ISSN 0938-5428 (PRINT) ISSN 1464-3596 (ONLINE)

VOLUME 24 | NUMBER 1 | FEBRUARY 2013

European Journal of International Law

www.ejil.oxfordjournals.org www.ejil.org www.ejiltalk.org

OXFORD UNIVERSITY PRESS

European Journal of International Law

Vol. 24 (2013) No. 1

Contents

Editorial: Differentiated Statehood? 'Pre-States'? Palestine@the UN;

EJIL and EJIL: Talk!; The Strange Case of Dr. Ivana Radačić; Looking Back
at EJIL 2012 – The Stats; Changes in the Masthead – Our Scientific

Advisory Board; In this Issue

Just and Unjust Warriors:

1

Marking the 35th Anniversary of Walzer's Just and Unjust Wars

Symposium Editors: Professor Gabriella Blum (Harvard Law School) and JHH Weiler (Editor-in-Chief, *EJIL*)

Gabriella Blum and JHH Weiler, Preface	13
Robert Howse, Thucydides and Just War: How to Begin to Read Walzer's	
Just and Unjust Wars	17
JHH Weiler and Abby Deshman, Far be it from Thee to Slay the	
Righteous with the Wicked: An Historical and Historiographical Sketch	
of the Bellicose Debate Concerning the Distinction between <i>Jus ad Bellium</i>	
and Jus in Bello	25
Marko Milanovic, A Non-Response to Weiler and Deshman	63
Terry Nardin. From Right to Intervene to Duty to Protect: Michael Walzer	
on Humanitarian Intervention	67
Anne Orford, Moral Internationalism and the Responsibility to Protect	83
Michael J. Glennon, Pre-empting Proliferation: International Law,	
Morality, and Nuclear Weapons	1()9
Jack Goldsmith, How Cyber Changes the Laws of War	129
Dino Kritsiotis, Enforced Equations	139
Matthew C. Waxman, Regulating Resort to Force: Form and Substance	
of the UN Charter Regime	151
Olivier Corten, Regulating Resort to Force: A Response to	
Matthew Waxman from a 'Bright-Liner'	191
Paul W. Kahn, Imagining Warfare	19 9
Samuel Moyn, Drones and Imagination: A Response to Paul Kahn	227
David Kretzmer, The Inherent Right to Self-Defence and Proportionality	
in Jus Ad Bellum	235
Georg Nolte, Multipurpose Self-Defence, Proportionality Disoriented:	
A Response to David Kretzmer	283
Antonia Chayes, Chapter VII½: Is Jus Post Bellum Possible?	291

Guglielmo Verdirame, What to Make of *Jus Post Bellum:* A Response to Antonia Chayes

Larry May, Jus Post Bellum Proportionality and the Fog of War **Ruti Teitel,** Rethinking Jus Post Bellum in an Age of Global Transitional Justice: Engaging with Michael Walzer and Larry May

Niaz A. Shah, The Use of Force under Islamic Law

Andrew F. March and Naz K. Modirzadeh, Ambivalent Universalism? *Jus ad Bellum* in Modern Islamic Legal Discourse

Gabriella Blum, The Fog of Victory

Charles J. Dunlap, Jr., Some Observations on Gabriella Blum's 'Fog of Victory'

Michael Walzer, Coda: Can the Good Guys Win?

Roaming Charges: Moments of Dignity: The Pawnbroker, Singapore

Book Reviews

Mark A. Drumbl, Reimagining Child Soldiers in International Law and Policy (Leena Grover)

Eyal Benvenisti. The International Law of Occupation (Gregory II. Fox) **Anthony Cullen,** The Concept of Non-International Armed Conflict in International Humanitarian Law (Wolfgang S. Heinz)

Theodor Meron, The Making of International Criminal Justice. A View from the Bench (Chris Stephen)

Chantal Meloni and Gianni Tognoni (eds), *Is There a Court for Gaza? A Test Bench for International Justice* (Victor Kattan)

The Last Page

Charlotte Innes, Burrough Hill