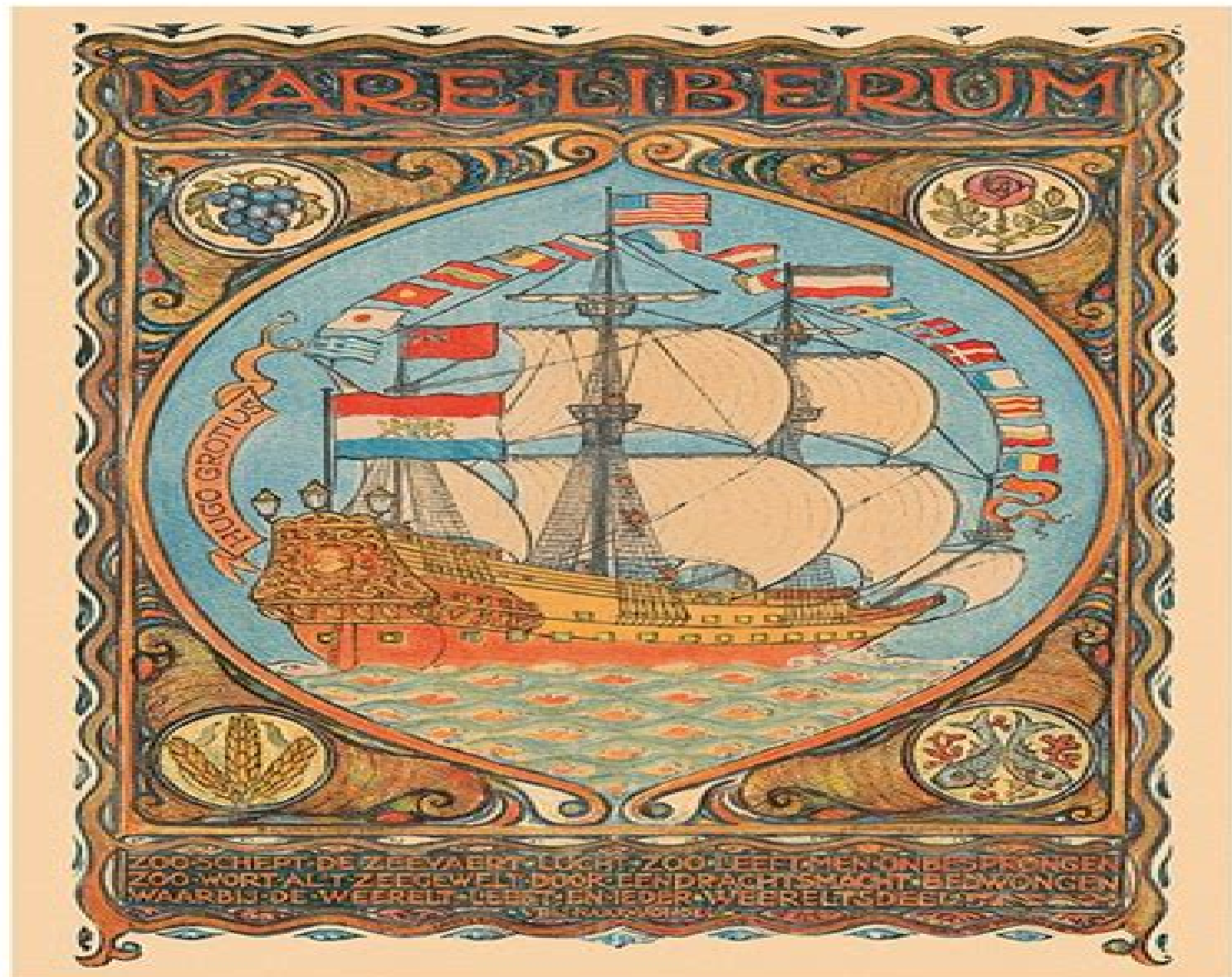
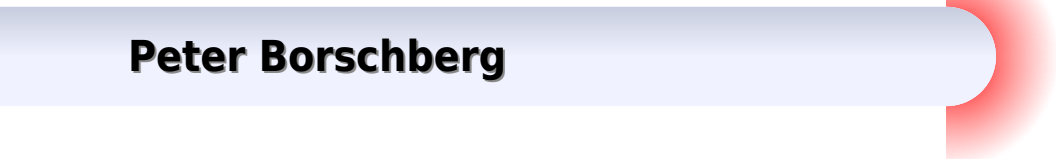




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WAARDIG DE WERELT LEEFT MEN NEDER WERELTS DEEL

Mare Liberum

Peter Borschberg



Mare Liberum:

Mare liberum, 2000 **Modern Law of the Sea** David Anderson, 2008 These collected essays examine different aspects of the modern law of the sea They address many key provisions in the United Convention on the Law of the Sea including its historical development the substantive rules governing navigation resources the regime of the high seas maritime jurisdiction the protection of the marine environment and the delimitation of maritime boundaries as well as the settlement of disputes The essays also review the Implementation Agreement of 1994 concerning deep seabed mining and the Implementation Agreement of 1995 concerning Straddling and Highly Migratory Fish Stocks The author presents purely personal views on many negotiations and cases in which he participated The essays written between 1988 and 2006 will be of interest to everyone involved in the law of the sea Davis Anderson is a former legal adviser to the Foreign and Commonwealth Office 1960 1996 and judge of the International Tribunal for the Law of the Sea 1996 2005 **Origin and**

Development of the Law of the Sea R.P. Anand, 2022-07-18 **The Freedom of the Seas, Or, The Right which Belongs to the Dutch to Take Part in the East Indian Trade** Hugo Grotius, Carnegie Endowment for International Peace. Division of International Law, 2001 A classic treatise on international maritime law Originally published New York Oxford University Press 1916 xv xiv xv 79 pp pagged in duplicate 158 pp 81 83 pp total 182 pp A translation of Grotius s Mare Liberum with Latin and English on facing pages This groundbreaking work was commissioned by the Dutch East India Company to dispute the monopoly on East Indian trade routes claimed by the Portuguese It argues that the seas are international territory open to all nations thus rejecting the idea that any area of the seas could belong to a country An instant classic it received a great deal of attention when it was published in 1609 Perhaps the most important reply is John Selden s Mare Clausum 1635 which defends British claims to sovereignty over the coastal waters of the British Isles

Sovereignty and the Limits of International Law Todd Berry, 2023-11-29 The inspiration for this book comes from negotiations that are taking place under the auspices of the United Nations by an intergovernmental conference for a new International Legally Binding Instrument ILBI under the United Nations Convention on the Law of the Sea UNCLOS on the conservation and sustainable use of marine biological diversity of Areas Beyond National Jurisdiction ABNJ The proposed ILBI is attempting to fill existing gaps under international law over marine biodiversity and Marine Genetic Resources MGR in ABNJ One way it is attempting to do this is by having an Access and Benefit Sharing ABS schema over these resources in ABNJ that the United Nations Convention on Biological Diversity CBD and its Nagoya Protocol NP do not currently cover These existing frameworks that regulate genetic resources are grounded in the notion of sovereignty Effectively States have sovereign rights over their biological resources The ILBI however is attempting to regulate marine biodiversity and MGR in ABNJ Thus the notion that negotiators representing nation States under the auspices of the United Nations can regulate ABNJ is paradoxical are these areas beyond nation States jurisdiction or not Implicitly the negotiators are acting as though

they have sovereignty over resources located in what has been historically a sovereign free space Thus the purpose of this book is to investigate this paradox Essentially this book critiques the notion that ABNJ can actually be regulated under the auspices of the United Nations by nation State negotiators

The Unseen History of International Law Mark Somos, Matthew Cleary, Pablo Dufour, Edward Jones Corredera, Emanuele Salerno, 2025-04-30

The Unseen History of International Law locates and describes almost one thousand surviving copies of the first nine editions of Hugo Grotius *De iure belli ac pacis* IBP published between 1625 and 1650 Meticulously reconstructing the publishing history of these first nine editions and cataloguing copies across hundreds of collections The Unseen History provides fundamental data for reconstructing the impact of IBP across time and space It also examines annotations that thousands of owners and readers have left in IBP copies over four centuries offering original insights into the development of international law Grotius *De iure belli ac pacis* has been commonly regarded as the foundation of modern international law since its first appearance in 1625 Most major international law scholars have engaged with IBP often owning and richly annotating their own copies At key moments including the demise of the Holy Roman Empire the fall of Napoleon and the end of both world wars IBP was reissued with new commentaries by multinational projects devoted to restarting the international order Despite the enormous literature on IBP's reception and influence we cannot fully understand its impact without uncovering the history of IBP as a physical object with hundreds of thousands of unpublished annotations arguing or agreeing with the text updating and adapting its contents Approaching Grotius seminal work as a physical vehicle of the author's the publishers owners and readers engagement The Unseen History radically expands and revises our understanding not only of IBP but also of the academic discipline and lived practice of modern international law over the last four centuries In addition to delving into the first nine editions printing history descriptive bibliography and both Grotius and the publishers marketing and donation strategies the book explores Grotius subsequent impact on pro slavery and abolitionist litigation as a case study of how the census original findings can be applied to specific areas of reception

Paper Sovereigns Jeffrey Glover, 2014-05-14

In many accounts of Native American history treaties are synonymous with tragedy From the beginnings of settlement Europeans made and broke treaties often exploiting Native American lack of alphabetic literacy to manipulate political negotiation But while colonial dealings had devastating results for Native people treaty making and breaking involved struggles more complex than any simple contest between invaders and victims The early colonists were often compelled to negotiate on Indian terms and treaties took a bewildering array of shapes ranging from rituals to gestures to pictographs At the same time Jeffrey Glover demonstrates treaties were international events scrutinized by faraway European audiences and framed against a background of English Spanish French and Dutch imperial rivalries To establish the meaning of their agreements colonists and Natives adapted and invented many new kinds of political representation combining rituals from tribal national and religious traditions Drawing on an archive that includes written documents printed books orations landscape markings

wampum beads tally sticks and other technologies of political accounting Glover examines the powerful influence of treaty making along the vibrant and multicultural Atlantic coast of the seventeenth century

The Routledge Handbook of Law and the Anthropocene Peter D. Burdon, James Martel, 2023-05-15 The Routledge Handbook of Law and the Anthropocene provides a critical survey into the function of law and governance during a time when humans have the power to impact the Earth system The Anthropocene is a crisis of the earth system This book addresses its implications for law and legal thinking in the twenty first century Unpacking the challenges of the Anthropocene for advocates of ecological law and politics this handbook pursues a range of approaches to the scientific fact of anthropocentrism with contributions from lawyers philosophers geographers and environmental and political scientists Rather than adopting a hubristic normativity the contributors engage methods concepts and legal instruments in a way that underscores the importance of humility and an expansive ethical worldview Contributors to this volume are leading scholars and future leaders in the field Rather than upholding orthodoxy the handbook also problematizes received wisdom and is grounded in the conviction that the ideas we have inherited from the Holocene must all be open to question Engaging such issues as the Capitalocene Gaia theory the rights of nature posthumanism the commons geoengineering and civil disobedience this handbook will be of enormous interest to academics students and others with interests in ecological law and the current environmental crisis

Property, Piracy and Punishment: Hugo Grotius on War and Booty in De iure praedae, 2009-03-25 In 1604 1605 Hugo Grotius wrote De iure praedae a commentary on the law of booty and prize and a first step towards the Law of War and Peace of twenty years later Not published in his own times rediscovered in 1864 and subsequently published it has been over interpreted and under studied The sixteen essays in this volume discuss De iure praedae its intellectual sources personal and political circumstances and over all consequences exploring how Grotius as a humanist theologian jurist and politician proceeded in this his first exercise in the theory of natural law and rights The essays are written by an international and interdisciplinary team of specialists based on papers delivered at a conference at NIAS in Wassenaar in 2005 Originally published as Volumes 26 2005 27 2006 and 28 2007 of Brill s journal Grotiana

The Savage Republic Eric Michael Wilson, 2008 Intended for the professional academic and graduate student this book is the first to utilize the methodology of a oeNew Streama legal scholarship in an extended critical a oeexegesis of Hugo Grotiusa TM De Indis c 1604 6 De Indis is predicated upon a two fold discursive strategy i investing a oeprivatea Trading Companies with a oe publica international legal personality and ii collapsing the distinction between a oe privatea and a oe publica warfare Governing the operation of textual interpretation is De Indisa TM status as a republican treatise juridically legitimating an early modern Trans National corporation the VOC that served as an agent of a a oe primitivea system of global governance the early Capitalist World Economy The application of New Stream scholarship reveals that the republican signature of De Indis consists of a discursive a oe micro oscillationa between the a oe thicka ontology of Late Scholasticism a oe Utopiaa and the a oe thin a ontology of Civic

Humanism a oeApologya wholly appropriate to the governance requirements of the embryonic Modern World System

Marine Conservation and International Law Sarah Louise Lothian,2022-07-22 This book provides a blueprint for an International Legally Binding Instrument ILBI for the conservation and sustainable use of marine biodiversity beyond national jurisdiction BBNJ The development of an ILBI could signify a pivotal turning point in the law of the sea by addressing regulatory governance and institutional gaps and deficiencies in the existing international law framework for BBNJ This book analyses the essential components an ILBI will require to effectively conserve and sustainably use BBNJ focusing on marine genetic resources areabased management tools environmental impact assessments capacity building and marine technology transfer It investigates potential areas of compromise as the success of an ILBI will rely upon the support of a powerful bloc of maritime States principally the United States the United Kingdom Russia the Netherlands France and Japan The participation of major maritime powers will be critical as it is their nationals corporations and flag vessels that have the financial and technical wherewithal to undertake activities beyond national jurisdiction This bloc of States has historically been the strongest proponent of the Grotian doctrine of freedom of the seas as it aligns with their predominant interest to preserve navigational freedom for their merchant and military fleets Accordingly this book assesses the extent to which the Grotian doctrine continues to exert influence on the development of the law of the sea and the development of an ILBI Providing a comprehensive overview of this important development in international law this book will be of interest to students lecturers and academics of law of the sea international environmental law and biodiversity law

The Ideological Origins of the British Empire David Armitage,2000-09-04 The Ideological Origins of the British Empire presents a comprehensive history of British conceptions of empire for more than half a century David Armitage traces the emergence of British imperial identity from the mid sixteenth to the mid eighteenth centuries using a full range of manuscript and printed sources By linking the histories of England Scotland and Ireland with the history of the British Empire he demonstrates the importance of ideology as an essential linking between the processes of state formation and empire building This book sheds light on major British political thinkers from Sir Thomas Smith to David Hume by providing fascinating accounts of the British problem in the early modern period of the relationship between Protestantism and empire of theories of property liberty and political economy in imperial perspective and of the imperial contribution to the emergence of British identities in the Atlantic world

Across Oceans of Law Renisa Mawani,2018-08-09 In 1914 the British built and Japanese owned steamship Komagata Maru left Hong Kong for Vancouver carrying 376 Punjabi migrants Chartered by railway contractor and purported rubber planter Gurdit Singh the ship and its passengers were denied entry into Canada and two months later were deported to Calcutta In Across Oceans of Law Renisa Mawani retells this well known story of the Komagata Maru Drawing on oceans as method a mode of thinking and writing that repositions land and sea Mawani examines the historical and conceptual stakes of situating histories of Indian migration within maritime worlds Through close readings of the ship the

manifest the trial and the anticolonial writings of Singh and others Mawani argues that the Komagata Maru's landing raised urgent questions regarding the jurisdictional tensions between the common law and admiralty law and ultimately the legal status of the sea By following the movements of a single ship and bringing oceans into sharper view Mawani traces British imperial power through racial temporal and legal contests and offers a novel method of writing colonial legal history *The Oxford Handbook of the History of International Law* Bardo Fassbender, Anne Peters, Simone Peter, Daniel Högger, 2012-11-01

The Oxford Handbook of the History of International Law provides an authoritative and original overview of the origins concepts and core issues of international law The first comprehensive Handbook on the history of international law it is a truly unique contribution to the literature of international law and relations Pursuing both a global and an interdisciplinary approach the Handbook brings together some sixty eminent scholars of international law legal history and global history from all parts of the world Covering international legal developments from the 15th century until the end of World War II the Handbook consists of over sixty individual chapters which are arranged in six parts The book opens with an analysis of the principal actors in the history of international law namely states peoples and nations international organisations and courts and civil society actors Part Two is devoted to a number of key themes of the history of international law such as peace and war the sovereignty of states hegemony religion and the protection of the individual person Part Three addresses the history of international law in the different regions of the world Africa and Arabia Asia the Americas and the Caribbean Europe as well as encounters between non European legal cultures like those of China Japan and India and Europe which had a lasting impact on the body of international law Part Four examines certain forms of interaction or imposition in international law such as diplomacy as an example of interaction or colonization and domination as an example of imposition of law The classical juxtaposition of the civilized and the uncivilized is also critically studied Part Five is concerned with problems of the method and theory of history writing in international law for instance the periodisation of international law or Eurocentrism in the traditional historiography of international law The Handbook concludes with a Part Six entitled People in Portrait which explores the life and work of twenty prominent scholars and thinkers of international law ranging from Muhammad al Shaybani to Sir Hersch Lauterpacht The Handbook will be an invaluable resource for students and scholars of international law It provides historians with new perspectives on international law and increases the historical and cultural awareness of scholars of international law It is the standard reference work for the global history of international law *The Interception of Vessels on the High Seas* Efthymios Papastavridis, 2014-08-28 The principal aim of this book is to address the international legal questions arising from the right of visit on the high seas in the twenty first century This right is considered the most significant exception to the fundamental principle of the freedom of the high seas the freedom in peacetime to remain free of interference by ships of another flag It is this freedom that has been challenged by a recent significant increase in interceptions to counter the threats of international terrorism and WMD proliferation or to suppress transnational organised

crime at sea particularly the trafficking of narcotics and smuggling of migrants The author questions whether the principle of non interference has been so significantly curtailed as to have lost its relevance in the contemporary legal order of the oceans The book begins with an historical and theoretical examination of the framework underlying interception This historical survey informs the remainder of the work which then looks at the legal framework of the right of visit contemporary challenges to the traditional right interference on the high seas for the maintenance of international peace and security interferences to maintain the bon usage of the oceans navigation and fishing piracy j ure gentium and current counter piracy operations off the coast of Somalia the problems posed by illegal unregulated and unreported fishing interdiction operations to counter drug and people trafficking and recent interception operations in the Mediterranean Sea organised by FRONTEX *Hugo Grotius, the Portuguese, and Free Trade in the East Indies* Peter Borschberg,2011-01-01 This book considers the background to the treatises their content and significance and what Grotius actually knew about Southeast Asian polities or Portuguese institutions of trade and diplomacy when he wrote them *LEGAL RECORD & HISTORICAL REALITY* Thomas G. Watkin,1989-01-01 *The International Law of the Sea* Yoshifumi Tanaka,2019-08-15 Provides comprehensive coverage of basic and contemporary issues of the law of the sea in a systematic manner

International Law and the Developing Countries R.P. Anand,2024-02-12 **Sovereignty and Territorial Temptation** Christopher R. Rossi,2017-04-27 This powerful reworking of the liberal tradition of international law uses Grotius as the vehicle for understanding coming challenges to the global commons Fundamental problems of scarcity sovereignty anachronistic thinking and territorial temptation are interwoven in historical and contemporary contexts to illuminate the tendency among states to share resources but only when necessary

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