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Legality and Legitimacy in International Order

Legality and Legitimacy in International Order 1 www.unu.edu Legality and Legitimacy in International Order The NATO armed intervention over Kosovo was illegal under international law, but widely regarded as legiti-

LEGITIMACY AND LEGALITY IN INTERNATIONAL LAW

Rome Statute of the International Criminal Court, 2187 UNTS 90, (1998) 37 ILM 999 Cambridge University Press 978-0-521-70683-4 - Legitimacy and Legality in International Law: An Interactional Account

Legitimacy and Legality in International Law: An ...

* In this special International Seminar, we will celebrate the release of Legitimacy and Legality in International Law: An Interactional Account (CUP 2010) by Prof Jutta Brunnée, University of Toronto & Prof Stephen J Toope, University of British Columbia, Vancouver, Cambridge Studies in International and Comparative Law 67

The Legitimacy of International Law: A Constitutionalist ...

Correspondingly, the legitimacy of international law is increasingly challenged in domestic settings in the name of democracy and constitutional self-government This article addresses this challenge It develops a constitutionalist model for assessing the legitimacy of international law that takes seriously the commitments

International Law and Governance by Armed Groups: Caught ...

legitimacy as a category distinct from legality gains strong significance for them (Schlichte and Schneckener 2015, 414): In the international realm, only state actors have the power to define what is legal and what is illegal. From their point of view, legitimacy should first of all be derived from legal recognition.

War and Democratization: Legality, Legitimacy and ...

This collection examines the legality, legitimacy, and effectiveness of the four modes where the international community of states not only felt impelled to engage in military humanitarian or peace-building missions but also in long-term state- and democracy-building.¹⁵ However, the focus will be on modes 3 and 4, which encompass the

LEGITIMACY IN THE INTERNATIONAL SYSTEM

legitimacy will vary in degree from rule to rule and time to time. It becomes a crucial factor, however, in the capacity of any rule to secure compliance when, as in the international system, there are no other compliance-inducing mechanisms. Legitimacy is used here to mean that quality of a rule which derives from a

INTERNATIONAL LAW, LEGITIMACY AND THE UN SECURITY ...

author and interpreter of international law,⁴ while alternating on a case-by-case basis, whether to adhere to or derogate from international law *sensu stricto*.⁵ Suffice to say, the council has been afforded unique legitimacy _ within the ambit of international ...

FROM NUREMBERG TO THE HAGUE: ESTABLISHING THE ...

FROM NUREMBERG TO THE HAGUE: ESTABLISHING THE LEGITIMACY OF INTERNATIONAL LEGALITY EMILY HUNTER International Law has in the past made some claim that there is a limit to the omnipotence of the state and that the individual human being, the ultimate unit of all law, is not disentitled to the protection of mankind when the

The Legitimacy of the UN Security Council: Evidence from ...

lin His current research focuses on the legitimacy of international institutions, the role of rising powers in international organizations, and UN intervention in humanitarian crises. Monika Heupel is a research associate at the WZB Berlin Social Science Center. She received a MA in International Relations from the University of

Legality and legitimacy: the quest for principled ...

Legality and legitimacy: the quest for principled flexibility and restraint RICHARD FALK Points of departure What follows is an attempt to acknowledge the complexity and relevance of debates about the relation between legality and legitimacy as it bears on political behaviour.

Legitimacy and Authority in International Politics

Legitimacy and Authority in International Politics Ian Hurd What motivates states to follow international norms, rules, and commitments? All

Legality and Legitimacy: The Quest for Principled ...

'legitimacy' it might be better to think of the exception as quasi-legal rather than in the seminal usage of Carl Schmitt as political. The distinction between legality and legitimacy originated and developed in the context of state/society relation, highlighting the significance of specific historical and structural circumstances of public order.

Issues of Legality and Legitimacy

Issues of Legality and Legitimacy The Responsibility to Protect and NATO's intervention in Libya Lesley Connolly the United Nations (UN) Security

Council Resolution 1674 of 2006, the Responsibility to Protect (R2P) doctrine, represented a significant development in humanitarian intervention and international diplomacy

Fairness to Rightness: Jurisdiction, Legality, and the ...

Fairness to Rightness: Jurisdiction, Legality, and the Legitimacy of International Criminal Law David Luban Georgetown University Law Center, luband@lawgeorgetown.edu This open-access article is brought to you by the Georgetown Law Library Chapter 28 is from The Philosophy of International Law edited by Samantha Besson & John Tasioulas, Oxford

Enhancing the Legitimacy and Accountability of ...

or undisputed the legality of those acts under domestic law 2 While the International Criminal Tribunals for the Former Yugoslavia (ICTY) and Rwanda (ICTR) also possess this authority, those institutions operate directly under the control of the United Nations Security Council and within narrow territorial limits

Humanitarian Intervention, the Responsibility to Protect ...

Humanitarian Intervention, the Responsibility to Protect, and Confused Legitimacy 1 including international law, ethics, international relations, political science, and intervention's legality and its relationship to its conceptual cousin, "the responsibility to protect"

The International Criminal Court and the Legitimacy of ...

The International Criminal Court and the Legitimacy of Exercise 5 that there is an existing set of legal rules, which can be objectively identified and impartially applied, and any failure to do so will undermine the legitimacy of the Court As Nouwen and Werner notes, this perception is, at

The Legitimacy of Global Legal Governance: Institutional ...

The Legitimacy of Global Legal Governance: Institutional Power and Human Rights Bias in International Criminal Justice by Martin J Burke A dissertation submitted to the Graduate Faculty in Political Science in partial fulfillment of