

Peace Treaties And International Law In European History From The Late Middle Ages To World War One

Peace Treaties and International Law in European History
Peace Through Law
History of International Law · Foundations and Principles of International Law ·
Sources of International Law · Law of Treaties
Wars of Law
Three Centuries of
Treaties of Peace and Their Teaching
Treaties for the Advancement of Peace
Between the United States and Other Powers Negotiated by the Honourable
William J. Bryan, Secretary of State of the United States
Netherlands Yearbook of
International Law 2014
The Path to World Peace
Jus Post Bellum
The Human Rights
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Use of Force · War and Neutrality
Peace
Treaties (N-Z)
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The Oxford
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Peace Treaties and International Law in European History

Recent origin of s'ubject. A study on Contracts and Peace Treaties does not require a historical introduction because the problem is of a very recent origin. With regard to its present day importance it is remarkable that the subject found hardly ever expression in any Peace Treaty before 1919. One has only to go back to the Peace Treaties of World War I to find the first detailed provisions relating to contracts between enemies. The text of the relevant articles of the Treaties of the Versailles group is identical. Art. 299 Treaty of Versailles corresponds with art. 251 Treaty of St. Germain, with art. 180 Treaty of Neuilly, with art. 234 Treaty of Trianon. The Treaty of Lausanne of 1923 with Turkey which replaced the unratified Treaty of Sevres, was similar in outline but differed in some material aspects. Presently we shall see that the Treaty of Brest-Litowsk and the other eastern Peace Treaties did not prescribe any alterations in the municipal law of the Signatory Powers. The Peace Treaties of World War II concluded at Paris in 1947 with Italy, Roumania,

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Bulgaria, Hungary and Finland contain also a number of identical provisions on contracts. Annex XVI of the Treaty with Italy corresponds with Annex V of the other Treaties. Anglo-Saxon origin of Treaty provisions.

Peace Through Law

History of International Law · Foundations and Principles of International Law · Sources of International Law · Law of Treaties

Wars of Law

This study consists of an empirical examination of the legal effect of war on treaties to which the United States and one or more enemy states were parties at the outbreak of World War II. Doctrine is regarded as of secondary importance to this study and is therefore treated summarily. Some attention is devoted to historical aspects of the problem to lend perspective to the developments of World War II. The basic plan of this work is simple. After definitions have been established for "war" and "treaties," certain assumptions implicit in this study are discussed. Next, relevant doctrinal questions are considered. This is followed by an analysis of American practice concerning the legal effect of war on treaties of the United States from the early part of the 19th century down to World War II. The main part of the study, in which the treaties are arranged according to subject matter, carries the discussion down to the provisions in the peace treaties which relate to revival of prewar agreements. The chapter on the peace treaty provisions concludes with consideration of the special situation arising from the absence of a final peace treaty with Germany. Conclusions are then drawn from the experience of the United States. The literature of international law is filled with opinions on the effect of war on treaties, but only rarely have the authors stopped to analyze the practice of states methodically.

Three Centuries of Treaties of Peace and Their Teaching

A Guide for Diplomats Published at the End of the First World War. While writing this book in 1917, Phillimore anticipated the difficulties that would face diplomats at the conclusion of the First World War. Their task would be, he thought, "a Congress of Vienna, a Hague Conference, and a Geneva Conference rolled into one." Three Centuries of Treaties of Peace and Their Teaching, a historical analysis of treaties enacted from 1582 to 1913, was intended to provide the diplomatic community with "some guidance for the future, that we should thereby acquire some explanation of the condition of Europe on the threshold of the present war, and see the position to which previous diplomatic settlements had brought us" (xii). "The work as a broad, scholarly but condense revue of the peace treaties of three centuries has undoubted interest and value." --CHARLES NOBLE GREGORY, American Journal of International Law 12 (1918) 679. SIR WALTER GEORGE FRANK PHILLIMORE [1845-1929] was a Judge of the High Court Justice from 1897 to 1913, a Lord Justice of Appeal from 1913 to 1916, and in 1918 was raised to the peerage.

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As an authority on ecclesiastical law and international law Lord Phillimore carried on the tradition of his family. He edited the Second Edition of The Ecclesiastical Law of the Church of England and the Third Edition of Vol. IV of International Law, both by his father, Sir Robert Phillimore. He was President of the International Law Association from 1905-1908. In 1918 he was appointed chairman of the naval prize tribunal. He was the English representative on the commission which sat at The Hague (1920) to prepare the scheme of a permanent Court of International Justice, and was also chairman of the Foreign Office committee on the League of Nations.

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Treaties for the Advancement of Peace Between the United States and Other Powers Negotiated by the Honourable William J. Bryan, Secretary of State of the United States

Jus post bellum is the body of international legal norms and rules of international law that applies to a post-conflict situation as it moves to a status of peace. This book provides a detailed legal analysis of all aspects of jus post bellum, and uses case studies to show its relevance to the reality of situations on the ground.

Netherlands Yearbook of International Law 2014

“The 1713 Peace of Utrecht and its Enduring Effects,” edited by Alfred H.A. Soons, presents an interdisciplinary collection of contributions marking the occasion of the tercentenary of the Peace of Utrecht.

The Path to World Peace

This unique volume looks at international peace treaties, at their results, effects and failures. It reflects the outcome of an international conference held in the Peace Palace (The Hague) on the occasion of the Centenary of this institution, which opened its doors on the eve of World War I.

Jus Post Bellum

The rules of treaty interpretation codified in the 'Vienna Convention on the Law of Treaties' now apply to virtually all treaties, in an international context as well as within national legal systems, where treaties have an impact on a large and growing range of matters. The rules of treaty interpretation differ somewhat from typical rules for interpreting legal instruments and legislation within national legal systems. Lawyers, administrators, diplomats, and officials at international organisations are increasingly likely to encounter issues of treaty interpretation which require not only knowledge of the relevant rules of interpretation, but also how these rules have been, and are to be, applied in practice. Since the codified

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rules of treaty interpretation came into decree, there is a considerable body of case-law on their application. This case-law, combined with the history and analysis of the rules of treaty interpretation, provides a basis for understanding this most important task in the application of treaties internationally and within national systems of law. Any lawyer who ever has to consider international matters, and increasingly any lawyer whose work involves domestic legislation with any international connection, is at risk nowadays of encountering a treaty provision which requires interpretation, whether the treaty provision is explicitly in issue or is the source of the relevant domestic legislation. This fully updated new edition features case law from a broader range of jurisdictions, and an account of the work of the International Law Commission in its relation to interpretative declarations. This book provides a guide to interpreting treaties properly in accordance with the modern rules.

The Human Rights Treaty Obligations of Peacekeepers

Encyclopedia of Public International Law, 4: Use of Force, War, and Neutrality Peace Treaties (N-Z) focuses on hostile inter-State relations and associated questions, as well as the use of force, war, neutrality, and peace treaties. The publication first elaborates on warships, wars of national liberation, war materials, laws of war, war correspondent, war and environment, Versailles Peace Treaty (1919), use of force, United Nations peacekeeping system, United Nations forces, and unfriendly act. The text then ponders on trading with the enemy, suspension of hostilities, surrender, submarine warfare, sequestration, self-preservation, self-defense, sea warfare, safety zones, safe-conduct and safe passage, resistance movements, requisitions, and reparations after World War II. The book examines relief actions, recognition of insurgency and belligerency, prisoners of war, threat to peace, peace treaties, means to safeguard peace, pacifism, occupation after armistice, nuclear tests, non-aggression pacts, and neutrality in air warfare, land warfare, and sea warfare. The text is a vital source of information for researchers interested in the use of force, war, and neutrality peace treaties.

Use of Force · War and Neutrality Peace Treaties (N-Z)

Peace Treaties and International Law in European History

Written by a team of distinguished and internationally renowned experts, this Oxford Handbook gives an analytical overview of international law as it applies in armed conflicts. The Handbook draws on international humanitarian law, human rights law, and the law of neutrality to provide a comprehensive picture of the status of law in war.

The Oxford Handbook of the History of International Law

The Netherlands Yearbook of International Law was first published in 1970. It offers a forum for the publication of scholarly articles of a more general nature in the area of public international law including the law of the European Union. One of the key functions or purposes of international law (and law in general for that matter)

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is to provide long-term stability and legal certainty. Yet, international legal rules may also function as tools to deal with non-permanent or constantly changing issues and rather than stable, international law may have to be flexible or adaptive. Prima facie, one could think of two main types of temporary aspects relevant from the perspective of international law. First, the nature of the object addressed by international law or the 'problem' that international law aims to address may be inherently temporary (temporary objects). Second, a subject of international law may be created for a specific period of time, after the elapse of which this entity ceases to exist (temporary subjects). These types of temporariness raise several questions from the perspective of international law, which are hardly addressed from a more conceptual perspective. This volume of the Netherlands Yearbook of International Law aims to do exactly that by asking the question of how international law reacts to various types of temporary issues. Put differently, where does international law stand on the continuum of predictability and pragmatism when it comes to temporary issues or institutions?

Supplement to the American Journal of International Law

Specialists from every European country analyze peace treaty practice from the late fifteenth century to the 1919 Peace of Versailles in this collection. Emphasizing the doctrinal debate about peace treaties and the influence of older, Roman and medieval, concepts on modern practices, the book recalls the reader to before the epochal Peace Treaties of Westphalia of 1648. Its broader perspective allows for a reassessment of the role of the sovereign state in the modern international legal order.

The Oxford Handbook of International Law in Armed Conflict

The "Asian Yearbook of International Law" is a major refereed publication dedicated to international law issues as seen primarily from an Asian perspective. This is the first publication of its kind edited by a team of leading international law scholars from across Asia. The "Asian Yearbook of International Law" provides a forum for the publication of articles in the field of international law, and other Asian international law topics, written by experts from the region and elsewhere. Its aim is twofold: to promote international law in Asia, and to provide an intellectual platform for the discussion and dissemination of Asian views and practices on contemporary international legal issues. As a rule, each volume of the Asian Yearbook normally contains articles; notes; a section on State practice; an overview of the participation of Asian countries in multilateral treaties; a chronicle of events and incidents; surveys of the activities of international organizations which have special relevance to Asia, such as a survey of the activities of the Asian-African Legal Consultative Committee; and book review, bibliography and documents sections.

Religion and International Law

The Internationalists

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This book adopts a 'trans-civilizational' perspective on the history and development of current West-centric international law.

The Problem of Pre-war Contracts in Peace Treaties

The Oxford Handbook of the History of International Law provides an authoritative and original overview of the origins, concepts, and core issues of international law. The first comprehensive Handbook on the history of international law, it is a truly unique contribution to the literature of international law and relations. Pursuing both a global and an interdisciplinary approach, the Handbook brings together some sixty eminent scholars of international law, legal history, and global history from all parts of the world. Covering international legal developments from the 15th century until the end of World War II, the Handbook consists of over sixty individual chapters which are arranged in six parts. The book opens with an analysis of the principal actors in the history of international law, namely states, peoples and nations, international organisations and courts, and civil society actors. Part Two is devoted to a number of key themes of the history of international law, such as peace and war, the sovereignty of states, hegemony, religion, and the protection of the individual person. Part Three addresses the history of international law in the different regions of the world (Africa and Arabia, Asia, the Americas and the Caribbean, Europe), as well as 'encounters' between non-European legal cultures (like those of China, Japan, and India) and Europe which had a lasting impact on the body of international law. Part Four examines certain forms of 'interaction or imposition' in international law, such as diplomacy (as an example of interaction) or colonization and domination (as an example of imposition of law). The classical juxtaposition of the civilized and the uncivilized is also critically studied. Part Five is concerned with problems of the method and theory of history writing in international law, for instance the periodisation of international law, or Eurocentrism in the traditional historiography of international law. The Handbook concludes with a Part Six, entitled "People in Portrait", which explores the life and work of twenty prominent scholars and thinkers of international law, ranging from Muhammad al-Shaybani to Sir Hersch Lauterpacht. The Handbook will be an invaluable resource for students and scholars of international law. It provides historians with new perspectives on international law, and increases the historical and cultural awareness of scholars of international law. It is the standard reference work for the global history of international law.

Legal Effect of World War II on Treaties of the United States

An Analytical Index to the American Journal of International Law, and Supplements and the Proceedings of the American Society of International Law

This book offers a comprehensive analysis of the law of treaties as it emerges from the interplay between the 1969 Vienna Convention on the Law of Treaties and customary international law. It revisits the basic concepts underlying the provisions of the Vienna Convention, so as to determine the actual state of the law and its foreseeable development. In doing so, it examines some of the most controversial

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aspects of the law of treaties. The book first explores the influence exerted by the Vienna Convention on pre-existing customary law. Certain rules of the Convention which, at the time of its adoption, appeared to fall within the realm of progressive development, can now be regarded as customary international rules. Conversely, a number of provisions of the Convention, in particular those which have been the subject of subsequent codification work by the International Law Commission, have become obsolete. It then examines the impact exerted by the Vienna Convention on the development of other fields of international law, such as the law of international responsibility and the law of international organizations. The last section of the book is devoted to cross-cutting issues, with particular reference to the notion of jus cogens - a concept first used in the Vienna Convention in connection with the problem of the validity of treaties and which, afterwards, has acquired a legal significance going well beyond the Convention. Written by a team of renowned international lawyers, this book offers new insight into the basic concepts and methodology of the law of treaties and its problems.

Challenging the Paris Peace Treaties, State Sovereignty, and Western-dominated International Law

The Art of Making Peace

With the benefit of hindsight, presenting the Treaty of Versailles as an example of 'peace through law' might seem like a provocation. And yet, the extreme variety and innovativeness of international procedural and substantial 'experiments' attempted as a result of the Treaty of Versailles and the other Paris Peace Treaties of 1919-1920 remain striking even today. While many of these 'experiments' had a lasting impact on international law and dispute settlement after the Second World War, and considerably broadened the very idea of 'peace through law', they have often disappeared from collective memories. Relying on both legal and historical research, this book provides a global overview of how the Paris Peace Treaties impacted on dispute resolution in the interwar period, both substantially and procedurally. The book's accounts of several all-but-forgotten international tribunals and their case law include references to archival records and photographic illustrations.

Treaties and Other International Agreements of the United States of America, 1776-1949: Nepal-Peru

Kelsen, Hans. Principles of International Law. New York: Rinehart & Company, Inc. [1952]. xvii, 461 pp. Reprinted 2003 by The Lawbook Exchange, Ltd. ISBN 1-58477-325-1. Cloth. \$85. * Upon his retirement from the faculty of University of California at Berkeley in 1952, noted legal philosopher and political scientist Hans Kelsen [1881-1973] produced arguably this his most important work, " a systematic study of the most important aspects of international law, including international delicts and sanctions, reprisals, the spheres of validity and the essential function of international law, creation and application of international law and national law." Nicoletta Bersier Ladavac, "Hans Kelsen (1881 - 1973) Biographical Note and Bibliography," European Journal of International Law Vol. 9

(1998) No. 2.

The Oxford Handbook of the History of International Law

Dynamism in Sino-Japanese relations, of which the Diaoyu/Diaoyutai Islands dispute constitutes a major part, has greatly overshadowed not only prospects of positive collaboration between China and Japan, but also regional order in East Asia. On the surface, the essence of the dispute focused on sovereignty, which entails competition for maritime resources development and strategic access to the adjacent waters as a critical transportation and military route. What lies at the crux, however, is the conflict between different sets of values, which lead and shape their interpretations of international treaties, changes of governments, and impacts of this upon these Asian states' attitudes toward how "sovereignty" and "territory" should be understood in contemporary Asia. The Diaoyu/Diaoyutai Islands dispute has lapsed into dormancy, since intense discussions in the period from 2010 to 2012. However, the disagreement is far from being resolved. This book draws on structural issues underlying the on-going dispute, along with the concomitant, multifaceted challenges that need to be investigated. At a juncture when the prospect of the Sino-Japanese relations remains gloomy, this book provides conceptual and practical insights invaluable to the field of law, history and politics, shedding light on the refinement of relevant international law and rules of engagement in a normative sense.

Asian Yearbook of International Law, Volume 8 (1998-1999)

One of the great tasks, perhaps the greatest, weighing on modern international lawyers is to craft a universal law and legal process capable of ordering relations among diverse people with differing religions, histories, cultures, laws, and languages. In so doing, we need to take the world's peoples as we find them and not pretend out of existence their wide variety. This volume builds on the eleven essays edited by Mark Janis in 1991 in *The Influence of Religion and the Development of International Law*, more than doubling its authors and essays and covering more religious traditions. Now included are studies of the interface between international law and ancient religions, Confucianism, Hinduism, Judaism, Christianity, and Islam, as well as essays addressing the impact of religious thought on the literature and sources of international law, international courts, and human rights law.

Termination of War and Treaties of Peace

Develops a coherent and realistic legal framework which strengthens the human rights protection and the accountability mechanisms in peace operations.

Treaty Interpretation

"This book assesses the unintended consequences of the proliferation of the laws of war for both interstate and civil wars over the past two centuries"--

Revolution, State Succession, International Treaties and the

Diaoyu/Diaoyutai Islands

This is the first comprehensive account of the modern international law of treaty interpretation expressed in 1969 Vienna Convention, Articles 31-33. As stated by the anonymous referee, it is the most theoretically advanced and analytically refined work yet accomplished on this topic. The style of writing is clear and concise, and the organisation of the book meets the demands of scholars and practitioners alike.

Brill's encyclopedia of the First World War

The book describes the development of certain important treaties from the perspective of their practice, with a view to assessing whether these treaties are, or have been, on the "rise" or in "decline". Following a glance at major European peace treaties prior to the UN Charter, the book focuses on developments over the last thirty years with respect to the UN Charter and its rules on the use of force, human rights treaties, the WTO agreements, investment treaties, and environmental treaties. It looks at these treaties from the perspective of an observer as well as from the perspective of a practitioner who is called to apply a treaty, taking into account the rules of interpretation under the Vienna Convention on the Law of Treaties. The book describes, in particular, how the International Law Commission has elucidated the significance of the rules of interpretation in its conclusions on "Subsequent agreements and subsequent practice in relation to the interpretation of treaties" (2018), and it connects this work with the broader developments.

On the Interpretation of Treaties

International Law Reports is the only publication in the world wholly devoted to the regular and systematic reporting in English of courts and arbitrators, as well as judgements of national courts.

Contracts and Peace Treaties

"An original book...about individuals who used ideas to change the world" (The New Yorker)—the fascinating exploration into the creation and history of the Paris Peace Pact, an often overlooked but transformative treaty that laid the foundation for the international system we live under today. In 1928, the leaders of the world assembled in Paris to outlaw war. Within the year, the treaty signed that day, known as the Peace Pact, had been ratified by nearly every state in the world. War, for the first time in history, had become illegal. But within a decade of its signing, each state that had gathered in Paris to renounce war was at war. And in the century that followed, the Peace Pact was dismissed as an act of folly and an unmistakable failure. This book argues that the Peace Pact ushered in a sustained march toward peace that lasts to this day. A "thought-provoking and comprehensively researched book" (The Wall Street Journal), The Internationalists tells the story of the Peace Pact through a fascinating and diverse array of lawyers, politicians, and intellectuals. It reveals the centuries-long struggle of ideas over the role of war in a just world order. It details the brutal world of conflict the Peace Pact

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helped extinguish, and the subsequent era where tariffs and sanctions take the place of tanks and gunships. The Internationalists is “indispensable” (The Washington Post). Accessible and gripping, this book will change the way we view the history of the twentieth century—and how we must work together to protect the global order the internationalists fought to make possible. “A fascinating and challenging book, which raises gravely important issues for the present...Given the state of the world, The Internationalists has come along at the right moment” (The Financial Times).

The 1713 Peace of Utrecht and its Enduring Effects

FROST (copy 1): From the John Holmes Library collection.

The Law of Treaties Beyond the Vienna Convention

In this edited collection, specialists from all over Europe analyse peace treaty practice from the late fifteenth century to the Peace of Versailles of 1919. An important place is given to the doctrinal debate about peace treaties and the influence of older, Roman and medieval, concepts on modern practices.

International Law in a Transcivilizational World

Status of Treaties in Islam

Treaties and Their Practice

Principles of International Law

Brill's Encyclopedia of the First World War is an unrivalled historical source and reference work. Written by prominent historians and World War I experts from 15 countries, it offers surveys and descriptions, information and interpretations on people and events, countries, institutions, and ideas. It presents a thematic account of the military course of the Great War, its political, economic, social, and cultural history in 26 essays on the major belligerents, wartime society and culture, diplomatic and military events, and the historiography of the Great War. A dictionary section contains a further 650 shorter entries providing solid information on international relations, domestic politics, military technology, and wartime propaganda. It focuses on aspects like the cultural history of warfare that earlier military historians have considered marginal or irrelevant and showcases the work of many internationally recognized experts. Its international scope is what truly sets it apart from similar volumes. Features International scope: showcasing the work of recognized World War I experts from 15 countries Unrivalled reference work: in 26 substantial essays on the major belligerents, wartime society and culture, diplomatic and military events, and the historiography of the Great War Solid, up-to-date information in 650 shorter entries on international relations, domestic politics, military technology, and wartime propaganda Free sample

fascicle available"

Unequal Treaties in International Law

In the formation of the modern law of nations, peace treaties played a pivotal role. Many basic principles and rules that governed and still govern relations between states were introduced and elaborated in the great peace treaties from the Renaissance onwards. Nevertheless, until recently few scholars have studied these primary sources of the law of nations from a juridical perspective. In this edited collection, specialists from all over Europe, including legal and diplomatic historians, international lawyers and an International Relations theorist, analyse peace treaty practice from the late fifteenth century to the Peace of Versailles of 1919. Important emphasis is given to the doctrinal debate about peace treaties and the influence of older, Roman and medieval concepts on modern practices. This book goes back further in time beyond the epochal Peace of Treaties of Westphalia of 1648 and this broader perspective allows for a reassessment of the role of the sovereign state in the modern international legal order.

International Law Reports

History of International Law · Foundations and Principles of International Law ·
Sources of International Law · Law of Treaties

Peace Treaties and International Law in European History

This handbook provides an authoritative and original overview of the origins of public international law. It analyses the modern history of international law from a global perspective, and examines the lives of those who were most responsible for shaping it.

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