The Declaration of Human Sovereignty

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Of Human Sovereignty

Patrick Macklem

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Of human sovereignty Arthur Freud, The Sovereignty of Human Rights Patrick Macklem, 2015-08-20 The Sovereignty of Human Rights advances a legal theory of international human rights that defines their nature and purpose in relation to the structure and operation of international law Professor Macklem argues that the mission of international human rights law is to mitigate adverse consequences produced by the international legal deployment of sovereignty to structure global politics into an international legal order The book contrasts this legal conception of international human rights with moral conceptions that conceive of human rights as instruments that protect universal features of what it means to be a human being The book also takes issue with political conceptions of international human rights that focus on the function or role that human rights plays in global political discourse It demonstrates that human rights traditionally thought to lie at the margins of international human rights law minority rights indigenous rights the right of self determination social rights labor rights and the right to development are central to the normative architecture of the field **Definition and development** of human rights and popular sovereignty in Europe Council Of Europe, European Commission for Democracy through Law, 2011-04-20 What role do the people play in defining and developing human rights This volume explores the very topical issue of the lack of democratic legitimisation of national and international courts and the question of whether rendering the original process of defining human rights more democratic at the national and international level would improve the degree of protection they afford The authors venture to raise the crucial question When can a democratic society be considered to be mature enough so as to be trusted to provide its own definition of human rights obligations Divine Sovereignty and Human Responsibility D. A. Carson, 2002-01-07 Both theology and philosophy wrestle with the tension that exists between the sovereignty of God and human response In Christianity this tension is particularly acute as God is understood to be both omnipotent and benevolent This tension underlies numerous other questions about the nature of God the meaning of human freedom and choice the concept of divine repentance the reign of God and supremely the significance of the incarnation Dr Carson brings clear scholarly insights and finely honed exegetical skills to this all pervasive issue seeing it not so much as a problem to be solved as a framework to be explored He examines the sovereignty responsibility themes in the Old Testament intertestamental literature and in the theology of John's gospel and concludes with a reflection on the theological implications for ministry and mission today Parliamentary Sovereignty and the Human Rights Act Alison L Young, 2008-12-05 The Human Rights Act 1998 is criticised for providing a weak protection of human rights The principle of parliamentary legislative supremacy prevents entrenchment meaning that courts cannot overturn legislation passed after the Act that contradicts Convention rights This book investigates this assumption arguing that the principle of parliamentary legislative supremacy is sufficiently flexible to enable a stronger protection of human rights which can replicate the effect of entrenchment Nevertheless it is argued that the current protection should not be strengthened If correctly interpreted the

Human Rights Act can facilitate democratic dialogue that enables courts to perform their proper correcting function to protect rights from abuse whilst enabling the legislature to authoritatively determine contestable issues surrounding the extent to which human rights should be protected alongside other rights interests and goals of a particular society This understanding of the Human Rights Act also provides a different justification for the preservation of Dicey's conception of parliamentary sovereignty in the UK Constitution Human Rights, State Sovereignty and Medical Ethics Claude Cahn, 2014-10-16 Human Rights State Sovereignty and Medical Ethics Examining Struggles Around Coercive Sterilisation of Romani Women examines the mobilized use by people and groups of the international human rights law framework to move legal policy and ultimately social change at national and local level One particular case study is examined in detail efforts by Romani women in the Czech Republic and Slovakia to secure legal remedy for coercive sterilization International legal aspects of these cases are examined in detail The book concludes by endeavouring to answer questions concerning the nature of international law and the evolution of the post World War II international human rights framework the structure of national sovereignty and the potential impact of both on human autonomy The Development of Human Rights Law by the Judges of the International Court of Justice Shiv R.S. Bedi, 2007-01-18 The jurisprudence of the International Court of Justice generally demonstrates that no rule of international law can be interpreted and applied without regard to its innate values and the basic principles of human rights Through its case law the ICI has made immense contributions to the development of human rights law and in so doing continues to provide solutions to mounting international problems such as terrorism and unilateral use of force Part I of the book argues that the legislative spirit of contemporary international law lies in the doctrine of human rights and that the spirit of human rights doctrine lies in the principle of human dignity Furthermore it argues that the processes of international legislation and international adjudication are inseparable and that there is no norm of international law which does not intertwine the fundamental principle of human dignity with human rights doctrine Hence human rights law is more a school of law than merely a normative branch of international law and the ICI s willingness to engage in the development of human rights law depends upon which judicial ideology its judges subscribe to In order to evaluate how this human rights spirit is manifested or occasionally not manifested through the vast jurisprudence of the ICJ Parts II and III critically examine the Court's principal contentious and advisory cases in which it has treated human rights questions The legal reasoning of the Court and the opinions appended to its decisions by its individual judges are analysed in light of the principle of human dignity and the doctrine of human rights **Negotiating Sovereignty** and Human Rights Michaelene Cox, 2016-04-22 Providing an overview of institutional developments and innovations in human rights politics this volume discusses some of the most important current and emerging human rights issues It takes stock of the initiatives policy responses and innovations of past years to identify some of the challenges that will likely require bold and innovative solutions The contributors focus on actors and or issues that are outside the mainstream of

international human rights politics the chapters address issues that have only emerged as an important part of the international human rights agenda and generated much advocacy diplomacy and negotiations since the end of the Cold War These issues include the International Criminal Court the norm of Responsibility to Protect R2P the proliferation of small arms and light weapons and its human rights impact truth commissions and the rights of persons with disabilities The contributions offer a direct challenge to entrenched notions of state sovereignty and represent a departure from established ways of policy making International Encyclopedia of Human Geography, 2019-11-29 International Encyclopedia of Human Geography Second Edition Fourteen Volume Set embraces diversity by design and captures the ways in which humans share places and view differences based on gender race nationality location and other factors in other words the things that make people and places different Questions of for example politics economics race relations and migration are introduced and discussed through a geographical lens This updated edition will assist readers in their research by providing factual information historical perspectives theoretical approaches reviews of literature and provocative topical discussions that will stimulate creative thinking Presents the most up to date and comprehensive coverage on the topic of human geography Contains extensive scope and depth of coverage Emphasizes how geographers interact with understand and contribute to problem solving in the contemporary world Places an emphasis on how geography is relevant in a social and interdisciplinary context Between Cosmopolitan Ideals and State Sovereignty R. Tinnevelt, G. Verschraegen, 2006-10-26 Between Cosmopolitan Ideals and State Sovereignty explores how philosophers and political theorists have recast principles of justice and human rights in the light of challenges posed by globalization It discusses ethical issues that arise at a global level and considers whether human rights and sovereignty can ever be reconciled

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