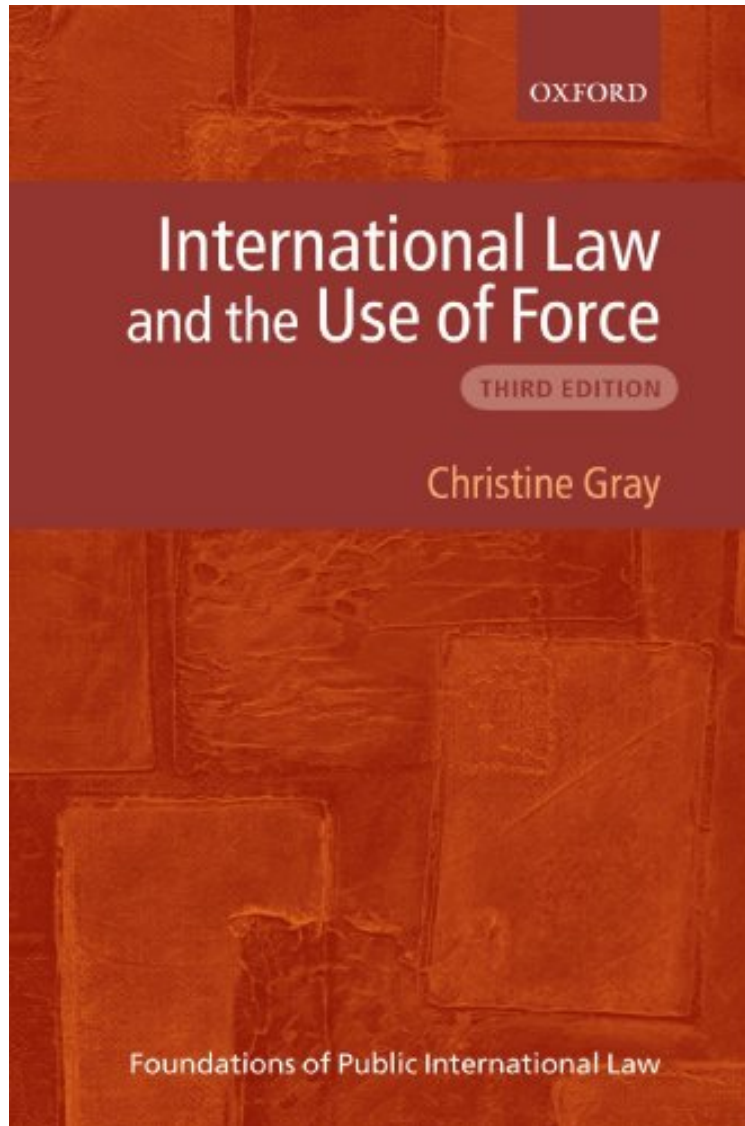


[Ebook pdf] International Law and the Use of Force (Foundations of Public International Law)

International Law and the Use of Force (Foundations of Public International Law)

Christine Gray

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Christine Gray : International Law and the Use of Force (Foundations of Public International Law) before purchasing it in order to gauge whether or not it would be worth my time, and all praised International Law and the Use of Force (Foundations of Public International Law):

2 of 2 people found the following review helpful. A great introduction with thought-provoking questions to a highly complicated subject By D. Kong The author, Professor Christine D. Gray, is Professor in International Law at the

University of Cambridge and a Fellow of St. John's College, Cambridge, UK. For the uninitiated, International Law is divided into Public International Law and Private International Law. Within Public International Law, there are many different areas, including the Laws of War, and within the Laws of War, there is the issue of the use of force, which is the focus of this book. There are nine chapters covering the topics of: 1. Law and force; 2. The prohibition of the use of force; 3. Invitation and intervention: civil wars and the use of force; 4. Self-defence; 5. Collective self-defence; 6. The use of force against terrorism: a new war for a new century? 7. The UN and the use of force; 8. Security Council authorization for member states to use force; and 9. Regional peacekeeping and enforcement action. This book, published in 2008, naturally devotes large portions of its content to the discussion of use of force in the War on Terrorism. Professor Gray raises many legal issues as presented by the military operations in Afghanistan and Iraq, including the questions of whether an armed attack by a non-state actor constitutes an act of aggression as defined by the International Court of Justice in the Nicaragua case, whether the prolonged U.S.-led Operation Enduring Freedom in Afghanistan has gradually lost its self-defence (Article 51) justification and legitimacy, and whether the right of self-defence can be extended to cover pre-emptive action (Bush Doctrine). Professor Gray further points out that, over these important issues, the global community is sharply divided, with the U.S., U.K. and Israel on one side and most of the world on the other. However, even between the U.S. and U.K., we are told by Professor Gray that the two countries are not entirely on the same page over the issue of whether it is legal to forcibly intervene to overthrow a government in absence of Security Council authorization (military operations in Iraq). The U.K., we are told, has considered that regime change cannot be the objective of military action. This book raises many thought-provoking issues of international law. Many, if not most, of them are still unanswered or completely settled at the time of this writing, and will likely to remain unsettled for some time in the foreseeable future. For those who want to conduct further research on these issues, this book has included extensive footnotes that one would expect from a scholarly legal work. This is highly recommended as an introduction to a number of complicated and still developing issues in the area of the use of force in the Laws of War.

2 of 2 people found the following review helpful. Good Review of International Law on Use of Force By not me "International Law and the Use of Force" is an up-to-date and detailed analysis of international law and state practice on the use of armed force. The book has many virtues. It is clearly written and thorough. Unlike many American authors, the author uses examples of state practice from the UN and capitals around the world, not just from the U.S. and UK. The book is also very realistic. Unlike many leftist writers, she doesn't confuse ideals with law. She doesn't pretend, for example, that "humanitarian intervention" is now valid international law when in fact only a few countries endorse the concept. And the book cuts through cant. Unlike many rightist writers, the author doesn't believe that U.S. violations of international law in Nicaragua, Iraq or elsewhere are bold precedents establishing new legal principles. (They are just cases of lawbreaking.) The author's knowledge of contemporary international legal practice is amazing. Most of her judgments are sound and in the mainstream of international (if not American) legal thinking. But the book has flaws, too. It will have a short shelf life. There is too much minutiae about recent conflicts in Africa and the Middle East, with too much parsing of UN resolutions and foreign ministry boilerplate. It would have been better to unpack basic legal principles and classic use-of-force cases: it is beyond me how this book (or any book on this subject) can have only passing references to the Caroline case or Israel's pre-emptive war in 1967. The author's anti-U.S. bias also gets the better of her. For example, she probes at length the legality of the U.S. presence in Afghanistan, as if the legal justification isn't clear. It is: the U.S. invaded Afghanistan under a UNSC mandate and has remained there with the permission of the Afghan government. My hunch is that the author's anger over high-handed U.S. behavior in Central America and the War on Terror has made her too eager to question any U.S. military action. This reflex is understandable but it detracts from the book's overall credibility. But these are quibbles. "International Law and the Use of Armed Force" is excellent. It should be assigned widely in law schools. I'm sure it will be read in the legal departments of many foreign ministries.

0 of 0 people found the following review helpful. Great book By Taima Lydia Great book. When I bought it I found it in a very good shape - almost new. The content is so up to date.

This book explores the whole of the large and controversial subject of the use of force in international law; it examines not only the use of force by states but also the role of the UN in peacekeeping and enforcement action, and the growing importance of regional organizations in the maintenance of international peace and security. Since the publication of the second edition of *International Law and the Use of Force* the law in this area has continued to undergo a fundamental reappraisal. Operation Enduring Freedom carries on against Al Qaida and the Taliban in Afghanistan six years after the terrorist attacks of 11 September 2001. Can this still be justified as self-defence in the 'war on terror'? Is there now a wide right of pre-emptive self-defence against armed attacks by non-state actors? The 2006 Israel/Lebanon conflict and the recent intervention of Ethiopia in Somalia raise questions about whether the 'war on terror' has brought major changes in the law on self-defence and on regime change. The 2003 invasion of Iraq gave rise to serious divisions between states as to the legality of this use of force and to talk of a crisis of collective security for the UN. In response the UN initiated major reports on the future of the Charter system; these rejected amendment of the Charter provisions on the use of force. They also rejected any right of pre-emptive self-defence. They advocated

a 'responsibility to protect' in cases of genocide or massive violations of human rights; the events in Darfur show the practical difficulties with the implementation of such a duty.

s from previous edition "The detailed arguments and broad conclusions draw[n] stand fair and square." --Royal United Services Institute Journal, 1 April 2002"The book's appearance at this critical moment for the law regulating the use of force is most welcome, especially for students. A helpful reference." --Mary Ellen O'Connell, The American Journal of International Law"Comprehensive, easy to read, up-to-date, and informed." --Ilias Bantekas, University of Westminster"This book provides students of international law and international relations with a highly accessible, thoroughly expert analysis of the rules governing when states may resort to military force. I would not want to teach without it." IMichael Byers, Professor of Law, Duke UniversityAbout the AuthorChristine Gray is Professor in International Law in the University of Cambridge and Fellow of St John's College, Cambridge.