### Realizing Utopia
**The Future of International Law**
Edited by the late Antonio Cassese, Former President, Special Tribunal for Lebanon

- Provides imaginative and innovative solutions to many of the problems facing the international community, including terrorism, self-determination, and genetic manipulation
- Looks ahead to the future of international law and its various sub-areas, and proposes ways in which it can improve its relevance and reach
- Features chapters by many of the world’s greatest international lawyers, including Martti Koskenniemi, Michael Reisman, Joseph Weiler, and Antonio Cassese himself

Realizing Utopia is a collection of essays by a group of innovative international jurists. Its contributors reflect on some of the major legal problems facing the international community and analyse the inconsistencies or inadequacies of current law. They highlight the elements - even if minor, hidden, or emerging - that are likely to lead to future changes or improvements. Finally, they suggest how these elements can be developed, enhanced, and brought to fruition in the next two or three decades, with a view to achieving an improved architecture of world society or, at a minimum, to reshaping some major aspects of international dealings. Contributions to the book thus try to discern the potential, in the present legal construct of world society, that might one day be brought to light in a better world.

As the impact of international law on national legal orders continues to increase, this volume takes stock of how far international law has come and how it should continue to develop. The work features an impressive list of contributors, including many of the leading authorities on international law and several judges of the International Court of Justice.

<table>
<thead>
<tr>
<th>ISBN</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>978-0-19-965488-8, Paperback</td>
<td>£34.99</td>
</tr>
<tr>
<td>978-0-19-965666-1, Hardback</td>
<td>£95.00</td>
</tr>
<tr>
<td>752 Pages</td>
<td>April 2012</td>
</tr>
</tbody>
</table>

### Disobeying the Security Council
**Countermeasures against Wrongful Sanctions**
Antonios Tzanakopoulos, Lecturer in Law, University College London

This monograph is one of the first to systematically address an increasingly important problem, namely the reaction to excesses of power, or unlawful acts, of the Security Council...By its subject, and the way it goes about addressing it, this book is solidly devoted to these increasingly pressing questions. The author demonstrates several qualities: expertise...; a distinctive subtlety and a capacity to sustain a powerful argument; a remarkable knowledge of general international law which underlies and visibly strengthens the argument; a concentration on the essential questions only [and] a palpable mastery of the subject... In sum, Dr Tzanakopoulos offers us an image of a next generation of international lawyers of which we can be proud.”

Robert Kolb, Professeur de droit international public à l’Université de Genève, Journal du Droit International

<table>
<thead>
<tr>
<th>ISBN</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>978-0-19-960076-2, Hardback</td>
<td>£70.00</td>
</tr>
<tr>
<td>288 Pages</td>
<td>2011</td>
</tr>
</tbody>
</table>

### International Law as Social Construct
**The Global Struggle for Justice**
Carlo Focarelli, Professor of International Law, University of Perugia

- Provides an innovative analysis of the key concepts in international law and the common values it protects
- Sheds new light on classic debates within international law
- Makes a case for improving international legal rules and adapting them for a globalized world

This book explores international law as a social construct by analysing its social foundations and by re-conceptualizing the way in which it is commonly understood. It asks what law is and how it works in society, and shows why it is worth to struggle for new and better-working rules in the international legal order.

<table>
<thead>
<tr>
<th>ISBN</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>978-0-19-958483-3, Hardback</td>
<td>£70.00</td>
</tr>
<tr>
<td>552 Pages</td>
<td>April 2012</td>
</tr>
</tbody>
</table>

### When International Law Works
**Realistic Idealism After 9/11 and the Global Recession**
Tai-Heng Cheng, Associate Professor of Law and Associate Director of the Center for International Law, New York Law School

When International Law Works stands to change the way that governments and scholars look at this contentious topic. In this seminal work, Professor Tai-Heng Cheng presents a new framework that nations should consider when they confront an international problem that implicates the often ignored values it protects.

<table>
<thead>
<tr>
<th>ISBN</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>978-0-19-953707-1, Hardback</td>
<td>£40.00</td>
</tr>
<tr>
<td>530 Pages</td>
<td>February 2012 (OUP USA)</td>
</tr>
</tbody>
</table>

### Designing Democracy in International Law
Hilary Charlesworth, Australian Research Council Laureate Fellow, Professor of International Law, Australian National University

- Provides a full overview of international law’s engagement with the concept of democracy over the past two centuries, from its position of irrelevance to the important place it occupies now in international law advocacy
- Analyzes how international institutions have conceptualized democracy and argues that more flexibility and attention to local circumstances is needed

Most cases of the international democracy-building process have failed and unstable, hybrid forms of governance continue to dominate in post-conflict situations from Iraq to East Timor.

<table>
<thead>
<tr>
<th>ISBN</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>978-0-19-956448-8, Hardback</td>
<td>£29.99</td>
</tr>
<tr>
<td>220 Pages</td>
<td>November 2012</td>
</tr>
</tbody>
</table>
**NEW EDITION**

**The Charter of the United Nations**

* A Commentary

**THIRD EDITION**

Edited by Bruno Simma, Judge at the International Court of Justice, The Netherlands, Daniel-Erasmus Khan, Professor of Public International Law, University of the Federal Armed Forces, Munich, Germany, Georg Nolte, Professor of Public International Law, Humboldt University, Berlin, Germany, and Andreas Paulus, Judge at Germany’s Constitutional Court

Assistant Editor: Nikolai Wessendorf

Since the second edition of this commentary on the Charter of the United Nations was published, the text of the Charter may not have changed but the world has. The wars in Iraq and Afghanistan have had a lasting impact on international law and the Commentary has been fully updated to take their impact into account. The new edition has been completely revised and features a completely new chapter on UN reform, analyzing the effect of reforms which have already been implemented and examining why other proposals for reform have failed. It will assess how these proposals could be improved, with a particular focus on the Security Council. This new edition also includes coverage of the creation of the Human Rights Council and the impact of the Responsibility to Protect doctrine.

This is the authoritative, article-by-article account of the legislative history, interpretation, and practical application of each and every Charter provision. Written by a team of distinguished scholars and practitioners, this book combines academic research with the insights of practice, and is an indispensable work of reference for all those interested in the UN. The Commentary will be crucial in providing new directions for the development of international law and the United Nations in the twenty-first century.

*Oxford Commentaries on International Law*

978-0-19-958395-6 £375.00

2,000 Pages

September 2012

---

**Hierarchy in International Law**

**The Place of Human Rights**

Edited by Erika De Wet, Co-Director and Professor of International Law, Institute for International and Comparative Law in Africa, University of Pretoria, Professor of International Constitutional Law, University of Amsterdam, and Jure Vidmar, Anglo-German Fellow, Institute of European and Comparative Law, Faculty of Law, University of Oxford

- Uses an innovative, inductive approach to assess whether a human rights-based hierarchy exists in international law
- Examines the case law of national and international courts to see whether primacy is given to human rights in case of a norm conflict
- Provides an overview of the conflict avoidance techniques employed by courts and tribunals

The existence of a hierarchy between different international legal rules is increasingly being debated. This volume will identify the extent to which judicial bodies and domestic courts contribute to an emerging normative hierarchy within international law, based on the primacy of human rights.

978-0-19-964720-1, Hardback £70.00

392 Pages

February 2012

---

**NEW IN PAPERBACK**

**The Power and Purpose of International Law**

Mary Ellen O’Connell, Robert and Marion Short Chair in Law, University of Notre Dame Law School

- Discusses numerous significant world issues including torture, terrorism, war, climate change, human rights atrocities, nuclear proliferation, and other major challenges in the light of international law
- Examines what international law is, why it is accepted as law, and how it is enforced
- Examines both the history of ideas about international law’s binding power and purpose and the actual operation of international law in enforcing its obligations

The Power and Purpose of International Law provides a well-conceived explanation of the role of international law in today’s world, and how there are no acceptable arguments to justify the use of torture and secret prisons, or to support the notion of a “global battlefield.” By analyzing the history of ideas about international law and its actual operation, O’Connell has provided an important and timely work for citizens, students, and scholars.

978-0-19-96896-7, Paperback £15.99

416 Pages

2011 (OUP USA)

---

**From Bilateralism to Community Interest**

*Essays in Honour of Bruno Simma*

Edited by Ulrich Fastenrath, Professor of Public Law, European Union Law, and Public International Law, Technische Universität Dresden; Rudolf Geiger, Professor Emeritus of Public, European, and International Law, University of Leipzig; Daniel-Erasmus Khan, Professor of Public Law, European Law, and International Law, University of Bristoweht, Munich, Andreas Paulus, Judge, Germany’s Constitutional Court; Sabine von Schorlemer, Professor of Public International Law, European Law, and International Relations, Technische Universität Dresden, and Christoph Wedder, Professor of Public Law, Public International, and European Law, University of Augsburg

- Examines the role of international courts and tribunals in upholding international law as well as the judicial function within these institutions
- Features contributions from a stellar list of authors, including Philip Alston, James Crawford, Dame Rosalyn Higgins, and Christoph Schreuer

This festschrift, dedicated to Judge Bruno Simma, traces the development of international law from regulating bilateral state-to-state relationships towards strengthening the entire international community by protecting human security, the global environment, and human rights. It provides both theoretical and practical insights into these sometimes conflicting goals, their basis in international law, and the role played by international institutions charged with upholding these values and interests.

978-0-19-958881-7, Hardback £125.00

1,376 Pages

2011

---

**No One’s World**

*The West, the Rising Rest, and the Coming Global Turn*

Charles A. Kupchan, Professor of International Affairs, Georgetown University


256 Pages

May 2012 (OUP USA)
NEW EDITION
The Max Planck Encyclopedia of Public International Law
PRINT EDITION
Rüdiger Wolfrum, Director, Max Planck Institute for International and Comparative Public Law, Heidelberg

This new edition of the definitive reference work on international law contains 1,618 articles covering the full breadth of the subject, written by the world’s leading experts. Each article is fully cross-referenced and includes a carefully selected bibliography of the most important writings and primary documents for further reading.

- Print edition of the leading reference work in international law
- Written by over 800 scholars and practitioners drawn from all over the world
- Suitable for practitioners, scholarly researchers, and taught courses in international law
- Each article has been rigorously peer reviewed by the members of the advisory board with relevant specialist expertise

New to this edition
- Reflects modern developments with greatly increased coverage of international criminal law, international dispute settlement, trade law and environmental law
- More than 700 new topics not covered in the previous edition

ONLINE EDITION
Max Planck Encyclopedia of Public International Law

General Editor: Rüdiger Wolfrum, Director, Max Planck Institute for Comparative Public Law and International Law, Heidelberg

- Search & browse a collection of articles on every aspect of public international law
- Read peer-reviewed articles written by an incomparable team of scholars and practitioners
- Keep up-to-date with email alerts which announce the publication of new articles
- Access the Oxford Law Citator for links to cases, articles, and additional materials related to each article
- Updated 3 to 4 times a year with new and revised articles

Visit: www.mppill.com

SPECIAL INTRODUCTORY PRICE
Order before the 1st August 2012 and pay £195

The Max Planck Encyclopedia of Public International Law

Rüdiger Wolfrum, Director, Max Planck Institute for International and Comparative Public Law, Heidelberg

This index to the new edition of the definitive reference work on international law contains detailed references to over 1,600 articles covering the full history and breadth of public international law, as well as other information to facilitate use of the leading reference work in international law.

- The complete analytical A-Z index of the ten volumes of the leading reference work in international law
- With a complete list of citations for documents referenced in every article
- Browse lists to help users find articles by particular authors on specific cases, conflicts, geographical issues, and treaties

NEW EDITION
Brierly’s Law of Nations
An Introduction to the Role of International Law in International Relations

SEVENTH EDITION
Edited by Andrew Clapham, Director of the Geneva Academy of International Humanitarian Law and Human Rights

This concise book is an introduction to the role of international law in international relations. Written for lawyers and non-lawyers alike, the book first appeared in 1928 and attracted a wide readership. This new edition builds on Brierly’s scholarship and his idea that law must serve a social purpose.

Previous editions of The Law of Nations have been the standard introduction to international law for decades, and are widely popular in many different countries due to the simplicity and brevity of the prose style.

Providing a comprehensive overview of international law, this new version of the classic book retains the original qualities and is again essential reading for all those interested in learning what role the law plays in international affairs. The reader will find chapters on traditional and contemporary topics such as: the basis of international obligation, the role of the UN and the International Criminal Court, the emergence of new states, the acquisition of territory, the principles covering national jurisdiction and immunities, the law of treaties, the different ways of settling international disputes, and the rules on resort to force and the prohibition of aggression.

978-0-19-965799-3, Hardback £60.00
978-0-19-965794-0, Paperback £44.99
930 Pages
August 2012

The Function of Law in the International Community

Sir Hersch Lauterpacht

- One of the books that laid the foundation for international law in the 20th century
- Republication makes this classic work available to a wide audience
- Features, for the first time, revisions made to the book by Sir Hersch after its publication
- Includes a new introduction by Professor Martti Koskenniemi, examining the world in which the book was originally published and assessing its legacy

The Function of Law in the International Community, first published in 1913, is one of the seminal works on international law. Its author, Sir Hersch Lauterpacht, is widely considered to be one of the great international lawyers of the 20th century. It continues to influence those studying and working in international law today.

This republication once again makes this book available to scholars and students in the field. It features a new introduction by Professor Martti Koskenniemi, examining the world in which the Function of Law was originally published and the lasting legacy of this classic work.

978-0-19-960888-2, Paperback £29.95
938 Pages
2011
NEW EDITION
The Statute of the International Court of Justice
A Commentary

SECOND EDITION
Edited by Andreas Zimmermann, Professor of International Law, University of Potsdam, Karin Oellers-Frahm, Dr. jur., Senior Researcher (retired), Max Planck Institute for Comparative Public Law and International Law, Heidelberg, Christian Tomuschat, Professor Emeritus, Humboldt-University Berlin, and Christian J. Tams, Professor of International Law, University of Glasgow

- Fully revised and updated new edition of the only article-by-article commentary on the founding Statute of the most important court in international law
- Commentary on each provision of the Statute is augmented by analysis of the relevant UN Charter provisions relating to the Court
- Draws parallels with other international courts and tribunals, giving a valuable in-depth understanding of the work of the International Court of Justice

New to this edition
- New chapters on counter-claims and evidentiary issues
- Fully revised and updated to take into account the recent case law of the court and new scholarship

The International Court of Justice is the principal judicial organ of the United Nations. The composition of the ICJ, its jurisdiction, and procedure are based on the Statute of the International Court of Justice. This updated Commentary analyses the provisions of the Statute and the case law of the ICJ to guide its interpretation.

Oxford Commentaries on International Law
978-0-19-969299-6, Hardback
£295.00
1,664 Pages
September 2012

International Law in the U.S. Legal System
Curtis Bradley, The Richard and Marcy Horvitz Professor of Law, Duke University School of Law

The war on terrorism has rapidly increased the importance of international law in the United States. U.S. courts have seen a substantial increase in cases raising issues of international law, and judges have expressed a growing interest in, and appreciation for the topic. This heightened internationalism in the U.S. judiciary has been extremely controversial because of the level of interpretation inherent in the application of international law in our domestic courts. International law in the U.S. Legal System decodes the often complicated ways that international law operates within the United States legal system and sheds light on unresolved issues and areas of controversy. The book covers all of the principal forms of international law including treaties, decisions and orders of international institutions, customary international law, jus cogens norms, and general principles. It also explores a number of issues that are implicated by the intersection of U.S. law and international law, such as foreign sovereign immunity, international human rights litigation, extradition, and extraterritoriality.

978-0-19-532859-2, Hardback
£50.00
256 Pages
May 2012 (OUP USA)

National Courts and the International Rule of Law
Andre Nollkaemper, Professor of Public International Law, University of Amsterdam

This book explores how domestic courts contribute to the maintenance of the rule of international law by providing judicial control over the exercises of public powers that may conflict with international law.

- Draws on a hugely innovative, and until now untapped, pool of new empirical data on the application of international law in domestic courts contained in Oxford’s online service ILDC
- Examines one of the most pressing concerns of international legal theory today
- Provides an analysis of key cases involving judicial control of the exercise of public powers by states; including the Hamdan, Alدلub, and Nermelo cases

978-0-19-973669-1, Hardback
£70.00
384 Pages
2011

Digest of United States Practice in International Law, 2009
Elizabeth R. Wilcox, Office of the Legal Adviser, U.S. Dep’t of State

Co-published by Oxford University Press and the International Law Institute, and prepared by the Office of the Legal Adviser at the Department of State, the Digest of United States Practice in International Law presents an annual compilation of documents and commentary highlighting significant developments in public and private international law, and is an invaluable resource for practitioners and scholars in the field. Each year’s volume compiles excerpts from documents such as treaties, diplomatic notes and correspondence, legal opinion letters, judicial decisions, senate committee reports and press releases and is an invaluable resource for practitioners and scholars in the field.

Digest of US Practice in Int Law
978-0-19-975990-2, Hardback
£105.00
836 Pages
2011 (OUP USA)

International Law and Domestic Legal Systems
Incorporation, Transformation, and Persuasion
Edited by Dinah Shelton, Manat/Abn Professor of International Law, George Washington University Law School, Washington DC

‘This new publication...is an excellent aide to anyone interested in understanding the implementation process in countries with diverse national legal systems.’
Gillian Higgins

- Full overview of the formal regime for incorporating international law in different legal systems as well as of relevant domestic case law
- Systematic comparison allows the drawing of interesting conclusions about the implementation of international law in 17 key countries

By providing a systematic analysis of how international law is incorporated and implemented in over two dozen states, this book analyzes how the international order and national legal systems interact with each other. It highlights the mutual influence of international and domestic legal systems and how changes in each are modifying the other.

978-0-19-969490-7, Hardback
£125.00
752 Pages
2011
Simply visit: www.ejil.oxfordjournals.org/current.dtl

Read FREE articles and book reviews from the up-to-date analysis of topical issues.

Each issue of the journal provides a forum for theoretical and practical approaches to the issues of international law, as well as for up-to-date analysis of topical issues.

New in Paperback

Discovering Indigenous Lands

The Doctrine of Discovery in the English Colonies

Robert J. Miller, Professor of Law, Lewis & Clark Law School, Portland, Oregon, Jacinta Ruru, Senior Lecturer, University of Otago, Larissa Behrendt, Professor of Law and Director of Research, Jumbunna Indigenous House of Learning, University of Technology, Sydney, and Tracey Lindberg, Associate Professor of Law, University of Ottawa, Associate Professor of Indigenous Studies, Athabasca University

North America, New Zealand, and Australia were colonized by England under an international legal principle that is known today as the doctrine of discovery. This book analyses how England applied this doctrine to gain control over the lands, property, government, and human rights of the indigenous peoples, and how this control continues to this day.

978-0-19-969354-4, Paperback £70.00
376 Pages 2011

The Oxford Handbook of the History of International Law

Edited by Bartos Fassbender, Professor of International Law, Bundeswehr University Munich, Anne Peters, Professor of Public International Law and Swiss Constitutional Law, University of Basel, Switzerland, and Simone Peter, Lawyer in the public administration of Basel-Stadt

This Oxford Handbook gives a truly international and inter-disciplinary account of the history of international law, written by contributors from across the globe.

Comprehensively covers the growth and evolution of international law from the 1st century until the end of World War II.

Investigates how international law developed across different regions of the world, from the Ottoman Empire to the Caribbean.

Gives crucial insights into the lives and philosophies of those individuals most responsible for shaping the development of international law.

The Oxford Handbook of the History of International Law provides an authoritative and original overview of the origins of public international law. It comprehensively analyses the modern history of international law from a global perspective, and examines the lives of those who were most responsible for shaping it.

Oxford Handbooks in Law
978-0-19-939975-2, Hardback £125.00
1,300 Pages August 2012

Aboriginal Title

The Modern Jurisprudence of Tribal Land Rights

R.G. McHugh, Reader in Law at the University of Cambridge, Fellow of Sidney Sussex College, Cambridge

‘McHugh…does a fine job of examining the answers that the law has come up with in less than 150 pages.’

Eleanor Healy Birt, Journal of the Liberal International British Group

New analysis of this controversial and rapidly developing area of law by one of the foremost scholars in the field.

Provides a compelling account of the evolution of the concept of aboriginal title from its appearance in the early 1980s to its acceptance in contemporary legal thought.

Aboriginal title, the land rights of native peoples in former colonies, is one of the most significant developments in common law in the late twentieth century. This book, by a key author in this field, sets out the beginnings, judicial acceptance, and influence of this doctrine across national jurisdictions and in international law.

978-0-19-969349-4, Hardback £70.00
376 Pages 2011

The Constitutionalization of International Law

Jan Klabbers, Professor of International Organizations Law, University of Helsinki, Anne Peters, Professor of Public International Law and Swiss Constitutional Law, University of Basel, and Geir Ulfstein, Professor of International Law, University of Oslo

‘Klabbers, Peters and Ulfstein have written a remarkable book on crucial legal elements and theoretical arguments in the context of a constitutionalization of international law…this book is highly recommended as a critical reflection about the making and the deficits in the present make-up of global governance, including its inherent democracy deficit, from an insightful international law perspective’

Kolja Raube, CMJ Review

Features the authors’ discussion of this book on the EJIL Talks blog.

An important ongoing debate in international law concerns the extent to which the international legal system is becoming constitutionalized. This book examines whether such constitutionalization is taking place and what a constitutionalized world order could or should imply, by critically analysing constitutionalist theories and advancing new ideas.

978-0-19-969355-1, Paperback £24.99
436 Pages 2011
The Oxford Guide to Treaties
Edited by Duncan B. Hollis, Professor of Law and Associate Dean for Academic Affairs, Temple University Beadle School of Law

From trade relations to greenhouse gases, from shipwrecks to cybercrime, treaties structure the rights and obligations of states, international organizations, and individuals. For centuries, treaties have regulated relations among nation states. They are the dominant source of international law. Being adept with treaties and international agreements is an indispensable skill for anyone engaged in international relations, including international lawyers, diplomats, international organization officials, and representatives of non-governmental organizations.

The Oxford Guide to Treaties comprehensively sheds light on the rules and practices surrounding the making, interpretation, and operation of these instruments. Leading experts provide essays designed to introduce the law of treaties and offer practical insights into how treaties actually work. Foundational issues are covered, including what treaties are and when they should be used, alongside detailed analyses of treaty formation, application, interpretation, and exit. Special issues associated with treaties involving the European Union and other international organizations are also addressed. These scholarly treatments are complimented by a set of model treaty clauses. Real examples illustrate the approaches treaty-makers can take on topics such as entry into force, languages, reservations, and amendments. The Oxford Guide to Treaties thus provides an authoritative reference point for anyone involved in the creation or interpretation of treaties or other forms of international agreement.

978-0-19-960883-3, Hardback £95.00
888 Pages
July 2012

The Law of Treaties Beyond the Vienna Convention
Edited by Enzo Cannizzaro, Professor of International Law, University of Roma “La Sapienza”

- A comprehensive assessment of the Vienna Convention on the Law of Treaties by a stellar team of contributors
- Insightful examination of the interplay between the Vienna Convention and customary international law, interpreting the provisions of the Convention in light of subsequent developments
- Innovative analysis of the crucial concept of jus cogens and the role it has come to play in international law since its creation in the Vienna Convention

This book offers a comprehensive analysis of the law of treaties based on the interplay between the 1969 Vienna Convention on the Law of Treaties and customary international law. Written by a team of renowned international lawyers, it offers new insight into the basic concepts and methodology of the law of treaties and its problems.

978-0-19-936931-6, Hardback £35.00
458 Pages
2011

The Vienna Conventions on the Law of Treaties
A Commentary
Edited by Olivier Corten, Professor of International Law, Centre of International Law, Université libre de Bruxelles, and Pierre Klein, Professor of International Law, Centre of International Law, Université libre de Bruxelles

‘This must be the definitive reference work for these two conventions. Congratulations to Professors Corten and Klein and to each of the contributing authors.’

International Law Prof Blog

‘This is a magisterial work of sweeping proportions on a subject which, despite its somewhat esoteric nature, continues to have great practical importance.’

Commonwealth Lawyers’ Association

The 1969 and 1986 Vienna Conventions on the Law of Treaties are essential components of the international legal order. This is the first Commentary on their provisions, containing thorough and well-structured analyses of each of their Articles. It draws on preparatory works and practice and is written by a large collection of experts from the field.

978-0-19-954664-0, Hardback £375.00
2,176 Pages
2011

Interpreting the Nuclear Non-Proliferation Treaty
Daniel H. Joyner, Associate Professor of Law, University of Alabama School of Law

‘This study is a remarkable one and is greatly welcomed at an important juncture and after a successful NPT Review Conference in 2010. Daniel H. Joyner has relied on solid grounds in interpreting the Treaty. This new study should be a required reading to anyone who would wish to deal with nonproliferation’

Ambassador Mohamed Shaker, President of the Egyptian Council for Foreign Affairs

The 1968 Nuclear Non-Proliferation Treaty is one of the most controversial instruments in international law, provoking fierce debate as to its interpretation. This book argues that countries with nuclear weapons misrepresent the Treaty to prevent other states from developing peaceful nuclear energy, holding back nuclear disarmament in the process.

978-0-19-921735-8, Hardback £50.00
280 Pages
2011

Taming Globalization
International Law, the U.S. Constitution, and the New World Order
Julian Ku, Professor of Law, Hofstra University Law School
John Yoo, Professor of Law, University of California-Berkeley’s Boalt Hall Law School

“In their provocative new book, John Yoo and Julian Ku vigorously defend the primacy of the US Constitution in every area of globalization-trade, treaties and more. Yes, the US often must cooperate with other countries to tackle global problems but it must do so in line with Constitutional principles. Their arguments are compelling, their prose is vigorous, and their analysis is often surprising.”

Melanie Kirkpatrick, Senior Fellow, Hudson Institute, and former deputy editorial page editor, The Wall Street Journal

978-0-19-983427-7, Hardback £29.99
280 Pages
February 2012
Maritime Security and the Law of the Sea

Natalie Klein, Professor and Dean of Macquarie Law School, Macquarie University

‘It is a welcome addition to the voluminous Law of the Sea literature, given its pithy but comprehensive portrayal of the intersection between maritime law and post-9-11 security concerns.’

American Society of International Law

Maritime security is of increasing importance in a world threatened by terrorism, piracy, and drug-trafficking. This book sets out and evaluates the legal framework regulating the use of force on the oceans, as well as challenges like illegal fishing and environmental damage. It suggests that more flexible rules are needed to safeguard the seas.

Oxford Monographs in International Law
978-0-19-956653-2, Hardback
£70.00
376 Pages
2011

Winner of the Mahan Prize 2010

Maritime Power and the Law of the Sea

Expeditory Operations in World Politics

James Kraska, Commander, Howard S. Levie Professor of Operational Law, U.S. Naval War College

• Unique interdisciplinary focus, relating law of the sea and global commons to geopolitics
• Connects disparate oceans interests such as environment, law, and military, into a cohesive analysis giving readers a well-rounded view
• New approach to organizing maritime claims based on their practical effect or impact on global commons
• Clear graphics that illustrate practical effect of laws on naval power allow readers to more easily understand

Maritime Power and the Law of the Sea: Expeditory Operations in World Politics analyzes the impact of the rules governing freedom of the seas on expeditory operations in the littoral, near-shore coastal zone. It describes how coastal state practice and international law are developing in ways that restrict foreign access to the Exclusive Economic Zone (EEZ), and explains how the sea-shore interface of EEZs and associated land territory, coastal cities, and communities are the fulcrum of world politics.

978-0-19-977338-1, Hardback
£60.00
472 Pages
2011 (OUP USA)

Counter-Terrorism
International Law and Practice

Edited by Ana María Salinas de Frías, Professor of Public International Law, Universidad de Málaga, Katja Samuel, Barrister, and Nigel White, Professor of Public International Law, University of Nottingham

The responses of governments and international institutions to terrorism raise some of the most controversial issues of the twenty-first century. In particular, attempts to balance the desire to achieve security with the safeguarding of human rights and other aspects of the rule of law have proved to be highly contentious.

This book is unique, not only in terms of its multinational, multidisciplinary nature, but also due to its truly comprehensive approach. It reviews, and examines, the interrelationship between the four principal elements of the international rule of law framework (international human rights, humanitarian, criminal, and refugee/asylum law) within in which counter-terrorism responses should occur.

It considers many resources of rules of law tension at the national, regional, and international (both state and institutional) levels, including those attributable to: policy choices driven by security imperatives; criminal justice versus military approaches, the presence of diverse lacunae within existing legal frameworks; and competing executive, judicial, and legislative responses and priorities.

The book also analyses key legal principles in practice and the consequences of (non-)compliance, including: emergency and executive measures; radicalization; governmental and institutional impunity; classification and treatment of battlefield detainees; the use of lethal force; detention; non-refoulement; diplomatic assurances; interrogation versus torture; extraordinary rendition; discrimination; reparations for victims of terrorist attacks and security responses; (mis)use of military courts; commissions; and immigration tribunals; judicial accountability mechanisms; non-judicial accountability mechanisms; including parliamentary oversight; and the identification of transferable best practices.

Drawing together an impressive spectrum of practitioner, policy, and academic expertise, this book is an essential, solution-orientated, work on counter-terrorism policy, practice, and law-making.

978-0-19-960892-8, Hardback
£135.00
1,272 Pages
January 2012

The Arrest of Ships in Private International Law

Verónica Ruiz Abou-Nigm, School of Law, Sheffield University

• A unique private international law approach towards arrest of ships
• Valuable comparative analysis of specific functions of arrest of ships
• Analyses the legal framework affecting the security function of arrest of ships, bringing clarity to an area of uncertainty and helpfully distinguishing it from maritime liens
• Examines important aspects of the 1999 International Arrest Convention

Analysing the arrest of ships in English and Scots law in the light of the international conventions in the field, this book examines the protective, security, and jurisdictional functions of arrest within the three classical domains of private international law: applicable law, jurisdiction, and the recognition and enforcement of foreign judgments.

Oxford Private International Law Series
978-0-19-935835-1, Hardback
£35.00
364 Pages
2011

State Responsibility for International Terrorism

Kimberley N. Trapp, Lecturer in Law, Newnham College, University of Cambridge

International law imposes a range of obligations related to terrorism on states, including the duty to prevent terrorist acts, to extradite terrorists or prosecute them, and not to participate in terrorist activities. This book examines how the rules of state responsibility can be used to enforce these obligations and to respond to violations.

Oxford Monographs in International Law
978-0-19-959299-9, Hardback
£70.00
350 Pages
2011

Order online at: www.oup.com | Order by telephone on +44(0) 1536 747277
The legal position in international law of heads of states and other senior state representatives is at the heart of the conflict thrown up by recent changes in the international legal order. The establishment of the International Criminal Court and the ad hoc criminal tribunals reflects a growing belief that heads of states and other senior state representatives should be held accountable for serious violations of international law. It is now questioned whether foreign states and their officials still have immunity from proceedings concerning grave human rights abuses in national courts.

This book provides a comprehensive treatment of this key issue, covering both civil and criminal proceedings before domestic courts and the position before international courts and tribunals. The positions of both serving and former heads of states are examined. It is shown that the personal immunity (personae) enjoyed by states which derive from their status or office, and the official act immunity (materiale) enjoyed by all state officials. It closely examines the relationship between state immunity as it has developed under the restrictive doctrine and the immunities to which individuals are entitled. Careful consideration is given to the separation of international immunities such as special missions. This systematic analysis of the legal position of heads of states takes into account the history of the subject, relevant state practice (judicial and legislative), the impact of relevant international treaties, and international judicial or arbitral decisions on the matter.

The book draws a distinction between the personal immunity (personae) enjoyed by heads of states and other senior representatives in foreign states, attention is given to the question of immunity before civil and criminal trials in areas such as drug-trafficking, money laundering, and drug and human trafficking. It is argued that the taking of evidence and tracing the proceeds of crime, and suggests potential solutions.

The position of heads of state and senior officials in International Law

Joanne Foakes, Associate Fellow, International Law, Chatham House and former Legal Counselor, Foreign and Commonwealth Office

The legal position in international law of heads of states and other senior state representatives is at the heart of the conflict thrown up by recent changes in the international legal order. The establishment of the International Criminal Court and the ad hoc criminal tribunals reflects a growing belief that heads of states and other senior state representatives should be held accountable for serious violations of international law. It is now questioned whether foreign states and their officials still have immunity from proceedings concerning grave human rights abuses in national courts.

This book provides a comprehensive treatment of this key issue, covering both civil and criminal proceedings before domestic courts and the position before international courts and tribunals. The positions of both serving and former heads of states are examined. It is shown that the personal immunity (personae) enjoyed by states which derive from their status or office, and the official act immunity (materiale) enjoyed by all state officials. It closely examines the relationship between state immunity as it has developed under the restrictive doctrine and the immunities to which individuals are entitled. Careful consideration is given to the separation of international immunities such as special missions. This systematic analysis of the legal position of heads of states takes into account the history of the subject, relevant state practice (judicial and legislative), the impact of relevant international treaties, and international judicial or arbitral decisions on the matter.

The book draws a distinction between the personal immunity (personae) enjoyed by heads of states and other senior representatives in foreign states, attention is given to the question of immunity before civil and criminal trials in areas such as drug-trafficking, money laundering, and drug and human trafficking. It is argued that the taking of evidence and tracing the proceeds of crime, and suggests potential solutions.

The united nations convention on jurisdictional immunities of states and their property

A Commentary

Edited by Roger O’Keefe, Senior Lecturer in Law, University of Cambridge, and Christian J. Tams, Professor of International Law, University of Glasgow

State immunity, the idea that a state, including its individual organs, officials and other emanations, may not be proceeded against in the courts of another state in certain instances, has long been and remains a source of international controversy. Although customary international law no longer recognizes the absolute immunity of states from foreign judicial process, the evolution of the contemporary notion of restrictive state immunity over the past fifty years has been an uncoordinated and contested process, leading to disputes between states. The adoption, in 2004, of the United Nations Convention on Jurisdictional Immunities of States and Their Property has significantly contributed to reaching consensus among states on this fundamental question of international law.

This book provides article-by-article commentary on the text of the Convention, complemented by a small number of cross-cutting chapters highlighting general issues beyond the scope of any single provision, such as the theoretical underpinnings of state immunity, the distinction between immunity from suit and immunity from execution, the process leading to the adoption of the Convention, and the general understanding that the Convention does not extend to criminal matters. It presents a systematic analysis of the Convention, taking into account its drafting history, relevant state practice (including the considerable number of national statutes and judicial decisions on state immunity), and any international judicial or arbitral decisions on point.

International co-operation in civil and criminal matters

David McLean, Professor of Law and Dean of the Faculty of Law, University of Sheffield

- A new edition of the leading work on international co-operation
- Examines topical legal developments, such as judicial co-operation in combating terrorism, money laundering, and drug and human trafficking
- Provides a full analysis of the challenges involved in transnational co-operation, such as the taking of evidence and tracing the proceeds of crime, and suggests potential solutions.

Commercial and criminal activity increasingly ignores national boundaries. This means that states have to co-operate to successfully conduct both civil and criminal trials in areas such as drug-trafficking, money laundering, and terrorism. This book sets out the rules governing this co-operation as well as relevant case law and practice.
Terrorism: Documents of International and Local Control, Second Series
978-0-19-579399-3, Hardback £60.00
August 2022 (OUP/USA)

NEW IN PAPERBACK
Documents on the Law of UN Peace Operations
Bruce Oswald, Senior Lecturer, Melbourne Law School, Helen Durham, Senior Research Fellow, Melbourne Law School, and Adrian Bares, Research Fellow, Melbourne Law School

- Provides a full overview of the different theories applicable to the UN peace operations, including some which are not publicly available
- Each document is accompanied by an explanatory commentary and suggestions for further research, perfect for students
- Provides an introduction which places the law and its application to UN peace operations into context in a clear and accessible manner
- The clear layout and organization of the book make the relevant information quick and easy to find

UN peacekeepers play a crucial role in countering threats to peace and security worldwide, often dealing with very complex situations. This book provides a complete overview of the international laws and guidelines governing the development, management, and conduct of these operations, presenting both the primary materials and explanatory notes.

624 Pages 2011

LAW FROM OXFORD JOURNALS

Chinese Journal of International Law
Edited by Sienho Yee
The Chinese Journal of International Law (Chinese JIL) has been cited in important places, including a judgment of the Hong Kong Court of Appeal; the filings by governments before the International Court of Justice; the filing by an intergovernmental organization in an advisory opinion proceeding before the International Tribunal for the Law of the Sea; the written evidence for UK Parliament, Hague Academy Collected Courses; & Europaeum Lectures. Covered in WESTLAW since its inception in 2002, the Chinese JIL has been published by Oxford University Press since January 2005. Since January 2008, it has been covered by the SSCI.

Freeely Available Content
For free access to chosen articles in commemoration of the CJIL’s recent anniversary as well as one chosen article per issue, visit the Chinese Journal of International Law’s homepage.

With no obligation to log in or register online, you can immediately access scholarship covering international law issues relating to China. This body of scholarship covers topics such as universal jurisdiction, China’s membership in the WTO, President Obama’s National Security Strategy, denuclearization and considerations of international law, the relationship between treaties and customs, and much more.

All archival content from 2002 through to 2009 is also freely available.

www.chinesejil.oxfordjournals.org
Published 4 times a year

Sovereign Equality and Moral Disagreement
Brad Roth, Department of Political Science and the Center for Legal Studies, Wayne State University

- The authoritative discussion of sovereign equality in the context of transnational legal and political trends
- Answers the question of whether the international legal order should apply its own moral yardstick to regimes it regards as atavistic, backward, undemocratic, or totalitarian, and remove them from the system
- Brad Roth is one of the leading scholars working at the intersection of international law and international relations theory

The boundaries of the international order’s pluralism remain variable, and relative convergences in both values and interests over time have led to the broadening of exceptions to sovereign prerogative, such as jus cogens, universal jurisdiction, and humanitarian intervention. With little prospect of these long term trends diminishing in either momentum or scope, this book weighs in to consider the enduring importance of sovereignty.

978-0-19-534266-6, Hardback £39.95
359 Pages 2011 (OUP/USA)

Formalism and the Sources of International Law
A Theory of the Ascertainment of Legal Rules
Jean de Apostremont, Associate Professor of International Law, Amsterdam Center for International Law, University of Amsterdam

- Provides innovative and original scholarship on a key topic within international law, which affects everyone who studies and works within the field
- Controversially advocates a return to a more formal way of distinguishing between law and non-law
- Provides a full overview of the different theories applicable to the determination and interpretation of the sources of international law
- Critically analyses the formalist approach to determining international law and suggests ways to improve it

As a result of the growing prominence of international organizations and non-binding instruments there is increasing controversy as to how to delineate the boundaries of international law. This book advocates a return to a more formal way of determining what is and isn’t international law, and suggests ways in which this formalism can be modernized.

Oxford Monographs in International Law
978-0-19-969614-4, Hardback 288 Pages 2011

The USA Patriot Act
The Decline of Legitimacy in the Age of Terrorism
Timothy Casey

Professor Tim Casey takes on one of the most controversial legal issues of our day in The USA Patriot Act: The Decline of Legitimacy in the Age of Terrorism. Given the threat of terrorism to the U.S. homeland, should the federal government be given wide latitude in conducting domestic surveillance? In answering this difficult question, Casey both provides an accessible history of the surveillance legislation that preceded the Patriot Act and an analysis of how the government has used the Patriot Act to subvert Constitutional surveillance powers, this book will serve as a valuable examination of what went wrong, and how to fix it. Casey offers much needed guidance for how these controversies can be handled in the future.
NEW EDITION

Brownlie’s Principles of Public International Law

EIGHTH EDITION

James Crawford, Whewell Professor of International Law, University of Cambridge; Fellow of Jesus College, Cambridge; Research Professor of Law, LaTrobe University

This is the eighth edition of Sir Ian Brownlie’s classic distillation of public international law. Serving as a single-volume introduction to the field as a whole, the book seeks to present international law as a system that is based on, and helps structure, relations among states and other entities at the international level. It aims to identify the constituent elements of that system in a clear and accessible fashion.

This edition, fully updated by James Crawford, Whewell Professor of International Law at the University of Cambridge, continues to provide the balance, clarity and expertise expected from this classic text. Completely updated to take account of the many areas of expansion and development in international law which have occurred since earlier editions, all chapters have been reviewed and brought up to date. The eighth edition features a new introduction and the chapters on environmental law, immunities, responsibility, use of force, and high seas freedoms have been substantially rewritten.

It remains an important textbook for students, undergraduate and graduate, treating core issues from a lawyer’s perspective. It is also a vade mecum for practitioners desiring a solid footing on which to make further enquiries.

978-0-19-965417-8, Hardback £125.00
978-0-19-969969-8, Paperback £44.99
737 Pages
August 2012

NEW EDITION

Cases and Materials on International Law

FIFTH EDITION

Martin Dixon, Reader in Law, Queens’ College, Cambridge and Professor of Law, City University, London, Robert McCorquodale, Director, British Institute of International and Comparative Law and Professor of International Law and Human Rights at the University of Nottingham, and Sarah Williams, Senior Lecturer, University of New South Wales

- Offers broad coverage of international law, and can be used for a range of courses and teaching styles
- Contains the essential cases and materials that students need in order to understand and analyze the international legal order, providing notes on selected extracts to explain the complexities of the law to students

The fifth edition of Cases and Materials on International Law is a topical and engaging companion for study placing international law directly in the context of contemporary debate. This book offers broad coverage of international law, and is an appropriate match for a range of courses and teaching styles.

978-0-19-956279-8, Paperback £35.99
768 Pages
2011

NEW EDITION

Blackstone’s International Law Documents

TENTH EDITION

Edited by Malcolm D. Evans, Professor of Public International Law, University of Bristol

Blackstone’s Statute Series

978-0-19-958244-0, Paperback £16.99
624 Pages
2011

NEW EDITION

The British Yearbook of International Law

Editors: Professor James Crawford and Professor Vaughan Lowe

The British Yearbook of International Law is an essential work of reference for academics and practising lawyers.

Through a mixture of articles and extended book reviews it provides up-to-date analysis on important developments in modern international law. It has established a reputation as showcase for the best in international legal scholarship and its articles are cited for many years after publication. In addition through its thorough coverage of decisions in UK courts and official government statements, The British Yearbook offers unique insight into the development of state practice in the United Kingdom.

Visit: www.bybil.oxfordjournals.org
Published once a year

NEW EDITION

The Conflict of Laws

FOURTH EDITION

CMV Clarkson, Professor of Law, University of Leicester, and Jonathan Hill, Professor of Law, University of Bristol

This new edition of The Conflict of Laws provides a detailed account of the topics taught on private international law courses, reflecting the profound changes that the subject has undergone in recent decades. Focussing on key principles in an engaging and approachable style, this text is essential reading for private international law students.

978-0-19-952471-1, Paperback £34.99
584 Pages
2011

NEW EDITION

Complete International Law

Ademola Abas, Head of Peace and Security and Research Fellow, United Nations University (UNU-CRIJ) and Professor of International Law and Organisation, Brunel University

Complete International Law provides law students with a clear and highly accessible guide to this fascinating subject. Extracts from a wide range of source material are intertwined with clear and incisive commentary from the author, providing students with easy access to a wide range of primary materials and academic perspectives.

978-0-19-935780-2, Paperback £33.99
737 Pages
2011
Law Online from OUP is a rapidly expanding collection of online law resources delivering the latest public international law and international investment arbitration straight to your desktop.

Law Online provides access to wealth of high quality online resources, including:

- Case Reports
- Investment Claims
- Journals
- Scholarly Law Books
- Oxford Bibliographies
- Oxford Dictionaries

2012 sees the launch of new law resources within Law Online, all interlinked with existing resources, as well as redeveloping our expanding collection of law and public international law resources to include new functionality and provide an enhanced user-experience.

Visit our website to keep up-to-date with the latest developments:

www.oup.com/online/law

Start browsing our products at:

www.oxfordlawreports.com
www.mpepl.com
www.investmentclaims.com
www.oxfordscholarship.com
www.oxfordbibliographies.com
www.oxfordcompetitionlaw.com
www.oxfordconstitutionsoftheworld.com
www.oxfordjournals.org

The Oxford Law Citator is a state of the art navigation tool which increases the efficiency of legal research by integrating the content of Oxford Law Online.

Librarians - sign up for a no-obligation 30-day free trials for your institution - email institutionalsales@oup.com for more information