

OXFORD MONOGRAPHS IN
INTERNATIONAL LAW

SELF
DETERMINATION
AND NATIONAL
MINORITIES

THOMAS D. MUSGRAVE



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Self Determination And National Minorities

André Lecours, Luis Moreno



Self Determination And National Minorities:

Self-determination and National Minorities Thomas D. Musgrave, 1997 The Western Sahara Case *Self-determination and National Minorities* Thomas Duncan Musgrave, 1993 Devising an Adequate System of Minority Protection Kristin Henrard, 2021-07-26 Minorities, Peoples and Self-Determination Nazila Ghanea-Hercock, Alexandra Xanthaki, 2005-05-01

The present volume in honour of Professor Patrick Thornberry presents new thinking on minority and indigenous rights in international law Contributors to this 17 chapter volume include an impressive range of academics thinkers practitioners and international civil servants with a number of different approaches to this complex area Not all of them take a legal approach and this exploration benefits from the variety of frameworks utilised in contributing to the controversial area of minority and indigenous rights Debates that receive attention in this volume include self determination definitional issues collective rights and rights to natural resources Other chapters unravel challenges that have not attracted sufficient attention to date such as multiculturalism integration colour as a ground for discrimination and the economic and social rights of minorities The volume also looks critically at the work of the World Bank the African Union the Council of Europe and the OSCE in this arena Finally case studies highlight the regrettable similarities in the suffering of groups in different parts of the world as well as the stark contrast between state claims and their actual practice The contributors are Gudmundur Alfredsson Michael Banton Joshua Castellino Erica Irene A Daes Mar a Amor Est banez Nazila Ghanea Geoff Gilbert B lent G kay Tom Hadden Dominic McGoldrick Timothy Murithi John Packer Chandra K Roy Malcolm N Shaw Martin Scheinin Sia Spiliopoulou kermark and Alexandra Xanthaki *Minorities, Minority Rights and Internal Self-Determination* Ulrike Barten, 2014-09-23 The book questions the classic idea of self determination the right to self determination is a right of peoples not of minorities by examining the content of the right to self determination and the content of minority rights Self determination has four dimensions the political the economic the social and the cultural dimensions Minorities have minority rights that touch on most aspects of life as a member of a minority If there is an overlap between minority rights and the different dimensions of self determination the concept that the right to self determination is only applicable to peoples loses credibility No global and general conclusion is envisaged there are restrictions in place The work is limited to the European framework and is further restricted to classic minorities The argument is based on a legitimacy and justice approach The analysis in this book shows that some minority rights overlap with the different dimensions of internal self determination In short classic minorities in Europe have a right to internal self determination *Self-determination and Minority Rights in China* Linzhu Wang, 2018-12-10 In *Self determination and Minority Rights in China* Linzhu Wang examines the rights of China s minorities from the perspective of self determination The book offers an insight into the ethnic issues in contemporary China by examining the principle of self determination in shaping China s ethnic grouping and appraising the rights of the minorities and their limits Based on a comprehensive survey of the practice of self determination in the Chinese context and the

Regional Ethnic Autonomy regime the author seeks to answer the questions of how the ethnic policies and laws have come to be why they are problematic and what can be done to promote minority rights in China **Towards an Independent**

Kurdistan: Self-Determination in International Law Loqman Radpey, 2023-12-05 Kurdistan is among the world's most notorious cases of self-determination denied and the reasons why this outcome remains unachieved reveal as much about the biases of international law as they do about the merits of the case for Kurdistan On the centenary of the Treaty of Lausanne 24 July 1923 the last of the international instruments establishing the new international order after World War I this book explores the potential blind spots of international law regarding its differential application in the Middle East Tracing self-determination over the past century the work explores how the law applies to Kurdish aspirations and to what extent the Kurds can rely upon the current law of self-determination to achieve internationally recognised statehood The book offers an exhaustive historico-legal analysis of changing international legal concepts and geopolitical upheaval providing a blueprint for Kurdish self-determination in international law Shedding light on the law's structural biases it represents a comprehensive historico-legal account of Kurdish aspirations for territorial independence within international law literature offering a guide to relevant legal problems It will be of interest to students and academics focused on international law specifically peoplehood statehood secession human rights law political science and anthropology Moreover policymakers government officials working in peace and conflict research and advocacy institutes think tanks as well as scholars of international relations historians political scientists regional specialists diplomats and non-governmental organisation activists will find it a useful reference The book also illuminates the human rights status of the Kurds in their host states making it relevant to scholars and activists Its findings have implications extending beyond Kurdistan to self-determination struggles in Scotland Catalonia Ukraine and elsewhere *National Self-Determination and Justice in Multinational States*

Anna Moltchanova, 2009-08-28 Substate nationalism especially in the past fifteen years has noticeably affected the political and territorial stability of many countries both democratic and democratizing Norms exist to limit the behavior of collective agents in relation to individuals the set of universally accepted human rights provides a basic framework There is a lacuna in international law however in the regulation of the behavior of groups toward other groups with the exception of relations among states The book offers a normative approach to moderate minority nationalism that treats minorities and majorities in multinational states justly and argues for the differentiation of group rights based on how group agents are constituted It argues that group agency requires a shared set of beliefs concerning membership and the social ontology it offers ensures that group rights can be aligned with individual rights It formulates a set of principles that if adopted would aid conflict resolution in multinational states The book pays special attention to national self-determination in transitional societies The book is intended for everyone in political philosophy and political science interested in global justice and international law and legal practitioners interested in normative issues and group rights **Self-determination and National Minorities**

Tove H. Malloy, 2012 The unofficial non binding referendum in Northern Kosovo and the ongoing debate in the international community about solutions for the Serbian minority bring the problem of self determination for national minorities back to the fore The right to vote on national allegiance and sovereign borders has never been a simple matter in European inter state relations let alone in international law such a referendum is not respected unless it holds international backing even if it is considered a domestic matter And a referendum on sovereign international borders is usually the result of long and often drawn out geo political processes including tediously negotiated settlements after major bellicose conflicts It is not something national minorities can unilaterally decide to undertake independently This is at least one of the lessons that European history has taught us Thus the case of Northern Kosovo is not likely to be any different than past referenda on national allegiance and sovereign borders Drawing on the experience of the 1920 referendum in the Danish German border region this Issue Brief will put the problem of self determination for the Serbs in Northern Kosovo in an historical perspective as a basis for a contemporary analysis Publisher s description

The Self-determination of Minorities in International Politics Alexis Heraclides, 1991 Published in 1991 The Self determination of Minorities in International Politics is a valuable contribution to the field of Politics **Identity, Self-determination and Secession** Igor Primoratz, Aleksandar

Pavković, 2006 Engaging with a range of interconnected and highly topical issues of identity self determination and secession this book discusses nationalism as an important component of identity of individuals and groups and also examines patriotism which has recently undergone a dramatic revival The book includes contributions by prominent philosophers and political and legal theorists from Australia Canada Israel and the United States Minorities' Claims: From Autonomy to Secession

Gnanapala Welhengama, 2017-11-30 This title was first published in 2000 An investigation of how the claims of minority groups for greater political power through autonomy and secession clash with the concerns of the nation State and how States refusals to respond positively to such claims contribute to the escalation of ethnic conflicts in contemporary multi ethnic polities In addition this book examines the extent to which the international community is prepared to accommodate the concerns of minority groups beyond traditionally identified minority rights The validity of claims for autonomy with shared sovereignty autonomy as an inherent part of self determination autonomy as a solution to current ethnic conflicts secessionist and irredentist movements and their impact on peace and security are analyzed in detail Most importantly whether minorities as such can secede from the State in which they live by virtue of self determination is critically analyzed The discussion of peoples in the context of self determination is the first detailed research on this subject to appear in international and human rights literature **Deconstructing Self-Determination in International Law** Przemysław

Tacik, 2023-07-17 The right of peoples to self determination seems well settled and covered extensively in the scholarly record Yet old Trotsky s question of whom is this right and to what haunts the self determination literature Somehow almost every work on it begins with an expression of puzzlement This right turns out to be elusive underdefined in its scope and

content paradoxical in almost every aspect This book mobilises all powers of critical legal theory and modern philosophy to take the bull by its horns Instead of ironing out the paradoxes it aims to finally give them a proper explanation based on the concept of exception **Identity, Self-Determination and Secession** Aleksandar Pavkovic,2017 Engaging with a range of interconnected and highly topical issues of identity self determination and secession this book examines the import and implications of identity claims and looks into identity politics motivated by such claims which is becoming ever more salient in democratic and culturally and ethnically heterogeneous states It discusses nationalism as an important component of identity of individuals and groups and a position that generates claims of self determination and secession on the part of ethnic and cultural groups It also examines patriotism which until recently seemed to be on the wane but has undergone a dramatic revival after the terrorist attacks in the US on 11 September 2001 and the start of a global war on terror The book offers a typology of facets of patriotism an assessment of its moral standing and a critique of the beliefs about the patria it characteristically involves Also discussed are topics such as political liberalism vs identity liberalism the ways a liberal society should treat nonliberal communities within it the role of heritage and remembrance in national identity the status of national minorities as an issue of equality arrangements concerning indigenous peoples and intrastate autonomy as an alternative to secession and whether secession can be a legal act The book includes contributions by prominent philosophers and political and legal theorists from Australia Canada Israel and the United States Provided by publisher

Self-determination James Forman,1984 In the effort to end racial divisions and to bring equality to African Americans and other ethnic groups in the US Forman offers a detailed analysis and history of self determination and a clear definition of what is required for a group of people to constitute a nation An explanation is presented of why the African American people constitute an oppressed nation within the area of the US known as the Black Belt The call is made for autonomy for the African American people under existing governmental structures **Self-determination & the African-American People**

James Forman,1981 **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

Nationalism and Democracy André Lecours, Luis Moreno, 2010-02-25 This book sheds light on the complicated multi faceted relationship between nationalism and democracy by examining how nationalism in various periods and contexts shapes or is shaped by democratic practices or the lack thereof This book examines nationalism s relationship with democracy using three approaches The challenge of democracy for sub state nationalism analyzing the circumstances under which sub state nationalism is compatible with democracy and assessing the democratic implications of various nationalist projects The impact of state nationalism on democratic practices examining the implications of state nationalism for democracy both in countries where liberal democratic principles and practices are well established and where they are not Understanding how state nationalism affects democratization processes and what impact sub state nationalism has in these contexts Featuring a range of case studies on Western Eastern and Central Europe Russia African and the Middle East this book will be of interest to students and scholars of political science sociology nationalism and democracy

The Right of Self-determination. The Protection of the National Minorities Julius Wlassics, 1922

The Quest for Self-determination Dov Ronen, 1979 Dov Ronen proposes in this interpretive essay that ethnic nationalism is simply the newest form of a basic human drive for self determination that has been manifested in four other movements since the French Revolution nineteenth century nationalism Marxist Leninist class self determination self determination for minorities as espoused by Wilson and decolonization Ronen s intention in this book is to explain what self determination is why people fight for it and what the implications of the struggle may be Though Ronen s approach is primarily analytical and philosophical he uses four cases the Scots Biafra the Palestinians and South Africa to illustrate the application of his thesis to current events

Embark on a transformative journey with is captivating work, **Self Determination And National Minorities** . This enlightening ebook, available for download in a convenient PDF format PDF Size: , invites you to explore a world of boundless knowledge. Unleash your intellectual curiosity and discover the power of words as you dive into this riveting creation. Download now and elevate your reading experience to new heights .

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Table of Contents Self Determination And National Minorities

1. Understanding the eBook Self Determination And National Minorities
 - The Rise of Digital Reading Self Determination And National Minorities
 - Advantages of eBooks Over Traditional Books
2. Identifying Self Determination And National Minorities
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Self Determination And National Minorities
 - User-Friendly Interface
4. Exploring eBook Recommendations from Self Determination And National Minorities
 - Personalized Recommendations
 - Self Determination And National Minorities User Reviews and Ratings
 - Self Determination And National Minorities and Bestseller Lists
5. Accessing Self Determination And National Minorities Free and Paid eBooks
 - Self Determination And National Minorities Public Domain eBooks
 - Self Determination And National Minorities eBook Subscription Services
 - Self Determination And National Minorities Budget-Friendly Options

6. Navigating Self Determination And National Minorities eBook Formats
 - ePub, PDF, MOBI, and More
 - Self Determination And National Minorities Compatibility with Devices
 - Self Determination And National Minorities Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Self Determination And National Minorities
 - Highlighting and Note-Taking Self Determination And National Minorities
 - Interactive Elements Self Determination And National Minorities
8. Staying Engaged with Self Determination And National Minorities
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Self Determination And National Minorities
9. Balancing eBooks and Physical Books Self Determination And National Minorities
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Self Determination And National Minorities
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Self Determination And National Minorities
 - Setting Reading Goals Self Determination And National Minorities
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Self Determination And National Minorities
 - Fact-Checking eBook Content of Self Determination And National Minorities
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

- Interactive and Gamified eBooks

Self Determination And National Minorities Introduction

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