

Index

- Acheson, Dean 190
- action 5, 25–30
 - communicative 25, 38, 92, 286–289
 - strategic 18, 28, 30–31, 270, 289
- Afghanistan 66, 121, 127
- Africa 225, 231
- Age of Absolutism 37, 43
- Age of Revolutions (1776–1848) 35
- aggression 8, 33–36, 50, 115, 171, 174, 188, 192–193 *see also* force
- Albania 58
- Albin, Cecilia 31
- Albright, Madeleine 186
- Algeria 126
- Allott, Philip 43, 277
- Amnesty International (AI) 191, 203, 208, 209, 210, 212, 213–214
- anarchy 18, 32, 81, 128, 241 *see also* ‘cultures of anarchy’
- Anglo-Norwegian Fisheries* case 115, 211
- Angola 117, 118, 121, 125, 126
- Annan, Kofi 76
- apartheid 122, 226
- Arab states 162, 165
- Arbour, Louise 209
- Argentina 59, 88
- argumentation 46, 241, 270
 - and the ICC 55, 154–155, 156–160
 - framework of 245–248, 254, 259–260, 267–268
 - in Japan 144–145
 - logics of 9, 23, 273
- Arkin, William 204
- Asia 132, 135, 138, 162
- Asian financial crisis 226–228
- Australia 84, 85, 88, 101, 110
- autonomy 45, 197, 218, 223, 260, 284
 - institutional 5, 11, 36–38, 40, 228, 277
- Balkans 26
- Barnett, Michael 217–218, 229
- Belgium 58
- Blair, Prime Minister Tony 77, 167, 209
- Bolton, John 176–179
- Bortz, Ana 143
- Bosnia 263, 264, 265, 267
- Bosnia-Herzegovina 121
- Britain *see* United Kingdom
- Bulgaria 123
- Bull, Hedley 274–275, 277, 278
- Burma 125
- Burundi 126
- Bush Administration 185, 216
- Bush, President George H. W. 65, 83, 87
- Bush, President George W. 86, 89, 100–101, 103, 104, 127
- Byers, Michael 42–43, 108–109, 123, 124, 127
- Byrd-Hagel resolution 88, 104
- Cambodia 121, 181
- Canada 84, 85, 127, 160, 250, 252, 253
- carbon sinks 84, 86, 88
- Carr, E. H. 3, 16, 25
- Chayes, Abram 182, 190–191
- cheating 18, 29
- Chechnya 118–119, 125
- China 53, 55, 132, 221
 - and landmines 116, 119, 129
 - and the ICC 152, 162, 168, 181
- Chirac, President Jacques 202
- Clark, General Wesley 199, 202, 205
- Clean Development Mechanism 84
- climate change negotiations 81, 82–90, 95, 98–104
 - Berlin 87, 100
 - Bonn 84–85, 86, 87, 88, 99

Index

- Kyoto 83, 87, 88, 89, 100, 102
- Marrakesh 84
- The Hague 84, 87, 88, 99, 102, 103
- Clinton Administration 88, 126, 151, 186
- Clinton, President Bill 88, 116, 151
- coexistence 275, 276, 277, 278, 279, 284, 285
- Cohen, William S. 197
- Cold War 19, 68, 73, 75–76, 263
- collateral damage 197, 202
- collective security 72–78
- Colombia 126, 269
- communication 23, 92–93 *see also* justice
- communicative ethics 13, 285–289, 290
- complementarity 8, 174–176
- compliance 7, 51–52, 56, 122–129, 189, 280, 281
- Congo, Democratic Republic of 125
- ‘Connally Reservation’ 55, 62
- conquest 59, 63
- consent 90, 106, 107–109, 120, 122–124, 128, 130, 250
 - and jurisdiction 8, 170–174
 - and obligation 20, 35, 42, 43
- constitutive norms 109–113
- constructivism 12, 107–109, 269, 290
 - and climate change 87, 98, 104, 105
 - and constraint 190
 - and ethics 286–289
 - and IFIs 217, 219
 - and international law 3, 4, 11, 21–24, 40, 122
 - and international politics 3–4, 15, 21–24, 213
 - and international society 274, 278
 - and power 238
 - and treaty making 80–82, 90–98
 - and triadic governance 248
- Convention on Conventional Weapons (CCW) 112
- Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) 140, 142, 145
- Convention on the Elimination of Racial Discrimination (CERD) 140, 143
- Convention on the Prevention and Punishment of the Crime of Genocide (1948) 168, 262
- Convention on the Rights of the Child on Involvement of Children in Armed Conflict 186
- Convention Relating to the Status of Refugees 140, 141–143
- Corfu Channel Case (1949) 58, 75
- cosmopolitanism 7, 21, 24, 284
- crimes against humanity 8, 153, 162, 171, 179, 194, 276 *see also* human rights
- crises 288
- Critical Legal Studies (CLS) 196, 212, 215
- Croatia 121
- Cronin, Bruce 97, 100
- Cuba 47, 190–191
- ‘cultures of anarchy’ 95–97
- ‘cultures of relating’ 81, 95
- customary international law 17, 38, 69, 128, 130
 - and consent 20, 107–109
 - and constitutive norms 109–113
 - and landmines 7, 106–107, 115–124
 - and treaty law 143, 187
 - determination of 10, 11, 113–115
- customary norms 40, 113, 128
- decision-making 93, 239
 - and humanitarian intervention 68, 71, 263
 - and IFIs 20, 226, 232, 233
 - and law 190, 193, 247, 271, 284
 - and NATO 201, 211
 - and the ICC 155, 160–162, 175, 182, 185–187
 - and the UN 73, 260
- Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among Nations (1970) 59
- Del Ponte, Carla 209, 210
- deliberation 5, 24–30, 244, 246, 247
- determinacy 56–57, 154 *see also* rules
- deterrence 128, 184
- developing countries 136, 137, 172
 - and climate change 83–85, 87–88, 99, 100, 102, 104
 - and IFIs 218, 224–225, 234, 235, 236
- discourse 23
 - legal 40, 54, 212, 241
- dispute resolution 10, 241, 245–246, 247
 - and the Panel System 249–256
 - dyadic 246–247, 249, 256–258
 - triadic 246–256, 270
 - divine law 37, 43
 - dyadic dispute resolution *see* dispute resolution
- East Timor 61, 263, 264, 267
- ECOWAS (Economic Community of West African States) 68
- Egypt 117, 118, 121, 122, 162
- ‘English School’ of International Relations 13, 274, 290

Index

- environment 6, 12, 225, 228, 229–232, 236
- Eritrea 121, 125
- ethical debate 28, 30
- ethics 12, 31, 273, 284–289, 290 *see also* morality
- Ethiopia 125, 126
- ethnic cleansing 189, 199
- Europe 26, 33, 43, 161
- European Community (EC) 250, 252, 253
- European Union (EU) 240–241, 255
 - and climate change 81, 83–84, 88–89, 95, 102–104
- exceptionalism 162, 172, 183, 184, 188
- Falkland Islands 59
- Feldstein, Martin 227–228
- Filartiga* case 113, 115
- fingerprinting 146–147
- Finnomore, Martha 11, 217–218, 229
- Fitzmaurice, Judge 192
- force 28–29, 64–67, 174, 280–281 *see also* aggression
 - and the US 182, 183
- in international law and practice 5–6, 46–47, 50–51, 57–61, 68–79, 190, 213, 261
- exceptions 6, 49–63, 78, 283
- Kosovo campaign 194, 196, 197, 213
- foreign workers 136–138, 144
- France 103, 161, 168, 181, 202, 203, 204–205, 252
- Franck, Thomas 31, 42, 52, 56, 195
- Freytag, Colonel Konrad 203
- friendship 96
- functionalism 223
- game theory 18, 243, 248, 269
- General Agreement on Tariffs and Trade (GATT) 11, 238, 241, 249–256
- Geneva Conventions 171, 198, 201, 203–212, 214–216
- genocide 8, 122, 153, 162, 171, 179
- Georgia 118, 125, 128
- Germany 89, 103, 161, 170–171, 189
- Giddens, Anthony 280, 281
- Gold, Sir Joseph 222
- governance 10–11, 34, 238, 245
 - and IFIs 229–235, 236–237
 - triadic 248, 252–256
- Greece 120, 189
- greenhouse gas emissions 82–88, 89, 100, 102
- Guinea-Bissau 126
- Gulf Crisis of 1990–1 74
- Habermas, Jürgen 80, 91–95, 98, 286, 287, 288
- Hague Convention 60
- Haiti 76, 263, 264, 265, 267
- Hart, H. L. A. 42, 177–178
- hegemony 97–98, 100
- Heller, Agnes 288–289
- Henkin, Louis 41, 195
- Higashizawa, Yasushi 147
- Higgins, Rosalyn 9, 191, 192, 193–194, 195, 196, 211
- Hobbesian culture 81, 95–97
- Hoon, Geoffrey 201
- human dignity 162, 193, 214
- human rights 7–8, 12, 25, 164, 197 *see also* crimes against humanity
 - and humanitarian intervention 259–260, 261–268, 276
 - and IFIs 225–226, 228, 229–233, 236
 - and the Kosovo campaign 189, 215
 - in Japan 139–140, 141, 145–147, 148–149
- Human Rights Watch (HRW) 189, 191, 207–208, 209, 210, 212, 213–214
- humanitarian intervention 9, 10, 63, 68–72, 76–77, 197, 215–216, 276
 - forcible 238, 259–260, 262–268
 - rules of 261–262, 267–268
- humanitarian law 9, 111, 112, 160, 164
 - see also* war, laws of
 - and NATO 207, 211
 - and the Kosovo campaign 189, 203, 212, 214
- humanitarian norms 23
- Iceland 84
- identity 80, 82, 90, 95–98, 109, 110, 148
 - construction of 28, 30–31
 - state 27–28, 31, 32, 33, 160–164, 271
- Ignatieff, Michael 198, 203, 205, 214, 215
- illegitimacy 145
- immigrants 136–138, 142, 144 *see also* migrants
- immigration 131, 132, 136, 137, 138
- independence 159, 166, 173
 - and IFIs 219, 221, 224, 229, 235, 236, 237
- Independent International Commission on Kosovo 215
- indeterminacy 191, 195, 196, 214, 215
 - see also* Kosovo campaign
- India 152, 162, 166, 221
 - and landmines 112, 116, 117, 122, 125, 128
- Indonesia 61, 126, 181
- information 18, 29
- institutional change 238, 239, 243, 247, 269

Index

- institutions 12, 238, 239–245, 282
 - and power 281, 283
 - autonomy of 5, 11, 36–38, 40, 228, 277
 - demand for 11, 29–31
- integration 132
- interest formation 22, 28, 30
- interests *see* states
- International Committee of the Red Cross (ICRC) 209, 215
- International Court of Justice (ICJ) 58, 76
 - Anglo-Norwegian Fisheries* case 115
 - and international law 211
 - Corfu Channel* case (1949) 58, 75
 - Lotus* case (1927) 107
 - Nicaragua* case 55–56, 62, 63–64, 69–70, 75, 115
 - North Sea Continental Shelf* cases 121
 - Nuclear Weapons* case (1996) 111–112, 119, 120–121, 128, 212
- International Covenant on Civil and Political Rights (ICCPR) 139, 140, 141, 142, 143, 145, 146, 147, 262
- International Covenant on Economic, Social, and Cultural Rights (ICESCR) 140, 142, 144, 147, 225, 262
- International Criminal Court (ICC) 8–9, 34, 216, 278, 287
 - establishment of 151–156, 164–166, 187–188
 - and complementarity 174–176
 - and the law 176–186
 - and UN Security Council 166–168
 - jurisdiction and consent 170–174
 - legal argumentation 156–160
 - prosecutor issue 168–170
 - states involved 160–164
- International Criminal Tribunal for Rwanda 75, 151, 152, 163–164, 169, 178
- International Criminal Tribunal for the Former Yugoslavia 74, 151, 152, 163–164, 169, 178–180, 182, 208, 211–212
- international financial institutions (IFIs) 217–219, 235–237 *see also* International Monetary Fund, World Bank
 - and good governance 229–235
 - legal framework of 219–224
 - politics of 224–229
- international law 11, 39, 44, 45, 271 *see also* compliance, consent, constructivism, force, law, obligation, rationalism, realism
 - and IFIs 218–219, 220, 225, 236–237
 - and international politics 4–5, 130, 238
 - and Japan 131, 132, 134, 139, 140–141, 144–150
 - and legal institutions 176–181
 - and national interest 181–186
 - and non-party states 109, 116–117, 129, 154–155, 159, 171, 172–174, 185, 187
 - and politics 1–3, 11–12, 14, 15, 272–273
 - as a process 40–41, 191–197, 277–278, 282
 - change in 47–48, 52, 66, 68–69, 76, 78–79, 105
 - and IFIs 229–233
 - cosmopolitanisation of, 7–8
 - institution of 32, 35–36, 241
 - politics of 14, 24, 272–273, 289–290
 - sources of 107–109
- International Law Commission (ILC) 151–152, 164, 168, 170
- International Monetary Fund (IMF) 9–10, 34, 217, 219–220, 236
 - and good governance 229, 233, 235
 - functions of 224–225, 226–228
 - structure of 220–222
- international organisations (IOs) 217–219, 230, 237
- international political economy 9, 12
- international politics 4, 14, 256 *see also* international law, politics and law 1–3, 15, 110, 130, 273, 279
- International Relations 1–3, 12, 14, 273, 286, 289 *see also* ‘English School’, theory of 108–109, 269
- international society 5, 12, 94, 108, 273–279, 290
 - and power 238, 282, 290
 - nature and structure of 13, 32–36, 91, 285
- internationalisation 133–138, 141, 144, 148
- Iran 132
- Iraq 65, 152, 181, 258, 263, 264, 265
 - and Gulf Conflict 59–60, 76, 77
 - and landmine 121
- Israel 125, 152
- Italy 189
- Jackman, Robert 280, 281
- Japan 7–8, 53, 55, 110, 228
 - and the GATT 250, 252, 253
 - migration to 131–133, 148–150, 278
 - and international law 138–147
 - and internationalisation 133–138

Index

- Japan Federation of Bar Associations (JFBA) 141, 147
- Jennings, Sir Robert Y. 63, 75
- judicialisation 249, 255
- jurisdiction 261
 - and Nicaragua Case 55–56, 62
 - and the ICC 153–156, 159, 161, 165, 167, 168, 170–174, 175, 177, 188
- justice 42, 80, 92, 169, 179, 246, 277–278
 - communicative 90, 91, 93, 100, 105
 - procedural 32, 37–39, 43, 90, 91, 105
- justification 119, 128, 213, 234, 244, 283
 - for use of force 49, 63, 68, 70, 194, 195, 261
 - NATO 196, 201, 208, 210, 213
- language and practice of 5–11, 36, 40–41, 154, 164, 195, 277, 282
 - realist position on 190, 193
- Kahn, Paul 157, 162
- Kanbur, Ravi 235
- Kantian culture 95–97, 103
- Kapur, Devesh 228, 234
- Kellogg–Briand Pact (1928) 52–53, 55, 57, 58, 67
- Kennan, George 16
- Kennedy, David 212–213
- Keohane, Robert 29
- Keynes, John 222, 228
- Khazakstan 84
- Kirgis, Frederic 116, 122
- Korea, Republic of 126, 132, 226, 227, 228
- Koreans 131, 132, 141–142, 143, 145
- Koskenniemi, Martti 196, 197
- Kosovo 26–28, 76, 125, 182, 263, 264
 - Kosovo campaign 74, 174, 197–207, 213–216, 267, 278, 283, 288 *see also* Operation Allied Force
 - law's indeterminacy over 191, 207–213
- Kratochwil, Friedrich 23, 40, 41, 91, 194
- Kuwait 59, 60
- Kyoto Protocol of the Framework Convention on Climate Change (1997) 6, 83–90, 99, 102, 104, 187
- Kyrgyzstan 125
- labour 132, 137
- landmines 6–7, 125–129
 - norm banning use of 106, 109–113, 123–124, 130, 278
 - and *opinio juris* 115–122
- Landmines Convention (1997) 962 109, 110, 116–119
- Latin America 132, 149, 162
- law 1–3, 92–95, 191, 269, 289 *see also* divine law, international law, legal norms and politics 157–158, 159, 191, 238
 - and the ICC 164–166, 179–181
 - national 156–157, 163, 176–178
 - natural 37
- 'law as rules' 9, 191–197, 213
- lawyers 159, 288
 - and IFIs 225, 226, 234, 236
 - and the GATT 249, 252
 - and the Kosovo campaign 197–198, 202, 203, 205
 - in Japan 141, 144–145, 147
- leadership 97, 135, 183, 184, 185–186, 187
- League of Nations 50, 51, 52
- legal norms 3, 38
 - and climate change 6, 87, 105
 - and constructivism 24, 40, 98, 106, 107
 - and IFIs 10, 229, 237
 - and landmines 6, 106, 278
 - and migration to Japan 131, 132, 136, 138–141, 144, 148–150
 - and use of force 9, 283
 - evolution of 10, 92, 128
 - legitimacy of 81, 92, 287
- legalisation 11
- 'Legalization and World Politics' 11, 19, 20, 40
- legislation 5, 11, 36, 38–39, 277, 282, 288
 - see also* self-legislation
- legitimacy 5, 34–35, 37, 48, 90
 - and international law 20, 38, 42–43, 120, 132–133, 145, 157
 - and Japan 139, 148
 - and power 280–281
 - and treaty making 6, 81, 91–95, 98, 105
 - of humanitarian intervention 259, 261
 - of IFIs 10, 228, 229, 232, 235–237
 - of legal norms 6, 81, 92, 287
 - of the ICC 172
 - of UN Security Council 73
- liberalism, political 32, 273, 277, 282, 285
- Liberia 68, 76, 263
- Libya 65, 73, 152
- Lietzau, William 173, 174
- Lockean culture 81, 95–97
- Lotus Case (1927) 107
- Macedonia 125
- Manchurian crisis (1931) 53–55, 56–57
- McDougal, Myres 192–193
- Meiji government 133
- migrant rights 7–8, 131, 132, 136, 137, 149
- migrants 132, 144, 148, 278 *see also* immigrants, Japan

Index

- Milosevic regime 199, 202
- Milosevic, Slobodan 180, 189, 200, 202–210
- moral argument 90, 93–94, 98–100
- moral norms 99, 288
- moral purpose 34–35, 192, 276
- moral reasoning 96, 105
- morality 26, 214, 281
 - and constructivism 80, 82, 90
 - and power 3, 25
- Morgenthau, Hans 1, 3, 16, 17, 45, 272–273, 284
- Mozambique 121
- multilateralism 31, 38–39, 100, 120, 255, 282–284
- Myanmar 125
- Nakasone, Prime Minister Yasuhiro 135
- Nardin, Terry 275
- nationality 141–144
- naturalisation 145–146
- Naumann, General Klaus 200
- neoliberal institutionalism 15, 18–21, 80, 82, 97, 98, 108
 - and climate change 86, 89
 - and IFIs 217, 219, 228
 - and the ICC 152–153
- neoliberalism 18–19, 82–90, 94, 95, 97, 102, 132
- neorealism 269
- neorealism 80, 81–90, 98, 102, 256
 - and treaty making 91, 92, 94, 95, 97
- Nepal 125
- Netherlands 103
- New Haven' school of policy science 192–193, 194, 214
- New Zealand 84
- Nicaragua Case* 55–56, 62, 63–64, 69–70, 75, 115
- Nixon Administration 252
- non-discrimination 36, 37, 39, 43, 282, 285
- non-governmental organisations (NGOs) 105, 138, 139, 149, 189, 212
 - and climate change 83, 84, 101–103
 - and the ICC 151, 153, 160, 164, 166, 169
- non-intervention 33, 196, 261, 268, 275, 276, 278
- normative reasoning 244, 264, 267
- norms
 - constitutive 109–113
 - customary 40, 113, 128
 - humanitarian 23
 - legal 3, 38
 - and climate change 6, 87, 105
 - and constructivism 24, 40, 98, 106, 107
- and IFIs 10, 229, 237
- and landmines 6, 106, 278
- and migration to Japan 11, 131, 132, 136, 138–141, 144, 148–150
- and use of force 9, 283
- evolution of 10, 92, 128
- legitimacy of 81, 92, 287
- moral 99, 288
- social 3, 10, 26
 - and constructivism 24, 40, 109
 - and migration to Japan 131, 132, 133–136, 148–150
- violations of 114, 123
- North Atlantic Council (NAC) 199
- North Atlantic Treaty Organisation (NATO) 26, 67, 120
 - and Yugoslavia 9, 26–28, 68, 189–191
 - see also* Operation Allied Force
 - and law as rules or process 194–197
 - and laws of war 207–213, 283
- North Sea Continental Shelf Cases* 121
- Norway 84
- Nuclear Weapons Case* (1996) 111–112, 119, 120–121, 128, 212
- Nuremberg war crimes tribunal 152
- obligation 40, 52, 56, 71, 128, 244
 - and customary law 107, 114, 115, 122–124, 130
 - and landmine norm 106, 109–113, 120, 127, 128, 129
 - and reciprocity 195
 - and states 20, 36
 - and the ICC 155, 156, 172
 - structure of 5, 11, 36, 41–43
- occupation 60–61, 63
- Operation Allied Force (1999) 48, 58, 76, 126, 197–207, 210, 213–215
- Operation Desert Fox (1998) 77
- Operation Enduring Freedom (2001) 66
- Operation Infinite Reach (1998) 66
- Operation Iraqi Freedom (2003) 48, 76, 77
- Operation Provide Comfort (1991) 48, 68
- opinio juris* 7, 17, 107–108, 122–124, 128, 129, 130, 287
 - politics of 113–122
- order 16, 31, 36, 277–278
- Organisation for Economic Cooperation and Development (OECD) 84, 85, 88
- Organisation of American States (OAS) 67
- Pact of Paris (1928) 50, 51
- Pak, Katherine 138
- Pakistan 125, 128, 162

Index

- Passin, Herbert 134
- peace 16, 167, 179
- Peace of Westphalia (1648) 35
- peacekeeping 160, 161, 172, 183–184, 265
- Perry, Commodore Matthew 133
- persistent objector rule 115, 123–124, 129, 130
- Philippines 126, 132
- Pinochet* case 113
- politicisation 77, 169–181, 222–223, 235
- politics 16–18, 36–37, 120, 241, 242, 243, 273 *see also* international law, international politics
 - and international ethics 284–289
 - and law 11–12, 14, 157–158, 160, 191, 238, 277
 - and the ICC 164–166, 179–181
 - and the ICC 153, 154–156
 - concept and nature of 1–3, 5, 11, 12–13, 24–29, 80, 289–290
 - of IFIs 218, 221–229
- Portugal 226
- power 15–16, 25, 37–38, 94, 190–191, 238, 242, 270
 - in international relations 12–13, 256–257, 273, 279–284, 290
- pragmatism 38
- precedent 66, 257, 259–260, 262–267, 270
- principle of discrimination 198, 207
- purposive association 276
- Qatar 152
- Radio Televizija Srbije (RTS) 203–204, 208–210
- rational choice 18, 269
- rationalisation 191, 193
- rationalism 29, 31, 41, 153, 248
 - and international law 11, 18–21, 40, 132, 133
 - and international politics 15, 18–21, 284
- rationality 28, 30, 32, 81, 92, 94, 243–244, 269
- Rawls, John 287
- realism 52, 78, 130, 152
 - and IFIs 217, 219, 228
 - and international law 15–18, 40, 132, 190, 191, 193–194, 213
 - and international politics 15–18, 256, 284
 - and power 28–29, 238, 279
- 'reasons for action' 22–23, 114, 123, 153
- reciprocity 6, 123, 195, 249, 255
- recognition 6, 90
- Ribbentrop–Molotov Pact of Non-Aggression (1939) 50
- rights 7–8, 49, 62, 71–72
- Rio Treaty 67
- Rome Treaty *see* International Court of Justice
- Roth, Kenneth 207
- Rousseau, Jean-Jacques 35
- Rowe, Peter 212
- Ruggie, John 14–35, 39
- rules 48–49, 52, 54, 78, 191–197, 270, 277
 - see also* humanitarian intervention, institutions
 - and exceptions 61–78
 - and power 270
 - coherence of 57, 60
 - determinacy of 55–57, 59, 60, 79
- Russia 65, 84, 85, 89
 - and landmines 116, 117, 118, 119, 125, 126, 128, 129
 - and the ICC 152, 168, 181
- Rwanda 74, 76, 263, 264
- sanctions 51
- Scheffer, David 171, 173
- security 12, 72–78
 - self-defence 62, 63–67, 70, 75, 261
 - self-determination 33, 278
 - self-interest 38, 91, 94, 95, 96, 179, 246
 - self-legislation 36, 37, 38, 39, 43, 282, 285
- Senegal 125, 126, 161
- Serbs 28
- Shea, Jamie 198, 206
- Shelton, General Henry H. 197
- Shihata, Ibrahim 230
- Shimada, Haruo 137–138
- Short, Lt. General Michael C. 199–200, 201–202, 204, 205
- Sierra Leone 76, 263, 264, 269
- Simpson, Gerry 196–197, 211
- Singapore 168
- social norms 3, 10, 26
 - and constructivism 24, 40, 109
 - and migration to Japan 131, 132, 133–136, 148–150
- socialisation 22, 23, 255, 274
- Sofaer, Abraham D. 192, 194
- Solana, General Javier 199, 200, 203, 208
- Somalia 76, 121, 125, 260, 263, 264, 265–267, 269
- Sonoda, Sunao 139

Index

- South Africa 162, 226
- sovereign equality 54, 167, 187, 285
- sovereignty 21, 32, 33, 34–35, 37, 45, 47, 60–61
 - and human rights 197, 259–261, 262
 - and international society 275, 278
 - and the US 163
- Soviet Union 190, 263
- Spender, Judge 192
- Sri Lanka 117, 125
- ‘standard of civilisation’ 33
- states 29, 31, 46–50, 81, 95–97, 120 *see also* identity, international law
 - interests of 31, 81, 108, 109, 215, 272
 - and IFIs 222–223, 228–229, 235, 236
 - and international law 181–186
 - and the ICC 8, 160–164
 - system of 32–33, 107, 178, 269
- Stiglitz, Joseph 235
- strategic bargaining 90, 93–94, 105, 287
- structural adjustment programs (SAPs) 224–226
- structuralism, 3
- Sudan 66, 121
- supervenience 27
- Taiwan 132
- Tajikistan 126
- territorial integrity 57, 58, 275
- terrorism 67, 73
- Thailand 132, 226
- Toope, Stephen 11
- torture 113, 115, 116, 121, 122, 262
- trade regime *see* General Agreement on Tariffs and Trade (GATT)
- transaction costs 18, 29, 153, 242
- treaty law 81, 107, 110, 130, 141–144, 220
- treaty making 6, 81, 100
 - constructivist interpretation 80–82, 90–98, 105
- triadic dispute resolution *see* dispute resolution
- Turkey 116, 117–118, 119, 120, 123–124, 125, 128
- Uganda 125
- Ukraine 84
- umbrella group 84, 86, 89
- United Kingdom 58, 66, 74, 77, 89
 - and IFIs 222
 - and the ICC 161, 167–168
 - and the Kosovo campaign 203
- United Nations 28, 60, 221
- United Nations Charter 67, 261–262
 - Article 2(4) 57–59, 63, 194, 261
 - Article 2(7) 261
 - Article 51 62, 65, 67, 194, 261
 - Chapter VII 68, 72–74, 261
- United Nations Framework Convention on Climate Change (UNFCCC) (1992) 83–90, 99–100
- United Nations General Assembly 261
 - Resolution 2131 (XX) (1965) 69
 - Resolution 2625 (XXV) (1970) 70
- United Nations Human Rights Committee 142, 145, 147
- United Nations Security Council 60, 72–78, 155
 - and humanitarian intervention 68, 259–260, 262–267, 268
 - and the ICC 166–168, 169, 170, 187
- Resolution 1368 (2001) 66
- Resolution 373 (2001) 66
- Resolution 502 (1982) 60
- Resolution 687 (1991) 77
- Resolution 721 (1992) 73
- Resolution 748 (1992) 73
- United States 39, 53, 91, 228, 258
 - and climate change 81, 82, 84–90, 92, 95, 100–101, 102–104
 - and IFIs 221, 222, 228, 236
 - and international law 65–67, 74, 77, 283–284
 - and landmines 116, 119, 120, 126–127, 128, 129, 185
 - and the GATT 251–252, 253, 255
 - and the ICC 55–56, 62, 151–152, 162–164, 168, 176–181, 186–188, 287
 - and complementarity 174–176
 - and national interest 181–186
 - jurisdiction of 155, 171–174, 175
 - prosecutor issue 169–170
 - UN involvement 166–167
 - and the Kosovo campaign 26, 198, 203, 205
- Universal Declaration of Human Rights (1948) 143, 145, 146, 262
- universalisation 286, 288–289
- Uruguay Round (1986–92) 249, 255
- Uzbekistan 125
- Vietnam War 197
- violations of norms 114, 123

Index

- von Martens, G. F. 36
- Wade, Robert 228, 235
- Waltz, Kenneth 269, 274
- war 51, 52–57, 109, 111–112, 256, 282
laws of 9, 189, 191, 198, 206, 209, 214,
215, 216 *see also* humanitarian law
- war crimes
and NATO 18, 207–208, 209
and the ICC 153, 162–171, 174, 179, 182,
185, 216
- warfare 110, 111, 112, 128
- Washington Summit Communiqué 26
- Watts, Sir Arthur 193
- Wendt, Alexander 3, 27, 80, 95–97, 98,
103
- World Bank 9–10, 34, 217, 219–220,
235–236
and good governance 229–235
and the IMF 227
structure and functions of 220–222,
224–226
- World Trade Organization (WTO) 11, 241,
249, 255
- Yemen 152
- Yugoslavia, Federal Republic of (FRY) 9,
125, 128
Kosovo campaign 26–27, 189–191,
194–197
- Zaire 76