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Pluralism in International Criminal Law

Edited by Elies van Sliedregt and Sergey

Vasiliev. Innovative study of the impact of divergent judgments in international

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criminal law, assessing whether they undermine the legitimacy, coherence, and efficiency of international criminal justice

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It argues instead that pluralism is a

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fundamental and indispensable feature of international criminal law which permeates it on several levels: through multiple legal regimes and enforcement fora, diversified sources and interpretations of concepts, and numerous identities underpinning the law and practice.

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Oxford Scholarship

Pluralistic international criminal law thus becomes international criminal law kind and gentle enough to mollify its protagonists' latent concerns about its apparent lack of legitimacy. This anxiety about legitimacy turns out to be both appropriate and inapposite, at the same

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Pluralism and the A legitimacy of
International Criminal Law
Pluralism in International Criminal Law
Elies van Sliedregt ? Fragmentation of
international law is a phenomenon that has

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been discussed ever since the ILC in 2000 decided to add to its programme of work the topic ‘Risks ensuing from the fragmentation of international law’.¹ Koskenniemi, in a paper

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This Article develops a pluralistic account of substantive international criminal law (ICL). Challenging the dominant assumption among theorists and practitioners, it argues that the search for consistency and uniformity in ICL is misguided, that the law applicable to international crimes should not be the

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same in all cases, and that those guilty of like crimes should not always receive like sentences.

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INTERNATIONAL CRIMINAL LAW.

humanity and receiving a ten-year sentence, 2 . Erdemovid appealed, claiming that he was excused on account of having committed his crimes under duress.

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It argues instead that pluralism is a fundamental and indispensable feature of international criminal law which permeates it on several levels: through multiple legal regimes and enforcement fora, diversified sources and

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Abstract. This Article develops a pluralist

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account of substantive international criminal law (ICL). Challenging the dominant assumption among theorists and practitioners, it argues that the search for consistency and uniformity in ICL is misguided, that the law applicable to international crimes should not be the same in all cases, and that those guilty of

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like crimes should not always receive like sentences.

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Twenty years since the establishment of the ICTY, the fragmentation/pluralism

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debate has entered a new phase. With a well-developed body of ad hoc Tribunal case law, an emerging body of case law at the ICC, hybrid systems like the Cambodia Tribunal, and more and more domestic prosecutions, pluralism has become an issue within the branch of ICL. While there are those who express concern

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over heterogeneity in ICL, recent scholarship acknowledges ICL's pluralistic nature and, instead of ...

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a fundamental and indispensable feature of
international criminal law which
permeates it on several levels

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This conference will focus on international criminal justice scholarship and practice and will feature a keynote presentation by Paul Schliff Berman (George Washington

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University). On 10 and 11 January the Law School of the University of Leeds will host Professor Paul Schiff Berman (George Washington University).

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the majority of cases concerning international criminal law are prosecuted at the domestic level this means that both international and

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domestic courts have to contend with a
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