



Expert Laws of War

Restating and Making Law in Expert Processes

Elgar International Law series

Anton Orlinov Petrov, Freie Universität Berlin and Hengeler Mueller, Germany

Over recent decades, international humanitarian law has been shaped by the omnipresence of so-called expert manuals. Astute and engaging, this discerning book provides a comprehensive account of these black letter rules and commentaries produced by private expert groups and demonstrates why the general acceptance of these expert manuals is largely unjustified. The author innovatively links interdisciplinary insights to the needs of military lawyers in practice, showing the pitfalls of relying on private manuals as arguable restatements and interpretations of the law 'as it is'.

'This is an excellent work that fills a large gap in international humanitarian law. That gap is how to understand, utilise and value the soft law made by experts, which increasingly fills the spaces where hard law is yet to solidify. Such analysis makes this work an essential piece of scholarship for those who take progress in this area seriously.'

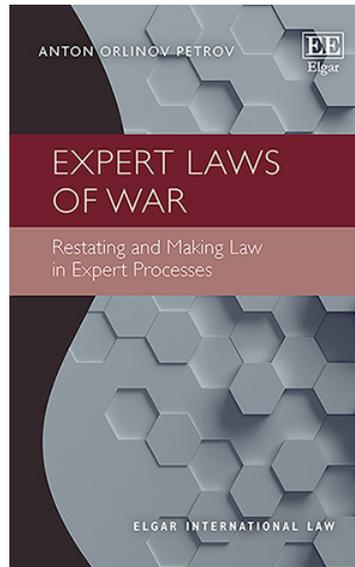
– Alexander Gillespie, University of Waikato, New Zealand

'This book aims at bringing to light the phenomenon of expert manuals, notable for example in the field of IHL. There is a tension between the deadlock in international treaty-making and the substitutive function of experts proclaiming to restate the law. Political legitimacy lies with those who do not act (states), while those who act are deprived of it (experts). A blind spot is thus brought to the fore in a highly engaging manner in this interesting book: to what extent is "private legislation" an acceptable avenue in the crafting of international legal rules? Can this process gloss over the insufficiencies of the law and "restate" it? Can it respond to the demands for law by the concerned actors, when States do not respond?'

– Robert Kolb, University of Geneva, Switzerland

'What role do expert manuals play for the development of international humanitarian law? How can their great factual importance be reconciled with the rules on the sources of international law as well as requirements of legitimacy and representation? Anton Petrov's book is a lucid engagement with these questions. It will be of great value to scholars and practitioners in international humanitarian law and beyond.'

– Helmut Aust, Freie Universität Berlin, Germany



How To Order

Online

www.e-elgar.com

Get up to 20% discount when you order online

By Email

UK/ROW: sales@e-elgar.co.uk

N/S America: elgarsales@e-elgar.com

By Phone

UK/ROW: +44 (0) 1242 226934

N/S America: +1 413-584-5551

Connect With Us

Find us on Facebook

facebook.com/EdwardElgarPublishing

Follow us on Twitter

For news, views and offers

[@ElgarPublishing](https://twitter.com/ElgarPublishing)

Read our Blog

For news, views and debate from our authors and readers.

<https://www.elgar.blog>

For More Information

UK/ROW: info@e-elgar.co.uk

N/S America: elgarinfo@e-elgar.com

2020 296 pp Hardback 978 1 78990 758 2 ~~£81.00~~ £90.00 \$121.50 \$135.00

Elgaronline 978 1 78990 759 9