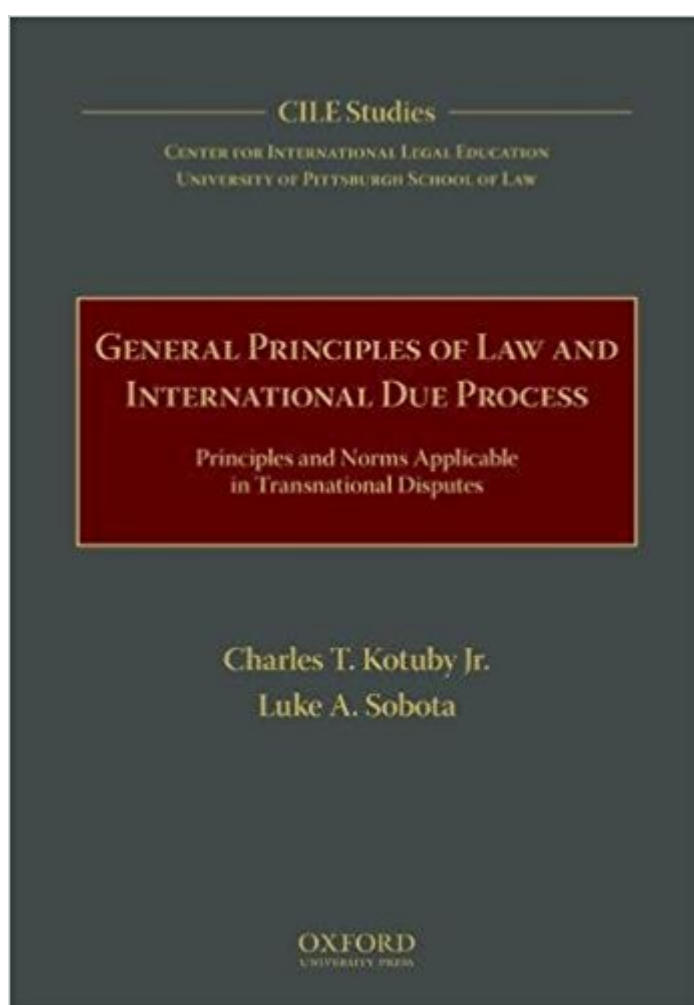


The book was found

General Principles Of Law And International Due Process: Principles And Norms Applicable In Transnational Disputes (Cile Studies)



Synopsis

Article 38 of the Statute of the International Court of Justice defines "international law" to include not only "custom" and "convention" between States but also "the general principles of law recognized by civilized nations" within their municipal legal systems. In 1953, Bin Cheng wrote his seminal book on general principles, identifying core legal principles common to various domestic legal systems across the globe. This monograph summarizes and analyzes the general principles of law and norms of international due process, with a particular focus on developments since Cheng's writing. The aim is to collect and distill these principles and norms in a single volume as a practical resource for international law jurists, advocates, and scholars. The information contained in this book holds considerable importance given the growth of inter-state intercourse resulting in the increased use of general principles over the past 60 years. General principles can serve as rules of decision, whether in interpreting a treaty or contract, determining causation, or ascertaining unjust enrichment. They also include a core set of procedural requirements that should be followed in any adjudicative system, such as the right to impartiality and the prohibition on fraud. Although the general principles are, by definition, basic and even rudimentary, they hold vital importance for the rule of law in international relations. They are meant not to define a rule of law, but rather the rule of law.

Book Information

Series: Cile Studies

Hardcover: 304 pages

Publisher: Oxford University Press; 1 edition (March 15, 2017)

Language: English

ISBN-10: 019064270X

ISBN-13: 978-0190642709

Product Dimensions: 10.1 x 1.2 x 7.3 inches

Shipping Weight: 1.5 pounds (View shipping rates and policies)

Average Customer Review: Be the first to review this item

Best Sellers Rank: #871,760 in Books (See Top 100 in Books) #7 in Books > Law > Legal Theory & Systems > Customary #147 in Books > Law > Business > Arbitration, Negotiation & Mediation #903 in Books > Law > Foreign & International Law

Customer Reviews

This book explores how general principles of law are being applied, providing a timely update to Bin Cheng's classic work. It focuses on the application of the principles to private conduct an astute

response to the evolution of international process over the past half-century. The result is a work that will benefit both scholars and practitioners. -James Crawford, Judge, International Court of Justice As said once by Kurt Lewin in another context, 'there is nothing more practical than a good theory'. At a time when the number of international courts and tribunals is increasing, international judges and arbitrators aim to establish their respective decisions on the most universal of grounds; they are more than ever conducted to refer to the fundamental values that bring together positive rules and normative visions. In that respect, Charles Kotuby and Luke Sobota offer a brilliant, comprehensive, and most useful study on the place and role of general principles of law in contemporary international arbitration in relation to the due process of law as fertilized by comparative and international law. -Pierre-Marie Dupuy, International Arbitrator

Charles T. Kotuby, Jr. is a partner at Jones Day in Washington D.C. His practice concentrates on litigation concerning foreign sovereigns and commercial and investment arbitration. He is a Fellow of the Chartered Institute of Arbitrators, and has for the past several years been teaching law school courses on international arbitration and dispute resolution. He is also a member of the Advisory Board of the Center for International Legal Education at the University of Pittsburgh School of Law, and clerked for Judge Joseph F. Weis of the United States Court of Appeals for the Third Circuit. Luke A. Sobota is a founding partner of the law firm of Three Crowns LLP, which is dedicated to international arbitration and adjudication involving both private and sovereign parties. For the past several years, Luke has taught law school courses on international arbitration and dispute resolution. He previously worked in the Office of Legal Counsel at the U.S. Department of Justice, where he advised and prepared legal opinions for executive branch officials in the areas of constitutional, international, and administrative law. He also clerked for William H. Rehnquist, the late Chief Justice of the U.S. Supreme Court.

[Download to continue reading...](#)

General Principles of Law and International Due Process: Principles and Norms Applicable in Transnational Disputes (Cile Studies) Legislating for Equality: A Multinational Collection of Non-Discrimination Norms. Volume II: Americas (Legislating for Equality - A Multinational Collection of Non-Discrimination Norms (4 Vols.)) Multilevel Regulation of Military and Security Contractors: The Interplay between International, European and Domestic Norms (Studies in International Law) The Devil's Due and Other Stories: The Devil's Due, The Portal, Disfigured, Empathy, and Epitaph (International Thriller Writers Presents: Thriller, Vol. 1) International Law: Norms, Actors, Process: A Problem-Oriented Approach (Aspen Casebook) International Law: Norms Actors Process: Problem

Approach 3e Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations San Remo Manual on International Law Applicable to Armed Conflicts at Sea The Formation and Identification of Rules of Customary International Law in International Investment Law (Cambridge Studies in International and Comparative Law) Ace General Chemistry I and II (The EASY Guide to Ace General Chemistry I and II): General Chemistry Study Guide, General Chemistry Review The UAE and Saudi Arabia: Border Disputes and International Relations in the Gulf (Library of Modern Middle East Studies) International Construction Law: A Guide for Cross-Border Transactions and Legal Disputes Principles of the Institutional Law of International Organizations (Cambridge Studies in International and Comparative Law) Messe solennelle "Ste. Cécile": Vocal score (Latin Edition) Messe solennelle de Sainte-Cécile (Gloria): Full Score [A6326] Transnational Shia Politics: Religious and Political Networks in the Gulf (Series in Comparative Politics and International Studies) Dealing in Virtue: International Commercial Arbitration and the Construction of a Transnational Legal Order (Chicago Series in Law and Society) Data Analytics: Applicable Data Analysis to Advance Any Business Using the Power of Data Driven Analytics (Big Data Analytics, Data Science, Business Intelligence Book 6) How the Gloves Came Off: Lawyers, Policy Makers, and Norms in the Debate on Torture (Columbia Studies in Terrorism and Irregular Warfare) The Implicit Norms of Rabbinic Judaism: The Bedrock of a Classical Religion (Studies in Judaism)

[Contact Us](#)

[DMCA](#)

[Privacy](#)

[FAQ & Help](#)