



The Nature of International Humanitarian Law

A Permissive or Restrictive Regime?

Elgar International Law series

Anne Quintin, Head of the Advisory Service on International Humanitarian Law, International Committee of the Red Cross

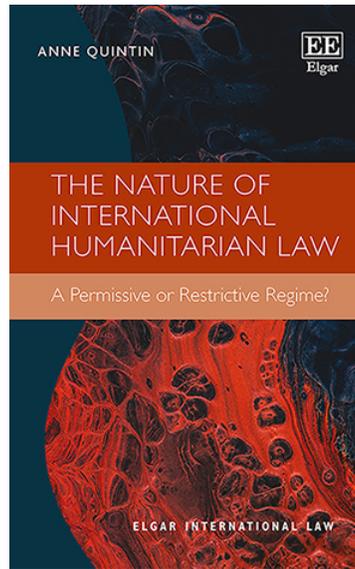
This illuminating book explores the nature of international humanitarian law (IHL), so doing by asking whether it should be seen as a permissive or a restrictive regime. An experienced lawyer in the field, Anne Quintin offers an in-depth expert analysis of this highly debated topic, revealing the true nature of IHL and concluding that whilst IHL initially developed as a restrictive regime composed of prohibitions and prescriptions, it nevertheless contains within it rare permissions that allow states to act.

'At a critical moment for IHL, Dr. Quintin's monograph presents an all-too-rare find: it asks big and important questions and tackles them through sharp doctrinal and practical analysis. She frames key questions concerning the fundamental nature of the law governing war and masterfully draws out linkages between IHL, jus ad bellum, and international human rights law. In doing so, Dr. Quintin reveals that how these questions are ultimately answered will shape the future and fate of this body of law.'

– Naz Modirzadeh, Harvard Law School Program on International Law and Armed Conflict, US

'IHL governs organized human behavior in its basest form – war. This being so, understanding the nature of this unique body of law would seem fundamental, yet discussion has long been beset by a binary debate over whether it is restrictive or permissive in character. In this sophisticated and incisive book, Anne Quintin takes on this persistent controversy, providing readers a "palette of nuance" that makes possible a coherent and internally consistent framework for analysis by both scholars and practitioners. The Nature of International Humanitarian Law is a "must read" for experts in the field.'

– Michael Schmitt, University of Reading School of Law, UK



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