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International Law and the Use of Force - Christine Gray 2008-07-17 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 current 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.

International Law and the Use of Force - Christine Gray 2018-02-02 This book explores 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 increasing role of regional organizations in the maintenance of international peace and security. The UN Charter framework is under challenge. Russia’s invasion of Georgia and intervention in Ukraine, the USA’s military operations in Syria, and Saudi Arabia’s campaign to restore the government of Yemen by force all pose challenging questions about the law on self-defence. The ‘War on Terror’ that began after the 9/11 terrorist attacks on the USA has not been won. It has spread far beyond Afghanistan: it has led to targeted killings in Pakistan, Somalia, and Yemen, and to intervention against ISIS in Iraq and Syria. Is there an expanding right of self-defence against non-state actors? Is the use of force effective? The development of nuclear weapons by North Korea has reignited discussion about the legality of pre-emptive self-defence. The NATO-led operation in Libya increased hopes for the implementation of ‘responsibility to protect’, but it also provoked criticism for exceeding the Security Council’s authorization of force because its outcome was regime change. UN peacekeeping faces new challenges, especially with regard to the protection of civilians. The UN’s records of revolutionary mandates in several African states. But the 2015 report Uniting Our Strengths reaffirmed that UN peacekeeping is not suited to counter-terrorism or enforcement operations; the UN should turn to regional organizations such as the African Union as first responders in situations of ongoing armed conflict.

Regulating the Use of Force in International Law - Russell Buchanan 2021-06-25 This book provides a comprehensive and detailed analysis of the nature, content and scope of the rules regulating the use of force in international law as they are contained in the United Nations Charter, customary international law and international jurisprudence. It examines these rules as they apply to developing and challenging circumstances such as the emergence of non-State actors, security risks, new technologies and moral considerations.

The Use of Force and International Law - Christian Henderson 2018-05-10 The Use of Force and International Law offers an authoritative overview of international law governing the resort to force. Looking through the prism of the contemporary challenges that this area of international law faces, including technology, sovereignty, acts, compliance and enforcement, this book addresses key aspects of international law in this area: the general breadth and scope of the prohibition of force, what is meant by 'force', the use of force through the UN and regional organisations, the use of force in peacekeeping operations, the right of self-defence and the customary limitations upon this right, forcible intervention in civil conflicts, the controversial doctrine of humanitarian intervention. Suitable for advanced undergraduate and postgraduate students, academics and practitioners, The Use of Force and International Law offers a contemporary, comprehensive and accessible treatment of the subject.

International Law and the Use of Force - Anthony Clark Arend 2014-02-04 When the United Nations Charter was adopted in 1945, states established a legal ‘paradigm’ for regulating the recourse to armed force. In the years since then, however, significant developments have challenged the paradigm’s validity, causing a ‘paradigmatic shift’. International Law and the Use of Force traces this shift and explores its implications for contemporary international law and practice.

International Law and the Use of Force: A Documentary and Reference Guide - Shirley V. Scott 2009-11-25 This book is a discussion of key documents that explain the development, current status, and relevance of the international law governing the initiation of military hostilities. Includes 40 excerpts of original documents on the use of force, including the International Court of Justice advisory opinion on the Legality of the Threat or Use of Nuclear Weapons; statements by the presidents of Tanzania and Uganda outlining their policies towards their dispute over domestic repression in Uganda and Ugandan incursions into Tanzanian territory; and the presidential address to the nation on the commencement of military operations in Afghanistan. Presents 83 photographs, cartoons, and portraits illustrating the characters, events, and developments pertaining to the legality of the use of force. Offers a select bibliography of books, journal articles, and electronic sources of information on the international law concerning the use of force, its evolution and contemporary relevance. Includes 57 enlivening sidebars, including factoids, short snippets from related documents, ‘In History’ and ‘Did You Know?’

The Use of Force in International Law - Tom Ruys 2018-04-26 The international law on the use of force is one of the oldest branches of international law. It is an area twinned with the emergence of international law as a concept in itself, and which sees law and politics collide. The number of armed conflicts is equal only to the number of methodological approaches used to describe them. Many violent encounters are well known. The Kosovo Crisis in 1999 and the US-led invasion of Iraq in 2003 spring easily to the minds of most scholars and academics, and gain extensive coverage in this text. Other conflicts, including the Belgian operation in Stanleyville, and the Ethiopian Intervention in Somalia, are often overlooked to our peril. Ruys and Curtain’s expert-written text compares over sixty different instances of the use of cross border force since the adoption of the UN Charter in 1945, from all out warfare to hostile encounters between individual units, targeted killings, and hostage rescue operations, to ask a complex question. How much authority does the power of precedent really have in the law of the use of force?

The Use of Force under International Law - Fernando G. Núñez-Mietz 2018-09-21 The international system is becoming increasingly legalized, with legal arguments and legal advisors playing an increasingly important part in the state policymaking process. Presenting a practice-oriented theory of compliance with international law, this book shows how international law affects the behavior of increasingly lawyerized states in an ever more legalized world. By highlighting the legalisation of international legitimation and the lawyerization of policymaking as the new engines of compliance, the book’s analytical framework rethinks the relationship between state behavior and international law, and provides an empirical focus on security through the study of NATO’s military intervention in Yugoslavia in 1999 and the changes in the US detention and interrogation programs in the “War on Terror.” Relying on primary sources, the author demonstrates the effect of lawyerized decision making on international law compliance, reconstructing the strategies of (de)-legitimation used to show...
that international law is the hegemonic frame of reference in interstate debates. This book will be of interest to scholars of international relations, government studies, foreign service studies and lawyers employed in government work.

International Law and the Use of Force in International Law-Marc Weiler 2015-01-15 The prohibition of the use of force in international law is one of the major achievements of international law in the past century. The attempt to outlaw war as a means of national policy and to establish a system of collective security after both World Wars resulted in the creation of the United Nations Charter, which remains a principal point of reference for the law on the use of force to this day. There have, however, been considerable challenges to the law on the prohibition of the use of force in international law on a number of fronts. The prohibition of the use of force in international law is one of the major achievements of international law in the past century. The attempt to outlaw war as a means of national policy and to establish a system of collective security after both World Wars resulted in the creation of the United Nations Charter, which remains a principal point of reference for the law on the use of force to this day. There have, however, been considerable challenges to the law on the prohibition of the use of force over the past two decades. This Oxford Handbook is a comprehensive and authoritative study of the modern law on the use of force. Over seventy experts in the field offer a detailed analysis, and to an extent a restatement, of the law in this area. The Handbook reviews the status of the law on the use of force, and assesses what changes, if any, have occurred in consequence to recent developments. It offers cutting-edge and up-to-date scholarship on all major aspects of the prohibition of the use of force. The work is set in context by an extensive introductory section, reviewing the history of the subject, recent challenges, and addressing major conceptual approaches. Its second part addresses collective security, in particular the law and practice of the United Nations organs, and of regional organizations and arrangements. It then considers the substance of the prohibition of the use of force, and of the right to self-defence and associated doctrines. The next section is devoted to armed action undertaken on behalf of peoples and populations. This includes self-determination conflicts, resistance to armed occupation, and forcible humanitarian and pro-democratic action. The possibility of the revival of classical, expansive justifications for the use of force is then addressed. This is matched by a final section considering new security challenges and the emerging law in relation to them. Finally, the key arguments developed in the book are tied together in a substantive conclusion. The Handbook will be essential reading for scholars and students of international law and the use of force, and legal advisers to both government and NGOs.

The Oxford Handbook of the Use of Force in International Law-Tarcisio Gazzini 2017-07-05 This volume of essays examines the development of political and legal thinking regarding the use of force in international relations. It provides an analysis of the rules on the use of force in the political, normative and factual contexts within which they apply and assesses their content and relevance in the light of new challenges such as terrorism, weapons of mass destruction and cyber-attacks. The volume begins with an overview of the ancient and medieval concepts of war and the use of force and then concentrates on the contemporary legal framework regulating the use of force as moulded by the United Nations Charter and state practice. In this regard it discusses specific issues such as the use of force by way of self-defence, armed reprisals, forcible reactions to terrorism, the use of force in the cyberspace, humanitarian intervention and the responsibility to protect. This collection of previously published classic research articles is of interest to scholars and students of international law and international relations as well as practitioners in international law.

The Power and Purpose of International Law-Mary Ellen O'Connell 2011-05-10 The world is poised for another important transition. The United States is dealing with the impact of the Afghan and Iraq wars, the use of torture and secret detention, Guantnamo, climate change, nuclear proliferation, weakened international institutions, and other issues related directly or indirectly to international law. The world needs an accurate account of the important role of international law and The Power and Purpose of International Law seeks to provide it. Mary Ellen O'Connell explains the purpose of international law and the power it has to achieve that purpose. International law supports order in the world and the attainment of humanity's fundamental goals of peace, prosperity, respect for human rights, and protection of the natural environment. These goals can best be realized through international law, which uniquely has the capacity to bind even a superpower to the rules of the world. By exploring the roots and history of international law, and by looking at specific events in the history of international law, this book demonstrates the why and the how of international law and its enforcement. It directly confronts the notion that international law is "powerless" and that working within the framework of international law is useless or counter-productive. As the world moves forward, it is critical that both leaders and their citizens understand the true power and purpose of international law and this book creates a valuable resource for them to aid their understanding. It uses a clear, compelling style to convey topical, informative and cutting-edge information to the reader.

International Law and the Use of Armed Force-Joel Westra 2007-04-11 Since the UN Charter came into effect in 1945, there have been numerous incidents in which one or more of the five major powers (at least arguably) violated the Charter’s Article 2(4) prohibition of force. Such incidents notwithstanding, this book demonstrates how the Charter restrains the major powers’ military actions. As an instrument of international order, the Charter provides a framework of legal rules restricting the use of armed force. Although these rules are subject to auto-interpretation by the major powers (as a consequence of their veto), they create an expectation of compliance that subjects the major powers’ military actions to international scrutiny. To reduce the likelihood of resistance from states threatened by such actions, major powers exercise prudential restraint, altering the manner and timing of their military actions in accordance with the legal arguments offered to justify those actions as consistent with the Charter and therefore not threatening to the existing international order. The book evaluates the efficacy of the Charter using large-N methods and five case studies: US intervention in the Caribbean, 1953-61; Anglo-French intervention in Egypt, 1956; Soviet intervention in Hungary, 1956; US-British intervention in Iran, 1990-98; and US-British intervention in Iraq, 1999-2003. The book's extensive focus on the two Iraq cases provides a basis for timely evaluation of the continuing salience and possible reforms of the UN Charter system. This book will be of much interest to students of security studies, the UN, international law, and international relations.

Iraq and the Use of Force in International Law-Marc Weiler 2010 One million people in the UK alone demonstrated against the 2003 invasion of Iraq. A crucial element of the opposition to the war was the lack of a clear legal basis. This is the first book to analyze the lawfulness of the use of force against Iraq on the basis of formerly classified material made public by the official UK inquiry into the war.

International Law and the Use of Force by States-Ian Brownlie 1963 The author pursues, on historic lines, an estimation of the extent of legal prohibition of the use of force by states. He includes the deliberations and findings of political organs of the League of Nations and the United Nations, as well as a study of the quality of prohibition of force.

How to Do Things with International Law-Ian Hurd 2019-08-27 "The description for this book, How to Do Things with International Law, will be forthcoming. "--

Terrorism, War and International Law-Myra Williamson 2016-04-01 This book analyzes the legality of the use of force by the US, the UK and their NATO allies against Afghanistan in 2001. The work challenges the main ground for resorting to force, namely, self-defence under Article 51 of the United Nations' Charter, by examining each element of Article 51 that ought to have been satisfied in order to legitimise the use of force. It also examines the wider context, including comparable Security Council resolutions in historic situations as well as modern instances where force has been used, such as against Iraq in 2003 and against Lebanon in 2006. As well as making the case against the legality of the use of force, the book addresses wider questions such as the meaning of 'terrorism' in international law, the changing nature of conflict in the twentieth and twenty-first centuries including the impact of non-state actors and an overview of terrorism trends as well as the evolution of limitations on the resort to force from the League of Nations through to 2001. The book concludes with some insight into the possible future implications for the use of force by states, particularly when force is purportedly justified on the grounds of self-defence.

Is International Law Even Law?-Leah L. Carmichael 2021-05-07 This text challenges students to understand the concepts of international law in order to apply these concepts to specific cases for the purpose of taking a position on existing political and legal debates within the fields of international law and international studies.

International Law and the Use of Force-Beomchul Shin 2008
In the Shadow of International Law—Michael Poznansky 2020-04-28

Secrecy is a staple of world politics and a pervasive feature of political life. Leaders keep secrets as they conduct sensitive diplomatic missions, convince reluctant publics to throw their support behind costly wars, and collect sensitive intelligence about sworn enemies. In the Shadow of International Law explores one of the most controversial forms of secret statecraft: the use of covert action to change or overthrow foreign regimes. Drawing from a broad range of cases of US-backed regime change during the Cold War, Michael Poznansky develops the legal theory of covert action to explain why leaders sometimes turn to covert action when conducting regime change, rather than using force to accomplish the same objective. He highlights the surprising role international law plays in these decisions and finds that once the nonintervention principle—which prescribes unwanted violations of another state’s sovereignty—was codified in international law in the mid-twentieth century, states became more reluctant to pursue overt regime change without proper cause. Further, absent a legal exemption to nonintervention such as a credible self-defense claim or authorization from an international body, states were more likely to pursue regime change covertly and concealing brazen violations of international law. Shining a light on the secret underpinnings of the liberal international order, the conduct of foreign-imposed regime change, and the impact of international law on state behavior, Poznansky speaks to the potential consequences of America abandoning its role as the steward of the postwar order, as well as the promise and peril of promoting new rules and norms in cyberspace.

The Legitimacy of Use of Force in Public and Islamic International Law—Mohammad Z. Sabuj 2021 This book investigates the legitimacy deficits of two potentially conflicting legal systems, namely Public and Islamic international law. It discusses the challenges that Public international law, as a legal framework, poses within the context of its relationship with Islamic international law. It explores how best to overcome these challenges through a comparative examination of state practices on the use of force. It highlights the legal-political legacies that evolved surrounding the claims of the legitimacy of use of force by armed non-state actors, states, and regional organizations. This book offers a critical analysis of these legacies in line with the Islamic Shari'a law, United Nations Charter, state practices, and customs. It concludes that the legitimacy question has reached a vantage point where it cannot be answered either by Islamic or Public international law as a mutually exclusive legal system. Instead, Public international law must take a coherent approach within the existing legal framework.

International Law and the European Union—Jed Odermatt 2021-09-30

International Law and the European Union addresses the public international law issues that arise from the European Union's international action.

International Law in the US Legal System—Curtis A. Bradley 2020-12-01

International Law in the US Legal System provides a wide-ranging overview of how international law intersects with the domestic legal system of the United States and the long-standing controversy among legal scholars regarding the extent to which international law is part of the US legal system. It addresses the dichotomy between the proponents and critics of the relationship between US law and international law. Curtis Bradley explains the structure of the US legal system and the various separation of powers and federalism considerations implicated by this structure, especially as these considerations relate to the conduct of foreign affairs. Against this backdrop, he covers all of the principal forms of international law: treaties, executive agreements, decisions and orders of international institutions, customary international law, and jus cogens norms. He also explores a number of issues that are implicated by the intersection of US law and international law, such as treaty withdrawal, foreign sovereign immunity, international human rights litigation, war powers, extradition, and extraterritoriality. This book highlights recent decisions and events relating to the topic, including various actions taken during the Trump administration, while also taking into account relevant historical materials, including materials relating to the U.S. Constitutionsal founding. Written by one of the most cited international law scholars in the United States, the book is a resource for lawyers, law students, legal scholars, and judges from around the world.

Regulating the Use of Force in International Law—Russell Buchanan 2021-06-28

This book provides a comprehensive and detailed analysis of the nature, content and scope of the rules regulating the use of force in international law. It contains in-depth text on the United Nations Charter, customary international law and international jurisprudence. The book’s scope is broad and covers the prohibition on the threat or use of force; the use of force in self-defence; the use of force as part of the United Nations collective security system; the use of force by regional organisations; the use of force in peacekeeping operations; the use of force for humanitarian purposes; the use of force by invitation; armed reprisals; the use of force by and against non-State actors; and the use of force in cyberspace. The book takes an insightful look at the rules regulating the use of force as they are called upon to apply to changing and challenging circumstances such as the emergence of non-State actors, security risks, new technologies and moral considerations. Its arguments balance the interests of stability and change in order to enhance international law’s regulatory potential regarding the use of force. This book is an important resource for students and scholars of international law, the use of force and collective security and for practitioners involved in the interpretation and application of these legal frameworks.

The Use of Biodiversity in International Law—Andreas Kotsakis 2021-05-06

This book presents a legal genealogy of biodiversity – of its strategic use before and after the adoption of the Convention on Biological Diversity, 1993. This history of ‘genetic gift’ details how, with the aid of international law, the idea of biodiversity has been instrumentalized towards political and economic aims. A study of the strategic utility of biodiversity, rather than the utility of its protection under international law, the book’s focus is not, therefore, on the sustainable or non-sustainable use of biodiversity as a natural resource, but rather on its historical use as an intellectual resource. Although biodiversity is still not being effectively conserved, nor sustainably used, the Convention on Biological Diversity and its parent regime persists, now after several decades of operation. This book provides the comprehensive answer to the question of the convention’s continued existence. Drawing from environmental history, the philosophy of science, political economy and development studies, this book will be of interest to advanced undergraduate and postgraduate students in Environmental Law, International Law, Environmental Studies, and Ecology.

The Law of Nations—Emer de Vattel 1852

International Law in the New Age of Globalization—Andrew Byrnes 2013-08-08

The essays in this volume address various challenges posed by globalization to the international legal order, in fields which include the use of force, humanitarian law, international trade and investment law, dispute resolution, human rights, and environmental law.

The Strategic Use of International Law by the United Nations Security Council—Rossana Depelano 2015-06-23

This book offers insights on whether international law can shape the politics of the Security Council and conversely, the extent to which the latter contribute to the development of international law. By providing a systematic analysis of the quantity and quality of international legal instruments referred to in the text of resolutions, the book reconstructs patterns of the Security Council’s behavioural regularities and assesses them against the provisions of the United Nations Charter, which establishes its mandate. The analysis is divided into three periods – the origins and Cold War period, post-Cold War period and the twenty-first century – and assesses the resolutions passed in each period by thematic category. The book argues that while international law plays an important role in shaping the politics of the Security Council, the Council’s resolutions do not contribute significantly to the development of international law.

War Law—Michael Byers 2007-12-01

“Professor Byers’ book goes to the heart of some of the most bitterly contested recent controversies about the International Rule of Law.” —Chris Patten, Chancellor of Oxford University International Law governing the use of military force has been the subject of intense public debate. Under what conditions is it appropriate, or necessary, for a country to use force when diplomacy has failed? Michael Byers, a widely known world expert on international law, weighs these issues in War Law. Byers examines the history of armed conflict and international law through a series of case studies of past conflicts, ranging from the 1837 Caroline Incident to the abuse of detainees by US forces at Abu Ghraib prison in Iraq. Byers explores the legal controversies that surrounded the 1999 and 2001 interventions in Kosovo and Afghanistan and the 2003 war in Iraq; the development of international humanitarian law from the 1859 Battle of Solferino to the present; and the role of war crimes tribunals and the International Criminal Court. He also considers the unique influence of the United States in the evolution of this extremely controversial area of international law. War Law is neither a textbook nor a treatise, but a fascinating account of a highly controversial topic that is necessary reading for fans of military history and general readers alike. “Should be read, and pondered, by those who are seriously concerned with the legacy we will leave to future generations.” —Noam Chomsky


Human Choice in International Law—Anna Spain Bradley 2021-07-22 An exploration of human choice in international legal and political decision making that investigates the neurobiology of choice and the history of how it has affected international peace and security.

Military Assistance on Request and the Use of Force—Erika De Wet 2020-03-26 The book examines if and to what extent the proliferation of direct military assistance on the request of a recognized government is changing the rules regulating the use of force. Since the end of the Cold War, several (sub)regional organizations in Africa have codified military assistance on request in their respective treaty frameworks. In addition, in countries such as Afghanistan, Iraq, Libya, Mali, Somalia, South Sudan, Syria, and Yemen, internationally recognized governments embroiled in protracted armed conflicts have requested direct military assistance from individual States or groups of States. These requests are often accepted by the other States, and at times the United Nations Security Council, even when the requesting governments have very limited effective control over their territories, lack democratic legitimacy, and are engaged in widespread and systematic violations of international human rights, and humanitarian law. This book departs from a definition of requested military assistance that refers to the exercise of forcible measures by third-State armed forces or those controlled by an international organisation in the territory of the requesting State. It then examines the authority to issue a request for (or consent to) direct military assistance, as well as the type of situations in which such assistance may be requested, notably whether it can be requested during a civil war (armed conflict). De Wet finishes by examining the important and controversial question of whether, and to what extent, the proliferation of forcible assistance on request is changing the legal framework applying to the use of force in international law.

International Law and Changing Perceptions of Security—Jonas Ebbesson 2014-10-21 In International Law and Changing Perceptions of Security the contributors debate how changing concepts and conceptions of security have affected fields such as the use of force, law of the sea, human rights, international environmental law and international humanitarian law.

The Use of Force in International Law—Waseem Ahmad Qureshi 2017

International Law—Malcolm N. Shaw 2017-09-14 The definitive and authoritative international law text, updated to reflect key case law, international practice and treaty developments.

International Law—Donald R Rothwell 2018-06-19 Now in its third edition, International Law: Cases and Materials with Australian Perspectives remains an authoritative textbook on international law for Australian students. With a strong focus on Australian practice and interpretation, the text examines how international law is developed, implemented and interpreted within the international community and considers new and developing approaches within this field. This edition has been comprehensively updated to address recent developments in international law. The selection of cases and materials provides a thorough coverage of core areas and addresses a range of contemporary challenges, including climate change, human rights, nuclear proliferation and the South China Sea. A new chapter on international trade law reflects the growing importance of this body of law in Australian practice. Guiding commentary provides a rigorous analysis of key principles. Written by a team of experts with substantial experience in this field, International Law is an essential resource for students.

Right V. Might—Louis Henkin 1991

Sources of State Practice in International Law—Ralph Gaebler 2014-06-06 Sources of State Practice in International Law is bibliography of treaty and diplomatic sources for important jurisdictions around the world. It also includes a summary for each jurisdiction of issues related to treaty succession and treaty implementation in municipal law.

Customary International Law—Brian D. Lepard 2010-01-11 This book sets out to articulate a comprehensive theory of customary international law that can effectively resolve the conceptual and practical enigmas surrounding it. It takes a multidisciplinary approach and draws insights from international law, legal theory, political science, and game theory. It is anchored in a sophisticated ethical framework and explores the interrelationships between customary international law and ethics.

The Use of Force in International Law—Tom Ruys 2018-04-26 The international law on the use of force is one of the oldest branches of international law. It is an area twinned with the emergence of international law as a concept in itself, and which sees law and politics collide. The number of armed conflicts is equal only to the number of methodological approaches used to describe them. Many violent encounters are well known. The Kosovo Crisis in 1999 and the US-led invasion of Iraq in 2003 spring easily to the minds of most scholars and academics, and gain extensive coverage in this text. Other conflicts, including the Belgian operation in Stanleyville, and the Ethiopian Intervention in Somalia, are often overlooked to our peril. Ruys and Corten's expert-written text compares over sixty different instances of the use of cross border force since the adoption of the UN Charter in 1945, from all out warfare to hostile encounters between individual units, targeted killings, and hostage rescue operations, to ask a complex question. How much authority does the power of precedent really have in the law of the use of force?