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| 1. Record Nr. | UNINA9910778585403321 |
| Titolo | The sword and the scales : the United States and international courts and tribunals // edited by Cesare P.R. Romano [[electronic resource]] |
| Pubbl/distr/stampa | Cambridge : , : Cambridge University Press, , 2009 |
| ISBN | 0-511-69981-6 1-107-18886-5 0-511-64786-7 9786612393907 1-282-39390-1 0-511-81975-7 0-511-63284-3 0-511-65194-5 0-511-63163-4 0-511-63404-8 |
| Descrizione fisica | 1 online resource (xxxii, 460 pages) : digital, PDF file(s) |
| Disciplina | 341.5/5 |
| Soggetti | International and municipal law - United States International law - United States International courts United States Foreign relations |
| Lingua di pubblicazione | Inglese |
| Formato | Materiale a stampa |
| Livello bibliografico | Monografia |
| Note generali | Title from publisher's bibliographic system (viewed on 05 Oct 2015). |
| Nota di bibliografia | Includes bibliographical references and index. |
| Nota di contenuto | International courts and tribunals and the rule of law / John B. Bellinger III -- American public opinion on international courts and tribunals / Steven Kull and Clay Ramsay -- Arbitration and avoidance of war : the nineteenth-century American vision / Mary Ellen O'Connell -- The United States and the International Court of Justice : coping with antinomies / Sean D. Murphy -- The U.S. Supreme Court and the International Court of Justice : what does "respectful consideration" mean? / Melissa A. Waters -- U.S. attitudes toward international criminal courts and tribunals / John P. Cerone -- The United States and the Inter-American Court of Human Rights / Elizabeth A.H. Abi |

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Sommario/riassunto

The Sword and the Scales is the first in-depth and comprehensive study of attitudes and behaviors of the United States toward major international courts and tribunals, including the International Courts of Justice, WTO, and NAFTA dispute settlement systems; the Inter-American Court of Human Rights; and all international criminal courts. Thirteen essays by American legal scholars map and analyze current and past patterns of promotion or opposition, use or neglect, of international judicial bodies by various branches of the United States government, suggesting a complex and deeply ambivalent relationship. The United States has been, and continues to be, not only a promoter of the various international courts and tribunals but also an active participant of the judicial system. It appears before some of the international judicial bodies frequently and supports more, both politically and financially. At the same time, it is less engaged than it could be, particularly given its strong rule of law foundations and its historical tradition of commitment to international law and its institutions.
