

Autonomy, Sovereignty, and Self-Determination

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Autonomy Sovereignty And Self Determination The Accommodation Of Conflicting Rights:

Autonomy, Sovereignty, and Self-Determination Hurst Hannum, 1996 The content of autonomy **Autonomy, Sovereignty, and Self-Determination** Hurst Hannum, 2011-10-12 Demands for autonomy or minority rights have given rise to conflicts often violent in every region of the world and under every political system Through an analysis of contemporary international legal norms and an examination of several specific case studies including Hong Kong India the transnational problems of the Kurds and Saamis Nicaragua Northern Ireland Spain Sri Lanka and the Sudan this book identifies a framework in which ethnic religious and regional conflicts can be addressed Autonomy and Self-Determination Peter Hilpold, 2018-04-27 Europe has reached a crisis point with the call for self determination and more autonomy stronger than it ever has been In this book renowned international lawyers give a detailed account of the present state of international law regarding self determination and autonomy Autonomy and Self Determination offers readers both an overview of the status quo of legal discussions on the topic and an identification of the most important elements of discussion that could direct future legal developments in this field This is done through the examination of key issues in abstract and in relation to specific cases such as Catalonia Italy and Scotland The book extends past a simple assessment of issues of autonomy and self determination according to a traditional legal viewpoint and rather argues that utopian international law ideas are the breeding ground for norms and legal institutions of the future This insightful book will be an invaluable read for international lawyers and political science scholars It provides a clear yet detailed analysis of the issues Europe is facing regarding autonomy and self determination in the face of historical context also making it a useful tool for European history scholars Contributors include X Arzoz A Beaus jour P Hilpold H Hofmeister E L pez Jacoiste R M llerson S Oeter B Olmos B Roth M Suksi A Tancredi D Turp **Self-Determination and Collective Responsibility in the Secessionist Struggle** Costas Laoutides, 2016-03-03 The often violent emergence of new independent states following the end of the Cold War generated discussion about the normative grounds of territorial separatism A number of opposing approaches surfaced debating whether and under which circumstances there is a right for a community to secede from its host country Overwhelmingly these studies placed emphasis on the right to secession and neglected the moral stance of secessionist movements as agents in international relations In this book Costas Laoutides explores the collective moral agency involved in secessionist struggles offering a theoretical model for the collective responsibility of secessionist groups Case studies on the Kurds and the people of Moldova Transdniestria illustrate the author s theoretical arguments as he seeks to establish how although the principle of self determination was envisaged as a means of gradually bestowing political power upon the people it never managed to realize its full potential because it was interpreted strictly within a framework of exclusionary politics of identity

Autonomy, Self Governance and Conflict Resolution Marc Weller, Stefan Wolff, 2005-04-12 This book focuses on the resolution of self determined conflicts in which self defined population groups fight to determine their own destiny within the

boundaries of existing states **The Self-determination of Peoples** Wolfgang F. Danspeckgruber, 2002 Focusing especially on the era since the Cold War political scientists other scholars and government officials examine both empirically and conceptually the causes and impacts of people striving for self determination and autonomy They consider the legal political administrative ethnic cultural economic and strategic dimensions and try to consider examples from all major regions Annotation c Book News Inc Portland OR booknews com *Freshwater Access from a Human Rights Perspective* Knut Bourquain, 2008-10-31 Insufficient access to a basic water supply is not an unavoidable consequence of water scarcity In fact arid countries possess enough resources to fulfil the basic water needs of their populations and there are people in water rich countries suffering from water stress too Thus insufficient freshwater access mainly can be seen as a problem of allocation and mismanagement This book comprehensively analyses the appropriateness of a human rights based approach in safeguarding basic water supplies and determines its legal basis in international law Arriving at the conclusion that international water law does not adequately consider individual water needs the study identifies applicable human rights and examines the concrete standard of protection they provide In view of the deficits of current international water and human rights law the study discusses concepts deemed to strengthen a human rights based approach to freshwater access by considering both their formal legal appropriateness as well as their suitability in legal reality Self-determination and Secession in International Law Christian Walter, Antje von Ungern-Sternberg, Kavus Abushov, 2014 Peoples and minorities in many parts of the world assert a right to self determination autonomy and even secession from a state which naturally conflicts with that state s sovereignty and territorial integrity The right of a people to self determination and secession has existed as a concept within international law since the American Declaration of Independence in 1776 but the exact definition of these concepts and the conditions required for their application remain unclear The Advisory Opinion of the International Court of Justice concerning the Declaration of Independency of Kosovo 2010 which held that the Kosovo declaration of independence was not in violation of international law has only led to further questions This book takes four conflicts in the post Soviet Commonwealth of Independent States CIS as a starting point for examining the current state of the law of self determination and secession Four entities Transnistria Moldova South Ossetia Abkhazia both Georgia and Nagorno Karabakh Armenia claim to be entitled not only to self determination but also to secession from their mother state For this entitlement they rely on historic affiliations and on charges of discrimination and massive human rights violations committed by their mother state This book sets out its analysis of these critical issue in three parts providing a detailed understanding of the principles of international law on which they rely The first part sets out the contours and meaning of self determination and secession including an overall assessment of secession within the Commonwealth of Independent States The second section provides case studies investigating the events in Transnistria South Ossetia Abkhazia and Nagorno Karabach in greater detail The third and final section extends the scope of the examination providing a comparative analysis of similar conflicts

involving questions of self determination and secession in Kosovo Western Sahara and Eritrea The South Slav Conflict

Raju G.C Thomas,H. Richard Frim,2021-12-12 First Published in 1996 In identifying the causes of such a national and international failure in conflict management The South Slav Conflict becomes a valuable case study in comparative politics and international relations Edited by Raju G C Thomas and H Richard Frim and is unique among these by virtue of its thoroughly interdisciplinary approach to the causes and consequences of the war The book s great strength begins with its forthright assertion that no serious attempt to explain the current cycle of genocide and revenge among Serbs Croats and Bosnians can avoid the inherent complexity of the factors that transform ed Yugoslavia from one of the most pluralist of European communist states into a theater of human misery **From Coexistence to Conquest** Victor Kattan,2009-06-20

This book shows how the Arab Israeli conflict developed by looking beyond the legality argument to the men behind the policies It argues that Zionism was adopted by the British Government in its 1917 Balfour Declaration primarily as a way to control immigration The book places the violent reaction of the Palestinians to mass Jewish immigration in the context of Zionism and revisits the controversies over the question of self determination and the partition of Palestine Arguing that Israel was created through an act of conquest and subjugation the book concludes with a sobering analysis of the conflict arguing that neither Jews nor Arabs were to blame for starting it *The Dynamic of Secession* Viva Ona Bartkus,1999-06-28

This book first published in 1999 offers an explanation for the occurrence of secessionist conflict based on a comparative study of numerous historical examples Boundaries and Secession in Africa and International Law Dirdeiry M.

Ahmed,2015-12-11 This book challenges the central assumption of the law of territory by establishing that uti possidetis is not a general principle of law and arguing that African customary rules were generated It includes in depth coverage of African secession with issues of human rights law self determination and political science presented in a new light

Modern Law of Self-Determination Christian Tomuschat,2023-08-21 Modern Law of Self Determination examines the significance of the right to self determination in the new world order For decades self determination was seen as a right of colonial peoples Now the decolonization process has come to an end its scope and meaning need to be re examined Increasingly the ethnic groups within established nation States claim some separate political status In extreme cases of persecution of an ethnic group by a ruling majority secession may provide the only viable remedy to resolve the conflict However international law cannot promote a general Balkanization of the globe The legitimate interests of all ethnic groups should be accommodated within the framework of existing States Self determination which today is predominantly understood as implying a right to independent statehood may have to be re interpreted as conferring no more than a right to autonomy or federal statehood Such a conception is in line with a modern tendency that highlights the necessary internal dimension of self determination Modern Law of Self Determination is based on papers delivered at a conference in Bonn in August 1992 which have been updated and reviewed by the authors in light of the discussions following their presentation

Escaping the Self-Determination Trap Marc Weller, 2009-05-31 There is new movement in the discussion about self determination and statehood The contested declaration of independence by Kosovo and Russia s recognition of the purported independence of Abkhasia and South Ossetia have caused significant controversy These developments may well put an end to the attempt by governments to keep in place the highly restricted doctrine of self determination that has previously only been made available in the colonial context This monograph argues that classical self determination narrowly conceived in the colonial context cannot contribute to the resolution of the presently ongoing self determination conflicts around the world However this study finds that over the past few years a new practice of addressing self determination conflicts has emerged This practice significantly extends our understanding of the legal right to self determination and of the means that can be brought to bear in terminating secessionist conflicts

Taking Ethno-Cultural Diversity Seriously in Constitutional Design Solomon A. Dersso, 2012-11-08 Despite decades of nation building exercise ethnic based claims for substantive equality justice and equitable political inclusion and socio economic order continue to result in communal rivalries These are claims that define and represent the issue of minorities in Africa of which these conflicts are manifestations Although ethnic conflicts in Africa have been a subject of a large number of studies the potential and role of norms on minority rights to address claims that ethno cultural groups raise has not received the attention it deserves Based on materials from normative political theory and international human rights law and using an empirical and prescriptive analysis this book defends a robust system of minority rights built around culture equality and self determination This is employed to elaborate an adequate constitutional design providing policy frameworks multilingual language policy recognition and affirmation of cultural diversity structures that ensure just representation and participation of members of all groups and norms that guarantee substantive equality and the rights to language religion and culture The study then proffers two cases studies South Africa and Ethiopia to ascertain how such constitutional design might be translated into actual policy frameworks institutions and norms

Human Rights in the World Community Richard Pierre Claude, 1992 Less Than a Roar

Indigenous Peoples' Land Rights under International Law Jérémie Gilbert, 2016-06-21 This book addresses the right of indigenous peoples to live own and use their traditional territories and analyses how international law addresses this Through its meticulous examination of the interaction between international law and indigenous peoples land rights the work explores several burning issues such as collective rights self determination property rights cultural rights and restitution of land It delves into the notion of past violations and the role of international law in providing for remedies reparation and restitution It also argues that there is a new phase in the relationship between States indigenous peoples and private actors such as corporations in the making of territorial agreements The first edition of this ground breaking book was published in 2006 at the time the negotiations for the adoption of the United Nations Declaration on the Rights of Indigenous Peoples UNDRIP were still underway The adoption of the Declaration in 2007 marks an important moment not only in terms of law

making but also represents the achievement of long decades of lobbying and advocacy from indigenous peoples representatives This fully revised new edition reflects on the 10 years which have followed the adoption of the UNDRIP and examines its impact regarding indigenous peoples land rights Its aim is not only to assess the importance of the UNDRIP in terms of international standards but also to reflect on the maturing of international law in relation to indigenous peoples land rights Over the last 10 years these have reached a new level of visibility and a voluminous new jurisprudence and doctrine have been developed Praise for the first edition Gilbert s passion for his subject is palpable and illuminates every page as do his zeal to expose international law s complicity in indigenous peoples loss of their territories and tentative hope that international law might now provide some protection of indigenous peoples lands The choice of topic is also to be applauded There are few texts that examine indigenous peoples land rights in such depth Claire Charters Associate Professor University of Auckland New Zealand in *International and Comparative Law Quarterly* ICLQ Gilbert s gaze is firmly fixed on the future and the question how international law will reflect *lex ferenda* on indigenous land rights His interpretation of international law must be seen in this light He is looking beyond the current controversies in the rights discourse towards a more conciliatory phase in state indigenous relations International law undoubtedly has an important role to play in his vision but its primary function is to facilitate dialogue rather than as a combative and adversarial mechanism Gilbert s book is a tour de force on indigenous territoriality Stephen Allen Senior Lecturer in Law Queen Mary University London United Kingdom in *International Journal on Minority and Group Rights* Boxing Pandora Timothy William Waters, 2020-01-07 A timely and provocative challenge to the foundations of our global order why should national borders be unchangeable The inviolability of national borders is an unquestioned pillar of the post World War II international order Fixed borders are believed to encourage stability promote pluralism and discourage nationalism and intolerance But do they What if fixed borders create more problems than they solve and what if permitting borders to change would create more stability and produce more just societies Legal scholar Timothy Waters examines this possibility showing how we arrived at a system of rigidly bordered states and how the real danger to peace is not the desire of people to form new states but the capacity of existing states to resist that desire even with violence He proposes a practical democratically legitimate alternative a right of secession With crises ongoing in the United Kingdom Spain Ukraine Iraq Syria Sudan and many other regions this reassessment of the foundations of our international order is more relevant than ever *The Concept of Group Rights in International Law* Corsin Bisaz, 2012-08-28 *The Concept of Group Rights in International Law* offers a critical appraisal of the concept of group rights in international law on the basis of an extensive survey of existing group rights in contemporary international law Among some of its findings is the observation that an ideological way of arguing about this legal category is widespread among scholars as well as practitioners it sees this ideological framing as one of the main reasons why international law has so far been very reluctant to provide group rights and to call them by their name Accordingly the book re evaluates the

concept based on the experience with existing group rights in international law and pleads for a more pragmatic approach. Despite limitations with the concept the overall thesis is that there is a role for group rights as a pragmatic tool allowing for a principled approach to substate groups through international law. Such an approach could turn group rights into an arguably minor but nevertheless highly relevant legal category of international law. International Law and Indigenous Peoples

Joshua Castellino, Niamh Walsh, 2005-03-01. This volume a collection of essays by a variety of scholars in the field of indigenous rights originates from the Irish Centre for Human Rights at the National University of Ireland in Galway. It highlights those instances in the work of international organizations where advances have been made concerning indigenous rights. It also devotes attention to the Permanent Forum on Indigenous Issues to the Committee on the Elimination of Racial Discrimination and to a number of thematic issues in the field. The human rights situations facing indigenous peoples in Australia, Bangladesh, Canada, India, Kenya, Mexico, Nicaragua, Nigeria and South Africa are dealt with in separate chapters. These surveys show a range of reactions to the multiple problems of discrimination or lack of proper responses as far as domestic legislation, national implementation of the laws and national compliance with the applicable international standards are concerned.

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