Between Fragmentation and Democracy explores the phenomenon of the fragmentation of international law and the proliferation of international institutions with overlapping jurisdictions and ambiguous boundaries. The authors argue that this problem has the potential to sabotage the evolution of a more democratic and egalitarian system and identify the structural reasons for the failure of global institutions to protect the interests of politically weaker constituencies. This book offers a comprehensive understanding of how new global sources of democratic deficits increasingly deprive individuals and collectives of the capacity to protect their interests and shape their opportunities. It also considers the role of the courts in mitigating the effects of globalization and the struggle to define and redefine institutions and entitlements. The book is an important resource for scholars of international law and international politics, as well as public lawyers, political scientists, and those interested in judicial reform.

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BETWEEN
FRAGMENTATION AND
DEMOCRACY

The Role of National and International Courts

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We had been working on this book for more than a year and were set to complete it, when, in the summer of 2014, George became ill. He died on January 21, 2015. In doing the final work to ready the book for publication, I have attempted to remain true to George’s thinking.

Eyal Benvenisti
2016
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