The book offers the first analysis of the influence exercised by the concept of space on the emergence and continuing operation of international law. By adopting a historical perspective and analysing work of two central early modern thinkers – Leibniz and Hobbes – it offers a significant addition to a limited range of resources on early modern history of international law. The book traces links between concepts of space, universality, human cognition, law, and international law in these two early modern thinkers in a comparative fashion. Through this analysis, the book demonstrates the dependency of the contemporary international law on the Hobbesian concept of space. Although some Leibnizian elements continue to operate, they are distorted. This continuing operation of Leibnizian elements is explained by the inability of international law, which is based on the Hobbesian concept of space, to ensure universality of its normative foundation.

Ekaterina Yahyaoui Krivenko is the current Chair of the Interest Group on International Legal Theory and Philosophy of the European Society of International Law. In 2016 she received NUI Galway President’s award for research excellence. Her work critically examines theoretical underpinnings of international law and human rights.
The purpose of the ASIL Studies in International Legal Theory series is to clarify and improve the theoretical foundations of international law. Too often the progressive development and implementation of international law has foundered on confusion about first principles. This series raises the level of public and scholarly discussion about the structure and purposes of the world legal order and how best to achieve global justice through law. This series grows out of the International Legal Theory project of the American Society of International Law. The ASIL Studies in International Legal Theory series deepens this conversation by publishing scholarly monographs and edited volumes of essays considering subjects in international legal theory.

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Space and Fates of International Law

BETWEEN LEIBNIZ AND HOBBES

EKATERINA YAHYAOUI KRIVENKO

National University of Ireland Galway
To my husband, Y.M.B.S.
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LEIBNIZ’S WORKS

Throughout this study, the majority of references to Leibniz’s works contain two indicators: first, a reference to the original text and, second, a reference to an English translation of the specific source used, when such a translation is available. In all other instances (when no source of translation is indicated), translations of Leibniz’s texts as well as translations of other texts in languages other than English are my own. For the original text of Leibniz’s works, the Academy edition is used for all works that have been published as such. For later works that did not yet appear in the Academy edition but are published in other collections of Leibniz’s works, the reference is made to the collection used. The bibliography contains references to the collections of Leibniz’s works used, not to individual pieces within these collections. These individual pieces are always mentioned in the footnotes.

The following abbreviations are used for the most frequently cited editions and translations:

A Sämtliche Schriften und Briefe (Darmstadt and Berlin: Berlin Academy, 1923–)
Hobbes’s works are mostly cited according to Thomas Hobbes, The English Works of Thomas Hobbes of Malmesbury: Now First Collected and Edited by Sir William Molesworth, Bart. (London: John Bohn, 1839), which is abbreviated as EW. Because English texts of Hobbes’s works used here are mostly either his own translations or translations endorsed by himself, reference is usually made directly to the English text. In a few instances where Latin text provides additional clarity, the Latin text is also reproduced.

The following abbreviations of Hobbes’s works are used:

- DeCi Thomas Hobbes, De Cive, EW II
- DeCo Thomas Hobbes, De Corpore, EW I
- Lev: Thomas Hobbes, Leviathan, or the Matter, Form, and Power of a Commonwealth, Ecclesiastical and Civil, EW III