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Democratic Statehood in International Law

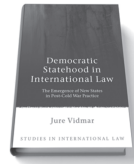
The Emergence of New States in Post-Cold War Practice

Jure Vidmar

This book analyses the emerging practice in the post-Cold War era of the creation of a democratic political system along with the creation of new states. The existing literature either tends to conflate self-determination and democracy or dismisses the legal relevance of the emerging practice on the basis that democracy is not a statehood criterion. Such arguments are simplistic. This book demonstrates that via the right of self-determination the law of statehood requires for state creation to be a democratic process, but that this requirement should not be interpreted too broadly. The democratic process in this context governs independence referenda and does not interfere with the choice of a political system.

Jure Vidmar is a Leverhulme Early Career Fellow in the Faculty of Law and a Research Fellow of St John's College, University of Oxford.

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The Interception of Vessels on the High Seas

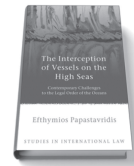
Contemporary Challenges to the Legal Order of the Oceans

Efthymios Papastavridis

The aim of this book is to address the international legal questions arising from the 'right of visit on the high seas' in the 21st century. It 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 *jure 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.

Efthymios Papastavridis is a part-time Law Lecturer at the University of Thrace.

Feb 2013 376pp Hbk 9781849461832 £65 / €65



Transconstitutionalism

Marcelo Neves translated by Kevin Mundy

This book examines Transconstitutionalism, which is a concept used to describe what happens to constitutional law when it is emancipated from the state, in which can be found the origins of constitutional law. Transconstitutionalism does not exist because a multitude of new constitutions have appeared, but because other legal orders are now implicated in resolving basic constitutional problems. A transconstitutional problem entails a constitutional issue whose solution may involve national, international, supranational and transnational courts or arbitral tribunals, as well as native local legal institutions.

Marcelo Neves is Professor of Public Law and Legal Theory at Brasilia University.

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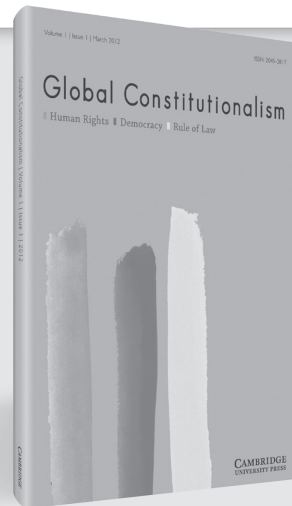
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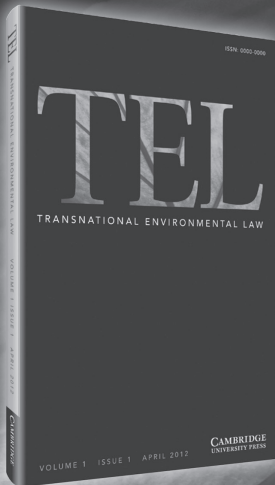
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