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International Law Opinions By Arnold The New Oppenheim and its Theory of International Law Arnold McNair prepared the two volumes (the second volume appeared first and was renamed Disputes, War & Neutrality) of the fourth edition of 1926 and 1928' Hersch Lauterpacht, who had worked with McNair on the international law, (4) the

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{Signed} Arnold D. McNair. [p164] SEPARATE OPINION BY JUDGE READ I concur in the part of the Opinion which answers Questions (b) and (c)—dealing with the application of Chapter XII of the Charter, and competence to determine and modify the international status of South-West Africa—and am in general agreement with the reasons by which the ...

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From its earliest days, international law has been intertwined with religion. The 16th Century Spanish Catholic priests, Suarez and Vitoria, who are often viewed as among the founders of the modern discipline of international law, argued from religious sources that the Spanish crown was obliged to treat native Americans as real peoples under the moral influence of the law of nations.

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International Trade; International Investment; Law of Armed Conflict; International Financial Transactions; Intellectual Property; Border Disputes; Telecommunications; International Aviation; Law Enforcement Cooperation; Human Rights and Refugees; Taxation; Counter-Terrorism/Security Assistance; Anti-corruption Standards and Enforcement

This is the first monograph to scrutinize the relationship between the concept of international legal personality as a theoretical construct and the position of the ultimate subject, the individual, as a matter of positive international law. By testing the four main theoretical conceptions of international legal personality against historical and existing norms of positive international law that regulate the conduct of individuals, the book argues that the common narrative in contemporary scholarship about the development of the role of the individual in the international legal system is flawed. Contrary to conventional wisdom, international law did not apply to states alone until World War II, only to transform during the second half of the 20th century so as to include individuals as its subjects. Rather, the answer to the question of individual rights and obligations under international law is - and always was - strictly empirical. It follows, of course, that the entities governed by a particular norm tell us nothing about the legal system to which that norm belongs. Instead, the distinction between international law and national law turns exclusively on whether the source of the norm in question is international or national in kind. Against the background of these insights, the book shows how present-day international lawyers continue to allow an idea, which was never more than a scholarly invention of the 19th century, to influence the interpretation and application of international law. This state of affairs has significant real-world ramifications as international legal rights and obligations of individuals (and other non-state entities) are frequently applied more restrictively than interpretation without presumptions regarding 'personality' would merit.

Synthesizing primary and technical data, this book focuses on the legal and political aspects of Israeli administration in the West Bank and the international attempt to resolve the dispute over the territories. The author assesses the present situation and provides guidelines for future action.

This book addresses fundamental aspects of the concept of public international law in both theory and practice. The argument developed by the author is that, underlying the traditional, horizontal, structure of public international law, a vertical structure of the concept of law may be discerned. This vertical structure is seen unfolding into two, mutually exclusive, frameworks: a framework of obligation, accounting for obligations, and a framework of authorization, accounting for rights. The problem then arising is that a concept of public international law which only admits either rights or obligations cannot be regarded as coherent. The author, however, takes and substantiates the position that coherence can be achieved by suppressing the mutual exclusivity of both frameworks. This move paves the way to formulating the function of public international law in terms of the constituting of international society. Since in public international law the theoretical aspects profoundly affect practice, this book is not only of interest to academics, but also for practitioners, such as officials of foreign offices and international institutions.

This new edition of the leading textbook on international refugee law has been substantially updated and now features extensive coverage of forced migration. In its accessible and influential style, it defines refugee status and asylum, and sets out the protections afforded to refugees and forced migrations.

This book is the final volume within a five-volume collection of the papers and articles (other than books) by Sir Hersch Lauterpacht (1897-1960), generally regarded as one of the most distinguished and influential public international lawyers of the twentieth century. (There is no other collection of his works.) The detailed and wide-ranging papers can be considered a major treatise on international law as it developed in the first half of the twentieth century.

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