

CONTENTS

Contributors ix

Acknowledgments xi

Introduction

1. Conceptualizing Comparative International Law 3

Anthea Roberts, Paul B. Stephan, Pierre-Hugues Verdier, & Mila Versteeg

PART ONE Comparative International Law and Related Fields: Comparative Politics, Foreign Relations Law, and International Relations

2. Methodological Guidance: How to Select and Develop Comparative International Law Case Studies 35

Katerina Linos

3. Comparative International Law, Foreign Relations Law, and Fragmentation: Can the Center Hold? 53

Paul B. Stephan

4. Why Comparative International Law Needs International Relations Theory 71

Daniel Abebe

PART TWO International Lawyers, the Academy, and Competing Conceptions of International Law

5. The Many Fields of (German) International Law 91

Nico Krisch

6. Crimea and the South China Sea: Connections and Disconnects among Chinese, Russian, and Western International Lawyers 111

Anthea Roberts

7. “*Shioki* (Control),” “*Fuyo* (Dependency),” and Sovereignty: The Status of the Ryukyu Kingdom in Early-Modern and Modern Times 141

Masaharu Yanagihara

PART THREE Comparative International Law and International Institutions

8. Comparative International Law Within, Not Against, International Law: Lessons from the International Law Commission 161
Mathias Forteau
9. The Continuing Impact of French Legal Culture on the International Court of Justice 181
Mathilde Cohen

PART FOUR Comparative International Law and Domestic Institutions: Legislatures and Executives

10. International Law in National Legal Systems: An Empirical Investigation 209
Pierre-Hugues Verdier & Mila Versteeg
11. Objections to Treaty Reservations: A Comparative Approach to Decentralized Interpretation 231
Tom Ginsburg
12. Intelligence Communities and International Law: A Comparative Approach 251
Ashley S. Deeks
13. National Legislatures: The Foundations of Comparative International Law 271
Kevin L. Cope & Hooman Movassagh

PART FIVE Comparative International Law and Domestic Institutions: National Courts

14. International Law in Chinese Courts during the Rise of China 295
Congyan Cai
15. The Democratizing Force of International Law: Human Rights Adjudication by the Indian Supreme Court 319
Neha Jain
16. Case Law in Russian Approaches to International Law 337
Lauri Mälksoo
17. Doing Away with Capital Punishment in Russia: International Law and the Pursuit of Domestic Constitutional Goals 353
Bakhtiyar Tuzmukhamedov

PART SIX Comparative International Law and Human Rights

18. Comparative Views on the Right to Vote in International Law: The Case of Prisoners' Disenfranchisement 379
Shai Dothan
19. When Law Migrates: Refugees in Comparative International Law 397
Jill I. Goldenziel
20. An Asymmetric Comparative International Law Approach to Treaty Interpretation: The CEDAW Committee's Tolerance of the Scandinavian States' Progressive Deviation 419
Alec Knight
21. Comparative International Law and Human Rights: A Value-Added Approach 439
Christopher McCrudden
22. CEDAW in National Courts: A Case Study in Operationalizing Comparative International Law Analysis in a Human Rights Context 459
Christopher McCrudden
23. The Great Promise of Comparative Public Law for Latin America: Toward *Ius Commune Americanum*? 501
Alejandro Rodiles

PART SEVEN Comparative International Law, Investment, and Law of the Sea

24. Who Cares about Regulatory Space in BITs? A Comparative International Approach 527
Tomer Broude, Yoram Z. Haftel, & Alexander Thompson
25. Africa and the Rethinking of International Investment Law: About the Elaboration of the Pan-African Investment Code 547
Makane Moïse Mbengue & Stefanie Schacherer
26. Not so Treacherous Waters of International Maritime Law: Islamic Law States and the UN Convention on the Law of the Sea 571
Emilia Justyna Powell

Index 595