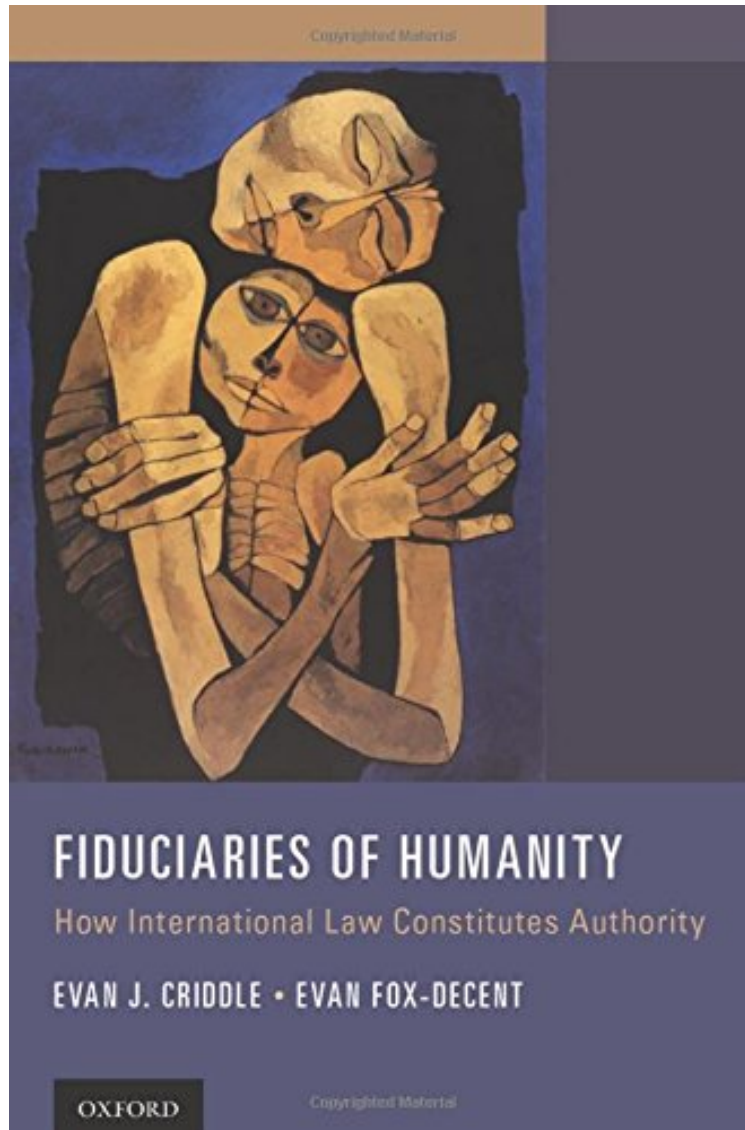


(Download) Fiduciaries of Humanity: How International Law Constitutes Authority

Fiduciaries of Humanity: How International Law Constitutes Authority

Evan J. Criddle, Evan Fox-Decent
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Evan J. Criddle, Evan Fox-Decent : Fiduciaries of Humanity: How International Law Constitutes Authority before purchasing it in order to gauge whether or not it would be worth my time, and all praised Fiduciaries of Humanity: How International Law Constitutes Authority:

Public international law has embarked on a new chapter. Over the past century, the classical model of international law, which emphasized state autonomy and interstate relations, has gradually ceded ground to a new model. Under the new model, a state's sovereign authority arises from the state's responsibility to respect, protect, and fulfill human rights for its people. In *Fiduciaries of Humanity: How International Law Constitutes Authority*, Evan J. Criddle and Evan Fox-Decent argue that these developments mark a turning point in the international community's conception of public authority. Under international law today, states serve as fiduciaries of humanity, and their authority to govern and represent their people is dependent on their satisfaction of numerous duties, the most general of which is to establish a regime of secure and equal freedom on behalf of the people subject to their power. International institutions also serve as fiduciaries of humanity and are subject to similar fiduciary obligations. In contrast to the receding classical model of public international law, which assumes an abiding tension between a state's sovereignty and principles of state responsibility, the fiduciary theory reconciles state sovereignty and responsibility by explaining how a state's obligations to its people are constitutive of its legal authority under international law. The authors elaborate and defend the fiduciary model while exploring its application to a variety of current topics and controversies, including human rights, emergencies, the treatment of detainees in counterterrorism operations, humanitarian intervention, and the protection of refugees fleeing persecution.

"With a bold and broad brush, the authors have painted an impressive picture. They offer an interesting re-description of core issues of the current international legal order. Their tour de force through international law offers a fresh perspective." Anne Peters, Max Planck Institute for Comparative Public Law and International Law, Heidelberg

"Fiduciaries of Humanity redeems the promissory note first tendered in the authors' ground-breaking article: that a fiduciary relationship can ground both the prerogatives of - and constraints on - sovereignty, and indeed the international legal system itself. Though their account appeals to the notion of Humanity, this is not your parents' Natural Law. This is the future of international legal theory." -Jens David Ohlin, Associate Dean for Academic Affairs Professor of Law, Cornell Law School

About the Author Evan J. Criddle is Professor of Law at William Mary Law School, where he specializes in public international law, international human rights law, administrative law, fiduciary law, and the law of armed conflict. He received his JD from Yale Law School and practiced transnational litigation prior to entering academia. His scholarship has appeared in the *Cornell Law Review*, *European Journal of International Law*, *Georgetown Law Journal*, *Northwestern University Law Review*, and *Yale Journal of International Law*. Evan Fox-Decent is Associate Professor at McGill University's Faculty of Law, where he researches and teaches legal theory, human rights, administrative law, and the law of fiduciaries. He holds a JD and PhD from the Univ. of Toronto, and has worked extensively in human rights and democratic governance reform in Latin America. He is the author of *Sovereignty's Promise: The State as Fiduciary* (OUP, 2012), and his research has appeared in *Legal Theory*, *Human Rights Quarterly*, *Theoretical Inquiries in Law*, *Law and Philosophy*, *University of Toronto Law Journal*, and *McGill Law Journal*.