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Bibliography on Secession and International Law

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Bibliography on Secession and International Law

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Bibliography on Secession and International Law¹

Prepared by

Mary D. Hood²

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Santa Clara University School of Law

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Introduction

The purpose of this bibliography is to bring together a variety of sources as a resource for the attendees of America's Regional Conference on Secession and International Law, sponsored by the International and Comparative Law Institute of Santa Clara University School of Law in cooperation with the Consortium on International Disputes Resolution (CIDIR). Issues discussed at this conference include:

Secession in the history of international relations;

Right of secession in comparative constitutional law;

Secession in present international law: Rules and principles of international law with regard to secession;

Self-determination and secession;

Minorities, "peoples" and the right to self-determination at the time of globalization; respect for human rights of minorities; participation of minorities in public affairs of the State;

Order, stability and political reality in international society: Respect for sovereign equality, territorial integrity and political independence of States; threat to international peace and security; respect for established borders;

Peaceful means for the settlement of disputes and conflicts that originate from secessionist tendencies;

Secession and the use of force; issues relating to intervention by third States in internal conflicts provoked by secessionist movements; foreign military assistance;

Secession in present and future international law: Solutions and interim remedies; how law may be developed so as to meet universal approval among states.

The *International encyclopedia of human rights : freedoms, abuses, and remedies*, Washington D.C. ; CQ Press, 2000 gives an excellent summary of indigenous peoples and the various international conventions promoting respect for the cultures of indigenous peoples and their right to coexist without discrimination or exploitation. It also traces the efforts of indigenous peoples to present their concerns to the world, beginning in the 1920s and culminating in the declaration by the UN of 1995-2004 as the International Decade of the World's Indigenous People.

This bibliography was compiled from sources brought to this researcher's attention by Prof. Jiri Toman, Professor of Law at Santa Clara University School of Law

and one of the organizers of the conference. In addition, various catalogs, periodical indexes and other resources were searched using a variety of subjects and key words. Among the indexes used: *Index to Legal Periodicals* (Wilson), *LegalTrac* (Gale), and *Index to Foreign Legal Periodicals* (AALL & RLN). The subjects and key words used in various combinations: *indigenous people, minorities, human rights, secession, self-determination, nation building, and sovereignty*.

Although some materials prior to 1980 are included, most of the research focused on materials indexed electronically. These indexes generally do not cover materials published prior to 1980. It is this researcher's hope, as time permits, to continue adding to this bibliography by searching print indexes as well.

Many of the monographs listed here have quite extensive bibliographies. It is hoped that the researcher using this bibliography as a starting point for research will find this work useful. My thanks to Prof. Toman for presenting me with this opportunity.

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