large and controversial subject of the use of force in international law - not only the use of force by states but also the role of the UN in peacekeeping and enforcement action, and the growing importance of regional organizations in the maintenance of international peace and security.

International Law in the New Age of Globalization The legal rules governing the use of force between States are one of the most fundamental, and the most controversial, aspects of international law. An essential part of this subject is the question of when, and to what extent, a State may lawfully use force against another in self-defence. However, the parameters of this inherent right remain obscure, despite the best efforts of scholars and, notably, the International Court of Justice. This book examines the burgeoning relationship between the ICJ and the right of self-defence. Since 2003 there have been three major decisions of the ICJ that have dealt directly with the law governing self-defence actions, in contrast to only two such cases in the preceding fifty years. This, then, is an opportune moment to reconsider the jurisprudence of the Court on this issue. This book is the first of its kind to comprehensively draw together and then assess the merits of this jurisprudence. It argues that the contribution of the ICJ has been confused and unhelpful, and compounds inadequacies in existing customary international law. The ICJ's fundamental conception of a primary criterion of 'armed attack' as constituting a qualitatively grave use of force is brought into question. The book then goes on to examine the underlying causes of the problems that have emerged in the jurisprudence on this crucial issue. Winner of the American Society of International Law's Lieber Society Book Prize 2009 Dr Green's monograph demonstrates a thorough understanding of the law of self-defence, coupled with an informed and evaluative discussion of the role and function of the International Court. It is an impressive analysis of the International Court of Justice's jurisprudence.
on self-defence. Professor Iain Scobbie, Judge of the American Society of International Law's Lieber Society Book Prize 2009, Sir Joseph Hotung Research Professor, School of Oriental and African Studies, London James Green's "The International Court of Justice and Self-Defence in International Law" usefully draws together the jurisprudence of the International Court of Justice on the international law governing self-defence. The work could not be more timely in light of both contemporary State practice and the Court's recent controversial judgements on the topic. Of particular note is his analysis of the very complex, and as yet unsettled, notion of "armed attack." Professor Michael Schmitt, Chairman of the American Society of International Law's Lieber Society Book Prize Committee, Chair of Public International Law, Durham University Winner of the University of Reading Faculty of Social Sciences outputs prize for the best research output in 2010.

Necessity in International Law This book presents a legal genealogy of biodiversity – of its strategic use before and after the adoption of the Convention on Biological Diversity, 1993. This history of ‘genetic gold’ details how, with the aid of international law, the idea of biodiversity has been instrumentalized towards political and economic aims. A study of the strategic utility of biodiversity, rather than the utility of its protection under international law, the book’s focus is not, therefore, on the sustainable or non-sustainable use of biodiversity as a natural resource, but rather on its historical use as an intellectual resource. Although biodiversity is still not being effectively conserved, nor sustainably used, the Convention on Biological Diversity and its parent regime persists, now after several decades of operation. This book provides the comprehensive answer to the question of the convention’s continued existence. Drawing from environmental history, the philosophy of science, political economy and development studies, this book will be of interest to advanced undergraduate and postgraduate students in Environmental Law, International Law, Environmental Studies, and Ecology.

Regulating the Use of Force in International Law "The description for this book, How to Do Things with International Law, will be forthcoming. "--
Is International Law Even Law? Since the adoption of the UN Charter in 1945, the use of cross-border force has been frequent. This volume invites a range of experts to examine over sixty conflicts, from military interventions to targeted killings and hostage rescue operations, and to ask how powerful precedent can be in determining hostile encounters in international law.

The Oxford Handbook of Comparative Foreign Relations Law This Oxford Handbook provides an authoritative and comprehensive analysis of one of the most controversial areas of international law. Over seventy contributors assess the current state of the international law prohibiting the use of force, assessing its development and analysing the many recent controversies that have arisen in this field.

The Strategic Use of International Law by the United Nations Security Council This book explores the large and controversial subject of the use of force in international law. It examines not only the use of force by states but also the role of the UN in peacekeeping and enforcement action, and the increasing role of regional organizations in the maintenance of international peace and security. The UN Charter framework is under challenge. Russia's invasion of Georgia and intervention in Ukraine, the USA's military operations in Syria, and Saudi Arabia's campaign to restore the government of Yemen by force all raise questions about the law on intervention. The 'war on terror' that began after the 9/11 terrorist attacks on the USA has not been won. It has spread far beyond Afghanistan: it has led to targeted killings in Pakistan, Somalia, and Yemen, and to intervention against ISIS in Iraq and Syria. Is there an expanding right of self-defence against non-state actors? Is the use of force effective? The development of nuclear weapons by North Korea has reignited discussion about the legality of pre-emptive self-defence. The NATO-led operation in Libya increased hopes for the implementation of 'responsibility to protect', but it also provoked criticism for exceeding the Security Council's authorization of force because its outcome was regime change. UN peacekeeping faces new challenges, especially with regard to the protection of civilians, and UN forces have been given revolutionary mandates in several African states. But the 2015 report Uniting Our Strengths reaffirmed that UN peacekeeping is not suited to counter-
terrorism or enforcement operations; the UN should turn to regional organizations such as the African Union as first responders in situations of ongoing armed conflict.

Regulating the Use of Force in International Law This text challenges students to understand the concepts of international law in order to apply these concepts to specific cases for the purpose of taking a position on existing political and legal debates within the fields of international law and international studies.

Non-International Armed Conflicts in International Law This intellectually rigorous introduction to international law encourages readers to engage with multiple aspects of the topic: as 'law' directing and shaping its subjects; as a technique for governing the world of states and beyond statehood; and as a framework within which several critical and constructivist projects are articulated. The articles situate international law in its historical and ideological context and examine core concepts such as sovereignty, jurisdiction and the state. Attention is also given to its operation within international institutions and in dispute settlement, and a separate section is devoted to international law's 'projects': protecting human rights, eradicating poverty, the conservation of resources, the regulation of international trade and investment and the establishment of international order. The diverse group of contributors draws from disciplinary orientations ranging from positivism to postmodernism to ensure that this book is informed theoretically and politically, as well as grounded in practice.

Seeking Accountability for the Unlawful Use of Force This fully updated second edition of Jurisdiction in International Law examines the international law of jurisdiction, focusing on the areas of law where jurisdiction is most contentious: criminal, antitrust, securities, discovery, and international humanitarian and human rights law. Since F.A. Mann's work in the 1980s, no analytical overview has been attempted of this crucial topic in international law: prescribing the admissible geographical reach of a State's laws. This new edition includes new material on personal jurisdiction in the U.S., extraterritorial applications of human rights treaties, discussions on cyberspace, the Morrison case.
Jurisdiction in International Law has been updated covering developments in sanction and tax laws, and includes further exploration on transnational tort litigation and universal civil jurisdiction. The need for such an overview has grown more pressing in recent years as the traditional framework of the law of jurisdiction, grounded in the principles of sovereignty and territoriality, has been undermined by piecemeal developments. Antitrust jurisdiction is heading in new directions, influenced by law and economics approaches; new EC rules are reshaping jurisdiction in securities law; the U.S. is arguably overreaching in the field of corporate governance law; and the universality principle has gained ground in European criminal law and U.S. tort law. Such developments have given rise to conflicts over competency that struggle to be resolved within traditional jurisdiction theory. This study proposes an innovative approach that departs from the classical solutions and advocates a general principle of international subsidiary jurisdiction. Under the new proposed rule, States would be entitled, and at times even obliged, to exercise subsidiary jurisdiction over internationally relevant situations in the interest of the international community if the State having primary jurisdiction fails to assume its responsibility.

The Power and Purpose of International Law The Use of Force and International Law offers an authoritative overview of international law governing the resort to force. Looking through the prism of the contemporary challenges that this area of international law faces, including technology, sovereignty, actors, compliance and enforcement, this book addresses key aspects of international law in this area: the general breadth and scope of the prohibition of force, what is meant by ‘force’, the use of force through the UN and regional organisations, the use of force in peacekeeping operations, the right of self-defence and the customary limitations upon this right, forcible intervention in civil conflicts, the controversial doctrine of humanitarian intervention. Suitable for advanced undergraduate and postgraduate students, academics and practitioners, The Use of Force and International Law offers a contemporary, comprehensive and accessible treatment of the subject.

War Law The world is poised for another important transition. The United
Access Free International Law And Use Of Force

States is dealing with the impact of the Afghan and Iraq wars, the use of torture and secret detention, Guantanamo, climate change, nuclear proliferation, weakened international institutions, and other issues related directly or indirectly to international law. The world needs an accurate account of the important role of international law and The Power and Purpose of International Law seeks to provide it. Mary Ellen O'Connell explains the purpose of international law and the power it has to achieve that purpose. International law supports order in the world and the attainment of humanity's fundamental goals of peace, prosperity, respect for human rights, and protection of the natural environment. These goals can best be realized through international law, which uniquely has the capacity to bind even a superpower of the world. By exploring the roots and history of international law, and by looking at specific events in the history of international law, this book demonstrates the why and the how of international law and its enforcement. It directly confronts the notion that international law is "powerless" and that working within the framework of international law is useless or counter-productive. As the world moves forward, it is critical that both leaders and their citizens understand the true power and purpose of international law and this book creates a valuable resource for them to aid their understanding. It uses a clear, compelling style to convey topical, informative and cutting-edge information to the reader.

International Law and the Use of Force This Oxford Handbook ambitiously seeks to lay the groundwork for the relatively new field of comparative foreign relations law. Comparative foreign relations law compares and contrasts how nations, and also supranational entities (for example, the European Union), structure their decisions about matters such as entering into and exiting from international agreements, engaging with international institutions, and using military force, as well as how they incorporate treaties and customary international law into their domestic legal systems. The legal materials that make up a nation's foreign relations law can include constitutional law, statutory law, administrative law, and judicial precedent, among other areas. This book consists of 46 chapters, written by leading authors from around the world. Some of the chapters are empirically focused, others are theoretical, and still others contain in-depth case studies. In addition to being an
invaluable resource for scholars working in this area, the book should be of interest to a wide range of lawyers, judges, and law students. Foreign relations law issues are addressed regularly by lawyers working in foreign ministries, and globalization has meant that domestic judges, too, are increasingly confronted by them. In addition, private lawyers who work on matters that extend beyond their home countries often are required to navigate issues of foreign relations law. An increasing number of law school courses in comparative foreign relations law are also now being developed, making this volume an important resource for students as well. Comparative foreign relations law is a newly emerging field of study and teaching, and this volume is likely to become a key reference work as the field continues to develop.

International Law and the Use of Force 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.

International Law and the Use of Force This book examines the international law of forcible intervention in civil wars, in particular the role of party-consent in affecting the legality of such intervention. In modern international law, it is a near consensus that no state can use force against another - the main exceptions being self-defence and actions mandated by a UN Security Council resolution. However, one more potential exception exists: forcible intervention undertaken upon the invitation or consent of a government, seeking assistance in confronting armed opposition groups within its territory. Although the latter exception
is of increasing importance, the numerous questions it raises have received scant attention in the current body of literature. This volume fills this gap by analyzing the consent-exception in a wide context, and attempting to delineate its limits, including cases in which government consent power is not only negated, but might be transferred to opposition groups. The book also discusses the concept of consensual intervention in contemporary international law, in juxtaposition to traditional legal doctrines. It traces the development of law in this context by drawing from historical examples such as the Spanish Civil War, as well as recent cases such those of the Democratic Republic of the Congo, Somalia, Libya, and Syria. This book will be of much interest to students of international law, civil wars, the Responsibility to Protect, war and conflict studies, and IR in general.

The Use of Force and International Law This book investigates the legitimacy deficits of two potentially conflicting legal systems, namely Public and Islamic international law. It discusses the challenges that Public international law is being presented within the context of its relationship with Islamic international law. It explores how best to overcome these challenges through a comparative examination of state practices on the use of force. It highlights the legal-political legacies that evolved surrounding the claims of the legitimacy of use of force by armed non-state actors, states, and regional organizations. This book offers a critical analysis of these legacies in line with the Islamic Shari’ā law, United Nations Charter, state practices, and customs. It concludes that the legitimacy question has reached a vantage point where it cannot be answered either by Islamic or Public international law as a mutually exclusive legal system. Instead, Public international law must take a coherent approach within the existing legal framework.

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