

1. Record Nr.	UNINA9910972614603321
Autore	Brierly J. L (James Leslie), <1881-1955.>
Titolo	Brierly's law of nations : an introduction to the role of international law in international relations // Andrew Clapham
Pubbl/distr/stampa	Oxford, : Oxford University Press, 2012
ISBN	1-283-62147-9 9786613933928 0-19-163266-X
Edizione	[7th ed.]
Descrizione fisica	li, 518 p
Altri autori (Persone)	ClaphamAndrew
Disciplina	341
Soggetti	International law International relations
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes index.
Nota di contenuto	Cover -- Contents -- Acknowledgements -- Abbreviations -- Table of Cases -- Table of Treaties, Other International Instruments, and National Legislation -- I. The Origins of International Law -- 1. The rise of modern states -- 2. The doctrine of sovereignty -- 3. The influence of the doctrine of the Law of Nature -- 4. The classical writers on international law -- II. The Basis of Obligation in International Law -- 1. The international society -- 2. The modern 'sovereign' state -- 3. The basis of obligation in modern international law -- 4. The sources of modern international law -- (a) Treaties as a source of law -- (b) Custom as a source of law -- (c) The general principles of law -- (d) Judicial decisions and text writers -- (e) The place of 'reason' in the modern system -- (f) Law-making by international organizations -- (g) Unilateral declarations of states -- (h) International standards and the debate over 'soft law' -- 5. The legal character of international law -- 6. Some defects of the system -- 7. Proposals for codification -- 8. The application of international law in domestic courts -- III. The Legal Organization of International Society -- 1. The beginnings of international constitutional law -- 2. International legislation -- 3. The administrative and executive functions -- 4. The judicial function -- 5. The United Nations -- IV. States -- 1. General notion of states in international law -- 2. Independent and dependent states -- 3. The

doctrine of the equality of states -- 4. Commencement of the existence of a state -- 5. Continuity and termination of the existence of a state -- V. The Territory of States -- 1. Territorial sovereignty -- 2. Modes of acquiring territory -- 3. Minor rights over territory -- (a) Leases -- (b) Servitudes -- 4. Territorial sea -- 5. The continental shelf -- 6. The deep sea bed.

7. Territorial air space -- 8. Outer space, the moon, and other celestial bodies -- VI. Jurisdiction -- 1. Jurisdiction over internal waters -- 2. Jurisdiction in ports -- 3. Jurisdiction over the territorial sea -- 4. Jurisdiction in the contiguous zone -- 5. Jurisdiction with regard to the continental shelf and the exclusive economic zone -- 6. Jurisdiction on the high seas -- 7. Jurisdiction over warships and other state ships -- 8. Limitations on a state's treatment of its own nationals and respect for international human rights -- 9. The limits of national criminal jurisdiction -- 10. Limitations on a state's treatment of foreigners -- 11. Limits to jurisdiction with regard to immunities -- (a) Immunities of Heads of States and other holders of high-ranking office in a state -- (b) Immunity for the state and its agents -- (c) Diplomatic, consular, and other immunities -- (d) Diplomatic and consular bags -- (e) Diplomatic and consular premises -- VII. Treaties -- 1. When is an agreement a treaty? -- 2. When is an international text not a treaty? -- 3. Formation of treaties and the issue of coercion -- 4. Signature and ratification -- 5. Reservations -- 6. The role of the depositary and the requirement to register -- 7. The issue of *jus cogens* -- 8. Other grounds of invalidity -- 9. Interpretation -- 10. Third party rights and obligations -- 11. Breach, suspension, and termination of treaties -- (a) Material breach -- (b) Countermeasures in response to breach of treaty -- (c) The position of non-injured states parties -- (d) The impact of war and armed conflict on treaties -- (e) Other grounds for termination -- VIII. International Disputes and the Maintenance of International Peace and Security -- 1. Dispute settlement -- 2. Attribution of conduct to a state -- 3. Retorsion, reprisals, and countermeasures -- 4. Arbitration and judicial settlement.

(a) Arbitration -- (b) Judicial settlement and the International Court of Justice -- 5. The limits of arbitration and judicial settlement -- 6. Good offices, mediation, commissions of inquiry, conciliation -- 7. Dispute settlement at the World Trade Organization -- 8. Settlement under the UN Charter -- IX. Resort to Force -- 1. Intervention and the prohibition on the use of force -- 2. Self-defence -- (a) Self-preservation and the Caroline incident -- (b) Contemporary law of self-defence -- 3. Authorization by the Security Council -- 4. Aggression in the Statute of the International Criminal Court -- 5. International law in armed conflict -- 6. The present role of international law -- INDEX -- A -- B -- C -- D -- E -- F -- G -- H -- I -- J -- K -- L -- M -- N -- O -- P -- R -- S -- T -- U -- V -- W -- Y -- Z.

Sommario/riassunto

Revised and updated for the first time in fifty years, this new edition of a classic text of international law provides the ideal introduction to the field for students and scholars alike. It introduces the key themes and ideas within international law in concise, clear language, building on Brierly's idea that law must serve a social purpose.
