

Human Rights Standards Hegemony Law And Politics

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Vulnerable Minds Lynne Rienner Pub

This book poses a question that is deceptive in its simplicity: could international law have been otherwise? Today, there is hardly a serious account left that would consider the path of international law to be necessary, and that would refute the possibility of a different law altogether. But behind every possibility of the past stands a reason why the law developed as it did. Only with a keen sense of why things turned out the way they did is it possible to argue about how the law could plausibly have turned out differently. The search for contingency in international law is often motivated, as it is in this volume, by a refusal to resign to the present state of affairs. By recovering past possibilities, this volume aims to inform projects of transformative legal change for the future. The book situates that search for contingency theoretically and carries it into practice across many fields, with chapters discussing human rights and armed conflict, migrants and refugees, the sea and natural resources, foreign investments and trade. In doing so, it shows how politically charged questions about contingency have always been.

Time for Reparations Fernwood Publishing

The Latin American continent contains an incredibly rich diversity from which humans derive a range of ecosystem services (e.g. material goods, cultural benefits, climate regulation, etc.) that contribute to livelihoods and well-being. It has become critical to reconcile social and environmental issues in the region to ensure that development is sustainable and aligned with the Sustainable Development Goals. To ensure the sustainable use and management of social and natural capital in the region, business, government, social enterprises and NGOs are engaging in different forms of social innovation that account for social, ecological and environmental values. This requires the integration of social and natural capital into decision-making at all levels. Latin America presents a useful scenario to explore social innovation in relation to social and environmental values and the management of local human and natural resources. This book presents social innovation initiatives that incorporate social and natural capital into decision-making processes in Latin America. This book aims to provide the reader with an insight into the relevance of social innovation for maintaining and restoring social and natural capital in Latin America. Using case studies from Ecuador, Colombia, Peru and Mexico, this book provides an insight into the interactions between social innovation and social and natural capital in Latin America and will be of interest to researchers, academics and students in the fields of social innovation, management studies, environmental economics and sustainability.

Critical Social Work Praxis Cambridge University Press

Tony Evans argues that the state's central role in protecting and promoting rights has been severely weakened under globalization and that as a consequence human rights are becoming less attainable. As the value of the market grows, the value of individual human rights decreases. The author departs from traditional interpretations of human rights by focusing on the political economy of human rights rather than on the philosophical or legal aspects. He analyses how issues related to globalization, such as the environment, population movement patterns and free trade impact on individual human rights. In conclusion, he argues that the Universal Declaration on Human Rights and other major treaties must be renegotiated to take globalization into account. **National Action Plans in the Global Governance of Business and Human Rights** Human Security in the Global E

A bracing critique of human rights law and activism from the perspective of the Global South. How are human rights norms made, who makes them, and why? In Human Rights Standards, Makau Mutua traces the history of the human rights project and critically explores how the norms of the human rights movement have been created. Examining key texts and documents published since the inception of the human rights movement at the end of World War II, he crafts a bracing critique

of these works from the hitherto underutilized perspective of the Global South. Attention is focused on the deficits of the international order and how that order, which is defined by multiple asymmetries, defines human rights in a manner that exhibits normative gaps and cultural biases. Mutua identifies areas of further norm development and concludes that norm-creating processes must be inclusive and participatory to garner legitimacy across various cleavages and divides. The result is the first truly comprehensive critical look at the making of human rights norms and standards and, as such, will be an invaluable resource for students, scholars, activists, and policymakers interested in this important topic.

Human Rights and Diverse Societies Cambridge University Press

Tracing the trajectory of postcolonial politics, Makau Mutua maps the political forces that have shaped contemporary Kenya. He also critically explores efforts on the part of both civil society and the political opposition to reform the state. Analyzing the tortuous efforts since independence to create a sustainable, democratic state, he uses the struggle over constitutional reform as a window for understanding the larger struggles confronting Kenyan society.

Decolonizing Human Rights Wallstein Verlag

European colonization of other continents has had far-reaching and lasting consequences for the construction of childhoods and children's lives throughout the world. Liebel presents critical postcolonial and decolonial thought currents along with international case studies from countries in Africa, Latin America, and former British settler colonies to examine the complex and multiple ways that children throughout the Global South continue to live with the legacy of colonialism. Building on the work of Cannella and Viruru, he explores how these children are affected by unequal power relations, paternalistic policies and violence by state and non-state actors, before showing how we can work to ensure that children's rights are better promoted and protected, globally.

The Humble Cosmopolitan Bloomsbury Publishing

This is a new edition of this popular introduction to the politics of human rights. Tony Evans argues that the state's central role in protecting and promoting rights has been severely weakened under globalization and that as a consequence human rights are becoming less attainable. As the value of the market grows, the value of individual human rights decreases. The author departs from traditional interpretations of human rights by focusing on the political economy of human rights rather than on the philosophical or legal aspects. He analyses how issues related to globalization, such as the environment, population movement patterns and free trade impact on individual human rights. In conclusion, he argues that the Universal Declaration on Human Rights and other major treaties must be renegotiated to take globalization into account.

Towards a Collaborative Memory Berghahn Books

This book critically examines the contemporary discourses on the nature of 'human rights', their histories, the myths that are embedded in them, and contributes an alternative reading of those histories by placing the concerns and interests of the 'people in struggle and communities of resistance' at centre stage. The work analyses the significance of the United Nations (UN) and the Universal Declaration of Human Rights and goes on to study the more contemporary issues such as women's struggle to feminize the understanding and practice of human rights, the postmodernist critique of the universal idiom of human rights and, most pertinently for the current world scene, it analyses the impact of globalization on the human rights movement. The volume includes a discussion on the proposed UN norms regarding the human rights responsibilities of multinational corporations and other business entities.

Human Choice in International Law Princeton University Press

Explores the possibilities and limits of the international legal architecture and its expert communities in shaping the world of tomorrow.

The Organization of Islamic Cooperation and Human Rights Springer

It is one thing to craft superb human rights tenets in a constitution and another to enforce such

policies in practice. This book explores the contradictions between interpretations of constitutional tenets and the dogmas contained in the penal code of Islamic North Africa--particularly in regard to Algeria, Egypt, Libya, Morocco, and Tunisia. Provided are brief histories of each country that connect the colonial past to present-day human rights records. The author also suggests ways in which to mitigate human rights infractions to advance peaceful coexistence that could promote political and economic development.

Contingency in International Law Cambridge University Press

A Theory of African Constitutionalism asks and seeks to answer why we need a new theoretical framework for African constitutionalism and how this could offer us better theoretical and practical tools with which to understand, improve, and assess African constitutionalism on its own terms. By locating constitutional studies in Africa within the experiences, interactions, and contestations of power and governance beginning in precolonial times, the book presents the development and transformation of African constitutional systems across time and place, along with the attendant constitutional designs and practices ranging from the nature and operation of the African state to its vertical and horizontal government structures, to its constitutional rights regime. This title offers both a theoretically and comparatively rich, historically and contextually informed, and temporally and spatially extensive account of the nature, travails, and incremental successes of African constitutionalism with detailed case studies from Nigeria, Ethiopia, and South Africa. A Theory of African Constitutionalism provides scholars, policymakers, governments, and constitution builders in Africa and beyond with new insights for reimagining the purpose, substance, and scope of constitutions and constitutionalism.

International Human Rights Law and Practice Springer

Past state injustice has enduring consequences and the harm needs to be addressed as a matter of justice and equity. Time for Reparations offers detailed case studies of state injustices—from slavery to forced sterilization to widespread atrocities—and interdisciplinary perspectives on the potential impact of reparative strategies.

International Law as Behavior Columbia University Press

A bracing critique of human rights law and activism from the perspective of the Global South. How are human rights norms made, who makes them, and why? In Human Rights Standards, Makau Mutua traces the history of the human rights project and critically explores how the norms of the human rights movement have been created. Examining key texts and documents published since the inception of the human rights movement at the end of World War II, he crafts a bracing critique of these works from the hitherto underutilized perspective of the Global South. Attention is focused on the deficits of the international order and how that order, which is defined by multiple asymmetries, defines human rights in a manner that exhibits normative gaps and cultural biases. Mutua identifies areas of further norm development and concludes that norm-creating processes must be inclusive and participatory to garner legitimacy across various cleavages and divides. The result is the first truly comprehensive critical look at the making of human rights norms and standards and, as such, will be an invaluable resource for students, scholars, activists, and policymakers interested in this important topic. Makau Mutua is SUNY Distinguished Professor and Floyd H. and Hilda L. Hurst Faculty Scholar at SUNY Buffalo Law School. He is the author of *Kenya's Quest for Democracy: Taming Leviathan and Human Rights: A Political and Cultural Critique* .

The Politics of Human Rights University of Pennsylvania Press

Established in 1969, the Organization of Islamic Cooperation (OIC) is an intergovernmental organization the purpose of which is the strengthening of solidarity among Muslims. Headquartered in Jeddah, the OIC today consists of fifty seven states from the Middle East, Asia, Africa, and Latin America. The OIC's longevity and geographic reach, combined with its self-proclaimed role as the United Nations of the Muslim world, raise certain expectations as to its role in global human rights politics. However, to date, these hopes have been unfulfilled. The Organization of Islamic Cooperation and Human Rights sets out to demonstrate the potential and

shortcomings of the OIC and the obstacles on the paths it has navigated. Historically, the OIC has had a complicated relationship with the international human rights regime. Palestinian self-determination was an important catalyst for the founding of the OIC, but the OIC did not develop a comprehensive human rights approach in its first decades. In fact, human rights issues were rarely, if at all, mentioned at the organization's summits or annual conferences of foreign ministers. Instead, the OIC tended to focus on protecting Islamic holy sites and strengthening economic cooperation among member states. As other international and regional organizations expanded the international human rights system in the 1990s, the OIC began to pay greater attention to human rights, although not always in a manner that aligned with Western conceptions. This volume provides essential empirical and theoretical insights into OIC practices, contemporary challenges to human rights, intergovernmental organizations, and global Islam. Essays by some of the world's leading scholars examine the OIC's human rights activities at different levels—in the UN, the organization's own institutions, and at the member-state level—and assess different aspects of the OIC's approach, identifying priority areas of involvement and underlying conceptions of human rights. Contributors: Hirah Azhar, Mashood A. Baderin, Anthony Tirado Chase, Ioana Cismas, Moataz El Fegiery, Turan Kayaoglu, Martin Lestra, Ann Elizabeth Mayer, Mahmood Monshipouri, Marie Juul Petersen, Zeynep Şahin-Mencütek, Heini Skorini, M. Evren Tok.

A Theory of African Constitutionalism University of Hawaii Press

With a unique transitional justice perspective on the Arab Spring, this book assesses the relocation of transitional justice from the international paradigm to Islamic legal systems. The Arab uprisings and new and old conflicts in the Middle East, North Africa and other contexts where Islam is a prominent religion have sparked an interest in localising transitional justice in the legal systems of Muslim-majority communities to uncover the truth about past abuse and ensure accountability for widespread human rights violations. This raises pressing questions around how the international paradigm of transitional justice, and in particular its truth-seeking aims, might be implemented and adapted to local settings characterised by Muslim majority populations, and at the same time drawing from relevant norms and principles of Islamic law. This book offers a critical analysis of the relocation of transitional justice from the international paradigm to the legal systems of Muslim-majority societies in light of the inherently pluralistic realities of these contexts. It also investigates synergies between international law and Islamic law in furthering truth-seeking, the formation of collective memories and the victims' right to know the truth, as key aims of the international paradigm of transitional justice and broadly supported by the shari'ah. This book will be a useful reference for scholars, practitioners and policymakers seeking to better understand the normative underpinnings of (potential) transitional truth-seeking initiatives in the legal systems of Muslim-majority societies. At the same time, it also proposes a more critical and creative way of thinking about the challenges and opportunities of localising transitional justice in contexts where the

principles and ideas of Islamic law carry different meanings.

Human Rights Edward Elgar Publishing

Africa and the ICC: Perceptions of Justice comprises contributions from prominent scholars of different disciplines including international law, political science, cultural anthropology, African history and media studies. This unique collection provides the reader with detailed insights into the interaction between the African Union and the International Criminal Court (ICC), but also looks further at the impact of the ICC at a societal level in African states and examines other justice mechanisms on a local and regional level in these countries. This investigation of the ICC's complicated relationship with Africa allows the reader to see that perceptions of justice are multilayered.

Human Rights Standards Oxford University Press, USA

"Cosmopolitanism is said by many critics to be arrogant. In emphasizing universal principles and granting no fundamental moral significance to national or other group belonging, it wrongly treats those making non-universalist claims as not authorized to speak, while treating those in non-Western societies as not qualified. This book works to address such objections. It does so in part by engaging the work of B.R. Ambedkar, architect of India's 1950 Constitution and revered champion of the country's Dalits (formerly "untouchables"). Ambedkar cited universal principles of equality and rights in confronting domestic exclusions and the "arrogance" of caste. He sought to advance forms of political humility, or the affirmation of equal standing within political institutions and openness to input and challenge within them. This book examines how an "institutional global citizenship" approach to cosmopolitanism could similarly advance political humility, in supporting the development of input and challenge mechanisms beyond the state. It employs a grounded normative theory method, taking insights for the model from field research among Dalit activists pressing for domestic reforms through the UN human rights regime, and from their critics in the Hindu nationalist Bharatiya Janata Party. Insights also are taken from Turkish protesters challenging a rising domestic authoritarianism, and from UK Independence Party members demanding "Brexit" from the European Union-in part because of possibilities that predominantly Muslim Turkey will join. Overall, it is shown, an appropriately configured institutional cosmopolitanism should orient fundamentally to political humility rather than arrogance, while holding significant potential for advancing global rights protections and more equitable rights specifications"--

Law and Humanities State University of New York Press

What we think must inform what we do, argue the editors and authors of this cutting-edge social work textbook. In this innovative, expansive and wide-ranging collection, leading social work thinkers engage with social work traditions to bridge social work theory and practice and arrive at social work praxis: a uniting of critical thought and ethical action. Critical Social Work Praxis is

organized into sixteen sections, each reflecting a critical social work tradition or approach. Each section has a theory chapter, which succinctly outlines the tradition's main concepts or tenets, a praxis chapter, which shows how the theory informs social work practice, and a commentary chapter, which provides a critical analysis of the tensions and difficulties of the approach. The text helps students understand how to extend theory into praxis and gives instructors critical new tools and discussion ideas. This book is the result of decades of experience teaching social work theory and praxis and is a comprehensive teaching and learning tool for the critical social work classroom.

Human Rights and Relative Universalism Cambridge University Press

Eine Quellen- und Kommentarsammlung, die den Aufstieg der Menschenrechte im 20. Jahrhundert veranschaulicht und erklärt. Menschenrechte wurden im Verlauf des 20. Jahrhunderts zu einem wichtigen Bezugspunkt nationaler und internationaler Politik. Die vorliegende Quellensammlung versteht sich als Angebot, diese Entwicklung nachvollziehbar zu machen. Sie beinhaltet und kommentiert Dokumente, die einen Schlüssel zum Verständnis der Menschenrechtsgeschichte im 20. Jahrhundert bieten. Neben wirkungsmächtigen völkerrechtlichen Verträgen oder vielbeachteten Reden finden sich auch weniger bekannte Quellen wie Briefe, Zeitungsartikel oder Erklärungen marginalisierter Gruppen in dieser Sammlung wieder, insofern sie einen neuen Blick auf bestimmte Aspekte der Menschenrechtsgeschichte ermöglichen. Autorinnen und Autoren aus verschiedenen Disziplinen ordnen diese Quellen historisch ein, indem sie diese vor dem Hintergrund ihrer Entstehungs- und Wirkungsgeschichte analysieren. Auf diese Weise werden eine Vielzahl von Themen, die für die Geschichte der Menschenrechte von Bedeutung waren, in den national- und globalgeschichtlichen Entwicklungen des vergangenen Jahrhunderts verortet: der Umgang mit Gewaltverbrechen und Repression, faire Arbeitsbedingungen oder eine gerechte Weltwirtschaftsordnung.

Tipping Points in International Law BoD - Books on Demand

The book series European Studies in the Caucasus offers innovative perspectives on regional studies of the Caucasus. By embracing the South Caucasus as well as Turkey and Russia, it moves away from a traditional viewpoint of European Studies that considers the countries of the region as objects of Europeanization. This second volume demonstrates this by looking into forms of inter-regionalism in the Black Sea-South Caucasus area in fields of economic cooperation, Europeanization of energy and environmental policies, discussing how the region is addressed in the elaboration of a new German Eastern Policy. In the section on norm diffusion, the contributors assess the normative power strategy of the EU and its paradoxes in the region, its impact on civil society development in Armenia, and democracy promotion in Georgia. In the section on legal approximation, issues of a global climate change regime and competition law in Georgia as well as penitentiary governance reform in the South Caucasus according to EU standards and policies are analyzed. All contributions also review regional or local contestations for the topics discussed here.