



Uniceub
ISSN 2237-1036

REVISTA DE DIREITO INTERNACIONAL
BRAZILIAN JOURNAL OF INTERNATIONAL LAW

Editorial

Arthur Roberto Capella Giannattasio

VOLUME 15 • N. 3 • 2018
HISTORY OF INTERNATIONAL LAW

Sumário

I. DOSSIÊ ESPECIAL: HISTORY OF INTERNATIONAL LAW.....	1
EDITORIAL	8
What does it mean to apply history in international law studies?	8
Arthur Roberto Capella Giannattasio	
SUR LA NATURE DU DROIT ISLAMIQUE.....	14
Hocine Benkheira	
ISLAMIC SHARI'A LAW, HISTORY AND MODERNITY: SOME REFLECTIONS	25
Suleiman A. Mourad	
THE (UN)PRACTICAL SECULARIZATION PROCESS: INTERNATIONAL LAW AND RELIGION AS SOCIAL REALITIES.....	33
Douglas de Castro	
BRAZILIAN LITERATURE ON INTERNATIONAL LAW DURING THE EMPIRE REGIME. OR THE DIFFUSION OF INTERNATIONAL LAW IN THE PERIPHERIES THROUGH APPROPRIATION AND ADAPTATION.....	50
Airton Ribeiro da Silva Júnior	
NATURAL, POSITIVO, ROMANO E UNIVERSAL? INVESTIGAÇÃO SOBRE O DIREITO DAS GENTES EM TOMÁS DE AQUINO	68
Rafael Zelesco Barretto	
II. ARTIGOS SOBRE OUTROS TEMAS	97
VINCULAÇÃO DOS DIREITOS ECONÔMICOS, SOCIAIS E CULTURAIS: UMA DISCUSSÃO DO DESENVOLVIMENTO HUMANO COM BASE NO CONCEITO DE AMARTYA SEN SOBRE O MÍNIMO EXISTENCIAL.....	99
Natalia Mascarenhas Simões Bentes e Yasmim Salgado Santa Brígida	
A NOVA LEI DE MIGRAÇÃO E A PROTEÇÃO CONFERIDA AO APÁTRIDA: ALINHAMENTO BRASILEIRO AO PADRÃO INTERNACIONAL DE DIREITOS HUMANOS	122
Pedro Henrique de Faria Barbosa e Sylvio Loreto	
E SE O SUPREMO TRIBUNAL FEDERAL (STF) RESTABELECE A VIGÊNCIA DA CONVENÇÃO N. 158	

DA ORGANIZAÇÃO INTERNACIONAL DO TRABALHO (OIT) NA ORDEM JURÍDICA BRASILEIRA? SOBRE UMA POSSÍVEL REVIRAVOLTA, PELA VIA DO DIREITO INTERNACIONAL, DAS LEIS TRABALHISTAS BRASILEIRAS 138

Daniel Damasio Borges

JULGADOS DA CORTE INTERAMERICANA SOBRE CASOS BRASILEIROS E POLÍTICAS PÚBLICAS: REFLEXÕES ACERCA DE POSSÍVEIS INFLUIÇÕES 165

Rafael Osvaldo Machado Moura

CREATING BRIDGES BETWEEN INTERNATIONAL RELATIONS THEORY AND INTERNATIONAL HUMAN RIGHTS LAW: CONSTRUCTIVISM AND THE ROLE OF BRAZIL IN THE INTER-AMERICAN SYSTEM OF HUMAN RIGHTS 179

Ismael Francisco de Souza, Luciana Rocha Leme e Erick da Luz Scherf

JUSTIÇA DE TRANSIÇÃO NA ARGENTINA E O SISTEMA INTERAMERICANO DE DIREITOS HUMANOS: UMA ANÁLISE DO CASO LUIS MUIÑA (“REGRA 2x1”) 199

Emilio Peluso Neder Meyer e Jessica Holl

A LEGALIDADE E LEGITIMIDADE DA INTERVENÇÃO HUMANITÁRIA: UMA MEDIDA AINDA NECESSÁRIA. 219

Natália Caye Batalha Boeira

O ACORDO DE ESCAZÚ E O ACESSO À INFORMAÇÃO AMBIENTAL NO BRASIL.....252

Érica Bezerra Queiroz Ribeiro e Bruno Amaral Machado

DOS POVOS NATIVOS AO SURGIMENTO DOS MOVIMENTOS SOCIAIS: INFLUÊNCIAS DOS DISCURSOS JURÍDICOS, RELIGIOSOS E MÉDICOS PARA A CONSTRUÇÃO DO CONCEITO DE HOMOSSEXUALIDADE NO BRASIL.....267

Bruno Rafael Silva Nogueira Barbosa e Robson Antão de Medeiros

ASPECTOS JURÍDICOS DA PARTICIPAÇÃO DA UNIÃO EUROPEIA NA OMC: COMPREENDENDO SUTILEZAS DE UM DELICADO ENLACE..... 291

Camilla Capucio

PATH TO JUDICIAL ACTIVISM? THE USE OF “RELEVANT RULES OF INTERNATIONAL LAW” BY THE WTO APPELLATE BODY307

Mariana Clara de Andrade

LEVEZA E PESO NA MEDIAÇÃO COMERCIAL INTERNACIONAL: O CONTEÚDO JURÍDICO DO ACORDO CORPORATIVO MEDIADO E SUA INCORPORAÇÃO PELO DIREITO BRASILEIRO324

Henrique Lenon Farias Guedes

JURISDIÇÃO INTERNACIONAL E AS DIFICULDADES DE EXECUÇÃO DE SENTENÇAS INTERNACIONAIS NO BRASIL.....	344
Nevitton Vieira Souza	
O DEVER DE COOPERAÇÃO NOS CONTRATOS DE VENDA INTERNACIONAL DE MERCADORIAS: PRESUPOSTOS TEÓRICOS E REPERCUSSÕES PRÁTICAS DA CLÁUSULA GERAL DA BOA-FÉ OBJETIVA PARA A APLICAÇÃO DA CISG	358
Angelo Gamba Prata de Carvalho	
A DIMENSÃO JURÍDICA DO IMPERIALISMO NA (DES)ORDEM GLOBAL CAPITALISTA: UMA ANÁLISE COM BASE NA CRÍTICA MARXISTA AO DIREITO INTERNACIONAL E ÀS RELAÇÕES POLÍTICO-ECONÔMICAS DE DOMINAÇÃO E DEPENDÊNCIA.....	380
Thomaz Delgado De David, Maria Beatriz Oliveira da Silva e Rosane Beatris Mariano da Rocha Barcellos Terra	
A PARTICIPAÇÃO DE BRASIL E ESTADOS UNIDOS NA FORMULAÇÃO DAS REGRAS MULTILATERAIS DO COMÉRCIO AGRÍCOLA	402
Vera Thorstensen, Vivian Daniele Rocha Gabriel e Alebe Linhares Mesquita	
A GALÁXIA LEX E A CONSTRUÇÃO DE UM SISTEMA JURÍDICO TRANSNACIONAL	441
Eugênia Cristina Nilsen Ribeiro Barza e Jéssyka Maria Nunes Galvão	
HAS THE ABILITY OF TRUTH COMMISSIONS TO RECOMMEND AMNESTY BEEN EFFECTIVE IN ENHANCING PERPETRATOR COOPERATION?	453
Jeremy Sarkin	
A CONCEPTUAL PAPER ON THE POLICY-FRAMEWORK THAT MIRRORS THE DYNAMIC LINK BETWEEN HUMAN SECURITY, SOCIAL PROTECTION AND SAFETY NETS, AND FOOD AND NUTRITIONAL SECURITY: THE CASE OF THE “GULAYAN SA PAARALAN PROGRAM”, THE PHILIPPINES	478
Renato Lagapa Base	
INCENTIVISING SMALLHOLDER FARMER LIVELIHOODS AND CONSTRUCTING FOOD SECURITY THROUGH HOME-GROWN SCHOOL FEEDING: EVIDENCE FROM NORTHERN GHANA	491
Clement Mensah	
POLICY COHERENCE IN THE IMPLEMENTATION OF THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT: THE BRAZILIAN SCHOOL FEEDING PROGRAMME CASE STUDY	506
Mariana Werlang Girardi	

Editorial

WHAT DOES IT MEAN TO APPLY HISTORY IN INTERNATIONAL LAW STUDIES?

Arthur Roberto Capella Giannattasio*

It is normal to perceive the legal scholarship in peripheral epistemic communities as being highly influenced by the research agendas established by the central epistemic communities in Western Europe and North America. This is particularly clear when one takes into account the development of international legal scholarship in peripheral academia, as studies and research issues are primarily examined in accordance with pure and applied concerns regarding material and immaterial needs in central academia¹.

Indeed, at least in recent Brazilian scholarship in international law, it is worth noting that many themes which found resonance in local academia were responses to academic debates introduced within the center in the last three decades². However, peripheral academia in international law is not only chasing the topics which were identified as areas of interest of central academia. There is an awareness that local Brazilian academia is also pursuing evocative debates concerning theoretical and practical issues in the use of alternative methods to study and to teach international law³, and even to develop innovative research in this field^{4 5}.

1 The “international character” of international law is recently being questioned by authors of different legal traditions; for example, see BACHAND, Rémi. *Les Subalternes et le Droit International*. Paris: Pedone, 2018, FARIA, José. *Direito e Conjuntura*. São Paulo: Saraiva/DireitoGV, 2008; GIANNATTASIO, Arthur. Tradição e Crítica no conhecimento sobre Direito da Integração, *Revista Direito GV*, v. 13, p. 716-748, 2017, HART, Michael; NEGRI, Antonio. *Empire*. Cambridge: Harvard University, 2000, LORCA, Arnulf. *Direito Internacional na América Latina ou Direito Internacional Latino-Americano?* In: BADIN, Michelle; BRITO, Adriane; VENTURA, Deisy (Org.). *Direito Global e suas Alternativas Metodológicas*. São Paulo: FGV Direito SP, p. 31-65, 2016, ONUMA, Yasuaki. *Direito Internacional em Perspectiva Transcivilizacional*. Belo Horizonte: Arraes, 2016, ROBERTS, Anthea. *Is International Law International?* Oxford: Oxford University, 2017. Some of those ideas are also mentioned in articles published in the special issue *Exclusion and its Critics: Southern Narratives of International Law*, which was the first volume in 2018 of this Brazilian Journal of International Law.

2 Examples include: (i) in the 1990s: World Trade Organization and the liberalization of international trade, free trade agreements, economic integration, international human rights and universal and regional systems for the protection of human rights; (ii) in 2000s: transnational law, global law, global administrative law, global governance, terrorism, international environmental law and mankind as the purpose and the duty of international law; and (iii) in 2010s, international migration and refugees, international security and border control, business and human rights, international cooperation to fight corruption and money laundering, cyber warfare, national security, the impact of internet on elections, among others.

3 Moreover, one could not ignore the discussions and the efforts in the last decade concerning the use of works of art, role-plays, clinics and the participation of students in national and international competitions (such as moot courts) to teach international law in a more concrete way and to enhance the engagement of students with international law issues.

4 It is also important to remember the academic debates in the last decade concerning (i) the use of empirical methods (interview, document analysis, observation, participant observation) to collect reliable information and data concerning international law, and, more recently (ii) the use of critical perspectives (queer, race, postcolonial/decolonial and third-world theories) to research international law and international human rights.

5 Although some critical approaches mentioned in the last footnote are related to epistemic communities which are not traditionally associated with the center - such as third-worldism

The use of history in international law studies does not seem to escape from such center-periphery relationship. Indeed, largely inspired by the historiographical turn in international law⁶ pursued by Martii Koskenniemi in its main works⁷, an enthusiastic Brazilian legal scholarship is also nowadays facing this new epistemic demand of thinking international law historically⁸. There is even a recent attempt - maybe roughly epistemologically motivated to reply to the traditional narrative on the European founding fathers of international law⁹ - to identify vestiges of a certain “Brazilian School” of International Law. The idea seems to be to discover traces of a Brazilian international legal identity by examining the academic contributions of past Brazilian scholars¹⁰.

and postcolonial/decolonial perspectives, it is important to highlight two aspects.

First of all, they are associated with a geographically and economically central epistemic community. Indeed, they are a kind of extension of the critical legal studies movement (UNGER, Roberto. *The Critical Legal Studies Movement*. London/New York: Verso, 2015) to international law - the new approaches to international law (KENNEDY, David. Preface. In: BENEYTO, Jose; KENNEDY, David (Ed.). *New Approaches to International Law*. The Hague: TMC Asser, p. v-xv, 2013), which is associated with academic debates of a specific epistemic community at Harvard University (GALINDO, George. A Volta do Terceiro Mundo ao Direito Internacional. In: BADIN, Michelle; BRITO, Adriane; VENTURA, Deisy. *Direito Global e suas Alternativas Metodológicas*. São Paulo: FGV DIREITO SP, p. 67-96, 2016 and GALINDO, George. Splitting TWAIL?, *Windsor Yearbook of Access to Justice*, v. 33, n. 3, p. 37-56, 2016) and to its recent development within the academic network led by the Institute for Global Law & Policy at Harvard Law School.

Secondly, those epistemic communities can be regarded as a different kind of center: even if nowadays detached from geographical and economic centers (North America and Europe), their perspectives have established core critical discourses on international law. In other words, they established a central intellectual field (BOURDIEU, Pierre. *Campo Intelectual e Projeto Criador*. In: POUILLON, Jean (Org.). *Problemas do Estruturalismo*. Rio de Janeiro: Jorge Zahar, p. 105-45, 1968) on critical international legal studies. In this sense, they were responsible for creating a system of intertwined narratives which presides contemporary criticism on international law. Thus, anyone who wants to criticize international law nowadays cannot avoid making reference to these established critical approaches to international law.

Thus, in this double sense - central economic and geographical origins and contemporary central discursiveness, we understand that these critical approaches can be pointed out as academic outcomes of central epistemic communities. This means that they reveal and exercise epistemological power, that is, they establish criteria and conditions of possibility for the development of research agendas in peripheral epistemic communities.

6 That is, “a constant and growing need on the part of international lawyers to review (even to confirm) the history of international law and to establish links between the past and the present situation of international norms, institutions and doctrines. The historiographical turn also involves the need to overcome the barriers that separate the theory from the history of the discipline.” (GALINDO, George. Martii Koskenniemi and the Historiographical Turn in International Law, *European Journal of International Law*, v. 16, n. 3, 2005, p. 541). For another broad theoretical appraisal of this turn to history in international legal studies, see, for instance, CRAVEN, Matthew. Theorizing the Turn to History in International Law. In: ORFORD, Anne; HOFFMANN, Florian (Ed.). *The Oxford Handbook of the Theory of International Law*. Oxford: Oxford University, p. 21-37, 2016.

7 KOSKENNIEMI, Martii. *From Apology to Utopia*. Cambridge: Cambridge University, 2005, KOSKENNIEMI, Martii. *The Gentle Civilizer of Nations*. Cambridge: Cambridge University, 2004, KOSKENNIEMI, Martii. The Politics of International Law. In: KOSKENNIEMI, Martii. *The Politics of International Law*. Oxford/Portland: Hart p. 33-62, 2011 and KOSKENNIEMI, Martii. The Politics of International Law - 20 Years Later. In: KOSKENNIEMI, Martii. *The Politics of International Law*. Oxford/Portland: Hart, p. 63-75, 2011.

8 See for example, BRITO, Adriane; VEÇOSO, Fabia; RORIZ, João. “Seremos Julgados”: Revisitando o Debate entre Alvarez e Sá Vianna sobre a Regionalização do Direito Internacional na América Latina. In: JUBILUT, Liliana (Coord.). *Direito Internacional Atual*. Rio de Janeiro: Elsevier, p. 287-315, 2014, GALINDO, George. Para uma Historiografia do Direito Internacional no Brasil. In: BADIN, Michelle; BRITO, Adriane; VENTURA, Deisy. *Direito Global e suas Alternativas Metodológicas*. São Paulo: FGV DIREITO SP, p. 433-43, 2016, VEÇOSO, Fabia. História e crítica em direito internacional na América Latina: revisitando discussões pretéritas sobre ensino jurídico na região, *Revista Derecho del Estado*, p. 91-117, 2017, VEÇOSO, Fabia. Bandung in the Shadow: the Brazilian Experience. In: ESLAVA, Luis; FAKHRI, Michael; NESIAH, Vasuki. (Org.). *Bandung, Global History, and International Law - Critical Pasts and Pending Futures*. Cambridge: Cambridge University, p. 411-428, 2017 and VEÇOSO, Fabia; RORIZ, João. História do/no Direito Internacional: questionamentos para a elaboração de estudos historiográficos em direito internacional no Brasil. BADIN, Michelle; BRITO, Adriane; VENTURA, Deisy. *Direito Global e suas Alternativas Metodológicas*. São Paulo: FGV DIREITO SP, p. 413-431, 2016.

9 PILLET, Antoine (Ed.). *Les Fondateurs du Droit International*. Paris: V. Giard & E. Brière, 1904. For a criticism on such idea, see, for instance, GALINDO, George. Para que serve a história do direito internacional?, *Revista de Direito Internacional*, v. 12, n. 1, p. 338-54, 2015 and ONUMA, Yasuaki. *Direito Internacional em Perspectiva Transcivilizacional*. Belo Horizonte: Arraes, 2016.

10 An academic event was organized in 16-17 October 2018 in Brasília - GALINDO, George (Org.). *História do Direito Internacional no Brasil: Entre Universalismo, Localismo e Identidades*. Brasília: UnB/CNPq, 2018 - in order to discuss some results on this research. Pedro Autran da Matta Albuquerque, Antônio de Vasconcelos Menezes de Drummond, Sá Vianna, Rui Barbosa, Joaquim Nabuco, Arthur Orlando, José Mendes, Clóvis Bevilacqua, Ceslo de Albuquerque Mello, Amaro Cavalcanti, Gilberto Amado, Hildebrando

Be that as it may, according to this perspective, the main justification for using history to understand international law, by means of a rapprochement of Law, History and Theory¹¹, is to surpass traditional Brazilian legal positivism and to develop a critical comprehension of international legal systems¹². This would then erode the linear basis of a legal discourse which still legitimates a continuous postcolonial domination of international relations by Western and European powers. After all, if their legal, political, economic and social traditions still operate as universal benchmarks of progress¹³, being aware of the persistence of such domination pattern would foster practical initiatives aiming to change contemporary international institutional legal framework and, with that, to fight global inequalities, exclusions and injustices¹⁴.

Such enthusiasm for a turn to history in international law within such schema is positive and should be neither underestimated, nor discouraged. However, the use of history to assess critically diachronic ruptures and continuities within the legal framework which organizes the relations between distinct political unities (“international relations”) is not new - not even in Brazil. Understanding and illustrating the range of this argument is the precise goal of the present special issue of the Brazilian Journal of International Law.

Of course one does not need to resort to Thucydides (460 b.C. - 400 b.C.)¹⁵, to Polybius (203 b.C. - 120 b.C.)¹⁶ or even to Niccolò Machiavelli (1469 a.D. - 1527 a.D.)¹⁷ to exemplify this argument. During the XXth century, there are many authors who - years before the so-called historiographical turn - managed to think critically of international law through the lenses of history¹⁸. Although from different perspectives and seeking different goals, those authors resorted to history and other disciplines in order to understand the limits and the possibilities of international law.

Brazilian scholarship is not unacquainted with the use of history to develop a critical appraisal of legal institutions and concepts. Indeed, even before the above mentioned historiographical turn, there are renowned legal studies concerning both national¹⁹ and international²⁰ legal issues within a diachronic perspective. And such Brazilian legal thought on international law based on a historical perspective does not focus only in Brazilian-related issues. Indeed, there are authors for whom the use of history in international legal studies enables to identify: (i) ruptures and continuities in international legal theory and practices²¹, (ii)

Accioly, Raul Fernandes, José Settecamara, Vicente Marotta Rangel, Gilda Russomano e Guido da Silva Soares were the authors examined in the event.

11 GALINDO, George. Para que serve a história do direito internacional?, *Revista de Direito Internacional*, v. 12, n. 1, p. 338-54, 2015.

12 GALINDO, George. Martii Koskenniemi and the Historiographical Turn in International Law, *European Journal of International Law*, v. 16, n. 3, 2005, p. 558.

13 For a criticism of the idea of progress in international law, see for example, SKOUTERIS, Thomas. *The Notion of Progress in International Law*. The Hague: TMC Asser, 2010.

14 GALINDO, George. Para que serve a história do direito internacional?, *Revista de Direito Internacional*, v. 12, n. 1, 2015, p. 343-52.

15 When the author explores the idea that the Peloponnesian war (431 b.C. - 404 b.C.) between Athens and Sparta was a consequence of the violation of an armistice treaty between the two city-states (THUCYDIDES. *História da Guerra do Peloponeso*. 4 ed. Brasília/São Paulo: UnB/Instituto de Pesquisa de Relações Internacionais/Imprensa Oficial do Estado de São Paulo, 2001, p. 15-88).

16 When the author explores the idea that the Second Punic War (218 b.C.- 201 b.C.) between Rome and Carthage was a consequence of the violation of treaties between the two political unities (POLYBE. *Histoire*. Paris: Gallimard, 2003, p. 264-77).

17 When the author analyzes past experiences as sources for best political practices between Princes of different city-states (MAQUIAVEL, Nicolau. *O Príncipe*. São Paulo: Martins Fontes, 2008).

18 For instance, see the contributions by Charles ALEXANDROWICZ (1902-1975) (ALEXANDROWICZ, Charles. *The Law of Nations in Global History*. Oxford: Oxford University, 2017) or even by HARDT, Michael; NEGRI, Antonio. *Empire*. Cambridge: Harvard University, 2000.

19 It would be impossible to exhaust the names and their respective contributions in a single footnote. Just as examples of contemporary authors, we mention here the names of José Reinaldo de Lima LOPES, Rafael QUEIROZ and Andréa SLEMIAN.

20 It would be impossible to exhaust the names and their respective contributions in a single footnote. Just as examples of contemporary authors, we mention here the names of Amado Luiz CERVO, Emilia Viotti da COSTA, Celso FURTADO, Celso LAFER, Caio PRADO JR.

21 For instance, CASELLA, Paulo. *Fundamentos do Direito Internacional Pós-Moderno*. São Paulo: Quartier Latin, 2008, CASELLA, Paulo. *Direito Internacional no Tempo Antigo*. São Paulo: Atlas, 2012, CASELLA, Paulo. *Direito internacional no tempo medieval e moderno*

the consequences of a global agenda for developing and emerging countries²²; and (iii) the limits of non-Brazilian legal scholarship concerning international law - both in theory²³ and in practice²⁴.

Of course, these authors neither deal with the same subjects, nor follow the same methodological strategies, nor share the same critical perspectives²⁵. Still, they are mentioned here only to illustrate the argument that the use of history in critical international law studies is something which is not unusual in Brazilian scholarship and that it does not need to follow the “historiographical turn”. Indeed, this special issue concerning the history of International Law emphasizes that there is no single historical approach to international law (in terms of themes, methods and epistemologies) which can be regarded as legitimate and critical. Thinking otherwise would only replicate the above mentioned center-periphery epistemological relationship.

So, what does it mean to apply history in international law studies? At first sight, the common perception that international legal scholarship benefits from an interdisciplinary opening to historical thought. But this means in this special issue something more accurate: at least three main ideas which are valid - according to our point of view - not only to Brazilian legal scholarship in international law.

First, that focusing on international legal themes from the past is precisely a way to unravel the social, political, cultural, civilizational and economic hesitations underlying each legal concept, institution, practice or rule and, in this manner, to criticize current academic and non-academic consensus concerning them.

Secondly, that historical thought can also contribute to international legal studies by presenting alternative methodological approaches to international law: for instance, resorting (i) not only to secondary sources (literature review), but mainly to primary sources (such as documents), (ii) not only to official documents - originated in proceedings related to state organs, international organizations, transnational corporations, non-governmental organizations, among others, but also to non-official documents - originated outside those proceedings, and (iii) not only to written documents, but also to oral information about the past (oral history).

Finally, from an epistemological perspective, indicating that ideas and methods themselves are also produced within specific time and space conditions which embed more or less consciously the above mentioned social, political, cultural, civilizational and economic hesitations. Historical thought also benefits international legal scholarship, thus, by raising the alert that even Science and its trends are byproducts of power disputes by a certain kind of hegemony - that is, they follow the rise and fall of epistemic centers within time.

Raising the awareness concerning these three contributions of historical thought to international law is the main goal of this special issue. Thus, we hope that the following articles encourage the pursuit of a

até Vitória. São Paulo: Atlas, 2012, CASELLA, Paulo. *Direito internacional no tempo moderno de Suarez a Grócio*. São Paulo: Atlas, 2013, CASELLA, Paulo. *Direito Internacional no Tempo Classico*. São Paulo: Atlas, 2015.

22 For instance, CASELLA, Paulo. *BRIC: Brésil, Russie, Inde, Chine et Afrique du Sud - a l'heure d'un nouvel ordre juridique international*. Paris: A. Pedone, 2011, FARIA, José. *O Direito na Economia Globalizada*. São Paulo: Malheiros, 2004, FARIA, José. *Direito e Conjuntura*. São Paulo: Saraiva/DireitoGV, 2008.

23 For instance, GIANNATTASIO, Arthur. Tradição e crítica no conhecimento sobre direito da integração, *Revista DireitoGV*, v. 13, p. 716-748, 2017.; MOROSINI, Fabio; BADIN, Michelle (Org.). *Reconceptualizing International Investment Law from the Global South*. Cambridge: Cambridge University, 2017.

24 For instance, BADIN, Michelle; MOROSINI, Fabio. Los vínculos comerciales y de inversión Sur-Sur: reflexiones sobre la relación Brasil-Angola, *Foro Internacional*, v. LVII, p. 285-316, 2017; DURAN, Camila. The Framework for the Social Accountability of Central Banks: The Growing Relevance of the Soft Law in Central banking, *European Journal of Legal Studies*, v. 8, n. 2, p. 97-125, 2015; GIANNATTASIO, Arthur. Verità Effetuale e Paz no Direito da Integração Europeia, *Revista Direito e Práxis*, v. 9, p. 610-639, 2018.

25 For an alternative critical perspective on the use of history to understand critically international legal institutions and concepts, see for instance, GIANNATTASIO, Arthur. Fundamentos de uma análise sociológica crítica das instituições jurídicas internacionais: negatividade e política na metodologia dos estudos em Direito Internacional no Brasil, *Revista Brasileira de Estudos Políticos*, v. 116, p. 113-158, 2018.

progressive discursive debate in international legal studies worldwide - in terms of themes, methods and epistemologies. Enjoy them!

On behalf of the guest editors,
Arthur Giannattasio

Para publicar na Revista de Direito Internacional, acesse o endereço eletrônico
www.rdi.uniceub.br ou www.brazilianjournal.org.
Observe as normas de publicação, para facilitar e agilizar o trabalho de edição.