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Seeking Justice in International Law-Mauro Barelli 2016-04-14 Today human rights represent a primary concern of the international legal system. The international community’s commitment to the protection and promotion of human rights, however, does not always produce the results hoped for by the advocates of a more justice-oriented system of international law. Indeed international law is often criticised for, inter alia, its enduring imperial character, incapacity to minimize inequalities and failure to take human suffering seriously. Against this background, the central question that this book aims to answer is whether the adoption of the 2007 United Nations Declaration on the Rights of Indigenous Peoples points to the existence of an international law that promises to provide valid responses to the demands for justice of disempowered and vulnerable groups. At one level, the book assesses whether international law has responded fairly and adequately to the human rights claims of indigenous peoples. At another level, it explores the relationship between this response and some distinctive features of the indigenous peoples’ struggle for justice, reflecting on the extent to which the latter have influenced and shaped the former. The book draws important conclusions as to the reasons behind international law’s positive recognition of indigenous peoples’ rights, shedding some light on the potential and limits of international law as an instrument of justice. The book will be of great interest to students and scholars of public international law, human rights and social movements.

Seeking Justice for the Holocaust-Graham B. Cox 2019-09-12 The Nuremberg War Crimes Trial has become a symbol of justice, the pivotal moment when the civilized world stood up for Europe’s Jews and, ultimately, for human rights. Yet the world, represented at the time by the Allied powers, almost did not stand up despite the magnitude of the horrors perpetrated by the Nazis. Seeking justice for the Holocaust had not
been an automatic—or an obvious—mission for the Allies to pursue. In this book, Graham Cox recounts the remarkable negotiations and calculations that brought the United States and its allies to this point. At the center of this story is the collaboration between Franklin D. Roosevelt and Herbert C. Pell, Roosevelt’s appointee as U.S. representative to the United Nations War Crimes Commission, in creating an international legal protocol to prosecute Nazi officials for war crimes and genocide. Pell emerges here as an unheralded force in pursuing justice and in framing human rights as an international concern. The book also enlarges our perspective on Roosevelt’s policies regarding European Jews by revealing the depth of his commitment to postwar justice in the face of staunch opposition, even from some within his administration. What made the international effort especially contentious was a debate over its focus—how to punish for aggressive warfare and crimes against humanity. Cox exposes the internal contradictions and contortions behind the U.S. position and the maneuverings of numerous officials negotiating the legal parameters of the trials. Most telling perhaps were the efforts of Robert H. Jackson, the chief U.S. prosecutor at Nuremberg, to circumscribe the scope of new international law—for fear of setting precedents that might boomerang on the United States because of its own racial segregation practices. With its broad new examination of the background and context of the Nuremberg trials, and its expanded view of the roles played by Roosevelt and his unlikely deputy Pell, Seeking Justice for the Holocaust offers a deeper and more nuanced understanding of how the Allies came to hold Nazis accountable for their crimes against humanity.

Promyslovaja okeanografija, dirobiologija i parazitologija ryb Tichogo Okeana - 1977

Mobilising International Law for 'Global Justice'- Jeff Handmaker 2018-11 Critically explores how international law is mobilised, by
global and local actors, to achieve or block global justice efforts.

**Doing Justice** - Preet Bharara 2019-03-19

*An important overview of the way our justice system works, and why the rule of law is essential to our survival as a society—from the one-time federal prosecutor for the Southern District of New York, and host of the Doing Justice podcast. Preet Bharara has spent much of his life examining our legal system, pushing to make it better, and prosecuting those looking to subvert it. Bharara believes in our system and knows it must be protected, but to do so, he argues, we must also acknowledge and allow for flaws both in our justice system and in human nature. Bharara uses the many illustrative anecdotes and case histories from his storied, formidable career—the successes as well as the failures—to shed light on the realities of the legal system and the consequences of taking action. Inspiring and inspiringly written, Doing Justice gives us hope that rational and objective fact-based thinking, combined with compassion, can help us achieve truth and justice in our daily lives. Sometimes poignant and sometimes controversial, Bharara's expose is a thought-provoking, entertaining book about the need to find the humanity in our legal system as well as in our society.*

**Justice for Crimes Against Humanity** - Mark Lattimer 2003-11-27

*The aim of this book is to assess recent developments in international law seeking to bring an end to impunity by bringing to justice those accused of war crimes and crimes against humanity. The book was originally conceived while the editors were engaged, in different capacities, in proceedings relating to the detention of Senator Pinochet in London. The vigorous public debate that attended that case—and related developments in international criminal justice, such as the creation of the International Criminal Court and the trial of former President Milosevic - demonstrate the close connections between the law and wider
political or moral questions. In the field of international criminal justice there appeared, therefore, a clear need to distinguish legal from essentially political issues - promoting the application of the law in an impartial and apolitical manner - while at the same time enabling each to legitimately inform the development of the other. The essays in this volume, written by internationally recognised legal experts: scholars, practitioners, judges - explore a wide range of subjects, including immunities, justice in international and mixed courts, justice in national courts, and in a particularly practical section, perspectives offered by experienced practitioners in the field. "This is a welcome collection of papers on criminal justice both at the international and the national level...a book which fills many gaps and adds considerable value by discussing wider policy and moral issues; it is to be recommended to all who are interested in the development of international criminal justice." Elizabeth Wilmshurst, International Affairs

**Toward a Just World**-Dorothy V. Jones 2002-12-15 "Toward a Just World tells the remarkable story of the long struggle to craft the concept of international justice that we have today. Dorothy V. Jones focuses on the first half of the twentieth century, the pivotal years in which justice took on expanded meaning in conjunction with ideas like world peace, human rights, and international law.

**International Human Rights Law and Practice**-Ilias Bantekas 2013-04-25 Human rights law is a complex but compelling subject that fascinates students but also confuses them. This innovative textbook explores human rights law from a theoretical and practical perspective. Case studies and interviews with specialist practitioners, NGO activists and policy-makers show how theory is applied in real life. The up-to-date coverage includes introductions to important emerging fields such as globalisation, poverty and advocacy. Student learning is
supported by questions to stimulate seminar discussion and further reading sections that encourage independent study. The authors' combined expertise, engaging writing style and ability to clarify not simplify ensures that this important new book will become required reading for all students of human rights law.

**Pursuing Justice in Africa**-Jessica Johnson 2018-10-31 Pursuing Justice in Africa focuses on the many actors pursuing many visions of justice across the African continent—their aspirations, divergent practices, and articulations of international and vernacular idioms of justice. The essays selected by editors Jessica Johnson and George Hamandishe Karekwaivanane engage with topics at the cutting edge of contemporary scholarship across a wide range of disciplines. These include activism, land tenure, international legal institutions, and postconflict reconciliation. Building on recent work in sociolegal studies that foregrounds justice over and above concepts such as human rights and legal pluralism, the contributors grapple with alternative approaches to the concept of justice and its relationships with law, morality, and rights. While the chapters are grounded in local experiences, they also attend to the ways in which national and international actors and processes influence, for better or worse, local experiences and understandings of justice. The result is a timely and original addition to scholarship on a topic of major scholarly and pragmatic interest. Contributors: Felicitas Becker, Jonathon L. Earle, Patrick Hoenig, Stacey Hynd, Fred Nyongesa Ikanda, Ngeyi Ruth Kanyongolo, Anna Macdonald, Bernadette Malunga, Alan Msosa, Benson A. Mulemi, Holly Porter, Duncan Scott, Olaf Zenker.

**Justice in Conflict**-Mark Kersten 2016-08-04 What happens when the international community simultaneously pursues peace and justice in response to ongoing conflicts? What are the effects of interventions by the International Criminal Court (ICC) on the wars in which the
institution intervenes? Is holding perpetrators of mass atrocities accountable a help or hindrance to conflict resolution? This book offers an in-depth examination of the effects of interventions by the ICC on peace, justice and conflict processes. The 'peace versus justice' debate, wherein it is argued that the ICC has either positive or negative effects on 'peace', has spawned in response to the Court's propensity to intervene in conflicts as they still rage. This book is a response to, and a critical engagement with, this debate. Building on theoretical and analytical insights from the fields of conflict and peace studies, conflict resolution, and negotiation theory, the book develops a novel analytical framework to study the Court's effects on peace, justice, and conflict processes. This framework is applied to two cases: Libya and northern Uganda. Drawing on extensive fieldwork, the core of the book examines the empirical effects of the ICC on each case. The book also examines why the ICC has the effects that it does, delineating the relationship between the interests of states that refer situations to the Court and the ICC's institutional interests, arguing that the negotiation of these interests determines which side of a conflict the ICC targets and thus its effects on peace, justice, and conflict processes. While the effects of the ICC's interventions are ultimately and inevitably mixed, the book makes a unique contribution to the empirical record on ICC interventions and presents a novel and sophisticated means of studying, analyzing, and understanding the effects of the Court's interventions in Libya, northern Uganda - and beyond.

The Thin Justice of International Law

Steven R. Ratner 2015-01-15

In a world full of armed conflict and human misery, global justice remains one of the most compelling missions of our time. Understanding the promises and limitations of global justice demands a careful appreciation of international law, the web of binding norms and institutions that help govern the behaviour of states and other global actors. This book provides a new interdisciplinary approach to
global justice, one that integrates the work and insights of international law and contemporary ethics. It asks whether the core norms of international law are just, appraising them according to a standard of global justice derived from the fundamental values of peace and the protection of human rights. Through a combination of a careful explanation of the legal norms and philosophical argument, Ratner concludes that many international law norms meet such a standard of justice, even as distinct areas of injustice remain within the law and the verdict is still out on others. Among the subjects covered in the book are the rules on the use of force, self-determination, sovereign equality, the decision making procedures of key international organizations, the territorial scope of human rights obligations (including humanitarian intervention), and key areas of international economic law. Ultimately, the book shows how an understanding of international law's moral foundations will enrich the global justice debate, while exposing the ethical consequences of different rules.

**Mobilising International Law for 'Global Justice'**

Jeff Handmaker 2018-11-01

Mobilising International Law for 'Global Justice' provides new insights into the dynamics between politics and international law and the roles played by state and civic actors in pursuing human rights, development, security and justice through mobilising international law at local and international levels. This includes attempts to hold states, corporations or individuals accountable for violations of international law. Second, this book examines how enforcing international law creates particular challenges for intergovernmental regulators seeking to manage tensions between incompatible legal systems and bringing an end to harmful practices, such as foreign corruption and child abduction. Finally, it explores how international law has local resonance, whereby, for example, cities have taken it upon themselves to give effect to the spirit of international treaties that national governments fail to implement, or even
may have refused to ratify.

**The Thin Justice of International Law**-Steven R. Ratner 2015-01-15 In a world full of armed conflict and human misery, global justice remains one of the most compelling missions of our time. Understanding the promises and limitations of global justice demands a careful appreciation of international law, the web of binding norms and institutions that help govern the behaviour of states and other global actors. This book provides a new interdisciplinary approach to global justice, one that integrates the work and insights of international law and contemporary ethics. It asks whether the core norms of international law are just, appraising them according to a standard of global justice derived from the fundamental values of peace and the protection of human rights. Through a combination of a careful explanation of the legal norms and philosophical argument, Ratner concludes that many international law norms meet such a standard of justice, even as distinct areas of injustice remain within the law and the verdict is still out on others. Among the subjects covered in the book are the rules on the use of force, self-determination, sovereign equality, the decision making procedures of key international organizations, the territorial scope of human rights obligations (including humanitarian intervention), and key areas of international economic law. Ultimately, the book shows how an understanding of international law's moral foundations will enrich the global justice debate, while exposing the ethical consequences of different rules.

**Seeking Justice at the Court of the Khans of Khiva**-Paolo Sartori 2020-06-08 In Seeking Justice at the Court of the Khans of Khiva, Sartori and Abdurasulov show that in Khorezm prior to Sovietization the dispensation of justice according to Islamic law depended mostly on a group of officials representing the dynasty in power, and lacking specialised legal training.
Seeking Justice in the Courtroom and Beyond - Ms. Renana Keydar 2015

Seeking Justice takes as its starting point the growing prominence of legal mechanisms in censuring war and conflict related atrocities. It considers 1945 and the establishment of the International Military Tribunal in Nuremberg as a watershed moment that ushered in a new era in humanity's quest for post-atrocity justice. The historic decision, however, did not end the search for justice. Attempting to balance the scales of justice, legal institutions faced a crisis of incommensurability between the extraordinary crimes and basic elements of ordinary legal justice -- the goals of the process, especially retribution, its procedural form, and its resolution in a final judgment. In the process of overcoming these challenges of incommensurability, legal institutions -- the Nuremberg tribunal, the Israeli Court in the Eichmann trial and the South African Truth and Reconciliation Commission - imagined anew what justice is and should be in the aftermath of atrocity. Producing new notions of justice: enlightenment as justice, narrative as justice, and storytelling as justice, these institutions highlighted some aspects of justice, while marginalizing others. Stepping beyond the boundaries of the legal field, Seeking Justice examines cultural narratives that react - directly or explicitly - to the work of legal mechanisms of justice. The turn to the literary, from journalistic reports on legal proceedings to novels, plays, and films that fictionally engage with the pursuit of justice, my work sheds light on those elements of justice that remain absent, unaccounted for or marginalized in process of metaphorization: the desire for revenge, the dangers of omniscient narrative about the past, and the longing for conclusion and resolution. Bringing together the legal and the literary, Seeking Justice explores humanity's deep belief or desire to believe in the possibility of delivering justice in the aftermath of atrocity and the ongoing challenges it must face as it confronts extraordinary crimes in the courtroom and beyond.
Peace and Justice-Rachel Kerr 2013-04-26 In recent years there has been a tendency to intervene in the military, political and economic affairs of failed and failing states and those emerging from violent conflict. In many cases this has been accompanied by some form of international judicial intervention to address serious and widespread abuses of international humanitarian law and human rights in recognition of an explicit link between peace and justice. A range of judicial and non-judicial approaches has been adopted in recognition of the fact that there is no one-size-fits-all model through which to seek accountability. This book considers the merits and drawbacks of these different responses and sets out an original framework for analysing transitional societies and transitional justice mechanisms. Taking as its starting point the post-Second World War tribunals at Nuremberg and Tokyo, the book goes on to discuss the creation of ad hoc international tribunals in the 1990s, hybrid/mixed courts, the International Criminal Court, domestic trials, truth commissions and traditional justice mechanisms. With examples drawn from across the world, including the former Yugoslavia, Rwanda, Cambodia, Timor-Leste, Sierra Leone, Uganda and the DRC, it presents a compelling and comprehensive study of the key responses to war crimes. Peace and Justice is a timely contribution in a world where an ever-increasing number of post-conflict societies are grappling with the complex issues of transitional justice. It will be a valuable resource for students, scholars, practitioners and policy-makers seeking to understand past violations of human rights and the most effective ways of addressing them.

Access to Justice and International Organisations-Rishi Gulati 2022-05-31

Denial of Justice in International Law-Jan Paulsson 2005-10-06 Denial of justice is one of the oldest bases of liability in international law
and the modern understanding of denial of justice is examined by Paulsson in this book, which was originally published in 2005. The possibilities for prosecuting the offence of denial of justice have evolved in fundamental ways and it is now settled law that States cannot disavow international responsibility by arguing that their courts are independent of the government. Even more importantly, the doors of international tribunals have swung wide open to admit claimants other than states: non-governmental organisations, corporations and individuals, and Paulsson examines several recent cases of great importance in his book.

**Seeking Justice**-Rachel M Mccleary 2019-06-21
In just the past few years, both the theoretical importance and the practical necessity of ethical analyses in international affairs have become well established. In order to more closely examine particular ethical dilemmas, Rachel McCleary has put together a collection of carefully selected case studies illustrating the variety of ethical concerns that arise in international affairs. As in every volume in the Case Studies in International Affairs series, this volume opens with an introduction that gives students the philosophical background and theoretical framework they need to understand the cases that follow. Individual introductions to each case place the study in context relative to the other studies and to the overall theme of the volume. Discussion questions round out the treatment of the issues, prompting explorations beyond the cases themselves. The cases in Seeking Justice range from questions about the U.S. invasion of Panama to the withdrawal from Vietnam, from the uneven application of the Law of the Sea to the equally uneven distribution of trade favors emerging from the integration of the European Community. Considerations of economic justice are also the focus of a case on the IMF and Nigeria. A Brazilian case study brings together several issues implicit in the earlier cases—the nature of state sovereignty, the status of moral obligations and rights in the international arena, and the structural inequality...
of international regimes. This study shows how the issues of debt, development, and environment are integrally linked and pinpoints the kinds of ethical problems policymakers, experts, and theorists will be wrestling with in the near future. The cases have been selected and presented to help students identify the issues and make connections between disparate sets of circumstances without spoonfeeding interpretation or analysis. Rachel McCleary skillfully presents the spectrum of ethical questions posed by international events and reveals the dialectical interplay among them.

**Women's Access to Justice for Gender-based Violence**

Lisa Gormley 2016 "The ICJ addresses women's access to justice for gender based violence in its new Practitioners' Guide, launched today on International Women's Day. Since the early 1990s there has been international recognition of the problem of gender-based violence and awareness that this impairs the ability of women and girls to access and enjoy all the rights that should be available to them as afforded under international law. However, in 2016, violence against women remains a public health problem of epidemic proportions, thought to affect between 35-70 per cent of all women and girls at some point during their lives. The ICJ's 12th Practitioner's Guide, Women's Access to Justice for Gender-Based Violence, is designed to support legal practitioners and human rights defenders involved, or interested, in pursuing cases of gender-based violence. Lasting change to address the root causes of violence against women can only take place as part of a coordinated effort on behalf of multiple stakeholders, however the ICJ believes that legal practitioners and human rights defenders are indispensible to addressing the problem and realizing women's access to justice. Access to justice for gender-based violence means that States must implement a range of measures that recognize violence against women as a crime and ensure appropriate procedures are in place that enable investigations, prosecutions and access to effective remedies and reparation. These
measures may, where necessary, include amending or adopting national legislation. The ICJ produced this Guide as part of an ongoing project on empowering legal practitioners and human rights defenders seeking justice for women. Woven into the Guide are commentaries, reflections and recommendations from legal advocates and women human rights defenders from their experiences in this area. The Guide provides information about regional and international law and standards relevant to gender-based violence, advice on implementing these standards as part of domestic law reform and examples of existing good practice in seeking protection for women. It also contains a summary of some leading academic literature and civil society commentary and research, signposting users to other in-depth sources where these may be potentially relevant. The new Guide also addresses the practical issues that are faced by women who have been subject to gender-based violence and the steps that are necessary to secure their access to justice in practice. It considers women's experiences of the criminal justice system and reflects on how the justice process deals with women's safety and need for access to services beyond legal assistance. The ICJ intends for this guide to be used as a practical tool to assist in navigating individual cases as well as a means of advocating for change on a larger scale. The ICJ believes that enabling women's access to justice for gender-based violence will lead to new norms of acceptability, where children and young people are raised to reject gender discrimination and violence."

**Beyond Retribution**-Rama Mani 2002-05-17
Today's wars leave a crippling legacy of deprivation and suffering, of physical and structural injustice, long after they submit to peaceful resolution. Survivors of war must find ways to live with the stultifying injustices littering their past and haunting their present – acts of discrimination and violence committed before, during and even after conflict. Confronting the vexed challenge of re-marrying...
peace with justice out of the morass of war’s injustices is the complex but imperative task facing post-conflict societies and the international community today. Using current examples from conflicts around the world, ranging from Africa and Asia to Latin America and Eastern Europe, it argues for a holistic and integrated approach to justice after conflict. It proposes that we must address all three dimensions of injustice embedded in conflict — symptom, consequence and cause, and that subsequently we must rebuild all three dimensions of justice — legal, rectificatory and distributive, in the aftermath. This timely book explores the difficulties and dilemmas confronted on the ground in restoring these, and concludes with pragmatic recommendations for dealing with such challenges of rebuilding peace with justice after contemporary conflicts. This well-argued book will prove a valuable resource for students and professionals in the fields of peacebuilding, justice theory, international relations and politics.

**Seeking Justice**—Juliane Kippenberg 2005

Recommendations: To the Congolese government -- To armed groups operating in eastern Congo -- To the United Nations, multilateral donor agencies and donor governments -- To the United Nations Security Council -- To the ICC. -- Sexual violence in the Congo War: a continuing crime -- Patterns of sexual violence -- Waiting for peace to come: sexual violence after 2003 -- Male rape. -- The legal framework for prosecution: International humanitarian law -- International human rights law -- Congolese military justice -- The Congolese Criminal Code. -- In search of justice for rape and other sexual crimes: Prosecution of sexual violence in Ituri -- The prosecution of an RCD-Goma soldier: precedent or human rights abuse? -- Other convictions for crimes of sexual violence in areas held by RCD-Goma. -- The obstacles to prosecution: Against all odds: victims want justice -- Officials fail to deliver justice -- The lack of protection -- General problems with the judicial system -- The way forward. -- Help for the victims: Medical

Realizing Reparative Justice for International Crimes-Miriam Cohen 2020-06-30 This book provides a timely and systematic study of reparations in international criminal justice, going beyond a theoretical analysis of the system established at the International Criminal Court (ICC). It originally engages with recent decisions and filings at the ICC relating to reparation and how the criminal and reparative dimensions of international criminal justice can be reconciled. This book is equally innovative in its extensive treatment of the significant challenges of adjudicating on reparations, and proposing recommendations based on concrete experiences. With recent and imminent decisions from the ICC, and developments in national courts and beyond, Miriam Cohen provides a critical analysis of the theory and emerging jurisprudence of reparations for international crimes, their impact on victims and stakeholders.

The Right to Reparation in International Law for Victims of Armed Conflict-Christine Evans 2012-06-28 Christine Evans assesses the right to reparation for victims of armed conflict in international law and in national practice.

The Politics of International Criminal Law-Holly Cullen 2020-12-15 The Politics of International Criminal Law is an interdisciplinary collection of original research that examines the often noted but understudied political dimensions of International Criminal Law, and the challenges this nascent legal regime faces to its legitimacy
in world affairs.

**Seeking Human Rights Justice in Latin America**-Jeffrey Davis 2013-11-18 This book studies how victims of human rights violations in Latin America, their families, and their advocates work to overcome entrenched impunity and seek legal justice. Their struggles show that legal justice is a multifaceted process, the overarching purpose of which is to restore human dignity and prevent further violence. Uncovering, revealing, and proving the truth are essential elements of legal justice, and are also powerful tools to activate the process. When faced with stubborn impunity at home, victims, families, and advocates can carry on their work for legal justice by bringing cases in courts in other countries or in the Inter-American human rights system. These extra-territorial courts can jumpstart the process of legal justice at home. Seeking Human Rights Justice in Latin America examines the political and legal struggle through the lens of the human story at the heart of these cases.

**Incitement in International Law**-Wibke K. Timmermann 2014-08-13 This book offers a comprehensive study of incitement in its various forms in international law. It discusses the status of incitement to hatred in human rights law and examines its harms and dangers as well as the impact of a prohibition on freedom of speech. The book additionally presents a detailed definition of punishable incitement. In this context, Wibke K. Timmermann argues that incitement should be recognized as the crime of persecution, where it is utilized within a system of persecutory measures by the State or a similarly powerful organization. The book draws on the Nahimana case before the International Criminal Tribunal for Rwanda, as well as jurisprudence from German and other courts following World War II to provide support for this proposal. The work moreover provides a comprehensive analysis of public incitement to crimes; solicitation or instigation; and the related
modes of liability aiding and abetting and commission through another person. Dedicated exclusively and comprehensively to incitement in its various forms, this book will be of essential use and great interest to students and researchers of international criminal law and human rights law, in addition to practitioners within these areas.

Marginalized Communities and Access to Justice-Yash Ghai CBE 2009-12-16 Marginalized Communities and Access to Justice is a comparative study, by leading researchers in the field of law and justice, of the imperatives and constraints of access to justice among a number of marginalized communities. A central feature of the rule of law is the equality of all before the law. As part of this equality, all persons have the right to the protection of their rights by the state, particularly the judiciary. Therefore equal access to the courts and other organs of the state concerned with the enforcement of the law is central. These studies - undertaken by internationally renowned scholars and practitioners - examine the role of courts and similar bodies in administering the laws that pertain to the entitlements of marginalized communities, and address individuals' and organisations' access to institutions of justice: primarily, but not exclusively, courts. They raise broad questions about the commitment of the state to law and human rights as the principal framework for policy and executive authority, as well as the impetus to law reform through litigation. Offering insights into the difficulties of enforcing, and indeed of the will to enforce, the law, this book thus engages fundamental questions about value of engagement with the formal legal system for marginalized communities.

Still Seeking Still Seeking Justice in Sri Lanka-Kishali Pinto-Jayawardena 2010

Still Seeking Justice in Sri Lanka-Mary
Robinson 2010

**Reclaiming Justice**-Sanja Kutnjak Ivkovich 2011-05-05 This volume adds to prior literature about the ICTY by providing a comprehensive view of how people from Bosnia and Herzegovina, Croatia, Kosovo, and Serbia view and evaluate the ICTY.

**The Right to The Truth in International Law**-Melanie Klinkner 2019-07-30 The United Nations has established a right to the truth to be enjoyed by victims of gross violations of human rights. The origins of the right stem from the need to provide victims and relatives of the missing with a right to know what happened. It encompasses the verification and full public disclosure of the facts associated with the crimes from which they or their relatives suffered. The importance of the right to the truth is based on the belief that, by disclosing the truth, the suffering of victims is alleviated. This book analyses the emergence of this right, as a response to an understanding of the needs of victims, through to its development and application in two particular legal contexts: international human rights law and international criminal justice. The book examines in detail the application of the right through the case law and jurisprudence of international tribunals in the human rights and also the criminal justice context, as well as looking at its place in transitional justice. The theoretical foundations of the right to the truth are considered as well as the various objectives appropriate for different truth-seeking mechanisms. The book then goes on to discuss to what extent it can be understood, constructed and applied as a hard, legally enforceable right with correlating duties on various people and institutions including state agencies, prosecutors and judges.

**Republican Principles in International Law**-M. Sellers 2006-03-07 Republican Principles in International Law considers the fundamental requirements of a just world order, as applied to
public international law. This book sets the standard for legitimate government, both within and beyond the jurisdiction of separate states and nations.

**Chinese (Taiwan) Yearbook of International Law and Affairs, Volume 35 (2017)**-Ying-jeou Ma 2018-11-22 The Chinese (Taiwan) Yearbook of International Law and Affairs includes articles and international law materials relating to the Republic of China on Taiwan and contemporary Asia-Pacific issues. This volume provides insight into the South China Sea Arbitration, cross-strait relations and Taiwan's New Southbound Policy. Questions and comments can be directed to the editorial board of the Yearbook by email at yearbook@nccu.edu.tw

**Latin America and the International Court of Justice**-Paula Wojcikiewicz Almeida 2016-11-25 This book aims to evaluate the contribution of Latin America to the development of international law at the International Court of Justice (ICJ). This contemporary approach to international adjudication includes the historical contribution of the region to the development of international law through the emergence of international jurisdictions, as well as the procedural and material contribution of the cases submitted by or against Latin American states to the ICJ to the development of international law. The project then conceives international jurisdictions from a multifunctional perspective, which encompasses the Court as both an instrument of the parties and an organ of a value-based international community. This shows how Latin American states have become increasingly committed to the peaceful settlement of disputes and to the promotion of international law through adjudication. It culminates with an expansion of the traditional understanding of the function of the ICJ by Latin American states, including an analysis of existing challenges in the region. The book will be of interest to all those interested in international dispute resolution, including academic libraries, the judiciary,
practitioners in international law, government institutions, academics, and students alike.

Law, Religion and Love - Paul Babie 2017-09-01
Increasingly, the modern neo-liberal world marginalises any notion of religion or spirituality, leaving little or no room for the sacred in the public sphere. While this process advances, the conservative and harmful behaviours associated with some religions and their adherents exacerbate this marginalisation by driving out those who remain religious or spiritual. And all of this is seen through the lens of social science, which seems to agree that religion remains important, if not in spiritual sense, at least as a source of folklore and a means of identification: religions remain rooted in the societies from which they emerged, and the legal systems of many of those societies emerged from religious sources, even if those societies remain unwilling to admit that fact. In the modern materialistic world of conformity, religion is less a source of guidance than a label of identification. The world therefore faces two issues. First, the decreasing level of spirituality in the ‘West’ widens the gap between worshippers and those who have left their faith (eg agnostics and atheists, or those who look at religion as a matter of ‘picking and choosing’ from a range of options). And, second, the strong connections to religion which remain in many nations, but which are often misused in the secular public sphere (both in the West and internationally). In such divided worlds, both religious and secular forces tend to lock themselves into closed groupings of ‘pure truth’ and in so doing increase the level of disagreement, in turn producing radicalism. In short, the modern world is divided in two ways: between religious and non-religious (although some have argued that the non-religious secular is itself a form of civil religion), and between those subscribing to divergent understandings of the same religious tradition. While hyperbolic and histrionic, the term ‘culture wars’ nonetheless best captures what we see happening in the public sphere today. The question emerges, then: how best to
accommodate the democratic principle which posits that the majority should feel that it lives in a society of its own with the human rights principle, holding that is necessary to ensure the full protection of the minority’s rights? How to balance these seemingly opposed principles? We are very familiar with the differences that appear between secular and sacred in the modern world; yet, what of the similarities amongst scriptures and laws which seek to encourage mutual understanding, cooperation and even cohabitation? Because religion itself is a source of law, a set of exhortations or commands as much as a set of rights, every major religion offers an approach to encountering ‘the Other’ in a positive, constructive, affirming way; and it is here that religions reveal much that they have in common. This book draws together the work of scholars engaged in exploring the possibilities for a ‘utopian’ world in the sense fostered by St Thomas More. The essays explore those dimensions of religious and civil law where ‘love’ – however that is defined by relevant texts – fosters and encourages acceptance of ‘the Other’ and will offer perspectives on the ways in which religious or civil/state law command one to act in the spirit of ‘love’.

**Criminal Justice in International Society**
Willem de Lint 2014-01-03 This book adopts a critical criminological approach to analyze the production, representation and role of crime in the emerging international order. It analyzes the role of power and its influence on the dynamics of criminalization at an international level, facilitating an examination of the geopolitics of international criminal justice. Such an approach to crime is well-developed in domestic criminology; however, this critical approach is yet to be used to explore the relationship between power, crime and justice in an international setting. This book brings together contrasting opinions on how courts, prosecutors, judges, NGOs, and other bodies act to reflexively produce the social reality of international justice. In doing this, it bridges the gaps between the fields of sociology, criminology, international
relations, political science, and international law to explore the problems and prospects of international criminal justice and illustrate the role of crime and criminalization in a complex, evolving, and contested international society.

Beyond Consent - Jeffrey P. Kahn 2018 This second edition of Beyond Consent includes new chapters on today's leading-edge topics as well as updated chapters that consider what has changed, and what new matters have arisen. The result is a fresh treatment of the latest issues and concepts of justice in research examined by multidisciplinary scholars.

The Cambridge Companion to International Law - James Crawford 2012-01-26 This intellectually rigorous introduction to international law encourages readers to engage with multiple aspects of the topic: as 'law' directing and shaping its subjects; as a technique for governing the world of states and beyond statehood; and as a framework within which several critical and constructivist projects are articulated. The articles situate international law in its historical and ideological context and examine core concepts such as sovereignty, jurisdiction and the state. Attention is also given to its operation within international institutions and in dispute settlement, and a separate section is devoted to international law's 'projects': protecting human rights, eradicating poverty, the conservation of resources, the regulation of international trade and investment and the establishment of international order. The diverse group of contributors draws from disciplinary orientations ranging from positivism to postmodernism to ensure that this book is informed theoretically and politically, as well as grounded in practice.

Getting Justice and Getting Even - Sally Engle Merry 1990-05-15 Ordinary Americans often bring family and neighborhood problems to court, seeking justice or revenge. The litigants in
these local squabbles encounter law at its boundaries in the corridors of busy city courthouses, in the offices of court clerks, and in the church parlors used by mediation programs. Getting Justice and Getting Even concerns the legal consciousness of working class Americans and their experiences with court and mediation. Following cases into and through the courts, Sally Engle Merry provides an ethnographic study of local law and of the people who use it in a New England city. The litigants, primarily white, native-born, and working class, go to court because as part of mainstream America they feel entitled to use its legal system. Although neither powerful nor highly educated, they expect the law's support when they face intolerable infringements of their rights, privacy, and safety. Yet as personal problems enter the legal system and move through mediation sessions, clerk's hearings, and prosecutor's conferences, the citizen plaintiff rapidly loses control of the process. Court officials and mediators interpret and characterize the meaning of these experiences, reframing and categorizing them in different discourses. Some plaintiffs yield to these interpretations, but others resist, struggling to assert their own version of the problem. Ultimately, Merry exposes the paradox of legal entitlement. While going to court allows an individual to dominate domestic relationships, the litigant must increasingly yield control of the situation to the court that supplies that power.