

# Riddle Of All Constitutions International Law Democracy And A Critique Of Ideology

**Riddle Of All Constitutions International Law Democracy And A Critique Of Ideology** Book Review: Unveiling the Magic of Language

In an electronic digital era where connections and knowledge reign supreme, the enchanting power of language has are more apparent than ever. Its ability to stir emotions, provoke thought, and instigate transformation is truly remarkable. This extraordinary book, aptly titled "**Riddle Of All Constitutions International Law Democracy And A Critique Of Ideology**," published by a highly acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound affect our existence. Throughout this critique, we will delve in to the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

The Degradation of the International Legal Order? Bill Bowring  
2008-02-19 Providing the basis for critical engagement with the pessimism of the contemporary age, The Degradation of the International Legal Order? argues passionately for a rehabilitation of the honour of historic events and processes, and of their role in generating legal concepts. Drawing primarily from the Marxian tradition, but also engaging with a range of contemporary work in critical theory and critical legal and human rights scholarship, this book analyses historical and recent international events and processes in order to challenge their orthodox interpretation. What is thus proposed is a new evaluation of international legal principles and human rights norms, the revolutionary content of which, it is argued, turns them from mere rhetoric into powerful weapons of struggle. Accessibly written, but theoretically sophisticated, this original and timely book is intended for critical teachers and students of international law, human rights, and international relations, as well as legal and political activists.

**The Oxford Handbook of the Theory of International Law** Anne Orford 2016 Histories -- Approaches -- Regimes and doctrines -- Debates  
**The Oxford Handbook of International Relations** Christian Reus-

Smit 2010-07-01 The Oxford Handbook of International Relations offers the most authoritative and comprehensive overview to date of the field of international relations. Arguably the most impressive collection of international relations scholars ever brought together within one volume, the Handbook debates the nature of the field itself, critically engages with the major theories, surveys a wide spectrum of methods, addresses the relationship between scholarship and policy making, and examines the field's relation with cognate disciplines. The Handbook takes as its central themes the interaction between empirical and normative inquiry that permeates all theorizing in the field and the way in which contending approaches have shaped one another. In doing so, the Handbook provides an authoritative and critical introduction to the subject and establishes a sense of the field as a dynamic realm of argument and inquiry. The Oxford Handbook of International Relations will be essential reading for all of those interested in the advanced study of global politics and international affairs.

Finnish Yearbook of International Law, Volume 22, 2011 Jan Klabbers  
2013-07-11 The Finnish Yearbook of International Law aspires to honour and strengthen the Finnish tradition in international legal scholarship. Open to contributions from all over the world and from all persuasions,

the Finnish Yearbook stands out as a forum for theoretically informed, high-quality publications on all aspects of public international law, including the international relations law of the European Union. The Finnish Yearbook publishes in-depth articles and shorter notes, commentaries on current developments, book reviews and relevant overviews of Finland's state practice. While firmly grounded in traditional legal scholarship, it is open for new approaches to international law and for work of an interdisciplinary nature. The Finnish Yearbook is published for the Ius Gentium Association (the Finnish Society of International Law) by Hart Publishing. Earlier volumes may be obtained from Martinus Nijhoff, an imprint of Brill Publishers. Further information may be found at [www.fybil.org](http://www.fybil.org) INDIVIDUAL CHAPTERS Please click on the link below to purchase individual chapters from Volume 22 through Ingenta Connect: [www.ingentaconnect.com](http://www.ingentaconnect.com) SUBSCRIPTION TO SERIES To place an annual online subscription or a print standing order through Hart Publishing please click on the link below. Please note that any customers who have a standing order for the printed volumes will now be entitled to free online access.

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*Self-Constitution of European Society* Jiří Přibáň 2016-05-26 Recent social and political developments in the EU have clearly shown the profound structural changes in European society and its politics. Reflecting on these developments and responding to the existing body of academic literature and scholarship, this book critically discusses the emerging notion of European constitutionalism, its varieties and different contextualization in theories of EU law, general jurisprudence, sociology of law, political theory and sociology. The contributors address different problems related to the relationship between the constitutional state and non-state constitutionalizations and critically analyze general theories of constitutional monism, dualism and pluralism and their juridical and political uses in the context of EU constitutionalism. Individual chapters emphasize the importance of interdisciplinary and socio-legal methods in the current research of EU constitutionalism and their potential to re-conceptualize and re-think traditional problems of constitutional

subjects, limitation and separation of power, political symbolism and identity politics in Europe. This collection simultaneously describes the EU and its self-constitution as one polity, differentiated society and shared community and its contributors conceptualize the sense of common identity and solidarity in the context of the post-sovereign multitude of European society.

**Democracy and Sovereignty** Daniel Erasmus Khan 2022-11-28 Our world is in urgent need of global answers on subjects such as Big Data, climate change, and the interconnected global economy. This volume tackles those issues and more, with the goal of advancing more democratic modes of decision-making.

The Riddle of All Constitutions Susan R. Marks 2003 The promotion of democracy is familiar in foreign policy and the activities of international organizations. The author considers whether international law should join this move to promote democratic political arrangements.

**International Law and the Cold War** Matthew Craven 2020 This is the first book to examine in detail the relationship between the Cold War and International Law.

An Introduction to Contemporary International Law Lung-chu Chen 2015-01-29 An Introduction to Contemporary International Law: A Policy-Oriented Perspective introduces the reader to all major aspects of contemporary international law. It applies the highly acclaimed approach developed by the New Haven School of International Law, holding international law as an ongoing process of authoritative decision-making through which the members of the world community identify, clarify, and secure their common interests. Unlike conventional works in international law, this book is organized and structured in terms of the process of decision making in the international arena, and references both classic historical examples and contemporary events to illustrate international legal processes and principles. Using contemporary examples, this Third Edition builds on the previous editions by contextualizing and dramatizing recent events with reference to seven features that characterize the New Haven School approach to international law: participants, perspectives, arenas of decision, bases of

power, strategies, outcomes, and effects. This new edition highlights cutting-edge ideas in international law, including the right to self-determination, the evolution of Taiwan statehood, the expanding scope of international concern and the duty of states to protect human rights, the trend towards greater accountability for states and individual decision-makers under international law, and the vital role individual responsibility plays in the emerging field of international criminal law. It offers a new generation the intellectual tools needed to act as responsible citizens in a world community seeking human dignity and human security for all people.

*The Role of International Law in Rebuilding Societies After Conflict* Brett Bowden 2009-04-16 The genesis of this book was a workshop entitled 'Empire or Empowerment? The Role of International Law in Building Democracy and Justice after Conflict' held at the Australian National University in Canberra on 9-10 August 2007

British Contributions to International Law, 1915-2015 (Set) Jill Barrett 2020-12-15 Anthology of original documentary sources of the key British contributions to international law spanning the past 100 years.

*Christianity and International Law* Pamela Slotte 2021-05-20 This cross-disciplinary collaboration offers historical and contemporary scholarship exploring the interface of Christianity and international law. Christianity and International Law aims to understand and move past arguments, narratives and tropes that commonly frame law-religion studies in global governance. Readers are introduced to a range of confessional and critical perspectives explicitly engaging a diverse range of methodological and theoretical orientations to rethink how we experience and find ourselves caught within the phenomena of Christianity and international law.

*Community Interests Across International Law* Eyal Benvenisti 2018 This book explores the extent to which contemporary international law expects states to take into account the interests of others - namely third states or their citizens - when they form and implement their policies, negotiate agreements, and generally conduct their relations with other states. It systematically considers the various manifestations of what has

been described as 'community interests' in many areas regulated by international law and observes how the law has evolved from a legal system based on more or less specific consent and aimed at promoting particular interests of states, to one that is more generally oriented towards collectively protecting common interests and values. Through essays by experts in the field, this book explores topics such as the sources of international law and the institutional aspects of developing the law and covers a range of areas within the law.

**The Riddle of All Constitutions** Susan R. Marks 2000 The book examines current debates about the emergence of an international legal norm of democratic governance and also considers some of the wider theoretical issues to which those debates give rise. It asks should international law seek to promote democratic political arrangements? If so, on what basis, and using which of the many competing conceptions of democracy?

Power, Politics, Law: International Law and State Behaviour During International Crises Radhika Withana 2008-09-17 This volume addresses the question as to where international law fits into the making and implementation of foreign policy during an international crisis in which a State is considering and / or may actually use force. Empirical literature on the law-State behaviour relationship during international crises has not been able to answer this question adequately. The limitations of existing empirical literature are identified as stemming from the limitations of existing positivist, realist and functionalist theoretical explanations of the law-State behaviour relationship. These theoretical approaches, which underpin existing empirical literature on international crises, assume that international law matches what is referred to in this book as its 'rule-book' image. This is the notion of international law as a finite set of objective, politically neutral, rules that can be applied so as to distinguish objectively between legal and illegal action. The rule-book image of international law does not match reality, but the assumption that it is true underpins both theoretical literature and references to international law in political rhetoric. The rule-book image and the reality of international law have been reconciled within the theory of

International law as Ideology (ILI) as developed by Shirley Scott. This book hypothesises that an ILI perspective offers a better explanation of the law-State behaviour relationship during international crises than rival explanations grounded in positivism, realism or functionalism. Four case studies of State behaviour—of the US, the Soviet Union and the PRC during the Korean War (1950-1953), of the US and UK during the Suez crisis (1956), of the US and the Soviet Union during the Cuban Missile Crisis (1962) and of the US and an alliance of Latin American States during the Dominican Republic crisis (1965)—are used to test the hypothesis. The findings confirm the greater explanatory efficacy of ILI and demonstrate that the significance of international law to foreign policy decision-making during international crises is more than that of deterring the use of force as is assumed by rival theoretical approaches grounded in a rule-book image of international law. International law is shown to serve as a vehicle for inter-State competition during international crises.

*The Constitutionalization of International Law* Jan Klabbers 2011-04-07

The book examines one of the most debated issues in current international law: to what extent the international legal system has constitutional features comparable to what we find in national law. This question has become increasingly relevant in a time of globalization, where new international institutions and courts are established to address international issues. Constitutionalization beyond the nation state has for many years been discussed in relation to the European Union. This book asks whether we now see constitutionalization taking place also at the global level. The book investigates what should be characterized as constitutional features of the current international order, in what way the challenges differ from those at the national level and what could be a proper interaction between different international arrangements as well as between the international and national constitutional level. Finally, it sketches the outlines of what a constitutionalized world order could and should imply. The book is a critical appraisal of constitutionalist ideas and of their critique. It argues that the reconstruction of the current evolution of international law as a

process of constitutionalization -against a background of, and partly in competition with, the verticalization of substantive law and the deformalization and fragmentation of international law- has some explanatory power, permits new insights and allows for new arguments. The book thus identifies constitutional trends and challenges in establishing international organisational structures, and designs procedures for standard-setting, implementation and judicial functions. This paperback edition features the authors' discussion of this book on the EJIL Talks blog.

**The Right to Religious Freedom in International Law** Anat Scolnicov 2010-10-18 This book analyses the right to religious freedom in international law, drawing on an array of national and international cases. Taking a rigorous approach to the right to religious freedom, Anat Scolnicov argues that the interpretation and application of religious freedom must be understood as a conflict between individual and group claims of rights, and that although some states, based on their respective histories, religions, and cultures, protect the group over the individual, only an individualistic approach of international law is a coherent way of protecting religious freedom. Analysing legal structures in a variety of both Western and Non-Western jurisdictions, the book sets out a topography of different constitutional structures of religions within states and evaluates their compliance with international human rights law. The book also considers the position of women's religious freedom vis-à-vis community claims of religious freedom, of children's right to religious freedom and of the rights of dissenters within religious groups. [Reckoning with Empire: Self-Determination in International Law](#) Miriam

Bak Mckenna 2022-11-28 The book adopts a new approach to self-determination's international legal history, tracing the ways in which various actors have sought to reinvent self-determination in different juridical, political, and economic iterations to create the conditions for global transformation.

**Non-Governmental Organisations in International Law** Anna-Karin Lindblom 2005 Non-governmental organisations (NGOs) play an increasing political role on the international scene, and their position in

relation to international law is generally regarded as important but informal. Their actual legal status has not been the subject of much investigation. This 2006 book examines the legal status of NGOs in different fields of international law, with emphasis on human rights law. By means of a thorough examination and systematisation of international legal rules and practices, the rights, obligations, locus standi and consultative status of NGOs are explored. This study is placed within a wider discussion on the representation of groups in the international legal system. Lindblom argues, on the basis of a discourse model of international decision-making, that non-governmental organisation is an important form of public participation that can strengthen the flawed legitimacy of the state-centric system of international law.

#### **Global Constitutionalism in International Legal Perspective**

Christine EJ Schwöbel 2011-03-21 Drawing on critical theories within and without the international legal discipline, this book offers a fresh approach to the debate on global constitutionalism - an approach that attempts to get beyond the liberal democratic trajectories in which it is currently entrenched.

*Diversity and Self-Determination in International Law* Karen Knop 2002-04-18 The emergence of new states and independence movements after the Cold War has intensified the long-standing disagreement among international lawyers over the right of self-determination, especially the right of secession. Knop shifts the discussion from the articulation of the right to its interpretation. She argues that the practice of interpretation involves and illuminates a problem of diversity raised by the exclusion of many of the groups that self-determination most affects. Distinguishing different types of exclusion and the relationships between them reveals the deep structures, biases and stakes in the decisions and scholarship on self-determination. Knop's analysis also reveals that the leading cases have grappled with these embedded inequalities. Challenges by colonies, ethnic nations, indigenous peoples, women and others to the gender and cultural biases of international law emerge as integral to the interpretation of self-determination historically, as do attempts by judges and other institutional interpreters to meet these challenges.

**The Inter American Court of Human Rights** Natalia Torres Zúñiga 2022-07-05 This book provides a critical legal perspective on the legitimacy of international courts and tribunals. The volume offers a critique of ideology of two legal approaches to the legitimacy of the Inter-American Court of Human Rights (IACtHR) that portray it as a supranational tribunal whose last say on human rights protection has a transformative effect on the democracies of Latin America. The book shows how the discussion between these Latin American legal strands mirrors global trends in the study of the legitimacy of international courts related to the use of constitutional analogies and concepts such as the notion of judicial dialogue and the idea of democratic transformation. It also provides an in-depth analysis of how, through the use of those categories, legal experts studying the legitimacy of the IACtHR enact self-validation processes by making themselves the principal agents of transformation. These self-validation processes work as ideological apparatuses that reproduce and entrench the mindset that the legal discipline is a driving force of change in itself. Further, the book shows how profiling the Court as an agent of transformation diverts attention from the ways in which it has pursued a particular view of human rights and democracy in the region that creates and reproduces relations of inequality and domination. Rather than discarding the IACtHR, this book aims to de-centre the focus away from formal legal institutions, engaging with the idea that ordinary people can mobilise and define the content of law to transform their lives and territories. The book will be a valuable resource for scholars working in the areas of human rights law, law, public international law, legal theory, constitutional law, political science and legal philosophy.

*Netherlands Yearbook of International Law - 2003* Niels M. Blokker 2011-01-07 Two major factors brought about the establishment of the Netherlands Yearbook of International Law in 1970: demand for the publication of national practice in international law, and the desirability for legal practitioners, state representatives and international lawyers to have access to the growing amount of available data, in the form of articles, notes etc. The Documentation section contains an extensive

review of Dutch state practice from the parliamentary year prior to publication, an account of developments relating to treaties and other international agreements to which the Netherlands is a party, summaries of Netherlands judicial decisions involving questions of public international law (many not published elsewhere), lists of Dutch publications in the field and extracts from relevant municipal legislation. Although the NYIL has a distinctive national character it is published in English, and the editors do not adhere to any geographical limitations when deciding upon the inclusion of articles.

**International Law** Malcolm David Evans 2014 Clearly and accessibly written, this new text provides a valuable resource for undergraduate and postgraduate students of international law and covers subjects including the history, theories and sources of international law, as well as current areas of interest such as international criminal law.

*The Right to Have Rights* Alison Kesby 2012 Is it citizenship of a state or status as a human being that confers human rights on a person? If a person is stateless, how, and in what way, do human rights still apply to them? This book addresses these questions in the context of international human rights law and the notion of the 'right to have rights'.

**Portraits of Women in International Law** Tallgren 2023-05-11 Current histories seem to suggest that men alone have been capable of the development of ideas, analysis, and practice of international law until the 1990s. Is this the case? Or have others been erased from the collective images of this history, including the portrait gallery of notables in international law? *Portraits of Women in International Law: New Names and Forgotten Faces?* investigates the slow and late inclusion of women in the spheres of knowledge and power in international law. The forty-two textual and visual representations by a diverse team of passionate portraitists represent women and gender non-conforming people in international law from the fourteenth century onwards around the world: individuals and groups who imagined, developed, or contested international law; who earned their living in its institutions; or who, even indirectly, may have changed its course. This rich volume calls for a critical identification of the formal and informal institutional practices,

norms, and rituals of (white) masculinities, both in the past and in the research of international law today. By abandoning reductive histories, their biased frames, and tacit assumptions, this work brings previously unseen glimpses of international law and its agents, ideas, causes, behaviour, norms, and social practices into the spotlight.

*Democracies and International Law* Tom Ginsburg 2021-09-30

Democracies and authoritarian regimes have different approaches to international law, grounded in their different forms of government. As the balance of power between democracies and non-democracies shifts, it will have consequences for international legal order. Human rights may face severe challenges in years ahead, but citizens of democratic countries may still benefit from international legal cooperation in other areas. Ranging across several continents, this volume surveys the state of democracy-enhancing international law, and provides ideas for a way forward in the face of rising authoritarianism.

*A Landscape of Contemporary Theories of International Law* Emmanuel Roucouas 2019-09-16 The book explores the main characteristics of contemporary theory in international law. It examines in an analytical fashion 32 schools, movements, and trends as well as the works of more than 500 authors on substantive issues of international law.

**The Process of International Legal Reproduction** Rose Parfitt 2019-01-17 Radical international legal history of the expansionary project of statehood and its role in generating profound distributional inequalities

**The Riddle of All Constitutions** Susan Marks 2003 The promotion of democracy is today a familiar feature of foreign policy, and an accepted part of the activities of international organizations. Should international law join in this move to promote democratic political arrangements? If so, on what basis, and with which of the many competing conceptions of democracy? Drawing on an eclectic range of source material, the author examines current debates about the emergence of an international legal 'norm of democratic governance', and considers how proposals for such a norm might be rearticulated to meet some of the concerns to which they give rise. She also uses these debates to illustrate some more

general points about approaches to the study of international law. In doing so, she seeks to defend an approach to international legal scholarship that takes its cue from the tradition of ideology critique.

**Asian Yearbook of International Law** B.S. Chimni 2009-06-02

Launched in 1991, the Asian Yearbook of International Law is a major refereed publication dedicated to international law issues as seen primarily from an Asian perspective, under the auspices of the Foundation for the Development of International Law in Asia (DILA). It is the first publication of its kind edited by a team of leading international law scholars from across Asia. The Yearbook provides a forum for the publication of articles in the field of international law, and other Asian international law topics, written by experts from the region and elsewhere. Its aim is twofold: to promote international law in Asia, and to provide an intellectual platform for the discussion and dissemination of Asian views and practices on contemporary international legal issues. Each volume of the Yearbook normally contains articles and shorter notes; a section on State practice; an overview of Asian states participation in multilateral treaties; succinct analysis of recent international legal developments in Asia; an agora section devoted to critical perspectives on international law issues; surveys of the activities of international organizations of special relevance to Asia; and book review, bibliography and documents sections. It will be of interest to students and academics interested in international law and Asian studies.

**International Law and History** Ignacio de la Rasilla 2021-01-21 The first contemporary historiography of international law and an essential methodological guide for researching international legal history.

Concepts for International Law Jean d'Aspremont 2018 Concepts shape how we understand and participate in international legal affairs. They are an important site for order, struggle and change. This comprehensive and authoritative volume introduces a large number of concepts that have shaped, at various points in history, international legal practice and thought; intimates at how the many projects of international law have grappled with, and influenced, the world through certain concepts; and introduces new concepts into the discipline.

**Research Handbook on Law and Marxism** O'Connell, Paul 2021-12-14

This Research Handbook offers unparalleled insights into the large-scale resurgence of interest in Marx and Marxism in recent years, with contributions devoted specifically to Marxist critiques of law, rights, and the state.

**International Territorial Administration** Ralph Wilde 2010-09-30

This is the first comprehensive treatment of the reasons why international organizations have engaged in territorial administration. The book describes the role of international territorial administration and analyses the various purposes associated with this activity, revealing the objectives which territorial administration seeks to achieve.

**Research Methods for International Human Rights Law** Damian

Gonzalez-Salzburg 2019-06-13 The study and teaching of international human rights law is dominated by the doctrinal method. A wealth of alternative approaches exists, but they tend to be discussed in isolation from one another. This collection focuses on cross-theoretical discussion that brings together an array of different analytical methods and theoretical lenses that can be used for conducting research within the field. As such, it provides a coherent, accessible and diverse account of key theories and methods. A distinctive feature of this collection is that it adopts a grounded approach to international human rights law, through demonstrating the application of specific research methods to individual case studies. By applying the approach under discussion to a concrete case it is possible to better appreciate the multiple understandings of international human rights law that are missed when the field is only comprehended through the doctrinal method. Furthermore, since every contribution follows the same uniform structure, this allows for fruitful comparison between different approaches to the study of our discipline. *Critical Approaches to International Criminal Law* Christine Schwöbel 2014-05-09 Drawing on the critical legal tradition, the collection of international scholars gathered in this volume analyse the complexities and limitations of International Criminal Law. This area of law has recently experienced a significant surge in scholarship and public debate; individual criminal accountability is now firmly entrenched in

both international law and the international consciousness as a necessary mechanism of responsibility. Critical Approaches to International Criminal Law: An Introduction shifts the debate towards that which has so far been missing from the mainstream discussion: the possible injustices, exclusions, and biases of International Criminal Law. This collection of essays is the first dedicated to the topic of critical approaches to international criminal law. It will be a valuable resource for scholars and students of international criminal law, international law, international legal theory, criminal law, and criminology.

International Law Jan Wouters 2018-12-13 This textbook offers for the first time a comprehensive analysis of the classic doctrines and main areas of international law from a European perspective, meeting the needs of the many European law schools teaching public international law in English. Special attention is devoted to the practice of the European Union, the Council of Europe and European States - both civil law and common law countries - with regard to international law. In particular the book analyses the interplay between international law, EU law and national law in the case law of the Court of Justice of the EU, the European Court of Human Rights and national jurisdictions in Europe. It provides the reader with insights into how the international legal practice of the EU and its Member States impacts the development of international law, both in terms of doctrines such as treaty-making and customary law, the exercise of (extraterritorial) jurisdiction, state responsibility and the settlement of disputes, as well as particular sub-fields of international law, such as human rights law and international economic law. In addition the book covers other important areas such as the use of force and collective security, the law of armed conflict, and global and regional international organisations. It provides European perspectives on all these issues and will be of great value to students, scholars and practitioners.

**International Law in a Multipolar World** Matthew Happold 2013-03 "Since the creation of the United Nations in 1945, international law has sought to configure itself as a universal system. And yet, despite the best efforts of international institutions, scholars and others to assert the

universal application of international law, its relevance and applicability has been influenced, if not directed, by political power. Over the past decade, discourse has tended to focus on the implications for international law of a unipolar world, characterised by US hegemony. However, that the international system may now be experiencing a tendency towards multipolarity, with various sites of power able to exert a telling influence on international relations and international law. Recent events such as Russia's excursion into Georgia, the breakdown of the Doha round of trade negotiations, the USA's questionable actions in the War on Terror, the prominence of emerging nuclear powers, China's assertions of its own interests on a global scale, and the rise of regional trading blocs, all pose significant questions for international law and the international legal order. International Law in a Multipolar World features contributions from a range of contributors including Nigel White, Michael Schmitt, Richard Burchill, Alexander Orakhelashvili and Christian Pippan, addressing some of the questions that multipolarity poses for the international legal system. The contributions to the volume explore issues including the use of force, governance, sovereign equality, regionalism and the relevance of the United Nations in a multipolar world, considering the overarching theme of the relationship between power and law"--

**The Environment-Conflict Nexus in International Law** Eliana Cusato 2021-09-16 Unpacks key assumptions about the 'environment', its relationship with violent conflict, and the justification for its protection underlying international law.

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