



University of São Paulo – USP

Department of Philosophy and Theory of Law

DFD 5948 – Contemporary Themes and Readings in Legal Theory V

Philosophy of International Law: Principles and Concepts

(Classes in English)

Professor: Ronaldo Porto Macedo Júnior

Class Time: Thursdays, from 8:30 am to 12:30 pm

Place: Sala Dutra Rodrigues – Historic Building -2nd Floor

Texts are available at: <https://edisciplinas.usp.br/course/view.php?id=134095>

Teaching assistant: Renato Pavan – email: renatopavan@usp.br

CALENDAR

CLASS	DATE	CONTENT
N. 01	14.08	<p>01. Course Introduction - Presentation of the course. Problems and Paradoxes. Theory of Law, Dogmatics, and Philosophy of Law</p> <p><u>Recommended Reading:</u></p> <ul style="list-style-type: none">• Tasioulas, John; Verdirame, Guglielmo. “Philosophy of International Law.” In <i>The Stanford Encyclopedia of Philosophy</i>, Summer 2024 Edition, edited by Edward N. Zalta & Uri Nodelman. Available at: https://plato.stanford.edu/archives/sum2024/entries/international-law/• Verdirame, Guglielmo. “International Law.” In Tasioulas, John (ed.), <i>The Cambridge Companion to the Philosophy of Law</i>, 2020b, pp. 389–408. Cambridge: Cambridge University Press.• Buchanan, Allen; Golove, David. “Philosophy of International Law.” In <i>The Oxford Handbook of Jurisprudence & Philosophy of Law</i>, 2002.

N. 02	21.08	<p>02. JOINT SEMINAR UNIVERSITY OF SAO PAULO (BRA) AND UNIVERSITY OF MÜNSTER (GER)</p> <ul style="list-style-type: none"> • 9:30 am - Lecture: The political function of constitutional jurisprudence in Germany (Speaker: Professor Oliver Lepsius – University of Münster). • 10:15 am - Lecture: What Wittgenstein has to offer to legal theory? (Speaker: Professor Ronaldo Porto Macedo Júnior – University of São Paulo). • 11:00 am - Lecture: Codification, Politics and Legal Science. Historical Observations at the 125th Anniversary of the German Civil Code. (Speaker: Professor Nils Jansen – University of Münster).
N. 03	28.08	<p>03. Lecture – The Nature of Law – Professor Stephan Kirste – University of Salzburg (GER)</p> <p>09:00 am - Sala João Monteiro – Historic Building – 2nd Floor</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Kirste, S. (2019). “Law as Transformation.” In <i>The Value and Purpose of Law. Essays in Honor of M.N.S. Sellers</i>, edited by Joshua Kassner and Colin Starger, Vol. 2019, pp. 149–168. ARSP - Archiv für Rechts- und Sozialphilosophie, Franz Steiner Verlag. <p>The article is based on Kirste's theory of law, which is further elaborated in <i>Introdução à Filosofia do Direito</i>. Available at: https://www.editoradplacido.com.br/introducao-a-filosofia-do-direito?srsltid=AfmBOopQ5EA2xPwpFvBgPvUiaEv1wDyy6nagcolGkMES7VrW4_UkVoqI</p>
	04.09	<p>THERE WILL BE NO CLASS: SEMANA DA PÁTRIA</p>
N. 04	11.09	<p>04. The new agenda for the Philosophy of International Law</p> <p><u>Mandatory Reading:</u></p> <ol style="list-style-type: none"> 1. •Kingsbury, Benedict; Straumann, Benjamin. “State of Nature versus Commercial Sociability as the Basis of International Law: Reflections on the Roman Foundations and Current Interpretations of the International Political and Legal Thought of Grotius, Hobbes, and Pufendorf.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 33-52.

		<p>2. Perreau-Saussine, Amanda. “Immanuel Kant on International Law.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 53-78.</p> <p><u>Complementary Reading:</u></p> <ul style="list-style-type: none"> • Thucydides. “The Melian Dialogue.” In <i>History of the Peloponnesian War</i>, translated by Rex Warner. • Hobbes, Thomas. <i>Leviathan</i>. 1651, Chapters 13 and 17. • Teson, Fernando. “A Kantian Theory of International Law.” <i>Columbia Law Review</i>, 1992. • Kant, Immanuel. “Toward Perpetual Peace.” In <i>Immanuel Kant: Practical Philosophy</i>, edited and translated by Mary J. Gregor, Cambridge University Press, 1996, pp. 311–352. (Originally published in 1795 as <i>Zum ewigen Frieden</i>). • Covell, Charles. <i>Kant and the Law of Peace: A Study in the Philosophy of International Law and International Relations</i>. Palgrave Macmillan, 1998.
<p>N. 05</p>	<p>18.09</p>	<p>05. International Law: Modern Theories (H.L.A. Hart)</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Hart, H.L.A. <i>The Concept of Law</i>. Chapter 10, in the 3rd edition, Oxford University Press, 2012. • Waldron, Jeremy. “International Law: ‘A Relatively Small and Unimportant’ Part of Jurisprudence.” In <i>Reading H.L.A. Hart’s The Concept of Law</i>, edited by Luis Duarte D’Almeida, James Edwards, and Andrea Dolcetti, Hart Publishing, 2014, pp. 209–226. Also available on SSRN: https://ssrn.com/abstract=2326758 or http://dx.doi.org/10.2139/ssrn.2326758 <p><u>Recommended Reading:</u></p> <ul style="list-style-type: none"> • Kelsen, Hans. <i>Principles of International Law</i>. 2nd ed., 1966, pp. 551-588. • Payandeh, Mehrdad. “The Concept of International Law in the Jurisprudence of H.L.A. Hart.” <i>European Journal of International Law</i>, vol. 21, no. 4, 2010, disponível em SSRN: https://ssrn.com/abstract=1927819 •
<p>N. 06</p>	<p>25.09</p>	<p>06. Critiques of Theories of Law 1 (Raz)</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Raz, Joseph. “Why the State?” King’s College London Law School Research Paper No. 2014-38, Columbia Public Law Research

		<p>Paper No. 14-427, Oxford Legal Studies Research Paper No. 73/2014, 2013. Disponível em SSRN: https://ssrn.com/abstract=2339522 ou http://dx.doi.org/10.2139/ssrn.2339522</p> <ul style="list-style-type: none"> • Culver, Keith; Giudice, Michael. “Legal System, Legality, and the State: An Inter-Institutional Account.” <i>Problema. Anuario de Filosofía y Teoría del Derecho</i>, vol. 1, no. 2, 2008, pp. 85-125. <p><u>Complementary Reading:</u></p> <ul style="list-style-type: none"> • Raz, Joseph. “The Rule of Law and its Virtue.” In <i>The Authority of Law</i>, Oxford University Press, 1979, Chapter 11. • Culver, Keith; Giudice, Michael. “An Inter-Institutional Account of Non-State Legality.” In <i>Legality’s Borders</i>, 2010, Chapter 5. • Beitz, Charles. <i>Political Theory and International Relations</i>. 1979, pp. 13-66
N. 07	02.10	<p>07. Critiques of Theories of Law 2 - (Dworkin I)</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Dworkin, Ronald. “A New Philosophy for International Law.” <i>Philosophy & Public Affairs</i>, vol. 41, no. 1, 2013, pp. 2–30. DOI: 10.1111/papa.12008 (29 páginas) • Tasioulas, John. “‘Fantasy Upon Fantasy’: Some Reflections on Dworkin’s Philosophy of International Law.” <i>Jus Cogens</i>, 2021, vol. 3. DOI: 10.1007/s42439-021-00036-3 (19 páginas) <p><u>Complementary Reading:</u></p> <ul style="list-style-type: none"> • Green, Michael S. “International Law and Dworkin’s Legal Monism.” <i>Popular Media</i>, 2014, p. 453. Disponível em: https://scholarship.law.wm.edu/popular_media/453 • Bustamante, Thomas. “Dworkin’s interpretivism, legal monism, and the threat of ‘authoritarian’ international law.” <i>Transnational Legal Theory</i>, vol. 14, no. 2, 2023, pp. 117-156. DOI: 10.1080/20414005.2023.2232598 • Chilton, Adam. “A Reply to Dworkin’s New Theory of International Law.” <i>University of Chicago Law Review Dialogue</i>, vol. 80, 2013, pp. 105-115. Disponível em: https://ssrn.com/abstract=2323538 • Bustamante, Thomas da Rosa. “Reexaminando a filosofia do direito internacional de Ronald Dworkin: poderia o ouriço ter feito de outra maneira?” (<i>Nome da revista ou publicação</i>). (Informe o nome para completar)

		<ul style="list-style-type: none"> • Jovanović, M. A. “Dworkin on International Law: Not Much of a Legacy?” <i>Canadian Journal of Law & Jurisprudence</i>, vol. 28, no. 2, 2015, pp. 443-460. DOI: 10.1017/cjlj.2015.35 • Lefkowitz, D. “A new philosophy for international legal skepticism?” <i>International Theory</i>, vol. 16, no. 2, 2024, pp. 237-268. DOI: 10.1017/S1752971924000010 • Scarffe, Eric J. “A New Philosophy for International Law” and Dworkin’s Political Realism. (22 páginas).
N. 08	09.10	<p>08. Critiques of Theories of Law 2 – (Dworkin II)</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Lefkowitz, D. “A new philosophy for international legal skepticism?” <i>International Theory</i>, vol. 16, no. 2, 2024, pp. 237-268. DOI: 10.1017/S1752971924000010 • Bustamante, Thomas. “Dworkin’s interpretivism, legal monism, and the threat of ‘authoritarian’ international law.” <i>Transnational Legal Theory</i>, vol. 14, no. 2, 2023, pp. 117-156. DOI: 10.1080/20414005.2023.2232598 <p><u>Complementary Reading:</u></p> <ul style="list-style-type: none"> • Green, Michael S. “International Law and Dworkin’s Legal Monism.” <i>Popular Media</i>, 2014, p. 453. Disponível em: https://scholarship.law.wm.edu/popular_media/453 • Chilton, Adam. “A Reply to Dworkin’s New Theory of International Law.” <i>University of Chicago Law Review Dialogue</i>, vol. 80, 2013, pp. 105-115. Disponível em: https://ssrn.com/abstract=2323538 • Svantesson, Dan. “A Reply to a Reply: In Defense of Dworkin’s New Theory of International Law.” Data: 29/04. (Por favor, informe o nome do periódico ou revista para completar). • Pascual, Maria. “Dworkin’s Philosophy of International Law.” Trabalho de Conclusão de Curso (TCC), 40 páginas. (Posso ajudar a formatar de acordo com a norma desejada ou incluir a instituição). • Christiano, Thomas. “Ronald Dworkin, State Consent and Progressive Cosmopolitanism.” In Waluchow, Wil & Sciaraffa, Stefan (orgs.), <i>The Legacy of Ronald Dworkin</i>. Oxford University Press, 2016.
N. 09	16.10	<p>09. Sources, Custom, and Enforcement in International Law</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Besson, Samantha. “Theorizing the Sources of International Law.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 163-186.

		<ul style="list-style-type: none"> • Lefkowitz, David. “The Sources of International Law: Some Philosophical Reflections.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 187-206. <p><u>Complementary Reading:</u></p> <ol style="list-style-type: none"> 1. Tasioulas, John. “Custom, Jus Cogens, and Human Rights.” In Bradley, Curtis A. (org.), <i>The Philosophy of International Law</i>. Cambridge University Press, 2016, pp. 95-116. DOI: 10.1017/CBO9781316014264.005 2. Hathaway, Oona; Shapiro, Scott. “Outcasting: Enforcement in Domestic and International Law.” <i>Yale Law Journal</i>, vol. 120, no. 2, 2011, pp. 252-261, 270. Disponível em: https://www.yalelawjournal.org/article/outcasting-enforcement-in-domestic-and-international-law 3. Postema, Gerald J. “Custom, Normative Practice, and the Law.” <i>Duke Law Journal</i>, vol. 62, no. 3, Special Symposium Issue: <i>Custom and Law</i>, dezembro de 2012, pp. 707-738. Duke University School of Law.
N. 10	23.10	<p>10. Sovereignty</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Endicott, Timothy. “The Logic of Freedom and Power.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 245-260. • Cohen, Jean. “Sovereignty in the Context of Globalization: A Constitutional Pluralist Perspective.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 261-281. <p><u>Complementary Reading:</u></p> <ul style="list-style-type: none"> • MacCormick, Neil, 1993 [2006], “Beyond the Sovereign State”, <i>Modern Law Review</i>, 56(1): 1–18. Reprinted in Walker 2006: 473–490 (ch. 18). doi:10.1111/j.1468-2230.1993.tb02851.x • Murphy, Liam, 2017, “Law Beyond the State: Some Philosophical Questions”, <i>European Journal of International Law</i>, 28(1): 203–232. doi:10.1093/ejil/chx004
N. 11	30.10	<p>11. Legitimacy of International Law</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Buchanan, Allen. “The Legitimacy of International Law.” <i>The Philosophy of International Law</i>, in Besson, Samantha & Tasioulas, John (eds.), Oxford University Press, 2010, pp. 79-96.

		<ul style="list-style-type: none"> • Tasioulas, John. “The Legitimacy of International Law.” In Besson, Samantha & Tasioulas, John (eds.), <i>The Philosophy of International Law</i>, Oxford University Press, 2010, pp. 97–116. <i>TPIL</i>, p. 119. <p><u>Complementary Reading:</u></p> <ul style="list-style-type: none"> • Chesterman, Simon. “An International Rule of Law?” <i>American Journal of Comparative Law</i>, vol. 56, no. 2, 2008, pp. 331–362. DOI: 10.5131/ajcl.2007.0009 • Thomas, Christopher. “The Uses and Abuses of Legitimacy in International Law.” In <i>The Philosophy of International Law (TPIL)</i>. (Por favor, informe a página ou o editor/publicação específica se desejar maior precisão). • Buchanan, Allen. “The Legitimacy of International Law.” In <i>The Philosophy of International Law (TPIL)</i>. (Por favor, informe a página ou detalhes adicionais). • Ayoob, Mohammed. “Humanitarian Intervention and State Sovereignty.” <i>The International Journal of Human Rights</i>, 2002. (Se desejar, posso complementar com o volume, número e páginas específicas). • Endicott, Timothy. “The Logic of Freedom and Power.” In <i>The Philosophy of International Law (TPIL)</i>, 2010. (Informe as páginas ou editor se possível). • Raz, Joseph. “The Future of State Sovereignty.” In <i>Legitimacy: The State and Beyond</i>, 2019.
N. 12	06.11	<p>12. International Democracy</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Christiano, Thomas. “Democratic Legitimacy and International Institutions.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 119-138. • Pettit, Philip. “Legitimate International Institutions: A Neo-Republican Perspective.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 139-162. <p><u>Complementary Reading:</u></p> <ul style="list-style-type: none"> • Crawford, James and Susan Marks, 1998, “The Global Democracy Deficit: An Essay in International Law and its Limits”, in <i>Re-Imagining Political Community</i>, Daniele Archibugi, David Held, and Martin Köhler (eds.), Cambridge, UK: Polity Press, ch. 4. • Tasioulas, John 2020a, “Rule of Law” in Tasioulas 2020b: <i>The Cambridge Companion to the Philosophy of Law</i>, Cambridge: Cambridge University Press. pp.117–134.

N. 13	13.11	<p>13. Human Rights</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Raz, Joseph. “Human Rights without Foundations.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 321-338. • Griffin, James. “Human Rights and the Autonomy of International Law.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 339-357. <p><u>Complementary Reading:</u></p> <ul style="list-style-type: none"> • Nickel, James W. <i>Making Sense of Human Rights</i>. 2nd ed. Blackwell Publishing. • Nagel, T. “Moral Conflict and Political Legitimacy.” <i>Philosophy & Public Affairs</i>, vol. 16, no. 3, 1987, pp. 215–240. Disponível em: http://www.jstor.org/stable/2265265 • Buchanan, Allen. “Human Rights and the Legitimacy of the International Order.” <i>Legal Theory</i>, vol. 14, no. 1, 2008, pp. 39–70. DOI: 10.1017/S1352325208080038 • Buchanan, Allen. <i>The Heart of Human Rights</i>. Oxford University Press, 2013. DOI: 10.1093/acprof:oso/9780199325382.001.0001 • Nickel, James. “Human Rights.” In <i>The Stanford Encyclopedia of Philosophy</i>, edited by E. N. Zalta, Summer 2019 Edition. First published in 2003. Disponível em: https://plato.stanford.edu/archives/sum2019/entries/rights-human/ • Skorupski, John. <i>Human Rights</i>. In <i>TPIL</i>.
	20.11	<p>THERE WILL BE NO CLASS – DIA DA CONSCIÊNCIA NEGRA</p>
N. 14	27.11	<p>14. ONLINE CLASS (Melbourne Seminar) - International Environmental Law</p> <p><u>Mandatory Reading:</u></p> <ul style="list-style-type: none"> • Nickel, James; Magraw, Daniel. “Philosophical Issues in International Environmental Law.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 453-472. • Crisp, Roger. “Ethics and International Environmental Law.” In <i>The Philosophy of International Law (TPIL)</i>, pp. 473-492. <p><u>Complementary Reading:</u></p>

		<ul style="list-style-type: none"> • Some Reflections on Legal and Philosophical Foundations of International Environmental Law, Author(s): Malgosia Fitzmaurice, Subject(s): Law, Constitution, Jurisprudence, Published by: Instytut Nauk Prawnych PAN
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OBJECTIVES

The course aims to develop the students' ability to rigorously read complex texts while also encouraging reflection and the formation of critical reasoning based on the material read. Additionally, it seeks to provide a theoretical deepening on topics in Legal Theory beyond the legal positivism generally addressed in undergraduate courses. This semester, the course's thematic focus will be the philosophy of international law. This topic has gained prominence in recent decades, particularly with the publication of several articles and the collection *The Philosophy of International Law*, by Samantha Besson and John Tasioulas (eds.), Oxford: Oxford University Press. Studying several of these articles will enable us to revisit classic themes in legal theory in light of the new challenges posed by contemporary international law.

COMMENTS

- 1) This course presupposes a good command of the English language, as its primary bibliography does not include translation.
- 2) Students must be available for an average weekly reading load of around 60 pages of theoretical texts of reasonable complexity and difficulty. Rigour and care are required when reading texts.
- 3) The course will be organized in the form of a seminar, where effective participation from students will be required in all classes.
- 4) The course's final assessment will be done through individual work.
- 5) For guidance on how to present seminars on structural text reading techniques, it is recommended to read the following text: "The structural reading method (Texts in Debate)" by Ronaldo Porto Macedo Jr, Ronaldo Porto Macedo Jr, chapter I by Macedo Jr, Ronaldo Porto (org) *Filosofia Política*, Atlas, 2008, also in *Cadernos Direito GV* n° 16 - mar/2007, available for download at <http://www.direitogv.com.br/interna.aspx?PagId=HTKCNKWI&IDCategory=4&IDSubCategory=84>

6) It is recommended that you read the book by MACEDO JR., Ronaldo Porto. 2013. From Chess to Courtesy: Dworkin and Contemporary Legal Theory. São Paulo: Saraiva.

RULES AND DEADLINES FOR CARRYING OUT MANDATORY ACTIVITIES

Any questions regarding deadlines, summary issues, seminar dates and groups, or any other matters not related to the course content should be addressed exclusively with the teaching assistants.

Weekly Question and Answer (All Students)

- All students must formulate a weekly question about the texts discussed that week, as well as provide an answer to it.
- The question must necessarily pertain to the text read, and the elements for the answer must be found in the bibliography covered in the course up to the point when the question is answered.
- Printed or handwritten questions and answers, or those submitted after the deadline, will not be accepted.
- Answers must be sent as an attached file (MS Word or similar, except Notepad (.txt)) via email (half a page, Times New Roman font, size 12, single spacing) with the following filename format including the student's first and last name: "firstname_lastname_summaryXX" (e.g., joesilva_summary03). This should also be the subject of the email. The file name should not contain any periods (e.g., joesilva.summary03).
- The student's name and the corresponding seminar number must be included in the submitted text.
- Every student must submit a printed copy in the corresponding class and also send an electronic copy to the following email: renatopavan@usp.br.
- No grades will be assigned, nor will written corrections be provided for this activity. However, submission will be noted and considered during the course evaluation.

Handout (Only for Students Presenting the Seminar)

- The handout should be photocopied and distributed in class to colleagues on the day of the seminar.
- It should also be sent by email to renatopavan@usp.br.

- The sent file should be named "handout_seminarXX" (e.g., handout_seminar02). This should also be the subject of the email. The file name should not contain any periods (e.g., josedsilva.handout03).
- The students' names should be included in the submitted text, along with the seminar number and the bibliographic reference of the text from which the handout was prepared.

Presentation:

- The presentation should last around 12 to 14 minutes.
- "Weave" the mental outline well: introduction | development | conclusion.
- Use hooks at the beginning and end of the presentation (avoid: "That's basically what I had to say").
- Use a cheat sheet or outline, with the sequence of main points. The text should be presented as a whole, meaning its structure should be clear.
- Do not read directly from notes during the presentation; the presentation should not be a reading of the handout.
- Using PowerPoint is recommended but not mandatory. Create concise, legible, and primarily visual slides: avoid overloading them with information. Generally, a 12-minute presentation should not involve more than eight slides.
- During the PowerPoint presentation, remember that it is not a teleprompter.
- Use a pointer and do not face the screen; look at the audience.
- Practice with a timed rehearsal (hide your watch during the presentation).
- Before starting, carefully check the environment and eliminate any potential distractions.
- Pay attention to your speech (voice, intonation, and pronunciation) and body language (facial expression, gestures, and posture).
- Do not get flustered by distractions. Stay calm and try to engage with the audience.
- Avoid improvisation.
- Remember that this is a presentation for an audience that has already read the text.
- Save external critiques and comments for the debate, not the presentation. After all, the seminar begins after the presentation.
- Note: For seminar presentations, all group members should be prepared to deliver the entire presentation. If any member(s) is/are absent, the other(s) must unconditionally replace them.

BASIC READING MATERIAL

- Besson, Samantha and John Tasioulas (eds.), 2010, *The Philosophy of International Law*, Oxford/New York: Oxford University Press. (TPIL)
- Lefkowitz, David, 2020, *Philosophy and International Law: A Critical Introduction*, Cambridge: Cambridge University Press. doi:10.1017/9781316481653

OTHER READINGS

- Anne-Marie Slaughter, *A New World Order*. Princeton University Press, 2005, 368 pp.
- Beitz, Charles R. *Political Theory and International Relations: Revised Edition*. Princeton University Press, 1979. DOI: 10.2307/j.ctvc4hkf.
- Besson, Samantha and John Tasioulas (eds.), 2010, *The Philosophy of International Law*, Oxford/New York: Oxford University Press.
- Brownlie, James; Ian Brownlie. *Principles of Public International Law*. 8^a ed. Oxford University Press, 2012.
- Buchanan, Allen and Russell Powell, 2008, “Survey Article: Constitutional Democracy and the Rule of International Law: Are They Compatible?”, *Journal of Political Philosophy*, 16(3): 326–349. doi:10.1111/j.1467-9760.2008.00322.x
- Buchanan, Allen, 2008, “Human Rights and the Legitimacy of the International Order”, *Legal Theory*, 14(1): 39–70. doi:10.1017/S1352325208080038
- Carty, Anthony. *Philosophy of International Law*. Edinburgh University Press, 2007. ISBN: 9780748622559.
- Chesterman, Simon, 2008, “An International Rule of Law?”, *American Journal of Comparative Law*, 56(2): 331–362. doi:10.5131/ajcl.2007.0009
- Christiano, Thomas. “Ronald Dworkin, State Consent and Progressive Cosmopolitanism.” In *The Legacy of Ronald Dworkin*, edited by Wil Waluchow & Stefan Sciaraffa, Oxford University Press, 2016.
- Christiano, Thomas. “The Legitimacy of International Institutions.” In *The Routledge Companion to Philosophy of Law*, edited by Andrei Marmor, Routledge, 2012.
- Dworkin, Ronald. *Justice for Hedgehogs*. Belknap Press, Harvard University Press, 2011.
- Falk, Richard. *Law in an Unjust World*. Tet to adicionar detalhes específicos — geralmente, é importante incluir editora e ano, se disponíveis.
- Finnis, John, 2011, *Natural Law and Natural Rights*, second Edition, Oxford: Clarendon Press. First edition 1980.
- Ginsburg, Tom, 2020, “Authoritarian International Law?”, *American Journal of International Law*, 114(2): 221–260. doi:10.1017/ajil.2020.3
- Goldsmith, Jack L. and Eric A. Posner, 2005, *The Limits of International Law*, Oxford: Oxford University Press.

- Hart, Herbert L. A., 1961 [2012], *The Concept of Law*, Oxford: Clarendon Press. Third edition 2012.
- Janis, Mark W., 1984, “Jeremy Bentham and the Fashioning of ‘International Law’”, *American Journal of International Law*, 78(2): 405–418. doi:10.1017/S0002930000208713
- Kant, Immanuel, 1795 [1996] *Zum ewigen Frieden. Ein philosophischer Entwurf*, Königsberg. Translated as “Toward Perpetual Peace”, in *Immanuel Kant: Practical Philosophy*, Mary J. Gregor (ed./trans.), Cambridge: Cambridge University Press, 1996, 311–352.
- Kelsen, Hans, 1952 [2012], *Principles of International Law*, New York: Rinehart. New Edition, Clark, NJ: Lawbook Exchange, 2012.
- Koskenniemi, Martti. “The Justification of International Law.” Artigo publicado na revista *European Journal of International Law* (exemplo), por favor, confirme com o ano e volume específicos.
- Lefkowitz, David, 2020, *Philosophy and International Law: A Critical Introduction*, Cambridge: Cambridge University Press. doi:10.1017/9781316481653
- Mac Donald, Ronald St. J.; Douglas M. Johnston. *The Structure and Process of International Law: Essays in Legal Philosophy, Doctrine and Theory*. Brill, Developments in International Law, 2ª ed., Dordrecht, 1986.
- MacCormick, Neil, 1993 [2006], “Beyond the Sovereign State”, *Modern Law Review*, 56(1): 1–18. Reprinted in Walker 2006: 473–490 (ch. 18). doi:10.1111/j.1468-2230.1993.tb02851.x
- Michael Walzer, *Just and Unjust Wars*. Basic Books, 1977. (confirme o ano de publicação, pois há edições diferentes)
- Murphy, Liam, 2017, “Law Beyond the State: Some Philosophical Questions”, *European Journal of International Law*, 28(1): 203–232. doi:10.1093/ejil/chx004
- Nagel, Thomas. “Moral Conflict and Political Legitimacy.” *Philosophy & Public Affairs*, vol. 16, n° 3, 1987, pp. 215-240.
- Nickel, James, 2003 [2019], “Human Rights”, *The Stanford Encyclopedia of Philosophy* (Summer 2019 Edition), Edward N Zalta (ed.), first version 2003, URL = <<https://plato.stanford.edu/archives/sum2019/entries/rights-human/>>.
- Nussbaum, Martha, 2019, *The Cosmopolitan Tradition: A Noble But Flawed Ideal*, Cambridge, MA: Harvard University Press.
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