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"Ethnicity and International Law presents an historical account of the impact of ethnicity on the making of international law. The development of international law since the nineteenth century is characterised by the inherent tension between the liberal and conservative traditions of dealing with what might be termed the 'problem' of ethnicity. The present-day hesitancy of liberal international law to engage with ethnicity in ethnic conflicts and ethnic minorities has its roots in these conflicting philosophical traditions. In international legal studies, both the relevance of ethnicity, and the traditions of understanding it, lie in this fact"--

An historical analysis of how ethnicity shaped international law and why it is relevant to minorities and ethnic conflicts today.

The breakup of the former Yugoslavia demonstrates the limitations of international law in the face of ethnic conflict. The contributors to this book examine the various roles international law and international institutions play in dealing with ethnic conflict. International Law and Ethnic Conflict first covers general philosophical, historical, and cultural issues arising from attempts to apply international law to ethnic conflict. The authors assess the legitimacy of demands based on group identity, the legal rights of ethnic groups, the validity of various entitlement claims, and the meaning of statehood. They then consider the institutional and policy responses of international organizations and states in their attempts to deal with ethnic conflict and analyze the extent to which various forms of intervention prove successful.

A critical analysis of how international law operates in the ideology of the postcolonial state to marginalise minority groups.

Ethnicity and International Law presents an historical account of the impact of ethnicity on the making of international law. The development of international law since the nineteenth century is characterised by the inherent tension between the liberal and conservative traditions of dealing with what might be termed the 'problem' of ethnicity. The present-day hesitancy of liberal international law to engage with ethnicity in ethnic conflicts and ethnic minorities has its roots in these conflicting philosophical traditions. In international legal studies, both the relevance of ethnicity, and the traditions of understanding it, lie in this fact.

Methodologically and theoretically innovative, this monograph draws from Marxism and deconstruction bringing together the textual and the material in our understanding of international law. Approaching 'civilisation' as an argumentative pattern related to the distribution of rights and duties amongst different communities, Ntina Tzouvala illustrates both its contradictory nature and its pro-capitalist bias. 'Civilisation' is shown to oscillate between two poles. On the one hand, a pervasive 'logic of improvement' anchors legal equality to demands that non-Western polities undertake extensive domestic reforms and embrace capitalist modernity. On the other, an insistent 'logic of biology' constantly postpones such a prospect based on ideas of immutable difference. By detailing the tension and synergies between these two logics, Tzouvala argues that international law incorporates and attempts to mediate the contradictions of capitalism as a global system of production and exchange that both homogenises and stratifies societies, populations and space.

One of the most remarkable features of the post-Cold War period has been the upsurge of international involvement in questions of ethnic diversity. From the United Nations and the European Court of Human Rights to diverse international philanthropic and advocacy organizations, a wide range of international actors have adopted policies and principles for addressing questions of ethnic rights, identity, and conflict. International Approaches to Governing Ethnic Diversity explores whether and how these international actors contribute to the peaceful and democratic governance of ethnic diversity. It focuses on two broad areas of international work: the evolution of international legal norms regarding the rights of minorities and indigenous peoples, and international approaches to conflict and post-conflict development. The book charts new territory by mapping the range of international actors who affect the governance of ethnic diversity, and exploring their often contradictory roles and impacts. Most international actors come to questions of ethnic diversity indirectly and reluctantly, on the basis of widely varying mandates many of which were established to fulfill other objectives. They naturally therefore have different priorities and perspectives. And yet, the book identifies a striking convergence amongst international actors around discourses of diversity and equality, demonstrating the existence of an epistemic community where actors work within common vocabularies, discourses and principles that attempt to link human rights, pluralism, development and peace.

This book is a comprehensive overview of multiple nationality in international law, and contains a survey of current State practice covering over 75 countries. It examines the topic in light of the historical treatment of multiple nationality by States, international bodies and commentators, setting out the general trends in international law and relations that have influenced nationality. While the book's purpose is not to debate the merits of multiple nationality, but to present actual state practice, it does survey arguments for and against multiple nationality, and considers States' motivations in adopting a particular attitude toward the topic. As a reference work, the volume includes a detailed examination of the nature of nationality under international law and the concepts of nationality and citizenship under municipal law. The survey of State practice also constitutes a valuable resource for practitioners.

This book offers a new account of Nauru's imperial history and examines its significance in the history of international law.

Fourteen leading scholars explore the lives of seven of the most famous Jewish lawyers in the history of international law.

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