

# Jörg Kammerhofer

## List of Publications

21 October 2014

### 1. Published

1. *Journal Article*: ‘The Binding Nature of Provisional Measures of the International Court of Justice: The ‘Settlement’ of the Issue in the *LaGrand Case*’ 16 *Leiden Journal of International Law* (2003) 67–83  
Publication 2 May 2003                      Kammerhofer (2003)                      [ssrn.com/abstract=1551749](http://ssrn.com/abstract=1551749)
2. *Journal Article*: ‘Uncertainty in the Formal Sources of International Law: Customary International Law and some of its Problems’ 15 *European Journal of International Law* (2004) 523–553  
Publication 20 July 2004                      Kammerhofer (2004b)                      [ssrn.com/abstract=803752](http://ssrn.com/abstract=803752)
3. *Journal Article*: ‘Oil’s Well that Ends Well? Critical Comments on the Merits Judgment in the *Oil Platforms Case*’ 17 *Leiden Journal of International Law* (2004) 695–718  
Publication 6 December 2004                      Kammerhofer (2004a)                      [ssrn.com/abstract=1551751](http://ssrn.com/abstract=1551751)
4. *Journal Article*: ‘Uncertainties of the Law on Self-Defence in the United Nations Charter’ 35 *Netherlands Yearbook of International Law 2004* (2005) 143–204  
Publication 28 October 2005                      Kammerhofer (2005b)                      [ssrn.com/abstract=1551756](http://ssrn.com/abstract=1551756)
5. *Electronic Paper*: ‘Unearthing Structural Uncertainty Through Neo-Kelsenian Consistency: Conflicts of Norms in International Law’ (2005), [www.esil-sedi.eu/fichiers/en/ Kammerhofer\\_273.pdf](http://www.esil-sedi.eu/fichiers/en/Kammerhofer_273.pdf)  
Publication 27 December 2005                      Kammerhofer (2005c)                      [ssrn.com/abstract=1535942](http://ssrn.com/abstract=1535942)
6. *Book Review*: ‘Robert Walter, Clemens Jabloner, Klaus Zeleny (eds), Hans Kelsen und das Völkerrecht. Ergebnisse eines Internationalen Symposiums in Wien (1.–2. April 2004) (2004)’ 16 *European Journal of International Law* (2005) 1005–1008  
Publication 11 January 2006                      Kammerhofer (2005a)                      [ssrn.com/abstract=907651](http://ssrn.com/abstract=907651)
7. *Editor*: ***Permanent Court of International Justice, Advisory Committee of Jurists, Procès-verbaux of the Proceedings of the Committee June 16<sup>th</sup>–July 24<sup>th</sup> 1920 with Annexes (1920) (Clark: Lawbook Exchange 2006) ISBN 9781584776932*** (plus introduction at iii–xiv)  
Publication September 2006                      Kammerhofer (2006)                      [ssrn.com/abstract=1535963](http://ssrn.com/abstract=1535963)
8. *Journal Article*: ‘The *Armed Activities Case* and Non-State Actors in Self-Defence Law’ 20 *Leiden Journal of International Law* (2007) 89–113  
Publication 5 March 2007                      Kammerhofer (2007b)                      [ssrn.com/abstract=1551758](http://ssrn.com/abstract=1551758)
9. *Journal Article*: ‘The Benefits of the Pure Theory of Law for International Lawyers, or: What Use is Kelsenian Theory?’, 12 *International Legal Theory* (2007) 5–54  
Publication 5 June 2007                      Kammerhofer (2007c)                      [ssrn.com/abstract=1536570](http://ssrn.com/abstract=1536570)
10. *Review Article (with André de Hoogh)*: ‘All Things to all People? The Court and its Commentators’ 18 *European Journal of International Law* (2007) 971–984  
Publication 30 January 2008                      Kammerhofer (2007a)                      [ssrn.com/abstract=1148659](http://ssrn.com/abstract=1148659)
11. *Book Chapter*: ‘Leo Gross’ in Robert Walter, Clemens Jabloner, Klaus Zeleny (eds), *Der Kreis um Hans Kelsen: Die Anfangsjahre der Reinen Rechtslehre* (Vienna: Manz 2008) 115–133  
Publication 1 April 2008                      Kammerhofer (2008c)                      [ssrn.com/abstract=1535929](http://ssrn.com/abstract=1535929)
12. *Book Chapter*: ‘Josef Laurenz Kunz’ in Robert Walter, Clemens Jabloner, Klaus Zeleny (eds), *Der Kreis um Hans Kelsen: Die Anfangsjahre der Reinen Rechtslehre* (Vienna: Manz 2008) 243–259  
Publication 1 April 2008                      Kammerhofer (2008b)                      [ssrn.com/abstract=1535922](http://ssrn.com/abstract=1535922)
13. *Book Chapter*: ‘Scratching an Itch is not a Treatment. Instrumentalist Non-Theory *Contra* Normativist *Konsequenz* and the Problem of Systemic Integration’ in Georg Nolte, Peter Hilpold (eds), *Auslandsinvestitionen – Entwicklung großer Kodifikationen – Fragmentierung des Völkerrechts – Status des Kosovo: Beiträge zum 31. Österreichischen Völkerrechtstag 2006 in München* (Frankfurt: Lang 2008) 155–184  
Publication 15 April 2008                      Kammerhofer (2008d)

14. *Book Review*: ‘Janne Elisabeth Nijman, The Concept of International Legal Personality. An Inquiry into the History and Theory of International Law (2004)’ 55 *Netherlands International Law Review* (2008) 304–310  
Publication 4 August 2008                      Kammerhofer (2008a)                      [ssrn.com/abstract=1652649](http://ssrn.com/abstract=1652649)
15. *Journal Article*: ‘Kelsen – Which Kelsen? A Re-Application of the Pure Theory to International Law’ 22 *Leiden Journal of International Law* (2009) 225–249  
Publication 27 April 2009                      Kammerhofer (2009a)                      [ssrn.com/abstract=1551759](http://ssrn.com/abstract=1551759)
16. *Encyclopaedia Entry*: ‘Superpowers and Great Powers’ in Rüdiger Wolfrum (ed.), *Max Planck Encyclopedia of Public International Law* (Oxford: Oxford University Press 2010), [www.mpepil.com](http://www.mpepil.com) [online edition]  
Publication 18 January 2010                      Kammerhofer (2010d)                      [ssrn.com/abstract=1534125](http://ssrn.com/abstract=1534125)
17. *Book Review*: ‘Alexander Orakhelashvili, The Interpretation of Acts and Rules in Public International Law (2008)’ 20 *European Journal of International Law* (2009) 1282–1286  
Publication 11 February 2010                      Kammerhofer (2009b)                      [ssrn.com/abstract=1652645](http://ssrn.com/abstract=1652645)
18. *Book Review*: ‘Daniel H. Joyner, International Law and the Proliferation of Weapons of Mass Destruction (2009)’ 104 *American Journal of International Law* (2010) 163–168  
Publication 19 March 2010                      Kammerhofer (2010b)                      [ssrn.com/abstract=1652644](http://ssrn.com/abstract=1652644)
19. *Monograph*: ***Uncertainty in International Law: A Kelsenian Perspective* (Abingdon: Routledge 2010) ISBN 9780415577847**  
Publication 7 July 2010                      Kammerhofer (2010g)
20. *Journal Article*: ‘Systemic Integration, Legal Theory and the ILC’ 19 *Finnish Yearbook of International Law 2008* (2010) 157–182  
Publication 19 November 2010                      Kammerhofer (2010e)                      [ssrn.com/abstract=1534086](http://ssrn.com/abstract=1534086)
21. *Journal Article*: ‘Constitutionalism and the Myth of Practical Reason: Kelsenian Responses to Methodological Confusion’ 23 *Leiden Journal of International Law* (2010) 723–740  
Publication 22 November 2010                      Kammerhofer (2010a)                      [ssrn.com/abstract=1570104](http://ssrn.com/abstract=1570104)
22. *Book Chapter*: ‘The Theory of Norm Conflict Solutions in International Investment Law’ in Markus Gehring, Andrew Newcombe, Marie-Claire Cordonier Segger (eds), *Sustainable Development in International Investment Law* (Alphen aan den Rijn: Wolters Kluwer 2010) 83–98  
Publication 22 December 2010                      Kammerhofer (2010f)                      [ssrn.com/abstract=1534124](http://ssrn.com/abstract=1534124)
23. *Journal Article*: ‘Gaps, the Nuclear Weapons Advisory Opinion and the Structure of International Legal Argument between Theory and Practice’ 80 *British Year Book of International Law 2009* (2010) 333–360  
Publication 23 December 2010                      Kammerhofer (2010c)                      [ssrn.com/abstract=1536582](http://ssrn.com/abstract=1536582)
24. *Book Chapter*: ‘Non-State Actors from the Perspective of the Pure Theory of Law’ in Jean d’Aspremont (ed.), *Participants in the International Legal System: Multiple Perspectives on Non-State Actors in International Law* (Abingdon: Routledge 2011) 54–63  
Publication 13 May 2011                      Kammerhofer (2011c)                      [ssrn.com/abstract=1570107](http://ssrn.com/abstract=1570107)
25. *Book Chapter*: ‘Hans Kelsen’s Place in the Theory of International Law’ in Alexander Orakhelashvili (ed.), *Research Handbook on the Theory and History of International Law* (Cheltenham: Edward Elgar 2011) 143–167  
Publication 14 July 2011                      Kammerhofer (2011b)                      [ssrn.com/abstract=1534122](http://ssrn.com/abstract=1534122)
26. *Book Chapter*: ‘Orthodox Generalists and Political Activists in International Legal Scholarship’ in Matthew Happold (ed.), *International Law in a Multipolar World* (Abingdon: Routledge 2011) 138–157  
Publication 14 October 2011                      Kammerhofer (2011d)                      [ssrn.com/abstract=1551343](http://ssrn.com/abstract=1551343)
27. *Journal Article*: ‘Begging the Question? The Kosovo Opinion and the Reformulation of Advisory Requests’ 58 *Netherlands International Law Review* (2011) 409–424  
Publication 2 December 2011                      Kammerhofer (2011a)                      [ssrn.com/abstract=1684539](http://ssrn.com/abstract=1684539)
28. *Book Chapter*: ‘Law-Making by Scholarship? The Dark Side of 21<sup>st</sup> Century International Legal “Methodology”’ in James Crawford, Sarah Nouwen (eds), *Select Proceedings of the European Society of International Law: Third Volume: International Law 1989–2010: A Performance Appraisal. Cambridge, 2–4 September 2010* (Oxford: Hart 2012) 115–126  
Publication 19 January 2012                      Kammerhofer (2012c)                      [ssrn.com/abstract=1631510](http://ssrn.com/abstract=1631510)
29. *Encyclopaedia Entry*: ‘Superpowers and Great Powers’ in Rüdiger Wolfrum (ed.), *Max Planck Encyclopedia of Public International Law*, Vol 9 (Oxford: Oxford University Press 2012) 688–693 [print version]  
Publication 23 February 2012                      Kammerhofer (2012e)                      [ssrn.com/abstract=1534125](http://ssrn.com/abstract=1534125)

30. *Annotated Bibliography*: ‘Positivism’ in: Anthony Carty (ed.), *Oxford Bibliographies Online: International Law* (New York: Oxford University Press 2012)  
Publication 28 March 2012      Kammerhofer (2012d)      www.oxfordbibliographies.com
31. *Book Review*: ‘Amanda Perreau-Saussine, James Bernard Murphy (eds), *The Nature of Customary Law. Legal, Historical and Philosophical Perspectives* (2009)’ 23 *European Journal of International Law* (2012) 589–594  
Publication 9 July 2012      Kammerhofer (2012a)      ssrn.com/abstract=1988843
32. *Book Review*: ‘Andreas Funke, *Umsetzungsrecht. Zum Verhältnis von internationaler Sekundärrechtssetzung und deutscher Gesetzgebungsgewalt*’ 37 *Zeitschrift für Verwaltung* (2012) 1008–1010  
Publication 21 September 2012      Kammerhofer (2012b)      ssrn.com/abstract=2012296
33. *Editorial*: ‘International Legal Positivism in a Post-Modern World: A Proposal for Greater Focus in Scholarship’ *AjV Newsletter* (March 2013) 2–4  
Publication 15 March 2013      Kammerhofer (2013b)      ssrn.com/abstract=2282529
34. *Proceedings Paper*: ‘The Pure Theory of Law and its “Modern” Positivism: International Legal Uses for Scholarship’ 106 *ASIL Proceedings* (2013) 365–367  
Publication April 2013      Kammerhofer (2013e)      ssrn.com/abstract=2198807
35. *Editorial*: ‘Introduction: The Limited Relevance of Monism and Pluralism’ in Marko Novaković (ed.), *Basic Concepts of Public International Law: Monism and Dualism* (Belgrade: Faculty of Law University of Belgrade 2013) 17–19  
Publication 24 May 2013      Kammerhofer (2013c)      ssrn.com/abstract=2282535
36. *Book Chapter*: ‘Robert Walter, die Normkonflikte und der zweite Stufenbau des Rechts’ in Clemens Jabloner *et al.* (eds), *Gedenkschrift Robert Walter* (Vienna: Manz 2013) 237–256  
Publication 17 June 2013      Kammerhofer (2013d)      ssrn.com/abstract=2104067
37. *Book Chapter*: ‘Η συνεισφορά του Κέλσεν στο Διεθνές Δίκαιο’ [‘Kelsen’s Contribution to International Law’, translated by Vasiliki Vouleli] in Nikitas Aliprantis (ed.), *Hans Kelsen Η διαχρονικότητα του πνεύματος στο νομικό και κοινωνιολογικό του έργο [Hans Kelsen: The Relevance of his Thought in Legal and Sociological Scholarship]* (Athens: Papazisi 2013) 51–66  
Publication September 2013      Kammerhofer (2013a)
38. *Editor* (with Jean d’Aspremont): ***International Legal Positivism in a Post-Modern World* (Cambridge: Cambridge University Press 2014) ISBN 9781107019263**  
Publication 9 October 2014
39. *Book Chapter* (with Jean d’Aspremont): ‘Introduction: The Future of International Legal Positivism’ in Jörg Kammerhofer, Jean d’Aspremont (eds), *International Legal Positivism in a Post-Modern World* (Cambridge: Cambridge University Press 2014) 1–19  
Publication 9 October 2014      Kammerhofer (2014b)      ssrn.com/abstract=1707986
40. *Book Chapter*: ‘Hans Kelsen in Today’s International Legal Scholarship’ in Jörg Kammerhofer, Jean d’Aspremont (eds), *International Legal Positivism in a Post-Modern World* (Cambridge: Cambridge University Press 2014) 81–113  
Publication 9 October 2014      Kammerhofer (2014a)      ssrn.com/abstract=2154526

## 2. Forthcoming

41. *Book Chapter*: ‘Die Reine Rechtslehre und die allgemeinen Rechtsprinzipien des Völkerrechts’ in Nikitas Aliprantis, Thomas Olechowski, *Hans Kelsen: Die Aktualität eines großen Rechtswissenschaftlers und Soziologen des 20. Jahrhunderts* (Vienna: Manz 2014) 25–35  
Publication forthcoming      ssrn.com/abstract=2430657
42. *Book Chapter*: ‘The Resilience of the Restrictive Rules of Self-Defence’ in Marc Weller (ed.), *Oxford Handbook of the Use of Force in International Law* (Oxford: Oxford University Press 2014) 627–648  
Publication forthcoming, November 2014      ssrn.com/abstract=2141833
43. *Journal Article*: ‘Interpreting Kelsen as Jurisprude of Interest: A Reply to Mónica García-Salmones’ “The Politics of Interest in International Law”” 25 *European Journal of International Law* (2014) No. 3  
Publication forthcoming
44. *Book Chapter*: ‘Law-Making by Scholars’ in Catherine Brölmann, Yannick Radi (eds), *Research Handbook on the Theory and Practice of International Law-Making* (Cheltenham: Edward Elgar 2015)

- Publication forthcoming [ssrn.com/abstract=2182547](https://ssrn.com/abstract=2182547)
45. *Book Chapter*: ‘Positivistische Normbegründung’ in Eric Hilgendorf, Jan C Joerden (eds), *Handbuch Rechtsphilosophie* (Stuttgart: Metzler 2015)  
Publication forthcoming, 13 April 2015 [ssrn.com/abstract=2296874](https://ssrn.com/abstract=2296874)
46. *Book Chapter*: ‘International Legal Positivism’ in Florian Hoffmann, Anne Orford (eds), *Oxford Handbook on International Legal Theory* (Oxford: Oxford University Press 2015)  
Publication forthcoming [ssrn.com/abstract=2477317](https://ssrn.com/abstract=2477317)

### 3. Working Papers/Work-in-Progress

*Monograph: Expropriation in International Investment Law*  
Work-in-progress