

1. Record Nr.	UNINA9910823728503321
Autore	Fazal Tanisha M.
Titolo	Wars of law : unintended consequences in the regulation of armed conflict // Tanisha M. Fazal
Pubbl/distr/stampa	Ithaca ; ; London : , : Cornell University Press, , 2018
ISBN	1-5017-5199-9 1-5017-1979-3
Descrizione fisica	1 online resource (342 pages)
Collana	Cornell scholarship online
Disciplina	341.6
Soggetti	War (International law) - History Humanitarian law - History Conflict of laws - History
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Previously issued in print: 2018.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Frontmatter -- Contents -- Acknowledgments -- Declaring War and Peace -- 1. The Proliferation and Codification of the Laws of War -- 2. International Recognition, Compliance Costs, and the Formalities of War -- 3. Declarations of War in Interstate War -- 4. Compliance with the Laws of War in Interstate War -- 5. Peace Treaties in Interstate War -- 6. Declarations of Independence in Civil Wars -- 7. Secessionism and Civilian Targeting -- 8. Peace Treaties in Civil War -- Evasion, Engagement, and the Laws of War -- Notes -- References -- Index
Sommario/riassunto	In Wars of Law, Tanisha M. Fazal assesses the unintended consequences of the proliferation of the laws of war for the commencement, conduct, and conclusion of wars over the course of the past one hundred fifty years. After a brief history of the codification of international humanitarian law (IHL), Fazal outlines three main arguments: early laws of war favored belligerents but more recent additions have constrained them; this shift may be attributable to a growing divide between lawmakers and those who must comply with IHL; and lawmakers have been consistently inattentive to how rebel groups might receive these laws. By using the laws of war strategically, Fazal suggests, belligerents in both interstate and civil wars relate those laws to their big-picture goals. In Wars of Law, we learn that, as

codified IHL proliferates and changes in character-with an ever-greater focus on protected persons-states fighting interstate wars become increasingly reluctant to step over any bright lines that unequivocally oblige them to comply with IHL. On the other hand, Fazal argues, secessionists fighting wars for independence are more likely to engage with the laws of war because they have strong incentives to persuade the international community that, if admitted to the club of states, they will be good and capable members of that club. Why have states stopped issuing formal declarations of war? Why have states stopped concluding formal peace treaties? Why are civil wars especially likely to end in peace treaties today? Addressing such basic questions about international conflict, Fazal provides a lively and intriguing account of the implications of the laws of war.

---