# Contents

List of Boxes xi
Preface xiii
List of Abbreviations xiv

## Part I Making the World More Lawful 1

1 The Rise of International Law 3
   *The Nature of International Law* 4
   *The Roles of International Law* 6
   *The Early Beginnings of International Law* 9
   *Dueling Philosophies* 13
   *Contending Modern Approaches* 16
   *Operating Conditions: What Helps and What Hinders?* 20
   *Chapter Summary* 22

2 A World of Actors: A Question of Legal Standing 27
   *Actors* 28
   *The State* 28
   *International Government Organizations* 33
   *Non-government Organizations* 36
   *Multinational Corporations* 39
   *Individuals* 42
   *Insurgents* 44
   *Ethnic Groups* 46
   *Terrorists* 49
   *Mercenaries and Private Military Companies* 50
   *Domestic Actors* 51
   *Chapter Summary* 52
## Contents

3 The Sources of International Law: Creating Law without Government 57

*Customary Law* 58
*Treaty Law* 65
*The Role of Principles* 72
*Judges and Publicists* 75
*Other Sources* 77
*The Scope of International Law* 78
*Chapter Summary* 79

4 The Efficacy of International Law 85

*Legislating International Law* 86
*Enforcing International Law* 90
*Adjudicating International Law* 94
*The Incorporation of International Law* 106
*Can There Be a Future World Government?* 109
*Chapter Summary* 110

5 Jurisdiction: Domain over Places and Persons 115

*Territorial Jurisdiction* 116
*Law of the Sea* 117
*Airspace* 124
*Outer Space* 126
*Satellites* 128
*The Polar Regions* 130
*Nationality* 132
*Dual Nationality* 135
*Alien Status* 137
*Sovereign Immunity and Act of State* 140
*Extraterritoriality* 141
*Extradition* 143
*Chapter Summary* 145

### Part II Making the World Safer 149

6 Diplomacy in Pursuit of Peace 151

*A Brief History of Diplomacy* 152
*The Rules of Diplomacy for States* 155
*Two Special Issues concerning Embassies* 158
*Rules for the Consular Relations of States* 160
*The Peaceful Settlement of Disputes* 163
*The Operating Conditions of Diplomacy* 166
*The Rules of Diplomacy for IGOs* 168
# Table of Contents

## Part I  Making the World Less Violent

### 7 Arms Limitations for a Less Violent World

- **A Brief History of Arms Limitations**
- **Objectives of Arms Limitations**
- **Obstacles to Arms Limitations**
- **The Nuclear Regime**
- **The Biological Weapons Regime**
- **The Chemical Weapons Regime**
- **The Missile Control Regime**
- **The Conventional Weapons Regime**

### 8 Law to Constrain Force

- **A Brief History of the Laws Governing Force**
- **Evolution to UN Law**
- **Aggression**
- **Self-defense**
- **Self-defense in an Age of Terrorism**
- **Intervention**
- **Peacekeeping**
- **Today’s Salient Issues concerning the Laws of War**

### 9 Core International Crimes: Atrocities That Shock the Conscience of Humankind

- **A Brief History of Core International Crimes**
- **Crimes Against Peace**
- **Crimes against Humanity**
- **Genocide**
- **The Most Notorious Episodes of Genocide**
- **Special Dimensions of Genocide**
- **War Crimes**
- **The Contributions of International Tribunals**

### Part III  Making the World Better

### 10 Human Rights: Freedom and Protection for Humankind

- **A Brief History of the Human Rights Movement**
- **Civil and Political Rights**
## Contents

- Economic, Social, and Cultural Rights 296  
- Group Rights 300  
- A Human Rights Frontier? 305  
- Human Rights Regimes 307  
- The Role of Non-state Actors 311  
- Chapter Summary 313

### 11 The Global Environment in Jeopardy 319

- A Brief History of Environmental Developments 320  
- Atmosphere 324  
- Water 331  
- Soil 335  
- Forests 338  
- Wildlife 340  
- The Environment and Human Rights 344  
- Environmental Governance 346  
- Chapter Summary 349

### 12 Rules for Sharing the World’s Wealth 355

- A Brief History of Economic Relations 356  
- Governance from the North 359  
- Standardizing the Global Economy 363  
- Intellectual Property Rights 364  
- Commercial Arbitration 366  
- Globalism versus Regionalism 368  
- Governance of the South 370  
- Four Economic Flows in the North–South Relationship 374  
- Counter-productive Issues for the Global Economy: Organized Crime, Corruption, and the Pursuit of Non-economic Goals 380  
- Chapter Summary 385

### Part IV Making the Future 391

### 13 The Problems and Prospects of International Law 392

- Glossary of Terms 396  
- Bibliography 406  
- Index 431