

## SPACE AND FATES OF INTERNATIONAL LAW

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.

Cambridge University Press  
 978-1-108-48875-4 — Space and Fates of International Law  
 Ekaterina Yahyaoui Krivenko  
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# Space and Fates of International Law

BETWEEN LEIBNIZ AND HOBBS

EKATERINA YAHYAOUÏ KRIVENKO

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978-1-108-48875-4 — Space and Fates of International Law  
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[More Information](#)

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## CAMBRIDGE UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre,  
New Delhi – 110025, India

79 Anson Road, #06–04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

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Information on this title: [www.cambridge.org/9781108488754](http://www.cambridge.org/9781108488754)

DOI: 10.1017/9781108771771

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First published 2020

*A catalogue record for this publication is available from the British Library.*

ISBN 978-1-108-48875-4 Hardback

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*To my husband, Y.M.B.S.*

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Cambridge University Press  
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## Note on Uses of Leibniz's and Hobbes's Works and Abbreviations

### 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–)
- GM   *Leibnizens Mathematische Schriften*, Karl Immanuel Gerhardt, ed., 7 Vols. (Berlin: Verlag von A. Ascher, 1849–63)
- GP   *Die philosophischen Schriften von Gottfried Wilhelm Leibniz*, Karl Immanuel Gerhardt, ed., 7 Vols. (Berlin: Weidmannische Buchhandlung, 1875–90)
- L    *Philosophical Papers and Letters*, Leroy E. Loemker, ed., 2nd ed. (Dordrecht: D. Reidel, 1969)

## HOBBS'S WORKS

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
- DH Thomas Hobbes, *De Homine*, in Thomas Hobbes, *Opera philosophica quae latine scripsit omnia in unum corpus nunc primum collecta*, Vol. 2 (London: Bohn, 1839)
- Lev: Thomas Hobbes, *Leviathan, or the Matter, Form, and Power of a Commonwealth, Ecclesiastical and Civil*, EW III