Contents

Chapter 1 JUSTICE, DIVERSITY AND THE RULE OF LAW	13
lustitia est constans et perpetua voluntas ius suum cuique tribuens Justice is a Virtue Justice and Charity Justice and Natural Law Natural Law Natural Law, lus Gentium, International Law RELIGIOUS, CULTURAL AND NATIONAL DIVERSITY Ancient Roots – Contemporary Problems Fundamental Contradictions Conflicting Claims The Supremacy or the Rule of Law Democracies based on the rule of Law The Sources of the Rule of Law FOR FURTHER REFLECTION Overcoming Legal Positivism Activating Civil Society Promoting Freedom of Religion Defining a new lus Gentium.	18 20 21 23 26 28 29 30 35 36 40 42 45 46 47 47 47
Chapter 2 REFLECTIONS ON THE HISTORY OF INTERNATIONAL LAW	49
A HISTORY OF GROWTH AND PROGRESS? Respect for law The Folly of War Troy	52 54 55 56
THE TURBULENT HISTORY OF THE LAW OF NATIONS The End of the Ancient World Three types of relations A new era	59 61 63 65
Wars over people, peace between sovereigns and reigning families Revolution and War Rites of Peace: the Congress of Vienna Illusions	67 71 74 77
THE WARS OF THE NINIETEENTH CENTURY	80

Dreams, Rise and fall of national empires Prussia and (North) German Unification Italian Unification The Eastern Question Victimization of International Law THE OUTBREAK OF THE GREAT WAR ONE HUNDRED YEARS AGO Individual Liability in addition to State Responsibility? After the Second World War	81 83 84 85 88 90 95 96
Chapter 3 INTERNATIONAL LAW AND HUMAN DIGNITY	101
THE CONCEPT OF HUMAN DIGNITY Whose Dignity? A Dispositive Role in International Law? THOSE WHO MADE THE DIFFERENCE Mahatma Gandhi (1869-1948) Martin Luther King (1929-1968) Andrei D. Sakharov (1921-1989) NELSON MANDELA (1918-2013) Aung San Suu Kyi (1945-) HUMAN DIGNITY AND FREEDOM OF RELIGION Where the Catholic Church made the difference The Fragility of Freedom of Religion Dealing with Persecution and Religious Freedom	104 109 110 112 113 116 118 127 128 128 132
Chapter 4 INTERNATIONAL LAW AND THE COMMON GOOD	139
A COMMON STANDARD OF ACHIEVEMENT Content and structure of the Universal Declaration of Human Rights Bartolomé de Las Casas, "That Apostle of America" Deconstruction	148 150 154 161
Chapter 5 INTERNATIONAL LAW AND STATE SOVEREIGNTY	163
JEAN BODIN AND THE DOCTRINE OF STATE SOVEREIGNTY Further Evolution of the Concept of Sovereignty STATE SOVEREIGNTY IN THE WORK OF PIETER KOOIJMANS The Divine Origin of Legal Norms	166 168 171 174

The World Community as a Legal Community Sovereignty within Its own Sphere,	177
but not above the Law	178
War, Peace and Disarmament	182
Human Rights and State Sovereignty	186
Religion and Law in Pieter Kooijmans' Work	191
THE PRINCIPLE OF SOVEREIGN EQUALITY	193
Chapter 6	
INTERNATIONAL LAW AND THE USE OF FORCE	197
THE TWENTIETH CENTURY WAR (1914-1990)	201
War and Technology	204
Restraining the Use of Force	205
Enforcement Measures and the Cold War	206
Avoiding direct confrontation	207
Cold War and Decolonization	209
South Africa	211
PEACEFUL REVOLUTION: THE END OF THE TWENTIETH CENTURY	010
WAR	212 213
Successful in its own terms LAW AND FORCE IN THE NEW ORDER: ANY DIFFERENCE?	216
The War on Terrorism	218
DISARMAMENT AND WAR PREVENTION	222
In recent History	223
Nuclear Weapons and the Cold War	225
The Post-1989 Era: Any function left for nuclear	220
deterrence?	227
In the Light of History	228
Nuclear weapons must be abolished	230
WARS AND WEAPONS	232
	202
Chapter 7 THE SITUATION IN THE MIDDLE-EAST	239
THE SHOATION IN THE MIDDLE-EAST	209
From the Eastern Question to the Situation in the Middle-East	241
Partition, Self-determination and Democracy	246
·	248
Cynical and shameless Dead-end street	240 249
ARMAGEDDON	250
BREAKING AWAY TOWARDS PEACE?	253
The Peace Treaty Between Egypt and Israel	254
mo i eace heary between Lgypt and blaet	204

Agreements Between Israel And The PLO Mutual recognition Two stages Firm time limits The first stage: two sub-stages Nature of the Agreements between Israel and the PLO Permanent Status Negotiations Treaty of Peace between Israel and Jordan PLOWING THE SEA LEARNING FROM HISTORY?	257 258 259 260 260 263 267 269 272
Chapter 8 THE ART OF DIPLOMACY	281
THE METHODS OF DIPLOMACY Parliamentary Diplomacy Cooperative Diplomacy THE DIPLOMACY OF PEACEFUL COOPERATION THE ART OF DIPLOMACY	285 287 291 293 296
Chapter 9 INTERNATIONAL LAW AND THE PURSUIT OF JUSTICE	301
Status Quo Rules imposed on other States Sovereign Equality or Human Dignity?	305 307 311
Chapter 10 FOOTPRINTS OF THE TWENTIETH CENTURY	315
The American Century War and Peace The Christian Heritage of Western Civilization	317 322 324
ABOUT THE AUTHOR SELECTED PUBLICATIONS	327 329