



# Groups And Group Rights

**Juliet Hooker**



## **Groups And Group Rights:**

*The Concept of Group Rights in International Law* Corsin Bisaz, 2012-08-28 The Concept of Group Rights in International Law offers a critical appraisal of the concept of group rights in international law on the basis of an extensive survey of existing group rights in contemporary international law Among some of its findings is the observation that an ideological way of arguing about this legal category is widespread among scholars as well as practitioners it sees this ideological framing as one of the main reasons why international law has so far been very reluctant to provide group rights and to call them by their name Accordingly the book re evaluates the concept based on the experience with existing group rights in international law and pleads for a more pragmatic approach Despite limitations with the concept the overall thesis is that there is a role for group rights as a pragmatic tool allowing for a principled approach to substate groups through international law Such an approach could turn group rights into an arguably minor but nevertheless highly relevant legal category of international law

Group Rights and Discrimination in International Law Natan Lerner, 2022-07-18      Rights, Groups, and Self-Invention Eric J Mitnick, 2013-01-28 Group differentiated rights or rights that attach on the basis of membership in a particular social or cultural group are an increasingly common and controversial aspect of modern pluralistic legal systems Eric Mitnick offers the first comprehensive treatment of this important form of right The book describes and critically assesses the group differentiated form of right from within analytical constitutive and liberal theory It further examines the extent to which group differentiated rights constitute aspects of human identity and it asks whether this should be a cause for concern from the perspective of liberal theory The more detailed normative work advanced in the book contextually applies the constitutive understanding of rights and the principles of liberal membership to particular examples of group differentiated citizenship Such examples range from ascriptive statuses such as slavery and alienage to more affirmative classifications such as those apparent in the contexts of civil unions and affirmative action finally to the claims of religious and other cultural groups for official recognition and accommodation of group based beliefs and practices      *When Race Counts* John Edwards, 1995 Investigates the use of race conscious practices in social policy in Britain and America and evaluates the effectiveness of a range of education and employment policies      The Human Right to a Green Future Richard P. Hiskes, 2009 This book presents an argument for establishing environmental human rights as the legitimate possession of both present and future generations It uses these rights to clean air water and soil to make an argument for justice across generations that is for recognizing the obligation that present generations have to preserve the environment and natural resources for future generations      *The Reality of Social Groups* Paul Sheehy, 2016-02-24 Examining the ontological nature of social groups and the way in which groups should be regarded within moral deliberation this book makes an original contribution to the field of social philosophy It tackles the fundamental metaphysical question that has either been ignored or unsatisfactorily addressed what kind of thing is a social group Sheehy argues for an ontological realism about groups defending the thesis that groups

are composite material particulars ontologically on a par with individuals and capable of figuring in their own right in descriptions and explanations He then goes on to discuss the practical and moral question of whether groups can be regarded as the bearers of moral status rights and moral judgements      The Heart of Human Rights Allen Buchanan,2013-12 This book provides a moral assessment of the heart of the modern human rights enterprise the system of international legal human rights Any attempt to achieve a moral assessment of that enterprise must first evaluate the system of international legal human rights which includes both legal norms and the institutions that create interpret and implement them When philosophers have addressed the system of international legal human rights at all they have tended to assume that international legal human rights when they are morally justified mirror or at least help to realize preexisting moral human rights But international legal human rights like many other legal rights can be justified by appeal to several different types of moral considerations of which the need to realize preexisting moral individual rights is only one Justifying the system of international legal human rights requires not only advancing sound arguments for international legal human rights norms but also an account of the legitimacy of the institutions of the international legal human rights system It also requires showing that the legal rights in question should be part of a system of international law rather than merely being included in domestic legal systems Finally justification also requires an account of the supremacy of international human rights law a determination of whether and if so under what conditions international human rights law should trump domestic law including the constitutional law of the best existing liberal democratic states      Right-Ordered Groups Valerii Matveevich Kopytov,V.M. Kopytov,Nikolai Yakovlevich Medvedev,1996-04-30 The notion of right ordered groups is fundamental in theories of I groups ordered groups torsion free groups and the theory of zero divisors free rings as well as in theoretical physics Right Ordered Groups is the first book to provide a systematic presentation of right ordered group theory describing all known and new results in the field The volume addresses topics such as right ordered groups and order permutation groups the system of convex subgroups of a right ordered group and free products of right ordered groups      **Taking Suffering Seriously** William F. Felice,1996-01-01 Examines the evolution of collective human rights in international relations and argues that the concept of human rights must integrate group rights based on race ethnicity gender class and sexuality      *Minorities in International Law* Gaetano Pentassuglia,European Centre for Minority Issues,2002-01-01 This book the first in the series of publications on minority issues provides a critical overview of the protection of minority groups in international law Topics covered include the definition of a minority concepts of state sovereignty and self determination the historical context to international human rights law the legal frameworks developed by the UN the Council of Europe the Organisation for Security and Co operation in Europe OSCE and the EU as well as examples of legal approaches adopted by individual European countries to address the protection of minorities      **Minority Rights, Feminism and International Law** Silvia Gagliardi,2020-05-26 Investigating minority and indigenous women s rights in Muslim majority states this book

critically examines the human rights regime within international law Based on extensive and diverse ethnographic research on Amazigh women in Morocco the book unpacks and challenges generally accepted notions of rights and equality Significantly and controversially the book challenges the supposedly emancipatory power vested in the human rights project arguing that rights based discourses are sites of contestation for different groups that use them to assert their agency in society More specifically it shows how the very conditions that make minority and indigenous women instrumental to the preservation of their culture may condemn them to a position of subalternity In response and engaging the notion and meaning of Islamic feminism the book proposes that feminism should be interpreted and contextualised locally in order to be effective and inclusive and so in order for the human rights project to fully realise its potential to empower the marginalised and make space for their voices to be heard Providing a detailed empirically based analysis of rights in action this book will be of relevance to scholars students and practitioners in human rights policy and practice in international law minorities and indigenous peoples rights gender studies and Middle Eastern and North African Studies     The Oxford Handbook of Comparative Constitutional Law Michel Rosenfeld, András Sajó, 2012-05-17 The field of comparative constitutional law has grown immensely over the past couple of decades Once a minor and obscure adjunct to the field of domestic constitutional law comparative constitutional law has now moved front and centre Driven by the global spread of democratic government and the expansion of international human rights law the prominence and visibility of the field among judges politicians and scholars has grown exponentially Even in the United States where domestic constitutional exclusivism has traditionally held a firm grip use of comparative constitutional materials has become the subject of a lively and much publicized controversy among various justices of the U S Supreme Court The trend towards harmonization and international borrowing has been controversial Whereas it seems fair to assume that there ought to be great convergence among industrialized democracies over the uses and functions of commercial contracts that seems far from the case in constitutional law Can a parliamentary democracy be compared to a presidential one A federal republic to a unitary one Moreover what about differences in ideology or national identity Can constitutional rights deployed in a libertarian context be profitably compared to those at work in a social welfare context Is it perilous to compare minority rights in a multi ethnic state to those in its ethnically homogeneous counterparts These controversies form the background to the field of comparative constitutional law challenging not only legal scholars but also those in other fields such as philosophy and political theory Providing the first single volume comprehensive reference resource the Oxford Handbook of Comparative Constitutional Law will be an essential road map to the field for all those working within it or encountering it for the first time Leading experts in the field examine the history and methodology of the discipline the central concepts of constitutional law constitutional processes and institutions from legislative reform to judicial interpretation rights and emerging trends     The Global Justice Reader Thom Brooks, 2008-03-10 The Global Justice Reader is a first of its kind collection that brings together key foundational and

contemporary writings on this important topic in moral and political philosophy Brings together key foundational and contemporary writings on this important topic in moral and political philosophy Offers a brief introduction followed by important readings on subjects ranging from sovereignty human rights and nationalism to global poverty terrorism and international environmental justice Presents the writings of key figures in the field including Thomas Hobbes Immanuel Kant John Rawls Thomas Pogge Peter Singer and many others

**Cultural Rights as Collective Rights** Andrzej Jakubowski,2016-07-11 Collective cultural rights are commonly perceived as the most neglected or least developed category of human rights Cultural Rights as Collective Rights An International Law Perspective endeavours to challenge this view and offers a comprehensive critical analysis of recent developments in distinct areas of international law and jurisprudence from every region of the world in relation to the scope legal content and enforceability of such rights Leading international scholars explore the conceptualisation and operationalisation of collective cultural rights as human rights encompassing community rights and discuss the ways in which such rights may collide with other mostly individual human rights As such Cultural Rights as Collective Rights An International Law Perspective offers a cross cutting and original overview on how the protection recognition and enforcement of collective cultural rights affect the development changes and formation of general international law norms

*Philosophy of Human Rights* Anat Biletzki,2019-11-05 An introductory text to the philosophy of human rights this book provides an innovative systematic study of the concepts ideas and theories of human rights It examines the principal philosophical issues that arise in specific areas of rights such as women s rights minority rights or disability rights and addresses the human rights aspects of world problems such as global poverty and humanitarian intervention Along with the presentation of these established subjects the book provides a vibrant critique of both the liberal fundamentals of human rights and the legal and political aspects of the concrete practice by individuals and organizations Key Features Presents a thorough philosophical introduction to human rights for anyone from any subject e g international law politics public policy philosophy While grounded in philosophy demonstrates a clear organized understanding of real world aspects of the field with a deep analysis of vital current issues Is attentive to critical stances on human rights and to stultifying privations in the field Offers a well organized overall structure moving from historical treatment to conceptual analysis to a set of current issues and finally to criticism

**Mental Health and Human Rights** Michael Dudley,Derrick Silove,Fran Gale,2012-06-21 People with mental disorders often suffer the worst conditions of life This book is the first comprehensive survey of the mental health human rights relationship It examines the relationships and histories of mental health and human rights and their interconnections with law culture ethnicity class economics biology and stigma

**Race and the Politics of Solidarity** Juliet Hooker,2009-02-03 Solidarity the reciprocal relations of trust and obligation between citizens that are essential for a thriving polity is a basic goal of all political communities Yet it is extremely difficult to achieve especially in multiracial societies In an era of increasing global migration and democratization that issue is more pressing

than perhaps ever before Political theorists have long wrestled with the topic but they have typically addressed it from within the framework of liberal theory How can a multicultural and multiracial polity with all of the different allegiances inherent in it be transformed into a unified liberal one Juliet Hooker flips this question around Difference she argues is inevitable in multiracial societies and liberalism offers inadequate prescriptions for making it less divisive Instead the social fact of difference itself should be the starting point How can we create political solidarity when multiracialism and multiculturalism is more or less permanent Unlike most liberal theorists who focus on nationality and culture Hooker stresses the differences produced by race and explores the role that it plays in both the United States and Latin America Coming to terms with the lasting power of racial identity she contends is the starting point for any political project attempting to achieve solidarity

Encyclopedia of Ethics Lawrence C. Becker, Charlotte B. Becker, 2013-10-18 The editors working with a team of 325 renowned authorities in the field of ethics have revised expanded and updated this classic encyclopedia Along with the addition of 150 new entries all of the original articles have been newly peer reviewed and revised bibliographies have been updated throughout and the overall design of the work has been enhanced for easier access to cross references and other reference features New entries include Cheating Dirty hands Gay ethics Holocaust Journalism Political correctness and many more

**Real Rights** Carl Wellman, 1995 7 Conflicts of Rights      **The Ethics of Surveillance in Times of Emergency** Kevin Macnish, Adam Henschke, 2023-10-09 This is an open access title available under the terms of a CC BY NC ND 4.0 International licence It is free to read on Oxford Academic and offered as a free PDF download from OUP and selected open access locations The Ethics of Surveillance in Times of Emergency draws from the use of modern surveillance technologies during the COVID 19 pandemic to explore a set of issues and challenges facing decision makers and designers in times of emergency how do we respond to emergencies in ways that are both consistent with democratic and community principles and that are ethically justifiable Emergencies like public health pandemics not only place stress on existing infrastructure and communities but put significant pressure on our decision making The use of surveillance technologies during public health crises is a vital frame to explore the challenge of acting in times of emergency Moreover as an exercise in reflective applied ethics this book does not just seek to apply a given theory or principle to the problem of surveillance in times of emergency but to use the challenges facing us to critically engage with reflect upon and develop those theories and principles The book's authors recognize this challenge is it possible to respond to exceptional conditions in ways that either preserve our core values or must these core values be subsumed under the need to respond to the particular emergency The book offers responses to this challenge by looking at three interrelated ways in which can manifest first the democratic challenges second the ethical challenges and third the design challenges faced in developing ethical solutions

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