

War Aggression And Self Defence

RIGHT HERE, WE HAVE COUNTLESS BOOKS **WAR AGGRESSION AND SELF DEFENCE** AND COLLECTIONS TO CHECK OUT. WE ADDITIONALLY HAVE THE FUNDS FOR VARIANT TYPES AND AS A CONSEQUENCE TYPE OF THE BOOKS TO BROWSE. THE ENJOYABLE BOOK, FICTION, HISTORY, NOVEL, SCIENTIFIC RESEARCH, AS WITH EASE AS VARIOUS OTHER SORTS OF BOOKS ARE READILY CLEAR HERE.

AS THIS WAR AGGRESSION AND SELF DEFENCE, IT ENDS GOING ON BRUTE ONE OF THE FAVORED BOOKS WAR AGGRESSION AND SELF DEFENCE COLLECTIONS THAT WE HAVE. THIS IS WHY YOU REMAIN IN THE BEST WEBSITE TO SEE THE AMAZING BOOK TO HAVE.

INTERNATIONAL LAW AND THE USE OF FORCE BY STATES IAN BROWNLIE 1963 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 SIX-DAY WAR AND ISRAELI SELF-DEFENSE JOHN QUIGLEY 2013 THE WAR OF JUNE 1967 BETWEEN ISRAEL AND ARAB STATES WAS WIDELY PERCEIVED AS BEING FORCED ON ISRAEL TO PREVENT THE ANNIHILATION OF ITS PEOPLE BY ARAB ARMIES HOVERING ON ITS BORDERS. DOCUMENTS NOW DECLASSIFIED BY KEY GOVERNMENTS QUESTION THIS VIEW. THE UK, USSR, FRANCE AND THE USA ALL KNEW THAT THE ARAB STATES WERE NOT IN ATTACK MODE AND TRIED TO DISSUADE ISRAEL FROM ATTACKING. IN LATER YEARS, THIS WAR WAS HELD UP AS A PRECEDENT ALLOWING AN ATTACK ON A STATE THAT IS EXPECTED TO ATTACK. IT HAS EVEN BEEN USED TO JUSTIFY A PRE-EMPTIVE ASSAULT ON A STATE EXPECTED TO ATTACK WELL IN THE FUTURE. GIVEN THE LACK OF EVIDENCE THAT IT WAS WAGED BY ISRAEL IN ANTICIPATION OF AN ATTACK BY ARAB STATES, THE 1967 WAR CAN NO LONGER SERVE AS SUCH A PRECEDENT. THIS BOOK SEEKS TO PROVIDE A CORRECTIVE ON THE JUNE 1967 WAR.

AGGRESSIVE WAR CORNELIS ARNOLD POMPE 2012-12-06 SIX YEARS AFTER THE RENDERING OF THE NUREMBERG JUDGMENT WORLD CONDITIONS ARE NOT SUCH AS TO ENCOURAGE A STUDY ON WHAT CONSTITUTED ITS PRINCIPAL INNOVATION IN THE LEGAL FIELD: THE PUNISHMENT OF THE AUTHORS OF AGGRESSIVE WAR. THE WAR ALLIANCE AGAINST THE AXIS POWERS WHICH WAS THE POLITICAL BASIS OF THE NUREMBERG TRIAL AND OF THE UNITED NATION~ ORGANISATION HAS BROKEN UP. MUTUAL FEAR, THREATS AND ACCUSATIONS AND A GIGANTIC ARMAMENT RACE ARE THE DOMINATING FACTORS IN INTERNATIONAL LIFE DURING THE COLD WAR PERIOD, AND THE MINDS OF STATESMEN, MILITARY MEN AND LAWYERS ALIKE ARE MORE PREOCCUPIED WITH THE PROBLEM OF HOW TO WIN A POSSIBLE THIRD WORLD WAR THAN WITH THAT OF PREVENTING ITS OCCURRENCE AND AVOIDING RESPONSIBILITY FOR ITS OUTBREAK. WHILE THE SURVIVAL OF THEIR FREEDOM AND CIVILIZATION IS AT STAKE, THE NATIONS SEEM MORE INTENT ON PREPARING FOR WHAT IS VAGUELY AND EQUIVOCALLY CALLED 'SELF-DEFENCE' THAN ON ACCEPTING AND ASSURING THE REIGN OF LAW. THE STRAIN OF THE PROTRACTED STRUGGLE IN KOREA, MOREOVER, SEEMS TO TURN THE FIRST EXPERIMENT WITH MILITARY SANCTIONS AGAINST AN AGGRESSOR INTO A CLASSIC GAME OF POWER POLITICS. IT IS NOT SURPRISING THAT IN SUCH CIRCUMSTANCES LITTLE ENERGY IS DISPLAYED IN EFFORTS TO IMPLEMENT THE PRINCIPLES TO WHICH THE UNITED NATIONS PLEDGED THEMSELVES IN NUREMBERG, AND THAT MANY STATESMEN AND LAWYERS SEEM PREPARED TO ABANDON, AT LEAST FOR THE NEAR FUTURE, THE PRECEDENT OF THE TIME OF ALLIANCE, EXPRESSION OF CONFIDENCE IN THE VICTORY OF LAW OVER FORCE.

THE CONDUCT OF HOSTILITIES UNDER THE LAW OF INTERNATIONAL ARMED CONFLICT YORAM DINSTEIN 2004-02-26 A COMPANION VOLUME TO THE AUTHOR'S TEXTBOOK *WAR, AGGRESSION AND SELF-DEFENCE*, THIRD EDITION (CAMBRIDGE 2001), THIS BOOK FOCUSES ON ISSUES ARISING IN THE COURSE OF HOSTILITIES BETWEEN STATES, EMPHASIZING THE MOST RECENT CONFLICTS IN IRAQ AND AFGHANISTAN. MAIN THEMES CONSIDERED ARE LAWFUL AND UNLAWFUL COMBATANTS, WAR CRIMES (INCLUDING COMMAND RESPONSIBILITY AND DEFENSES), PROHIBITED WEAPONS, THE DISTINCTION BETWEEN COMBATANTS AND CIVILIANS, LEGITIMATE MILITARY OBJECTIVES, AND THE PROTECTION OF THE ENVIRONMENT AND CULTURAL PROPERTY. MANY SPECIFIC TOPICS THAT HAVE ATTRACTED MUCH INTEREST IN RECENT HOSTILITIES ARE ALSO ADDRESSED. ALSO AVAILABLE: *WAR, AGGRESSION AND SELF-DEFENCE* 0-521-79344-0 HARDBACK \$110.00 C 0-521-79758-6 PAPERBACK \$40.00 D

EXTRATERRITORIAL USE OF FORCE AGAINST NON-STATE ACTORS NOAM LUBELL 2010-05-27 THIS BOOK ANALYSES THE PRIMARY RELEVANT RULES OF INTERNATIONAL LAW APPLICABLE TO EXTRA-TERRITORIAL USE OF FORCE BY STATES AGAINST NON-STATE ACTORS. FORCE IN THIS CONTEXT TAKES MANY FORMS, RANGING FROM TARGETED KILLINGS AND ABDUCTIONS OF INDIVIDUALS TO LARGE-SCALE MILITARY OPERATIONS AMOUNTING TO ARMED CONFLICT. ACTIONS OF THIS TYPE HAVE OCCURRED IN WHAT HAS

BECOME KNOWN AS THE 'WAR ON TERROR', BUT ARE NOT LIMITED TO THIS CONTEXT. THREE FRAMEWORKS OF INTERNATIONAL LAW ARE EXAMINED IN DETAIL. THESE ARE THE UNITED NATIONS CHARTER AND FRAMEWORK OF INTERNATIONAL LAW REGULATING THE RESORT TO FORCE IN THE TERRITORY OF OTHER STATES; THE LAW OF ARMED CONFLICT, OFTEN REFERRED TO AS INTERNATIONAL HUMANITARIAN LAW; AND THE LAW ENFORCEMENT FRAMEWORK FOUND IN INTERNATIONAL HUMAN RIGHTS LAW. THE BOOK EXAMINES THE APPLICABILITY OF THESE FRAMEWORKS TO EXTRA-TERRITORIAL FORCIBLE MEASURES AGAINST NON-STATE ACTORS, AND ANALYSES THE DIFFICULTIES AND CHALLENGES PRESENTED BY APPLICATION OF THE RULES TO THESE MEASURES. THE ISSUES COVERED INCLUDE, AMONG OTHERS: THE POSSIBILITY OF SELF-DEFENCE AGAINST NON-STATE ACTORS, INCLUDING ANTICIPATORY SELF-DEFENCE; THE LAWFULNESS OF MEASURES WHICH DO NOT CONFORM TO THE PARAMETERS OF SELF-DEFENCE; THE CLASSIFICATION OF EXTRA-TERRITORIAL FORCE AGAINST NON-STATE ACTORS AS ARMED CONFLICT; THE 'WAR ON TERROR' AS AN ARMED CONFLICT; THE LAWS OF ARMED CONFLICT REGULATING FORCE AGAINST GROUPS AND INDIVIDUALS; THE EXTRA-TERRITORIAL APPLICABILITY OF INTERNATIONAL HUMAN RIGHTS LAW; AND THE REGULATION OF FORCIBLE MEASURES UNDER HUMAN RIGHTS LAW. MANY OF THESE ISSUES ARE THE SUBJECT OF ONGOING AND LONGSTANDING DEBATE. THE FOCUS IN THIS WORK IS ON THE PARTICULAR CHALLENGES RAISED BY EXTRA-TERRITORIAL FORCE AGAINST NON-STATE ACTORS AND THE BOOK OFFERS A NUMBER OF SOLUTIONS TO THESE CHALLENGES.

THE NUREMBERG MILITARY TRIBUNALS AND THE ORIGINS OF INTERNATIONAL CRIMINAL LAW KEVIN JON HELLER 2012-10-11 THIS BOOK PROVIDES THE FIRST COMPREHENSIVE LEGAL ANALYSIS OF THE TWELVE WAR CRIMES TRIALS HELD IN THE AMERICAN ZONE OF OCCUPATION BETWEEN 1946 AND 1949, COLLECTIVELY KNOWN AS THE NUREMBERG MILITARY TRIBUNALS (NMTs). THE JUDGMENTS THE NMTs PRODUCED HAVE PLAYED A CRITICAL ROLE IN THE DEVELOPMENT OF INTERNATIONAL CRIMINAL LAW, PARTICULARLY IN TERMS OF HOW COURTS CURRENTLY UNDERSTAND WAR CRIMES, CRIMES AGAINST HUMANITY, AND THE CRIME OF AGGRESSION. THE TRIALS ARE ALSO OF TREMENDOUS HISTORICAL IMPORTANCE, BECAUSE THEY PROVIDE A FAR MORE COMPREHENSIVE PICTURE OF NAZI ATROCITIES THAN THEIR MORE FAMOUS PREDECESSOR, THE INTERNATIONAL MILITARY TRIBUNAL AT NUREMBERG (IMT). THE IMT FOCUSED EXCLUSIVELY ON THE 'MAJOR WAR CRIMINALS'-THE GOERINGS, THE HESSES, THE SPEERS. THE NMTs, BY CONTRAST, PROSECUTED DOCTORS, LAWYERS, JUDGES, INDUSTRIALISTS, BANKERS-THE PRIVATE CITIZENS AND LOWER-LEVEL FUNCTIONARIES WHOSE WILLINGNESS TO TAKE PART IN THE DESTRUCTION OF MILLIONS OF INNOCENTS MANIFESTED WHAT HANNAH ARENDT FAMOUSLY CALLED 'THE BANALITY OF EVIL'. THE BOOK IS DIVIDED INTO FIVE SECTIONS. THE FIRST SECTION TRACES THE EVOLUTION OF THE TWELVE NMT TRIALS. THE SECOND SECTION DISCUSSES THE LAW, PROCEDURE, AND RULES OF EVIDENCE APPLIED BY THE TRIBUNALS, WITH A FOCUS ON THE IMPORTANT DIFFERENCES BETWEEN LAW NO. 10 AND THE NUREMBERG CHARTER. THE THIRD SECTION, THE HEART OF THE BOOK, PROVIDES A SYSTEMATIC ANALYSIS OF THE TRIBUNALS' JURISPRUDENCE. IT COVERS LAW NO. 10'S CORE CRIMES-CRIMES AGAINST PEACE, WAR CRIMES, AND CRIMES AGAINST HUMANITY-AS WELL AS THE CRIMES OF CONSPIRACY AND MEMBERSHIP IN A CRIMINAL ORGANIZATION. THE FOURTH SECTION THEN EXAMINES THE MODES OF PARTICIPATION AND DEFENSES THAT THE TRIBUNALS RECOGNIZED. THE FINAL SECTION DEALS WITH SENTENCING, THE AFTERMATH OF THE TRIALS, AND THEIR HISTORICAL LEGACY.

THE ETHICS OF WAR SABA BAZARGAN 2017-01-23 JUST WAR THEORY - AS IT WAS DEVELOPED BY THE CATHOLIC THEOLOGAINS OF MEDIEVAL EUROPE AND THE JURISTS OF THE RENAISSANCE - IS A FRAMEWORK FOR THE MORAL AND LEGAL EVALUATION OF ARMED CONFLICTS. TO THIS DAY, JUST WAR THEORY INFORMS THE JUDGMENTS OF ETHICISTS, GOVERNMENT OFFICIALS, INTERNATIONAL LAWYERS, RELIGIOUS SCHOLARS, NEWS COVERAGE, AND PERHAPS MOST IMPORTANTLY, THE PUBLIC AS A WHOLE. THE INFLUENCE OF JUST WAR THEORY IS AS VAST AS IT IS SUBTLE - WE HAVE BEEN SOCIALIZED INTO EVALUATING WARS LARGELY ACCORDING TO THE PRINCIPLES OF THIS MEDIEVAL THEORY, WHICH, ACCORDING TO THE EMINENT PHILOSOPHER DAVID RODIN, IS "ONE OF THE FEW BASIC FIXTURES OF MEDIEVAL PHILOSOPHY TO REMAIN SUBSTANTIALLY UNCHALLENGED IN THE MODERN WORLD". SOME OF THE MOST BASIC ASSUMPTIONS OF JUST WAR THEORY HAVE BEEN DISMANTLED IN A BARRAGE OF CRITICISM AND ANALYSIS IN THE FIRST DOZEN YEARS OF THE 21ST CENTURY. "THE ETHICS OF WAR" CONTINUES AND PUSHES PAST THIS TREND. THIS ANTHOLOGY IS AN AUTHORITATIVE TREATMENT OF THE ETHICS AND LAW OF WAR BY BOTH THE EMINENT SCHOLARS WHO FIRST CHALLENGED THE ORTHODOXY OF JUST WAR THEORY, AS WELL AS BY NEW THINKERS. THE TWELVE ORIGINAL ESSAYS SPAN BOTH FOUNDATIONAL AND TOPICAL ISSUES IN THE ETHICS OF WAR, INCLUDING AN INVESTIGATION OF: WHETHER THERE IS A "GREATER-GOOD" OBLIGATION THAT PARALLELS THE CANONICAL LESSER-EVIL JUSTIFICATION IN WAR; THE CONDITIONS UNDER WHICH CITIZENS CAN WAGE WAR AGAINST THEIR OWN GOVERNMENT; WHETHER THERE IS A LIMIT TO THE NUMBER OF COMBATANTS ON THE UNJUST SIDE WHO CAN BE PERMISSIBLY KILLED; WHETHER THE JUSTICE OF THE CAUSE FOR WHICH COMBATANTS FIGHT AFFECTS THE MORAL PERMISSIBILITY OF FIGHTING; WHETHER DURESS EVER JUSTIFIES KILLING IN WAR; THE ROLE THAT COLLECTIVE LIABILITY PLAYS IN THE ETHICS OF WAR; WHETHER TARGETED KILLING IS MORALLY AND LEGALLY PERMISSIBLE; THE MORALITY OF LEGAL PROHIBITIONS ON THE USE OF INDISCRIMINATE WEAPONS; THE JUSTIFICATION FOR THE LEGAL DISTINCTION BETWEEN DIRECTLY AND INDIRECTLY HARMING CIVILIANS; WHETHER HUMAN RIGHTS OF UNJUST COMBATANTS ARE MORE PROHIBITIVE THAN HAVE BEEN THOUGHT; THE MORAL REPAIR OF COMBATANTS SUFFERING FROM PTSD; AND THE MORAL CATEGORIES AND CRITERIA NEEDED TO UNDERSTAND THE PROPER JUSTIFICATION FOR ENDING WAR.

THE CONDUCT OF HOSTILITIES UNDER THE LAW OF INTERNATIONAL ARMED CONFLICT YORAM DINSTEIN 2010-04-22 THIS IS THE SEMINAL TEXTBOOK ON THE LAW OF INTERNATIONAL ARMED CONFLICT, WRITTEN BY A LEADING COMMENTATOR ON THE SUBJECT. THE SECOND EDITION HAS BEEN THOROUGHLY REVISED AND UPDATED, TAKING INTO ACCOUNT NEW DEVELOPMENTS IN COMBAT, NUMEROUS RECENT JUDICIAL CASES (ESPECIALLY DECISIONS RENDERED BY THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA), AS WELL AS TOPICAL STUDIES AND INSTRUMENTS. THE TEXT CLARIFIES COMPLEX ISSUES, OFFERING SOLUTIONS TO PRACTICAL COMBAT DILEMMAS THAT HAVE EMERGED IN PRESENT-DAY BATTLEFIELD SITUATIONS. SEVERAL CURRENT (AND CONTROVERSIAL) SUBJECTS ARE EXAMINED IN DEPTH, INCLUDING DIRECT PARTICIPATION IN HOSTILITIES, HUMAN SHIELDS, AND AIR AND MISSILE WARFARE. USEFUL DEFINITIONS AND EXPLANATIONS HAVE BEEN ADDED, MAKING INTRICATE PROBLEMS EASIER TO COMPREHEND. THE BOOK IS DESIGNED NOT ONLY FOR STUDENTS OF INTERNATIONAL LAW, BUT ALSO AS A TOOL FOR THE INSTRUCTION OF MILITARY OFFICERS.

INTERNATIONAL LAW AND ARMED CONFLICT, EXPLORING THE FAULTLINES MICHAEL N. SCHMITT 2007 INTERNATIONAL LAW AND ARMED CONFLICT EXIST IN A SYMBIOTIC RELATIONSHIP. IN SOME CASES, LAW SHAPES CONFLICT PROACTIVELY BY IMPOSING NORMATIVE LIMITS IN ADVANCE OF THE APPEARANCE OF PROSCRIBED CONDUCT. MUCH MORE COMMONLY, ARMED CONFLICT EITHER REVEALS LACUNAE IN THE LAW OR DEMONSTRATES HOW LAW DESIGNED FOR YESTERDAY'S WARS FALLS SHORT WHEN APPLIED TO CONTEMPORARY CONFLICT. WHEN THAT HAPPENS, INTERNATIONAL LAW REACTS BY ALLOWING PROVISIONS TO FALL INTO DESUETUDE, EMBRACING NEW INTERPRETATIONS OF EXISTING PRESCRIPTIONS, OR GENERATING NEW NORMS THROUGH PRACTICE OR CODIFICATION. IN THE 21ST CENTURY, BOTH INTERNATIONAL SECURITY AND ARMED CONFLICT ARE THE SUBJECT OF ARGUABLY UNPRECEDENTED SEA CHANGES. AS A RESULT, CLAIMS THAT BOTH THE "JUS AD BELLUM" AND "JUS IN BELLO" ARE UNWIELDY AND ILL-FITTING IN THE CONTEXT OF MODERN HOSTILITIES HAVE SURFACED PROMINENTLY. WHETHER ONE AGREES WITH SUCH DIRE ASSESSMENTS, WHAT HAS BECOME CLEAR IS THAT ARMED CONFLICT IS INCREASINGLY EXPOSING FAULTLINES IN THE LAW GOVERNING THE RESORT TO FORCE. THE INTENT OF THIS COLLECTION OF ESSAYS IN HONOUR OF PROFESSOR YORAM DINSTEIN ON THE OCCASION OF HIS 70TH BIRTHDAY IS TO EXPLORE SUCH FAULTLINES, FIRST BY IDENTIFYING THEM AND THEN BY ASSESSING THEIR CONSEQUENCES. IN A SENSE, THEN, THE ESSAYS, CONTRIBUTED BY THE TOP MINDS IN THE FIELD, WILL SERVE TO ASSIST ACADEMICS AND PRACTITIONERS TO ANTICIPATE PRESSURE ON THE LAW GOVERNING ARMED CONFLICT AND, TO THE EXTENT POSSIBLE, REACT ACCORDINGLY. PARALLELING PROFESSOR DINSTEIN'S CLASSIC WORKS - "WAR, AGGRESSION, AND SELF-DEFENCE AND THE CONDUCT OF HOSTILITIES UNDER THE LAW OF INTERNATIONAL ARMED CONFLICT" - THE BOOK ADDRESSES BOTH "JUS AD BELLUM" AND "JUS IN BELLO" TOPICS.

WAR, AGGRESSION AND SELF-DEFENCE YORAM DINSTEIN 2011-10-20 YORAM DINSTEIN'S INFLUENTIAL TEXTBOOK IS AN INDISPENSABLE GUIDE TO THE LEGAL ISSUES OF WAR AND PEACE, ARMED ATTACK, SELF-DEFENCE AND ENFORCEMENT MEASURES TAKEN UNDER THE AEGIS OF THE SECURITY COUNCIL. THIS FIFTH EDITION INCORPORATES RECENT TREATIES SUCH AS THE KAMPALA AMENDMENTS OF THE STATUTE OF THE INTERNATIONAL CRIMINAL COURT, NEW CASE LAW FROM THE INTERNATIONAL COURT OF JUSTICE AND OTHER TRIBUNALS, AND CONTEMPORARY DOCTRINAL DEBATES. SEVERAL NEW SUPPLEMENTARY SECTIONS ARE ALSO INCLUDED, WHICH TAKE INTO ACCOUNT RECENT CONFLICTS AROUND THE WORLD, AND CONSIDERATION IS GIVEN TO NEW RESOLUTIONS OF THE SECURITY COUNCIL. WITH MANY SEGMENTS HAVING BEEN REWRITTEN TO REFLECT RECENT STATE PRACTICE, THIS BOOK REMAINS A WIDE-RANGING AND HIGHLY READABLE INTRODUCTION TO THE LEGAL ISSUES SURROUNDING WAR AND SELF-DEFENCE.

WAR, AGGRESSION AND SELF-DEFENCE YORAM DINSTEIN 2005-11-24 YORAM DINSTEIN'S SEMINAL TEXTBOOK IS AN ESSENTIAL GUIDE TO THE LEGAL ISSUES OF WAR AND PEACE, ARMED ATTACK, SELF-DEFENCE AND ENFORCEMENT MEASURES TAKEN UNDER THE AEGIS OF THE SECURITY COUNCIL. THIS FOURTH EDITION INCORPORATES NEW MATERIAL ON THE WARS IN AFGHANISTAN AND IRAQ, RESPONSE TO ARMED ATTACKS BY TERRORISTS, RECENT RESOLUTIONS ADOPTED BY THE SECURITY COUNCIL, AND THE LATEST PRONOUNCEMENTS OF THE INTERNATIONAL COURT OF JUSTICE. IN ADDITION, SEVERAL NEW SECTIONS CONSIDER CONSENT BY STATES TO THE USE OF FORCE (AS EXPRESSED EITHER AD HOC OR BY TREATY); AN ARMED ATTACK BY NON-STATE ACTORS; THE VARIOUS PHASES IN THE GULF WAR UP TO THE OCCUPATION OF IRAQ IN 2003 AND BEYOND; AND IMMUNITIES FROM JURISDICTION. WITH MANY SEGMENTS BEING REWRITTEN TO REFLECT RECENT STATE PRACTICE, THIS BOOK REMAINS A COMPREHENSIVE AND HIGHLY READABLE INTRODUCTION TO THE LEGAL ISSUES SURROUNDING WAR AND SELF-DEFENCE. AN INDISPENSABLE TOOL FOR STUDENTS AND PRACTITIONERS.

THE INTERNATIONAL LAW OF BELLIGERENT OCCUPATION YORAM DINSTEIN 2009-02-19 THE CUSTOMARY LAW OF BELLIGERENT OCCUPATION GOES BACK TO THE HAGUE AND GENEVA CONVENTIONS. RECENT INSTANCES OF SUCH OCCUPATION INCLUDE IRAQ, THE FORMER YUGOSLAVIA, THE CONGO AND ERITREA. BUT THE PARADIGMATIC ILLUSTRATION IS THE ISRAELI OCCUPATION, LASTING FOR OVER 40 YEARS. THERE IS NOW CASE LAW OF THE INTERNATIONAL COURT OF JUSTICE AND OTHER JUDICIAL BODIES, BOTH INTERNATIONAL AND DOMESTIC. THERE ARE SECURITY COUNCIL RESOLUTIONS AND A VAST LITERATURE. STILL, NUMEROUS

CONTROVERSIAL POINTS REMAIN. HOW IS BELLIGERENT OCCUPATION DEFINED? HOW IS IT STARTED AND WHEN IS IT TERMINATED? WHAT IS THE INTERACTION WITH HUMAN RIGHTS LAW? WHO IS PROTECTED UNDER BELLIGERENT OCCUPATION, AND WHAT IS THE SCOPE OF THE PROTECTION? CONVERSELY, WHAT MEASURES CAN AN OCCUPYING POWER LAWFULLY RESORT TO WHEN ENCOUNTERING FORCIBLE RESISTANCE FROM INHABITANTS OF THE OCCUPIED TERRITORY? THIS BOOK EXAMINES THE LEGISLATIVE, JUDICIAL AND EXECUTIVE RIGHTS OF THE OCCUPYING POWER AND ITS OBLIGATIONS TO THE CIVILIAN POPULATION.

WAR, AGGRESSION AND SELF-DEFENCE YORAM DINSTEIN 2017-09-28 YORAM DINSTEIN'S INFLUENTIAL WAR, AGGRESSION AND SELF-DEFENCE IS AN INDISPENSABLE GUIDE TO THE INTERNATIONAL LEGAL ISSUES OF WAR AND PEACE.

COMPUTER NETWORK ATTACK AND INTERNATIONAL LAW BRIAN T. O'DONNELL 2002

TALLINN MANUAL 2.0 ON THE INTERNATIONAL LAW APPLICABLE TO CYBER OPERATIONS 2017-02-02 TALLINN MANUAL 2.0 EXPANDS ON THE HIGHLY INFLUENTIAL FIRST EDITION BY EXTENDING ITS COVERAGE OF THE INTERNATIONAL LAW GOVERNING CYBER OPERATIONS TO PEACETIME LEGAL REGIMES. THE PRODUCT OF A THREE-YEAR FOLLOW-ON PROJECT BY A NEW GROUP OF TWENTY RENOWNED INTERNATIONAL LAW EXPERTS, IT ADDRESSES SUCH TOPICS AS SOVEREIGNTY, STATE RESPONSIBILITY, HUMAN RIGHTS, AND THE LAW OF AIR, SPACE, AND THE SEA. TALLINN MANUAL 2.0 IDENTIFIES 154 'BLACK LETTER' RULES GOVERNING CYBER OPERATIONS AND PROVIDES EXTENSIVE COMMENTARY ON EACH RULE. ALTHOUGH TALLINN MANUAL 2.0 REPRESENTS THE VIEWS OF THE EXPERTS IN THEIR PERSONAL CAPACITY, THE PROJECT BENEFITTED FROM THE UNOFFICIAL INPUT OF MANY STATES AND OVER FIFTY PEER REVIEWERS.

THE USE OF ARMED FORCE IN OCCUPIED TERRITORY MARCO LONGOBARDO 2018-10-31 THIS BOOK EXPLORES THE INTERNATIONAL LAW FRAMEWORK GOVERNING THE USE OF ARMED FORCE IN OCCUPIED TERRITORY THROUGH A RIGOROUS ANALYSIS OF THE INTERPLAY BETWEEN JUS AD BELLUM, INTERNATIONAL HUMANITARIAN LAW, AND INTERNATIONAL HUMAN RIGHTS LAW. THROUGH AN EXAMINATION OF STATE PRACTICE AND OPINIO JURIS, TREATY PROVISIONS AND RELEVANT INTERNATIONAL AND DOMESTIC CASE LAW, THIS BOOK OFFERS THE FIRST COMPREHENSIVE STUDY ON THIS TOPIC. THIS BOOK WILL BE RELEVANT TO SCHOLARS, PRACTITIONERS, LEGAL ADVISORS, AND STUDENTS ACROSS A RANGE OF SUB-DISCIPLINES OF INTERNATIONAL LAW, AS WELL AS IN PEACE AND CONFLICT STUDIES, INTERNATIONAL RELATIONS, AND POLITICAL SCIENCE. THIS STUDY WILL INFLUENCE THE WAY IN WHICH STATES USE ARMED FORCE IN OCCUPIED TERRITORY, OFFERING GUIDANCE AND SUPPORT IN LITIGATIONS BEFORE DOMESTIC AND INTERNATIONAL COURTS AND TRIBUNALS.

HISTORICAL REVIEW OF DEVELOPMENTS RELATING TO AGGRESSION UNITED NATIONS 2003 THIS REPORT WAS PREPARED FOR THE WORKING GROUP ON THE CRIME OF AGGRESSION AT THE 8TH SESSION OF PREPARATORY COMMISSION, HELD IN SEPTEMBER-OCTOBER 2001. THE PAPER CONSISTS OF FOUR PARTS RELATING TO: THE NUREMBERG TRIBUNAL; TRIBUNALS ESTABLISH PURSUANT TO CONTROL COUNCIL LAW NUMBER 10; THE TOKYO TRIBUNAL; AND THE UNITED NATIONS. ANNEXES CONTAIN TABLES REGARDING AGGRESSION BY A STATE AND INDIVIDUAL RESPONSIBILITY FOR CRIMES AGAINST PEACE. THE PAPER SEEKS TO PROVIDE AN OBJECTIVE, ANALYTICAL OVERVIEW OF THE HISTORY AND MAJOR DEVELOPMENTS RELATING TO AGGRESSION, BOTH BEFORE AND AFTER THE ADOPTION OF THE UN CHARTER.

COMPLEX BATTLESPACES LTC WINSTON S. WILLIAMS 2018-11-23 THE CONDUCT OF WARFARE IS CONSTANTLY SHAPED BY NEW FORCES THAT CREATE COMPLEXITIES IN THE BATTLESPACE FOR MILITARY OPERATIONS. AS THE NATURE OF HOW AND WHERE WARS ARE FOUGHT CHANGES, NEW CHALLENGES TO THE APPLICATION OF THE EXTANT BODY OF INTERNATIONAL LAW THAT REGULATES ARMED CONFLICTS ARISE. THIS INAUGURAL VOLUME OF THE LIEBER STUDIES SERIES SEEKS TO ADDRESS SEVERAL ISSUES IN THE CONFLUENCE OF LAW AND ARMED CONFLICT, WITH THE PRIMARY GOAL OF PROVIDING THE READER WITH BOTH ACADEMIC AND PRACTITIONER PERSPECTIVES. FEATURING CHAPTERS FROM WORLD CLASS SCHOLARS, POLICYMAKERS AND OTHER GOVERNMENT OFFICIALS; MILITARY AND CIVILIAN LEGAL PRACTITIONERS; AND OTHER THOUGHT LEADERS, TOGETHER THEY EXAMINE THE ROLE OF THE LAW OF ARMED CONFLICT IN CURRENT AND FUTURE ARMED CONFLICTS AROUND THE WORLD. COMPLEX BATTLESPACES ALSO EXPLORES SEVERAL EXAMPLES OF BATTLESPACE DYNAMICS THROUGH FOUR "LENSES OF COMPLEXITY": COMPLEXITY IN LEGAL REGIMES, GOVERNANCE, TECHNOLOGY, AND THE URBANIZATION OF THE BATTLEFIELD.

ORIGINS OF THE RIGHT OF SELF-DEFENCE IN INTERNATIONAL LAW TADASHI MORI 2018-01-11 THIS BOOK DEFINES THE RIGHT OF SELF-DEFENCE AS UNDERSTOOD IN AND BEFORE 1945 AND OFFERS A POSSIBLE BETTER ALTERNATIVE FOR INTERPRETING THE SIGNIFICANCE OF THE PRECONDITION PROVIDED FOR IN THE ARTICLE 51 OF THE UNITED NATIONS CHARTER.

SELF-DEFENCE IN INTERNATIONAL LAW D. W. BOWETT 2009 BOWETT, D.W. SELF-DEFENCE IN INTERNATIONAL LAW. NEW YORK: PRAEGER, [1958]. xv, 294 pp. REPRINTED 2009 BY THE LAWBOOK EXCHANGE, LTD. ISBN-13: 978-1-58477-855-4.

ISBN-10: 1-58477-855-5. CLOTH. \$95.* BOWETT OBSERVES THAT THE USE OR THREAT OF FORCE BY ANY STATE CAN BE A DELICT, AN APPROVED SANCTION, OR A MEASURE TAKEN IN SELF-DEFENSE. HE EXAMINES THE EVOLUTION OF THE DOCTRINE IN THE NINETEENTH AND EARLY TWENTIETH CENTURIES, WITH THE ASSUMPTION OF THE EXISTENCE OF A STATE'S UNLIMITED 'RIGHT' TO GO TO WAR. HE THEN ATTEMPTS TO OUTLINE THE LIMITED AND PROVISIONAL EFFECTS OF THIS RIGHT UNDER THE U.N. CHARTER. "THROUGHOUT THE WORK THERE IS A REFUSAL TO DOGMATIZE OR TO STATE IN ABSOLUTE TERMS ANY ASPECT OF THE 'PRIVILEGE' OF SELF-DEFENCE IN ITS PRESENT CONTEXT. (...) [BOWETT] IS TO BE CONGRATULATED ON PRODUCING A TIMELY AND SCHOLARLY SURVEY OF ONE OF THE MOST FUNDAMENTAL, AND OFTEN ABUSED, SOVEREIGN RIGHTS KNOWN TO INTERNATIONAL LAW.": K.R. SIMMONDS, BRITISH YEAR BOOK OF INTERNATIONAL LAW 34 (1958) 432.

THE INTERNATIONALISTS OONA A. HATHAWAY 2017-09-12 "AN ORIGINAL BOOK...ABOUT INDIVIDUALS WHO USED IDEAS TO CHANGE THE WORLD" (THE NEW YORKER)—THE FASCINATING EXPLORATION INTO THE CREATION AND HISTORY OF THE PARIS PEACE PACT, AN OFTEN OVERLOOKED BUT TRANSFORMATIVE TREATY THAT LAID THE FOUNDATION FOR THE INTERNATIONAL SYSTEM WE LIVE UNDER TODAY. IN 1928, THE LEADERS OF THE WORLD ASSEMBLED IN PARIS TO OUTLAW WAR. WITHIN THE YEAR, THE TREATY SIGNED THAT DAY, KNOWN AS THE PEACE PACT, HAD BEEN RATIFIED BY NEARLY EVERY STATE IN THE WORLD. WAR, FOR THE FIRST TIME IN HISTORY, HAD BECOME ILLEGAL. BUT WITHIN A DECADE OF ITS SIGNING, EACH STATE THAT HAD GATHERED IN PARIS TO RENOUNCE WAR WAS AT WAR. AND IN THE CENTURY THAT FOLLOWED, THE PEACE PACT WAS DISMISSED AS AN ACT OF FOLLY AND AN UNMISTAKABLE FAILURE. THIS BOOK ARGUES THAT THE PEACE PACT USHERED IN A SUSTAINED MARCH TOWARD PEACE THAT LASTS TO THIS DAY. A "THOUGHT-PROVOKING AND COMPREHENSIVELY RESEARCHED BOOK" (THE WALL STREET JOURNAL), THE INTERNATIONALISTS TELLS THE STORY OF THE PEACE PACT THROUGH A FASCINATING AND DIVERSE ARRAY OF LAWYERS, POLITICIANS, AND INTELLECTUALS. IT REVEALS THE CENTURIES-LONG STRUGGLE OF IDEAS OVER THE ROLE OF WAR IN A JUST WORLD ORDER. IT DETAILS THE BRUTAL WORLD OF CONFLICT THE PEACE PACT HELPED EXTINGUISH, AND THE SUBSEQUENT ERA WHERE TARIFFS AND SANCTIONS TAKE THE PLACE OF TANKS AND GUNSHIPS. THE INTERNATIONALISTS IS "INDISPENSABLE" (THE WASHINGTON POST). ACCESSIBLE AND GRIPPING, THIS BOOK WILL CHANGE THE WAY WE VIEW THE HISTORY OF THE TWENTIETH CENTURY—AND HOW WE MUST WORK TOGETHER TO PROTECT THE GLOBAL ORDER THE INTERNATIONALISTS FOUGHT TO MAKE POSSIBLE. "A FASCINATING AND CHALLENGING BOOK, WHICH RAISES GRAVELY IMPORTANT ISSUES FOR THE PRESENT...GIVEN THE STATE OF THE WORLD, THE INTERNATIONALISTS HAS COME ALONG AT THE RIGHT MOMENT" (THE FINANCIAL TIMES).

THE MORALITY OF SELF-DEFENSE AND MILITARY ACTION: THE JUDEO-CHRISTIAN TRADITION DAVID B. KOPEL 2017-02-16 SHEDDING NEW LIGHT ON A CONTROVERSIAL AND INTRIGUING ISSUE, THIS BOOK WILL RESHAPE THE DEBATE ON HOW THE JUDEO-CHRISTIAN TRADITION VIEWS THE MORALITY OF PERSONAL AND NATIONAL SELF-DEFENSE. • TAKES A MULTIDISCIPLINARY APPROACH, DIRECTLY ENGAGING WITH LEADING WRITERS ON BOTH SIDES OF THE ISSUE • EXAMINES JEWISH AND CHRISTIAN SACRED WRITINGS AND COMMENTARY AND EXPLORES HOW INTERPRETATIONS HAVE CHANGED OVER TIME • OFFERS CAREFUL ANALYSIS OF TOPICS SUCH AS THE POLITICAL SYSTEMS OF THE ANCIENT HEBREWS, THE PAPACY'S STRUGGLE FOR INDEPENDENCE, THE WAYS IN WHICH NEW ENGLAND MINISTERS INCITED THE AMERICAN REVOLUTION, AND THE EFFECTS OF THE VIETNAM WAR ON THE AMERICAN CATHOLIC CHURCH'S VIEWS ON NATIONAL SELF-DEFENSE • COVERS THE MANY SECTS THAT HAVE PLAYED CRUCIAL ROLES IN THE DEBATE OVER THE LEGITIMACY OF ARMED FORCE, INCLUDING Gnostics, Manicheans, Lutherans, Calvinists, and Quakers • ENGAGES WITH THE IDEAS OF LEADING JEWISH PHILOSOPHERS SUCH AS RASHI AND MAIMONIDES; CHRISTIAN PHILOSOPHERS SUCH AS ORIGEN, AUGUSTINE, AQUINAS, AND SIDNEY; AND THE MOST INFLUENTIAL MODERN EXPONENTS OF PACIFISM, SUCH AS DOROTHY DAY, THE BERRIGAN BROTHERS, AND JOHN HOWARD YODER

THE OXFORD HANDBOOK OF THE USE OF FORCE IN INTERNATIONAL LAW MARC WELLER 2015-01-15 THE PROHIBITION OF THE USE OF FORCE IN INTERNATIONAL LAW IS ONE OF THE MAJOR ACHIEVEMENTS OF INTERNATIONAL LAW IN THE PAST CENTURY. THE ATTEMPT TO OUTLAW WAR AS A MEANS OF NATIONAL POLICY AND TO ESTABLISH A SYSTEM OF COLLECTIVE SECURITY AFTER BOTH WORLD WARS RESULTED IN THE CREATION OF THE UNITED NATIONS CHARTER, WHICH REMAINS A PRINCIPAL POINT OF REFERENCE FOR THE LAW ON THE USE OF FORCE TO THIS DAY. THERE HAVE, HOWEVER, BEEN CONSIDERABLE CHALLENGES TO THE LAW ON THE PROHIBITION OF THE USE OF FORCE IN INTERNATIONAL LAW IS ONE OF THE MAJOR ACHIEVEMENTS OF INTERNATIONAL LAW IN THE PAST CENTURY. THE ATTEMPT TO OUTLAW WAR AS A MEANS OF NATIONAL POLICY AND TO ESTABLISH A SYSTEM OF COLLECTIVE SECURITY AFTER BOTH WORLD WARS RESULTED IN THE CREATION OF THE UNITED NATIONS CHARTER, WHICH REMAINS A PRINCIPAL POINT OF REFERENCE FOR THE LAW ON THE USE OF FORCE TO THIS DAY. THERE HAVE, HOWEVER, BEEN CONSIDERABLE CHALLENGES TO THE LAW ON THE PROHIBITION OF THE USE OF FORCE OVER THE PAST TWO DECADES. THIS OXFORD HANDBOOK IS A COMPREHENSIVE AND AUTHORITATIVE STUDY OF THE MODERN LAW ON THE USE OF FORCE. OVER SEVENTY EXPERTS IN THE FIELD OFFER A DETAILED ANALYSIS, AND TO AN EXTENT A RESTATEMENT, OF THE LAW IN THIS AREA. THE HANDBOOK REVIEWS THE STATUS OF THE LAW ON THE USE OF FORCE, AND ASSESSES WHAT CHANGES, IF ANY, HAVE OCCURRED IN CONSEQUENCE TO RECENT DEVELOPMENTS. IT OFFERS CUTTING-EDGE AND UP-TO-DATE SCHOLARSHIP ON ALL MAJOR ASPECTS OF THE PROHIBITION OF THE USE OF FORCE. THE WORK IS SET IN CONTEXT BY AN EXTENSIVE INTRODUCTORY SECTION, REVIEWING THE HISTORY OF THE

SUBJECT, RECENT CHALLENGES, AND ADDRESSING MAJOR CONCEPTUAL APPROACHES. ITS SECOND PART ADDRESSES COLLECTIVE SECURITY, IN PARTICULAR THE LAW AND PRACTICE OF THE UNITED NATIONS ORGANS, AND OF REGIONAL ORGANIZATIONS AND ARRANGEMENTS. IT THEN CONSIDERS THE SUBSTANCE OF THE PROHIBITION OF THE USE OF FORCE, AND OF THE RIGHT TO SELF-DEFENCE AND ASSOCIATED DOCTRINES. THE NEXT SECTION IS DEVOTED TO ARMED ACTION UNDERTAKEN ON BEHALF OF PEOPLES AND POPULATIONS. THIS INCLUDES SELF-DETERMINATION CONFLICTS, RESISTANCE TO ARMED OCCUPATION, AND FORCIBLE HUMANITARIAN AND PRO-DEMOCRATIC ACTION. THE POSSIBILITY OF THE REVIVAL OF CLASSICAL, EXPANSIVE JUSTIFICATIONS FOR THE USE OF FORCE IS THEN ADDRESSED. THIS IS MATCHED BY A FINAL SECTION CONSIDERING NEW SECURITY CHALLENGES AND THE EMERGING LAW IN RELATION TO THEM. FINALLY, THE KEY ARGUMENTS DEVELOPED IN THE BOOK ARE TIED TOGETHER IN A SUBSTANTIVE CONCLUSION. THE HANDBOOK WILL BE ESSENTIAL READING FOR SCHOLARS AND STUDENTS OF INTERNATIONAL LAW AND THE USE OF FORCE, AND LEGAL ADVISERS TO BOTH GOVERNMENT AND NGOs.

THE ART OF LAW IN THE INTERNATIONAL COMMUNITY MARY ELLEN O'CONNELL 2019-05-16 AESTHETIC PHILOSOPHY AND THE ARTS OFFER AN INNOVATIVE AND ATTRACTIVE APPROACH TO ENHANCING INTERNATIONAL LAW IN SUPPORT OF PEACE.

NON-INTERNATIONAL ARMED CONFLICTS IN INTERNATIONAL LAW YORAM DINSTEIN 2021-01-31 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.

NECESSITY IN INTERNATIONAL LAW JENS DAVID OHLIN 2016-09-08 NECESSITY IS A NOTORIOUSLY DANGEROUS AND SLIPPERY CONCEPT-DANGEROUS BECAUSE IT CONTEMPLATES VIRTUALLY UNRESTRAINED KILLING IN WARFARE AND SLIPPERY WHEN USED IN CONFLICTING WAYS IN DIFFERENT AREAS OF INTERNATIONAL LAW. JENS DAVID OHLIN AND LARRY MAY UNTANGLE THESE CONFUSING STRANDS AND PERFORM A DESCRIPTIVE MAPPING OF THE WAYS THAT NECESSITY OPERATES IN LEGAL AND PHILOSOPHICAL ARGUMENTS IN JUS AD BELLUM, JUS IN BELLO, HUMAN RIGHTS, AND CRIMINAL LAW. ALTHOUGH THE TERM "NECESSITY" IS EVER-PRESENT IN DISCUSSIONS REGARDING THE LAW AND ETHICS OF KILLING, ITS MEANING CHANGES SUBTLY DEPENDING ON THE CONTEXT. IT IS SOMETIMES AN EXCEPTION, AT OTHER TIMES A CONSTRAINT ON GOVERNMENT ACTION, AND MOST FREQUENTLY A BROAD LICENSE IN WAR THAT COUNTENANCES THE WHOLESALE KILLING OF ENEMY SOLDIERS IN BATTLE. IS THIS LEGAL STATUS QUO IN WAR MORALLY ACCEPTABLE? OHLIN AND MAY OFFER A NORMATIVE AND PHILOSOPHICAL CRITIQUE OF INTERNATIONAL LAW'S PREVAILING NOTION OF JUS IN BELLO NECESSITY AND SUGGEST WAYS THAT KILLING IN WARFARE COULD BE MADE MORE HUMANE-NOT JUST AGAINST CIVILIANS BUT SOLDIERS AS WELL. ALONG THE WAY, THE AUTHORS APPLY THEIR ANALYSIS TO MODERN ASYMMETRIC CONFLICTS WITH NON-STATE ACTORS AND THE MILITARY TECHNIQUES MOST LIKELY TO BE USED AGAINST THEM. PRESENTING A RICH TAPESTRY OF ARGUMENTS FROM BOTH CONTEMPORARY AND HISTORICAL JUST WAR THEORY, NECESSITY IN INTERNATIONAL LAW IS THE FIRST FULL-LENGTH STUDY OF NECESSITY AS A LEGAL AND PHILOSOPHICAL CONCEPT IN INTERNATIONAL AFFAIRS.

WAR AND SELF-DEFENSE DAVID RODIN 2002-10-17 WHEN IS IT RIGHT TO GO TO WAR? THE MOST PERSUASIVE ANSWER TO THIS QUESTION HAS ALWAYS BEEN 'IN SELF-DEFENSE'. IN A PENETRATING NEW ANALYSIS, BRINGING TOGETHER MORAL PHILOSOPHY, POLITICAL SCIENCE, AND LAW, DAVID RODIN SHOWS WHAT'S WRONG WITH THIS ANSWER. HE PROPOSES A COMPREHENSIVE NEW THEORY OF THE RIGHT OF SELF-DEFENSE WHICH RESOLVES MANY OF THE PERPLEXING QUESTIONS THAT HAVE DOGGED BOTH JURISTS AND MORAL PHILOSOPHERS. BY APPLYING THE THEORY OF SELF-DEFENSE TO INTERNATIONAL RELATIONS, RODIN PRODUCES A FAR-REACHING CRITIQUE OF THE CANONICAL JUST WAR THEORY. THE SIMPLE ANALOGY BETWEEN SELF-DEFENSE AND NATIONAL DEFENSE - BETWEEN THE INDIVIDUAL AND THE STATE - NEEDS TO BE FUNDAMENTALLY RETHOUGHT, AND WITH IT MANY OF THE BASIC ELEMENTS OF INTERNATIONAL LAW AND THE ETHICS OF INTERNATIONAL RELATIONS.

'ARMED ATTACK' AND ARTICLE 51 OF THE UN CHARTER TOM RUYTS 2010-11-25 THIS BOOK EXAMINES TO WHAT EXTENT THE RIGHT OF SELF-DEFENCE, AS LAID DOWN IN ARTICLE 51 OF THE CHARTER OF THE UNITED NATIONS, PERMITS STATES TO LAUNCH MILITARY OPERATIONS AGAINST OTHER STATES. IN PARTICULAR, IT FOCUSES ON THE OCCURRENCE OF AN 'ARMED ATTACK' - THE CRUCIAL TRIGGER FOR THE ACTIVATION OF THIS RIGHT. IN LIGHT OF THE DEVELOPMENTS SINCE 9/11, THE AUTHOR ANALYSES RELEVANT PHYSICAL AND VERBAL CUSTOMARY PRACTICE, RANGING FROM THE 1974 DEFINITION OF AGGRESSION TO RECENT INCIDENTS SUCH AS THE 2001 US INTERVENTION IN AFGHANISTAN AND THE 2006 ISRAELI INTERVENTION IN LEBANON. THE NOTION

OF 'ARMED ATTACK' IS EXAMINED FROM A THREEFOLD PERSPECTIVE. WHAT ACTS CAN BE REGARDED AS AN 'ARMED ATTACK'? WHEN CAN AN 'ARMED ATTACK' BE CONSIDERED TO TAKE PLACE? AND FROM WHOM MUST AN 'ARMED ATTACK' EMANATE? BY WAY OF CONCLUSION, THE DIFFERENT FINDINGS ARE BROUGHT TOGETHER IN A DRAFT 'DEFINITION OF ARMED ATTACK'.

WAR, AGGRESSION, AND SELF-DEFENSE YORAM DINSTEIN 2001

DEFENDING HUMANITY GEORGE P. FLETCHER 2013-02-01 IN DEFENDING HUMANITY, INTERNATIONALLY ACCLAIMED LEGAL SCHOLAR GEORGE P. FLETCHER AND JENS DAVID OHLIN, A LEADING EXPERT ON INTERNATIONAL CRIMINAL LAW, TACKLE ONE OF THE MOST IMPORTANT AND CONTROVERSIAL QUESTIONS OF OUR TIME: WHEN IS WAR JUSTIFIED? WHEN A NATION IS ATTACKED, FEW WOULD DENY THAT IT HAS THE RIGHT TO RESPOND WITH FORCE. BUT WHAT ABOUT PREEMPTIVE AND PREVENTIVE WARS, OR CROSSING ANOTHER STATE'S BORDER TO STOP GENOCIDE? WAS ISRAEL JUSTIFIED IN INITIATING THE SIX DAY WAR, AND WAS NATO'S INTERVENTION IN KOSOVO LEGAL? WHAT ABOUT THE U.S. INVASION OF IRAQ? IN THEIR PROVOCATIVE BOOK, FLETCHER AND OHLIN OFFER A GROUNDBREAKING THEORY ON THE LEGALITY OF WAR WITH CLEAR GUIDELINES FOR EVALUATING THESE INTERVENTIONS. THE AUTHORS ARGUE THAT MUCH OF THE CONFUSION ON THE SUBJECT STEMS FROM A PERSISTENT MISUNDERSTANDING OF THE UNITED NATIONS CHARTER. THE CHARTER APPEARS TO BE VERY CLEAR ON THE USE OF MILITARY FORCE: IT IS ONLY ALLOWED WHEN AUTHORIZED BY THE SECURITY COUNCIL OR IN SELF-DEFENSE. UNFORTUNATELY, THIS HAS LED TO THE PROBLEM OF JUSTIFYING FORCE WHEN THE SECURITY COUNCIL REFUSES TO ACT OR WHEN SELF-DEFENSE IS THOUGHT NOT TO APPLY--AND TO THE DIFFICULT DILEMMA OF DECLARING SUCH INTERVENTIONS ILLEGAL OR IGNORING THE UN CHARTER ALTOGETHER. FLETCHER AND OHLIN SUGGEST THAT THE ANSWER LIES IN GOING BACK TO THE DOMESTIC CRIMINAL LAW CONCEPTS UPON WHICH THE UN CHARTER WAS ORIGINALLY BASED, IN PARTICULAR, THE CONCEPT OF "LEGITIMATE DEFENSE," WHICH ENCOMPASSES NOT ONLY SELF-DEFENSE BUT DEFENSE OF OTHERS. LOST IN THE ENGLISH-LANGUAGE VERSION OF THE CHARTER BUT A VITAL PART OF THE FRENCH AND OTHER NON-ENGLISH VERSIONS, THE CONCEPT OF LEGITIMATE DEFENSE WILL ENABLE POLITICAL LEADERS, COURTS, AND SCHOLARS TO SEE THE SOLID BASIS UNDER INTERNATIONAL LAW FOR STATES TO INTERVENE WITH FORCE--NOT JUST TO PROTECT THEMSELVES AGAINST AN IMMINENT ATTACK BUT ALSO TO DEFEND OTHER NATIONAL GROUPS.

THE MORALITY OF DEFENSIVE WAR CIPRIANO FABRE 2014-02-20 MOST OF US TAKE IT FOR GRANTED THAT WARS IN DEFENCE OF ONE'S POLITICAL COMMUNITY ARE THE QUINTESSENTIAL JUST WARS. INDEED, WHILE IN RECENT YEARS PHILOSOPHERS HAVE SUBJECTED ALL OF OUR OTHER ASSUMPTIONS ABOUT JUST WAR THEORY TO RADICAL REVISION, THIS PRINCIPLE HAS EMERGED LARGELY UNSCATHED. BUT WHAT UNDERPINS THE MORALITY OF DEFENSIVE WAR? IN THIS BOOK, LEADING MORAL AND POLITICAL PHILOSOPHERS BOTH SHOW THE PROFOUNDLY CHALLENGING NATURE OF THAT QUESTION, AND ADVANCE NOVEL ANSWERS TO IT. THE FIRST PART EXPOSES THE DEEP TENSION BETWEEN THE INDIVIDUALIST FOUNDATIONS OF MUCH CONTEMPORARY PHILOSOPHY AND PLAUSIBLE CONCLUSIONS ABOUT THE MORALITY OF DEFENSIVE WAR. THE SECOND PART OFFERS AN INDIVIDUALIST ATTEMPT TO RESOLVE THAT TENSION, WHILE THE THIRD SEEKS TO JUSTIFY DEFENSIVE WAR BY APPEAL TO MORE COLLECTIVIST VALUES.

AGGRESSIVE WAR CORNELIS ARNOLD POMPE 1953 SIX YEARS AFTER THE RENDERING OF THE NUREMBERG JUDGMENT WORLD CONDITIONS ARE NOT SUCH AS TO ENCOURAGE A STUDY ON WHAT CONSTITUTED ITS PRINCIPAL INNOVATION IN THE LEGAL FIELD: THE PUNISHMENT OF THE AUTHORS OF AGGRESSIVE WAR. THE WAR ALLIANCE AGAINST THE AXIS POWERS WHICH WAS THE POLITICAL BASIS OF THE NUREMBERG TRIAL AND OF THE UNITED NATIONS ORGANISATION HAS BROKEN UP. MUTUAL FEAR, THREATS AND ACCUSATIONS AND A GIGANTIC ARMAMENT RACE ARE THE DOMINATING FACTORS IN INTERNATIONAL LIFE DURING THE COLD WAR PERIOD, AND THE MINDS OF STATESMEN, MILITARY MEN AND LAWYERS ALIKE ARE MORE PREOCCUPIED WITH THE PROBLEM OF HOW TO WIN A POSSIBLE THIRD WORLD WAR THAN WITH THAT OF PREVENTING ITS OCCURRENCE AND AVOIDING RESPONSIBILITY FOR ITS OUTBREAK. WHILE THE SURVIVAL OF THEIR FREEDOM AND CIVILIZATION IS AT STAKE, THE NATIONS SEEM MORE INTENT ON PREPARING FOR WHAT IS VAGUELY AND EQUIVOCALLY CALLED 'SELF-DEFENCE' THAN ON ACCEPTING AND ASSURING THE REIGN OF LAW. THE STRAIN OF THE PROTRACTED STRUGGLE IN KOREA, MOREOVER, SEEMS TO TURN THE FIRST EXPERIMENT WITH MILITARY SANCTIONS AGAINST AN AGGRESSOR INTO A CLASSIC GAME OF POWER POLITICS. IT IS NOT SURPRISING THAT IN SUCH CIRCUMSTANCES LITTLE ENERGY IS DISPLAYED IN EFFORTS TO IMPLEMENT THE PRINCIPLES TO WHICH THE UNITED NATIONS PLEDGED THEMSELVES IN NUREMBERG, AND THAT MANY STATESMEN AND LAWYERS SEEM PREPARED TO ABANDON, AT LEAST FOR THE NEAR FUTURE, THE PRECEDENT OF THE TIME OF ALLIANCE, EXPRESSION OF CONFIDENCE IN THE VICTORY OF LAW OVER FORCE.

INTERNATIONAL LAW AND THE USE OF FORCE CHRISTINE D. GRAY 2008 THIS TEXT EXPLORES THE LARGE AND CONTROVERSIAL SUBJECT OF THE USE OF FORCE IN INTERNATIONAL LAW, INCLUDING USE OF FORCE BY STATES, THE ROLE OF THE UN, AND THE ROLE OF REGIONAL ORGANIZATIONS IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY.

HUMAN RIGHTS AND PERSONAL SELF-DEFENSE IN INTERNATIONAL LAW JAN ARNO HESSBRUEGGE 2017 BASED ON AUTHOR'S THESIS (DOCTORAL - EUROPEAN UNIVERSITY VIADRINA IN FRANKFURT (ODER), GERMANY, 2016) ISSUED UNDER TITLE: THE RIGHT TO

THE INHERENT RIGHT OF SELF-DEFENCE IN INTERNATIONAL LAW MURRAY COLIN ALDER 2012-09-22 DETERMINING THE EARLIEST POINT IN TIME AT WHICH INTERNATIONAL LAW AUTHORISES A STATE TO EXERCISE ITS INHERENT RIGHT OF SELF-DEFENCE IS AN ISSUE WHICH HAS BEEN DEBATED, BUT UNSATISFACTORILY REASONED, BY SCHOLARS AND STATES SINCE THE 1960'S. YET IT REMAINS ARGUABLY THE MOST PRESSING QUESTION OF LAW THAT FACES THE INTERNATIONAL COMMUNITY. THIS BOOK UNRAVELS THE LEGAL AND FACTUAL COMPLICATIONS WHICH HAVE OBSCURED THE ANSWER TO THIS QUESTION. IN CONTRAST TO MOST OTHER WORKS, IT TAKES AN HISTORIC APPROACH BY TRACING THE EVOLUTION OF THE RIGHTS, RULES AND PRINCIPLES OF INTERNATIONAL LAW WHICH HAVE GOVERNED THE USE OF FORCE BY STATES SINCE THE 16TH CENTURY. ITS EMPHASIS ON SELF-DEFENCE PROVIDES THE READER WITH A NEW AND COMPLETE UNDERSTANDING OF HOW AND WHY THE INTERNATIONAL LEGAL FRAMEWORK LIMITS DEFENSIVE FORCE TO REPELLING AN IMMINENT THREAT OR USE OF OFFENSIVE FORCE WHICH IS DIRECTED AT THE TERRITORY OF A STATE. TAKING AN HISTORIC APPROACH ENABLES THIS BOOK TO RESURRECT AN UNDERSTANDING OF THE HUMAN DEFENSIVE INSTINCT WHICH HAS GUIDED THE FORMATION OF THE INTERNATIONAL LAW OF SELF-DEFENCE. IT ALSO EXPLAINS THE TRUE LEGAL NATURE AND SCOPE OF THE INHERENT RIGHT OF SELF-DEFENCE, OF ANTICIPATORY SELF-DEFENCE AND PROVIDES A DEFINITION OF THE LEGAL COMMENCEMENT OF AN ARMED ATTACK FOR THE PURPOSE OF ARTICLE 51 OF THE CHARTER. FINALLY, THE READER WILL RECEIVE A UNIQUE SOURCE OF RESEARCH MATERIALS AND ANALYSIS OF STATE PRACTICE AND OF SCHOLARLY WORKS CONCERNING SELF-DEFENCE AND THE USE OF FORCE SINCE THE 16TH CENTURY, WHICH IS SUITABLE FOR ALL READERS OF INTERNATIONAL LAW AROUND THE WORLD.

SELF-DEFENCE AS A FUNDAMENTAL PRINCIPLE ARTHUR EYFFINGER 2009-08-20 HAGUE ACADEMIC PRESS, A T.M.C. ASSER PRESS IMPRINT SELF-DEFENCE MAY BE USED AS A DEFENCE FOR THE USE OF FORCE IN ORDER TO PREVENT CRIME AGAINST ONESELF, A FELLOW HUMAN-BEING OR PROPERTY. ALTHOUGH TRADITIONALLY LINKED TO THE CONCEPT OF ARMED ATTACK, NEW FORMS OF AGGRESSION, THE CONCEPT OF COLLECTIVE SECURITY AND AN INCREASING INTERACTION BETWEEN NATIONAL AND INTERNATIONAL LAW HAVE FORCED A REASSESSMENT OF SELF-DEFENCE. THE FIRST HAGUE COLLOQUIUM ON THE FUNDAMENTAL PRINCIPLES OF LAW ON THE TOPIC OF SELF-DEFENCE BROUGHT TOGETHER EXPERTS FROM BOTH ACADEMIC AND PROFESSIONAL CIRCLES TO DEBATE THE NOTION OF SELF-DEFENCE. BOTH THE COLLOQUIUM AND THIS SUBSEQUENT PUBLICATION MAKE A VALUABLE CONTRIBUTION TO THE DEVELOPMENT OF THE LAW BY RECOGNISING THE SOURCES OF THE PRINCIPLE OF SELF-DEFENCE, AND THE THEORIES BEHIND IT, BY FOLLOWING ITS PATH OF EVOLUTION AND BY REASSESSING ITS CURRENT STATUS.

INTERNATIONAL LAW AND NEW WARS CHRISTINE CHINKIN 2017-04-19 INTERNATIONAL LAW AND NEW WARS EXAMINES HOW INTERNATIONAL LAW FAILS TO ADDRESS THE CONTEMPORARY EXPERIENCE OF WHAT ARE KNOWN AS 'NEW WARS' - INSTANCES OF ARMED CONFLICT AND VIOLENCE IN PLACES SUCH AS SYRIA, UKRAINE, LIBYA, MALI, THE DEMOCRATIC REPUBLIC OF CONGO AND SOUTH SUDAN. INTERNATIONAL LAW, LARGELY CONSTRUCTED IN THE NINETEENTH AND TWENTIETH CENTURIES, RESTS TO A GREAT EXTENT ON THE OUTDATED CONCEPT OF WAR DRAWN FROM EUROPEAN EXPERIENCE - INTER-STATE CLASHES INVOLVING BATTLES BETWEEN REGULAR AND IDENTIFIABLE ARMED FORCES. THE BOOK SHOWS HOW DIFFERENT APPROACHES ARE ASSOCIATED WITH DIFFERENT INTERPRETATIONS OF INTERNATIONAL LAW, AND, IN SOME CASES, THIS HAS DANGEROUSLY WEAKENED THE LEGAL RESTRAINTS ON WAR ESTABLISHED AFTER 1945. IT PUTS FORWARD A PRACTICAL CASE FOR WHAT IT DEFINES AS SECOND GENERATION HUMAN SECURITY AND THE IMPLICATIONS THIS CARRIES FOR INTERNATIONAL LAW.

SELF-DEFENCE AGAINST NON-STATE ACTORS: MARY ELLEN O'CONNELL 2019-07-31 IN THIS BOOK, SELF-DEFENCE AGAINST NON-STATE ACTORS IS EXAMINED BY THREE SCHOLARS WHOSE GEOGRAPHICAL, PROFESSIONAL, THEORETICAL, AND METHODOLOGICAL BACKGROUNDS AND OUTLOOKS DIFFER GREATLY. THEIR TRIALOGUE IS FRAMED BY AN INTRODUCTION AND A CONCLUSION BY THE SERIES EDITORS. THE NOVEL SCHOLARLY FORMAT ACCOMMODATES THE PLURALISM AND VALUE CHANGES OF THE CURRENT ERA, A SHIFTING WORLD ORDER AND THE RISE IN NATIONALISM AND POPULISM. IT BRINGS TO LIGHT THE CULTURAL, PROFESSIONAL AND POLITICAL PLURALISM WHICH CHARACTERISES INTERNATIONAL LEGAL SCHOLARSHIP AND EXPLOITS THIS PLURALISM AS A HEURISTIC DEVICE. THIS MULTIPERSPECTIVISM EXPOSES HOW POLITICAL FACTORS AND INTELLECTUAL STYLES INFLUENCE THE SCHOLARLY APPROACHES AND LEGAL ANSWERS AND THE TRIALOGICAL STRUCTURE ENCOURAGES ITS PARTICIPANTS TO DECENTRE THEIR PERSPECTIVES. BY EXPLICITLY FOCUSING ON THE AUTHORS' DIVERGENCE AND DISAGREEMENT, A RICHER UNDERSTANDING OF SELF-DEFENCE AGAINST NON-STATE ACTORS IS ACHIEVED, AND THE LEGAL CHALLENGES AND POSSIBLE WAYS AHEAD IDENTIFIED.

MILITARY PROFESSIONALISM AND HUMANITARIAN LAW YISHAI BEER 2018-04-09 THIS BOOK CHALLENGES THE UNACCEPTABLE GAP BETWEEN THE POSITIVE RULES OF THE INTERNATIONAL LAW GOVERNING ARMED HOSTILITIES AND ACTUAL STATE PRACTICE. IT DISCUSSES REDUCING THE HUMAN SUFFERING CAUSED BY THIS REALITY. THE CURRENT LAW DOES NOT SEEM TO BE OPTIMAL IN BALANCING THE DIFFERENT INTERESTS OF STATES' MILITARIES AND THE HUMANITARIAN AGENDA. IN RESPONSE TO THIS CHALLENGE, THIS BOOK OFFERS A NEW PARADIGM BASED ON REALITY THAT MAY ELEVATE THE HUMANITARIAN THRESHOLD BY REPLACING THE

CURRENTLY PROBLEMATIC IMPERATIVES IMPOSED UPON MILITARIES WITH PROFESSIONALLY-BASED, THEREFORE ATTAINABLE, REQUIREMENTS. THE AIMS OF THE SUGGESTED PARADIGM ARE TO CREATE AN ENVIRONMENT IN WHICH FULL ABIDANCE BY THE LAW BECOMES A REALISTIC NORM, THUS FACILITATING A SECOND, MORE IMPORTANT AIM OF REDUCING HUMAN SUFFERING. MILITARIES FUNCTION IN A PROFESSIONAL MANNER; THEY DEVELOP AND RESPECT THEIR DOCTRINE, OPERATIONAL PRINCIPLES, FIGHTING TECHNIQUES AND VALUES. THEIR PERFORMANCES ARE NOT RANDOM OR INCIDENTAL. THE SUGGESTED PARADIGM CALLS FOR LEVERAGING THE CONSTRAINING ELEMENTS THAT ARE LATENT IN MILITARY PROFESSIONALISM. TALKING PROFESSIONAL LANGUAGE AND ADOPTING THE PROFESSIONAL WAY OF THINKING THAT UNDERLIES MILITARIES' CONDUCT MAKES IT POSSIBLE TO IDENTIFY AND FOCUS UPON THE CORE INTERESTS OF A MILITARY IN ANY GIVEN LAWFUL WAR - THOSE THAT OUGHT TO BE TAKEN INTO CONSIDERATION - ALONGSIDE THOSE THAT CAN BE SACRIFICED FOR THE SAKE OF THE HUMANITARIAN CONCERNS, WHILE STILL ALLOWING THE MILITARY MISSION TO BE ACHIEVED. INDEED, LEVERAGING PROFESSIONAL STANDARDS AND NORMS WOULD ESTABLISH A REASONABLE MODUS VIVENDI FOR A MILITARY, WHILE ALLOWING SUBSTANTIAL NEW SPACE FOR THE HUMANITARIAN MISSION OF THE LAW.

ON WAR CARL VON CLAUSEWITZ 1908