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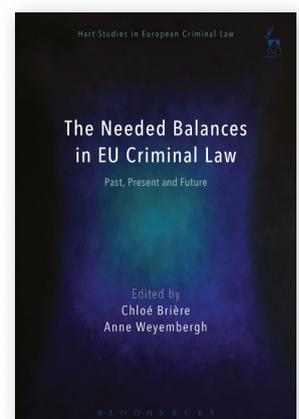
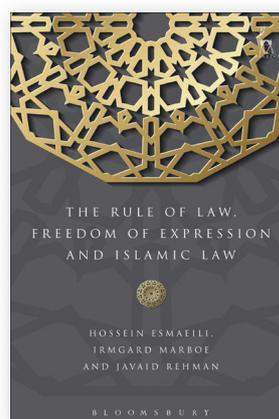
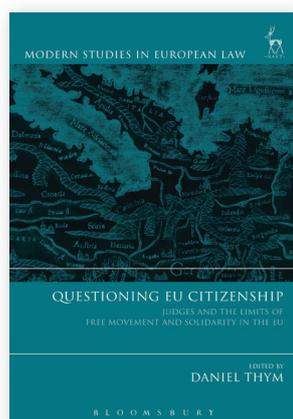
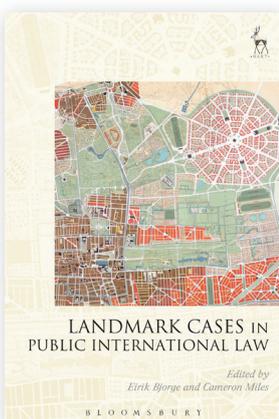
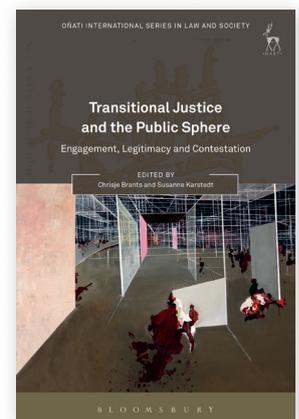
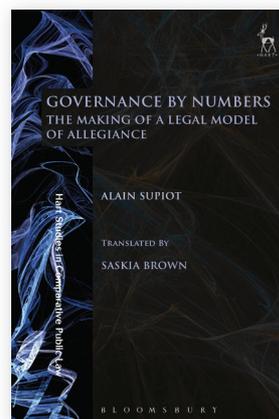
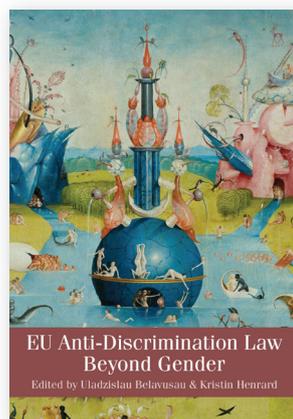
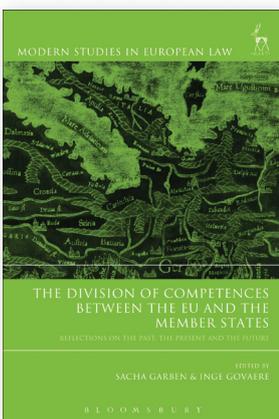
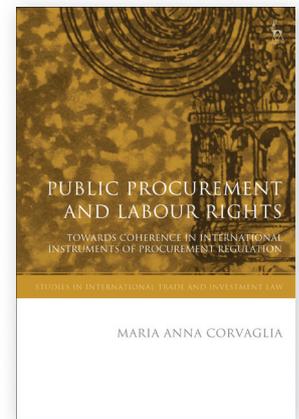
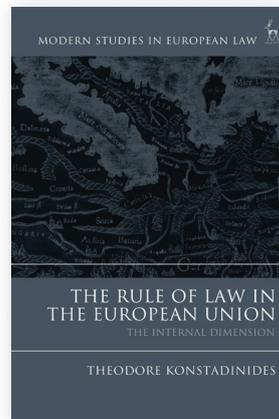
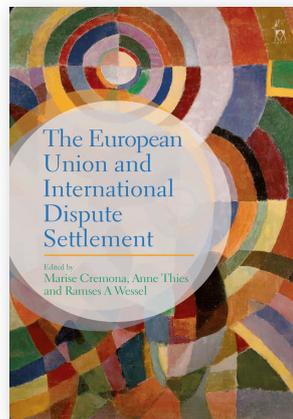
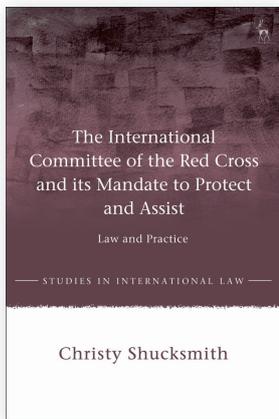
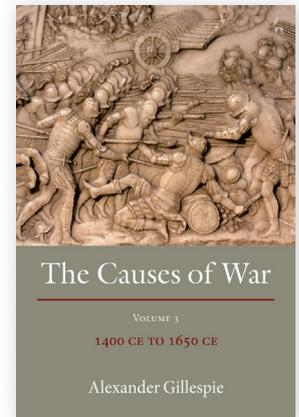
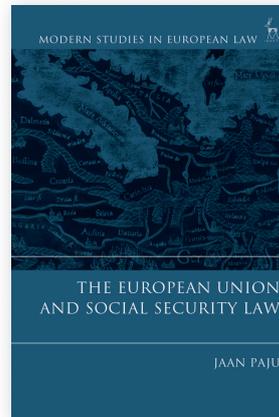
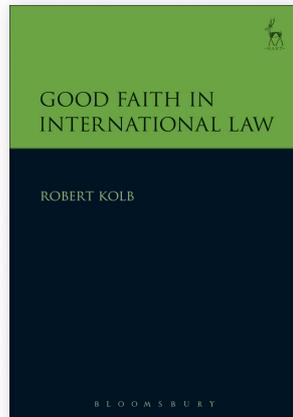
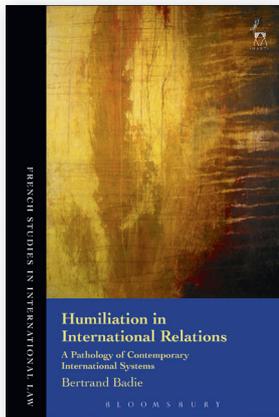
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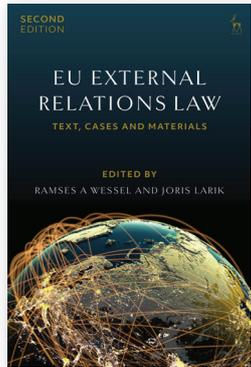
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SECOND EDITION



EU External Relations Law

Text, Cases and Materials

Edited by Ramses A Wessel and Joris Larik

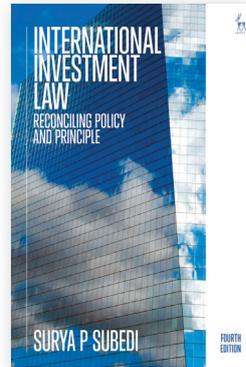
The first edition of this seminal textbook made a significant impact on the teaching of EU external relations law. This new edition retains the hallmarks of that success, while providing a fully revised and updated account of this burgeoning field. It offers a dual perspective, looking at questions from both the EU constitutional law perspective (the principles underpinning EU external

action, the EU's powers, and the role of the Court of Justice of the EU); and the international law perspective (the effect of international law in the EU legal order and the position of the EU in international organisations such as the WTO). A number of key substantive policy areas are explored, including trade, security and defence, police and judicial cooperation, the environment, human rights, and development cooperation. Taking a 'text, cases and materials' approach, it allows students to gain a thorough understanding of milestones in the evolution of EU law in this area, their judicial interpretation and scholarly appraisal. Linking these pieces together through the authors' commentary and analysis ensures that students are given the necessary guidance to properly position and digest these materials. Lastly, each chapter concludes with a section entitled 'The Big Picture of EU External Relations Law', which weaves together the diverse and complex materials into a coherent whole and stimulates critical discussion of the topics covered.

Ramses A Wessel is Professor of European Law at the University of Groningen. Joris Larik is Assistant Professor of Comparative, EU and International Law at Leiden University.

Apr 2020 | 9781509926763 | 504pp | Pbk | RSP: £44.99 / \$60.95

FOURTH EDITION



International Investment Law

Reconciling Policy and Principle

Surya P Subedi

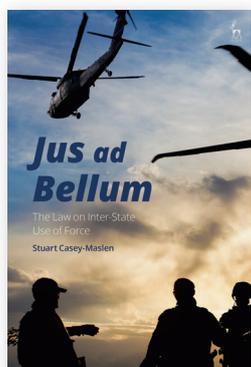
The updated edition of this acclaimed book offers a critical overview of the law of foreign investment, incorporating a thorough analysis of the principles and standards of treatment available to foreign investors in international law. It is authoritative and multi-layered, offering an analysis of the key issues and an insightful assessment of recent trends in the case law, from both developed and developing country perspectives.

A major feature of the book is that it deals with the tension between the law of foreign investment and other competing principles of international law. In doing so, it proposes ways of achieving a balance between these principles and the need to protect the legitimate rights and expectations of foreign investors on the one hand, and the need not to restrict unduly the right of host governments to implement their public policy on the other, including the protection of the environment and human rights, and the promotion of social and economic justice within the host country.

Many of the pioneering ideas that were advanced in the first edition of this book in 2008 have been taken up by governments and international organisations in their attempts to reform the investor-State dispute settlement mechanism and strike a balance between different competing principles in developing international investment law. Accordingly, this fourth edition captures the essence of the ongoing multiple reform processes – either planned or envisaged – currently underway.

Surya P Subedi is Professor of International Law at the University of Leeds and Barrister at Three Stone Chambers, Lincoln's Inn, London.

Jun 2020 | 9781509936366 | 304pp | Pbk | RSP: £41.99 / \$57.95



Jus ad Bellum

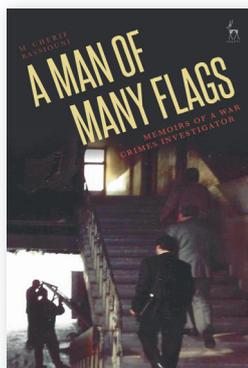
The Law on Inter-State Use of Force

Stuart Casey-Maslen

This work expounds, for those in practice and beyond, the rules of international law governing the inter-state use of force. *Jus ad bellum* determines when a state — or group of states — may lawfully use force against, or on the territory of, another state, and when such action violates international law. The bedrock of the law is found in the Charter of the United Nations, but the interpretation and application of many of the rules codified in the Charter, particularly by the International Court of Justice, are contested. Accordingly, the book clarifies the law as it stands today, explaining its many complexities and controversies, such as when non-state actors may be attacked in another state and when consent is validly given to foreign intervention. The interrelationships between *jus ad bellum* and the law of armed conflict/international humanitarian law, the law of neutrality, and international human rights law are also illuminated, along with important concepts such as the 'responsibility to protect' and humanitarian intervention.

Stuart Casey-Maslen is Honorary Professor at the University of Pretoria.

Aug 2020 | 9781509930692 | 208pp | Pbk | RSP: £22.99 / \$30.95



A Man of Many Flags

Memoirs of a War
Crimes Investigator

M Cherif Bassiouni

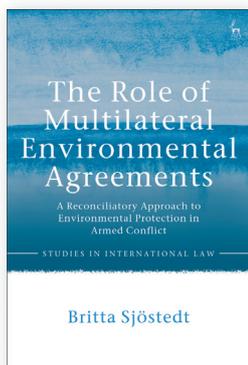
This fascinating memoir of a towering figure in international law gives an immediate and personal eye-witness account into the operation of international events from the tumultuous post war period to the opening years of the new millenium.

M Cherif Bassiouni was personally connected to some of the most historically relevant

moments of the past century: the Suez War; the Camp David Accords; the fall of Muammar el-Qaddafi in Libya and the establishment of the International Criminal Court. A true global citizen – raised in Egypt, educated in Europe and later émigré to the United States – his life cut across cultures and religions.

M Cherif Bassiouni was Emeritus Professor of Law, DePaul University and Chair of the Drafting Committee for the Rome Statute creating the International Criminal Court.

Apr 2020 | 9781509934492 | 224pp | Hbk | RSP: £20 / \$27



The Role of Multilateral Environmental Agreements

A Reconciliatory Approach to
Environmental Protection in
Armed Conflict

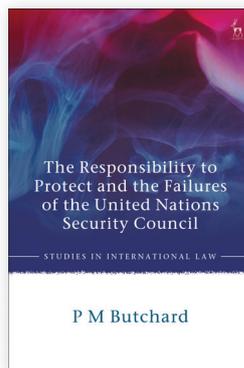
Britta Sjöstedt

The environment suffers enormously from armed conflicts and despite the increasing awareness of the pressing need to protect the environment, much environmental damage can occur legally during armed conflict. This book deals with the topic

of environmental protection in wartime. It suggests that - apart from the protection offered under law of armed conflict - environmental treaties or multilateral agreements (MEAs) can complement and strengthen environmental protection in times of armed conflict. Previous research has focused on the protection offered under the law of armed conflict (in particular international humanitarian law), and customary international environmental law to deal with wartime environmental damage, or whether environmental treaties remain applicable at times of armed conflict. This is the first in depth scholarly examination of how environmental treaties can apply in wartime and in which manner they can contribute to protect the environment in relation to armed conflict. It also offers an updated study of environmental protection under law of armed conflict, including the latest developments in the International Law Commission on its work on the topic Protection of the Environment in relation to Armed Conflict. The book provides a comprehensive overview of the state of international law and the protection it provided for the environment during armed conflict.

Britta Sjöstedt is Post-doctoral Researcher and Lecturer in Public International Law at the Faculty of Law at Lund University, Sweden. She is also a co-founder of the Environmental Peacebuilding Association.

May 2020 | 9781509922536 | 304pp | Hbk | RSP: £80 / \$110



The Responsibility to Protect and the Failures of the United Nations Security Council

P M Butchard

What can be done if the United Nations Security Council fails to protect people from mass atrocities? At a time of inaction and political paralysis at the United Nations, this book explains the legality of alternative action beyond the Security Council.

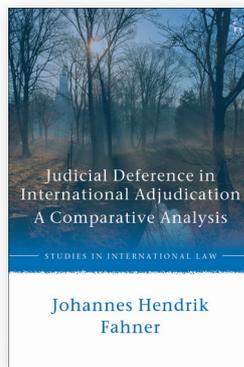
This book takes a fresh look at the responsibility to protect and offers new and compelling insights into the powers and limits of the UN Security Council.

It argues that the Security Council's responsibility to maintain international peace and security, and its responsibility to protect, do not die with its own failures. Other actors can and must take up responsibility to save those in need. In a persuasive and detailed examination of the legal framework, this research identifies options for coercive measures to be taken beyond the Council that could be used to break the deadlock, including through the General Assembly and regional organisations.

It provides a must-have resource for students, academics, and researchers on key principles of international law. It also offers insight for governments, policy-makers, and other international actors on how they can uphold their legal responsibilities, maintain peace and security, and prevent their failures from undermining the very existence of the UN itself.

P M Butchard is a Lecturer in Law at Edge Hill University.

Apr 2020 | 9781509930807 | 304pp | Hbk | RSP: £80 / \$110



Judicial Deference in International Adjudication

A Comparative Analysis

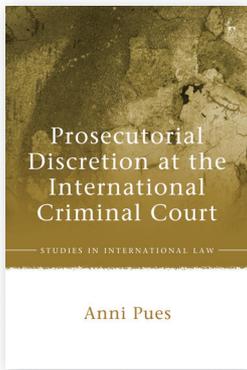
Johannes Hendrik Fahner

International adjudicators are more and more often requested to pass judgement on matters that are traditionally considered to fall within the domestic jurisdiction of States. Especially in the fields of human rights, trade, and investment law, international tribunals are now commonly required to evaluate decisions of national authorities that have been made in the due course of democratic

procedures and public deliberation. This raises the question of whether international adjudicators should review such decisions de novo or whether they should give deference to domestic authorities. In many national legal orders, courts do not exercise de novo review with regard to legislative and administrative decisions, as this would allow them to supplant the powers of other branches of government. Instead, courts exercise only deferential forms of review, limiting the intensity of their review by giving special weight to the determinations made by the institution under review. This book investigates whether international courts and tribunals have also adopted deferential standards of review and whether they should do so.

Johannes Hendrik Fahner is Post-doctoral Researcher in Public International Law at the University of Luxembourg.

Jun 2020 | 9781509932283 | 304pp | Hbk | RSP: £90 / \$120



Prosecutorial Discretion at the International Criminal Court

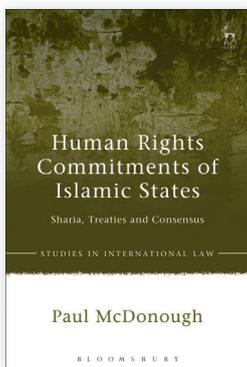
Anni Pues

This timely book provides a comprehensive guide to, and rigorous analysis of, prosecutorial discretion at the International Criminal Court. It is the first study that takes the reader through all the key stages of the Prosecutor's decision-making process. Starting from preliminary examinations and the decision to investigate, the book also explores case selection processes, plea agreements, culminating in the question

of how to end engagement in specific country situations. With its unique combination of legal theory and specific policy analysis, it addresses broader questions that will be relevant to other international and hybrid criminal courts and tribunals.

Anni Pues is Lecturer in International Law at the University of Glasgow and a criminal and human rights lawyer.

Jun 2020 | 9781509928682 | 224pp | Hbk | RSP: £75 / \$100



Human Rights Commitments of Islamic States

Sharia, Treaties and Consensus

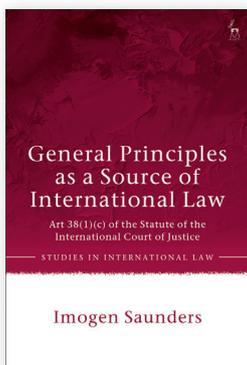
Paul McDonough

This book examines the legal nature of "an" Islamic state and the human rights it commits to uphold. It offers the first study into Islamic constitutions to map the relationship between Sharia and the state in terms of institutions. This also supports an assessment of the place of Sharia in the national legal order.

The book unites three strands of analysis: the compatibility of Sharia with the rights enunciated in UN treaties; the patterns of adherence of Islamic states to human rights treaties; and the compatibility of international Islamic human rights declarations with UN standards. By exploring all formal human rights commitments of all Islamic states within a single analytical framework, it will appeal to international human rights and constitutional scholars with an interest in Islamic law and states.

Paul McDonough is a 2017-2018 Max Weber Fellow at the European University Institute.

Oct 2020 | 9781509919703 | 208pp | Hbk | RSP: £60 / \$80



General Principles as a Source of International Law

Art 38(1)(c) of the Statute of the International Court of Justice

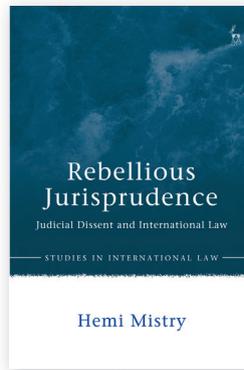
Imogen Saunders

The general principles of law recognized by civilized nations ('General Principles') are, as a source, both under-utilised and under-analysed. The last comprehensive treatment of the subject was Bin Cheng's work, over half a century ago. This important new book addresses the lack of interrogation

of these Principles by firstly providing a model of General Principles as a source of law built on a foundation of historical analysis, while remaining consistent with contemporary international concerns. Secondly, it sets out a comprehensive analysis of the use of the source by the Permanent Court of International Justice and the International Court of Justice. In so doing, it provides a unique collated database of decisions for future works. This is an important work on a key but under-researched field of international law.

Imogen Saunders is a Lecturer in Law at the Australian National University, Canberra.

Jan 2021 | 9781509936069 | 240pp | Hbk | RSP: £75 / \$100



Rebellious Jurisprudence

Judicial Dissent and International Law

Hemi Mistry

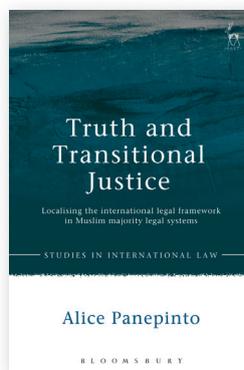
Rebellious Jurisprudence is the first attempt to construct a theory of judicial dissent as a matter of general international law. Although dissenting and separate opinions are typically associated with the common law tradition, the right of judges to issue such opinions has been recognised and reproduced across most international tribunals. Despite this, until now no attempt has been made to

theorise the institutionalisation of judicial dissent in international law and its implications for how international tribunals discharge their functions. This study offers a theory of judicial dissent that addresses its ubiquity in international law, notwithstanding the often-fundamental disagreement between the principal legal cultures as to its effects. *Rebellious Jurisprudence* explores how insights from social anthropology – specifically ritual theory – supplement conventional accounts of judicial dissent. Whereas existing literature focuses upon 'revolutionary' or 'radical' dissent, this study expands our field of focus to sharpen our understanding of the 'everyday' dissent: the (rebellious) 'institutional dissent'.

By revealing how judicial dissent operates, and to what ends, *Rebellious Jurisprudence* is essential reading for those who regularly engage with judicial dissent by international judges – whether judges, practitioners, scholars or students – who seek to deepen their understanding of, and in turn enhance the accuracy and effectiveness by which they engage with, this burgeoning body of jurisprudential activity.

Hemi Mistry is an Assistant Professor in Law at the University of Nottingham.

Oct 2020 | 9781509920112 | 208pp | Hbk | RSP: £65 / \$90



Truth and Transitional Justice

Localising the International Legal Framework in Muslim Majority Legal Systems

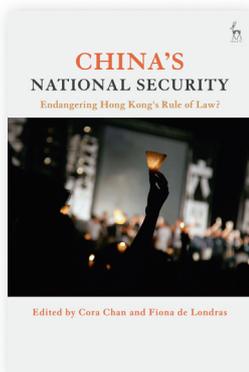
Alice Panepinto

The Arab uprisings and new and old conflicts in the Middle East and North Africa have sparked an interest in transitional justice in Muslim-majority legal systems, and its potential to uncover the truth about past abuse and ensure accountability for widespread human rights violations. This raises the pressing question of how to

implement and adapt the international paradigm of transitional justice, and in particular its truth-seeking aims, to local settings characterised by Muslim majority populations. This book offers a critical analysis of the relocation of transitional justice from the international paradigm to the legal systems of Muslim-majority societies in light of the inherently pluralistic realities of these contexts; it also investigates synergies between international law and Islamic law in furthering the transitional aims of accountability, justice and reconciliation through truth-seeking. In particular, this project explores truth-seeking, the formation of collective memories and the victims' right to know the truth, as key aims of the international paradigm of transitional justice, in relation to Islamic jurisprudence and practices. This monograph will provide a useful reference for scholars, practitioners and policymakers seeking to analyse and design transitional truth-seeking processes in the legal systems of Muslim-majority societies.

Alice Panepinto is Lecturer in Law at Queen's University, Belfast.

Jan 2021 | 9781509921263 | 224pp | Hbk | RSP: £70 / \$95



China's National Security

Endangering Hong Kong's Rule of Law?

Edited by Cora Chan and Fiona de Londras

All states are challenged by the need to protect national security while maintaining the rule of law, but the issue is particularly complex in the China–Hong Kong context.

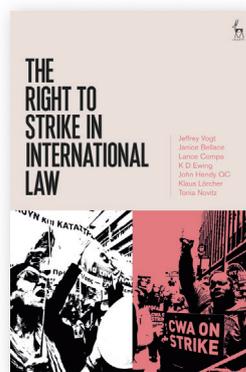
This timely and important book explores how China conceives of its national security and the position of Hong Kong. It considers

the risks of introducing national security legislation in Hong Kong, and Hong Kong's sources of resilience against encroachments on its rule of law that may come under the guise of national security. It points to what may be needed to maintain Hong Kong's rule of law once China's 50-year commitment to its autonomy ends in 2047.

The contributors to this book include world-renowned scholars in comparative public law and national security law. The collection covers a variety of disciplines and jurisdictions, and both scholarly and practical perspectives to present a forward-looking analysis on the rule of law in Hong Kong. It illustrates how Hong Kong may succeed in resisting pressure to advance China's security interests through repressive law. Given China's growing international stature, the book's reflections on China's approach to security have much to tell us about its potential impact on the global political, security, and economic order.

Cora Chan is Associate Professor of Law at the University of Hong Kong. Fiona de Londras is Professor of Global Legal Studies at the University of Birmingham.

Mar 2020 | 9781509928156 | 368pp | Hbk | RSP: £85 / \$115



The Right to Strike in International Law

Jeffrey Vogt, Janice Bellace, Lance Compa, K D Ewing, John Hendy QC, Klaus Lörcher and Tonia Novitz

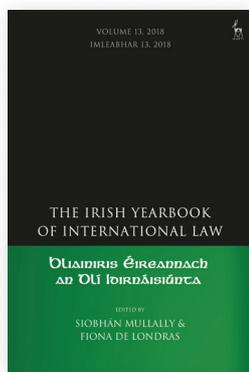
This monograph was originally developed as a direct response to the claim made by members of the 'Employers Group' at the 2012 International Labour Conference, namely that the right to strike is not protected in international law, and in particular by ILO Convention 87 on the right to freedom of association.

The group's apparent aim was to sow sufficient doubt as to the existence of an internationally protected right so that governments might seek to limit or prohibit the right to strike at the national level while still claiming compliance with their international obligations. In consequence, some governments have seized on the employers' arguments to justify new limitations on that right.

The Right to Strike in International Law not merely refutes this claim but is the only complete and exhaustive analysis on this subject. Based on deep legal research, it finds that there is simply no credible basis for the claim that the right to strike does not enjoy the protection of international law; indeed, the authors demonstrate that it has attained the status of customary international law.

Jeffrey Vogt is Rule of Law Director, Solidarity Center. Janice Bellace is Samuel A Blank Professor Emeritus of Legal Studies and Business Ethics, University of Pennsylvania, Wharton. Lance Compa is Senior Lecturer at the School of Industrial and Labor Relations, Cornell University.

Mar 2020 | 9781509933556 | 272pp | Hbk | RSP: £65 / \$90



The Irish Yearbook of International Law Volume 13, 2018

Edited by Siobhán Mullally and Fiona de Londras

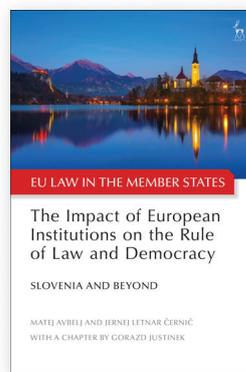
The *Irish Yearbook of International Law* supports research into Ireland's practice in international affairs and foreign policy, filling a gap in existing legal scholarship and assisting in the dissemination of Irish policy and practice on matters of international law. On an annual basis, the *Yearbook*

presents peer-reviewed academic articles and book reviews on general issues of international law. Designated correspondents provide reports on international law developments in Ireland, Irish practice in international bodies, and the law of the European Union as relevant to developments in Ireland. In addition, the *Yearbook* reproduces key documents that reflect Irish practice on contemporary issues of international law.

This volume of the *Yearbook* includes a symposium on law and peacekeeping, and an article on the rights of migrants and refugees under the ECHR from Judge Paulo Pinto de Albuquerque.

Siobhán Mullally is Established Professor of Human Rights Law and Director of the Irish Centre for Human Rights at NUI Galway. Fiona de Londras is Chair of Global Legal Studies at Birmingham Law School.

Apr 2020 | 9781509936717 | 264pp | Hbk | RSP: £180 / \$245



The Impact of European Institutions on the Rule of Law and Democracy Slovenia and Beyond

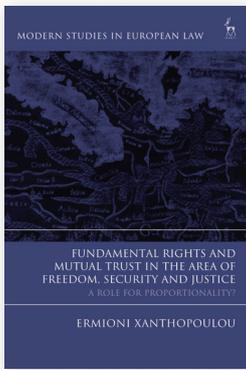
Matej Avbelj and Jernej Letnar Čerňič

Since 2010 the EU has been plagued by crises of the rule of law and democracy, spreading from Central and Eastern Europe, which have caught many by surprise. This important new work states that this surprise is unjustified. It shows how the perceived success of earlier enlargement was simply

that: perceived. Taking Slovenia as their case study, the authors argue that as a Member state, it fares even worse than its contemporary constitutionally-backsliding central European counterparts. On the basis of this more nuanced legal, economic and sociological approach, a better understanding of the crisis can be gained and more workable solutions prescribed.

Matej Avbelj is Professor of European Law and Jernej Letnar Čerňič is Associate Professor of Human Rights Law, both at the Faculty of Government and European Studies, New University, Slovenia.

Apr 2020 | 9781509915057 | 320pp | Hbk | RSP: £70 / \$95



Fundamental Rights and Mutual Trust in the Area of Freedom, Security and Justice

A Role for Proportionality?

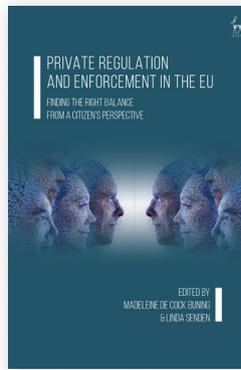
Ermioni Xanthopoulou

This book explores the relationship of mutual trust and fundamental rights in the Area of Freedom, Security and Justice (AFSJ) of the European Union and asks whether there is any role for proportionality. Mutual trust among Member States has long been presumed by the Court in a manner

that mutual recognition was prioritised in regard to, but to the detriment of, the protection of fundamental rights. After thoroughly reviewing this relationship, this book offers a comprehensive framework of proportionality and explores its impact on the protection of fundamental rights in a mutual trust environment. It applies a theoretical and a normative framework of proportionality to two case studies (EU criminal and asylum law) by reference to several fundamental rights, enabling a carefully constructed analysis with useful parallels. The book argues that such analysis, based on proportionality, is not always desirable and helpful for the protection of fundamental rights in this area and thoroughly explores its impact on the protection of fundamental rights vis-à-vis mutual trust.

Ermioni Xanthopoulou is Lecturer in Law at Brunel Law School.

Apr 2020 | 9781509922253 | 248pp | Hbk | RSP: £70 / \$95



Private Regulation and Enforcement in the EU

Finding the Right Balance from a Citizen's Perspective

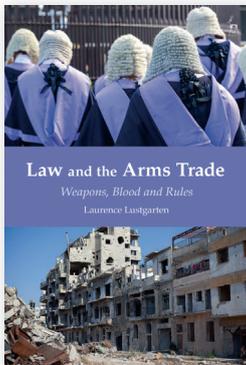
Edited by Madeleine de Cock Buning and Linda Senden

Can private actors be trusted to regulate and enforce significant aspects of people's daily lives: from environmental and social protection to the areas of food safety, advertisement and financial markets?

This innovative book investigates the trust vested in private actors from the perspective of European citizens. It explores whether private actors live up to citizens' expectations or whether more should be done as to the safeguards of citizens' interests. Several cross-cutting studies across different policy fields explore how private regulation and enforcement is embedded in EU law.

Madeleine de Cock Buning is Professor at Utrecht University School of Law. Linda Senden is Professor of European and International Law at Utrecht University.

May 2020 | 9781509919529 | 480pp | Hbk | RSP: £95 / \$130



Law and the Arms Trade

Weapons, Blood and Rules

Laurence Lustgarten

This ground-breaking book offers an extensive legal analysis—grounded in public law, EU, and international law—of arms trade regulation, integrated with insights drawn from international relations.

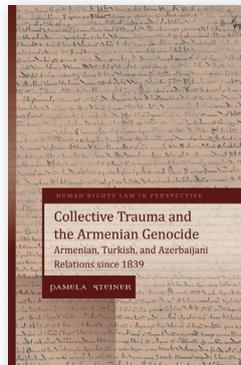
The sale of weapons and related technologies is, globally, one of the most politically controversial and ethically contentious forms of commerce. Intimately

connected with sustaining repressive governments and violations of international human rights and humanitarian law, arms exports are also a central element in the economic and strategic policies of the governments of all large industrial states. They have also been the source of abundant corruption, and of serious challenges to the norms and effectiveness of constitutional accountability in democratic states. On paper, the arms trade is heavily regulated: national legislation and international treaties are in place which purport to prohibit certain transactions and limit others. Yet despite its importance, legal and international relations scholarship on the subject has been surprisingly limited.

This book fills this gap in the literature by examining and comparing the export control regimes of eight leading nations - the USA, Russia, the UK, France, Germany, Sweden, China, and India - with chapters contributed by leading experts in the field of law and international relations.

Laurence Lustgarten is Research Fellow at Green Templeton College, Oxford University.

Aug 2020 | 9781509922291 | 400pp | Hbk | RSP: £85 / \$115



Collective Trauma and the Armenian Genocide

Armenian, Turkish, and Azerbaijani Relations since 1839

Pamela Steiner

This book re-examines more than 100 years of destructive ethno-religious relations among Armenians, Turks, and Azerbaijanis through the novel lens of collective trauma.

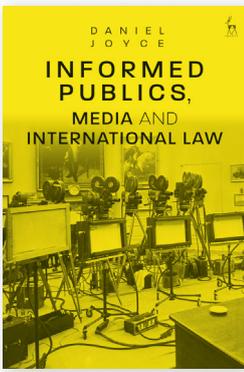
The author argues that a focus on embedded, transgenerational collective trauma is essential to achieving more

trusting, productive, and stable relationships in this and similar contexts. The book takes a deep dive into history - analysing the traumatic events, examining and positing how they motivated the actions of key players (both victims and perpetrators), and revealing how profoundly these traumas continue to manifest today among the three peoples, stymying healing and inhibiting achievement of a basis for positive change.

The author then proposes a bold new approach to "conflict resolution" as a complement to other perspectives, such as power-based analyses and international human rights. Addressing the psychological core of the conflict, the author argues that a focus on embedded collective trauma is essential in this and similar arenas.

Pamela Steiner is Senior Fellow, FXB Center for Health and Human Rights, Harvard University.

Nov 2020 | 9781509934836 | 256pp | Hbk | RSP: £65 / \$90



Informed Publics, Media and International Law

Daniel Joyce

This monograph considers the significance of informed publics from the perspective of international law. It does so by analysing international media law frameworks and the mediatisation of international law in institutional settings. This exposes the complexity of the interrelationship between international law and the media, but also points to the dangers involved in international law's associated and increasing

reliance upon the mediated techniques of communicative capitalism – such as publicity – premised upon an informed international public whose existence many now question.

The book explores the ways in which traditional regulatory and analytical categories are increasingly challenged, revealed as inadequate or bypassed, but also assesses their resilience and future utility in light of significant technological change and concerns about fake news, the rise of big data and algorithmic accountability. Furthermore, it contends that analysing the imbrication of media and international law in this current digital transition is necessary to understand the nature of the problems a system such as international law faces without sufficiently informed publics.

The book argues that international law depends on informed global publics to function and to address the complex global problems we face. This draws into view the role media plays in relation to international law, but also the role of international law in regulating the media, and reveals the communicative character of international law.

Daniel Joyce is a Senior Lecturer in the Faculty of Law at UNSW Sydney.

Dec 2020 | 9781509930418 | 160pp | Hbk | RSP: £50 / \$68



Changing Parliaments in a Changing European Union

The Role of National Legislatures in Larger Member States

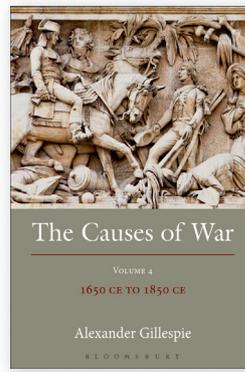
Diane Fromage

The Lisbon Treaty and the economic and financial crisis – and the European and international measures adopted to counter it – have had a strong impact on national parliaments, they have evolved from a national to a more European governing body. Nevertheless, the nature and the

extent of the changes at national level vary widely from one Member State to the other, attributable to differing constitutional, political and judicial approaches. Another important change is the evolving relationship between the Commission and national parties, with more emphasis on direct dialogue between national parliaments and individual commissioners. To assess the impact of these changes the study explores five member states: France, Germany, Italy, Spain and the UK. These member states are not only amongst the largest in terms of territory and population, but they offer a range of institutional frameworks, namely unitary, federal and regionalised systems. Having done so it argues that the influence of national parliaments in EU affairs still falls short and criticism of the EU on the grounds of its democratic deficit are still valid.

Diane Fromage is Assistant Professor in EU Law, Utrecht University.

Jan 2021 | 9781509914623 | 192pp | Hbk | RSP: £65 / \$90



The Causes of War

Volume IV: 1650 - 1850

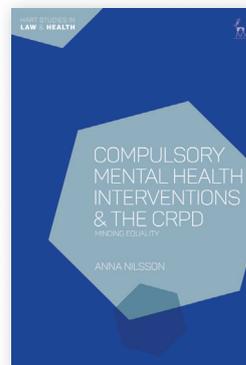
Alexander Gillespie

This is the fourth volume of a projected five-volume series charting the causes of war from 3000 BCE to the present day, written by a leading international lawyer, and using as its principal materials the documentary history of international law, largely in the form of treaties and the negotiations which led up to them. These volumes seek to show why millions of people, over thousands of years, slew each other. In departing from the various

theories put forward by historians, anthropologists and psychologists, Gillespie offers a different taxonomy of the causes of war, focusing on the broader settings of politics, religion, migrations and empire-building. These four contexts were dominant and often overlapping justifications during the first four thousand years of human civilisation, for which written records exist.

Alexander Gillespie is Pro Vice-Chancellor for Research and Professor of Law at the University of Waikato, New Zealand.

Jan 2021 | 9781509912179 | 384pp | Hbk | RSP: £95 / \$130



Compulsory Mental Health Interventions and the CRPD

Minding Equality

Anna Nilsson

This book delineates the scope of permissible compulsory mental health interventions under the Convention on the Rights of Persons with Disabilities (CRPD). The initial impetus for this study was provided by a conflict between two competing positions within the current debate over the future of coercive psychiatry.

According to one position, defended by the CRPD Committee, among others, compulsory mental health care necessarily violates the prohibition of discrimination. According to the competing position, supported by the vast majority of states, compulsion is sometimes necessary to protect health and life and, if coupled with appropriate legal safeguards, it is lawful under such circumstances. This book disputes both positions and argues that the scope of permissible compulsory care can be identified using proportionality reasoning. Drawing on the work of Robert Alexy, it develops a framework for proportionality assessments within the context of non-discrimination. The framework can assist decision-makers to design principled and evidence-based mental health care regimes. This book thus provides a new way forward for states parties looking to reform their mental health care regimes to make them better comply with the CRPD. It will appeal to academics and practitioners engaged in mental health reform in the post-CRPD era.

Anna Nilsson is a postdoctoral fellow at the Faculty of Law, Lund University.

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