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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.

Ethnicity and International Law: Histories, Politics and ...

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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.

Contents.

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

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.

Tracing our current preoccupation with nationalist, ethnic, and religious conflict to the "cultural Modernist" revolutions of the early twentieth century, this volume draws on cultural studies, postcolonial theory, and psychoanalysis to offer a radical reinterpretation of contemporary international law's origins.

New York Times Bestseller • Notable Book of the Year • Editors' Choice Selection One of Bill Gates' "Amazing Books" of the Year One of Publishers Weekly's 10 Best Books of the Year Longlisted for the National Book Award for Nonfiction An NPR Best Book of the Year Winner of the Hillman Prize for Nonfiction Gold Winner • California Book Award (Nonfiction) Finalist • Los Angeles Times Book Prize (History) Finalist • Brooklyn Public Library Literary Prize This "powerful and disturbing history" exposes how American governments deliberately imposed racial segregation on metropolitan areas nationwide (New York Times Book Review). Widely heralded as a "masterful" (Washington Post) and "essential" (Slate) history of the modern American metropolis, Richard Rothstein's *The Color of Law* offers "the most forceful argument ever published on how federal, state, and local governments gave rise to and reinforced neighborhood segregation" (William Julius Wilson). Exploding the myth of de facto segregation arising from private prejudice or the unintended consequences of economic forces, Rothstein describes how the American government systematically imposed residential segregation: with undisguised racial zoning; public housing that purposefully segregated previously mixed communities; subsidies for builders to create whites-only suburbs; tax exemptions for institutions that enforced segregation; and support for violent resistance to African Americans in white neighborhoods. A groundbreaking, "virtually indispensable" study that has already transformed our understanding of twentieth-century urban history (Chicago Daily Observer), *The Color of Law* forces us to face the obligation to remedy our unconstitutional past.

That all states are free and equal under international law is axiomatic to the discipline. Yet even a brief look at the dynamics of the international order calls that axiom into question. Mobilising fresh archival research and drawing on a tradition of unorthodox Marxist and anti-colonial scholarship, Rose Parfitt develops a new 'modular' legal historiography to make sense of the paradoxical relationship between sovereign equality and inequality. Juxtaposing a series of seemingly unrelated histories against one another, including a radical re-examination of the canonical story of Fascist Italy's invasion of Ethiopia, Parfitt exposes the conditional nature of the process through which international law creates and disciplines new states and their subjects. The result is a powerful critique of international law's role in establishing and perpetuating inequalities of wealth, power and pleasure, accompanied by a call to attend more closely to the strategies of resistance that are generated in that process.

Analyzes the role of self-determination and territorial integrity in some of the most difficult decolonization cases.

The ideological function of the postcolonial 'national', 'liberal', and 'developmental' state inflicts various forms of marginalisation on minorities, but simultaneously justifies oppression in the name of national unity, equality and non-discrimination, and economic development. International law plays a central role in the ideological making of the postcolonial state in relation to postcolonial boundaries, the liberal-individualist architecture of rights, and the neoliberal economic vision of development. In this process, international law subjugates minority interests and in turn aggravates the problem of ethno-nationalism. Analysing the geneses of ethno-nationalism in postcolonial states, Mohammad Shahabuddin substantiates these arguments with in-depth case studies on the Rohingya and the hill people of the Chittagong Hill Tracts, against the historical backdrop of the minority question in Indian nationalist and constitutional discourse. Shahabuddin also proposes alternative international law frameworks for minorities.

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