LOCATING THE LIMITS OF SELF-DETERMINATION BEYOND SHADOW LINES OF NATION

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State? What is that? Well then, open your Ears to me, for now I shall speak to you about the death of peoples. State is the name of the coldest of cold monsters. Coldly, it tells lies too: lie grows out of its Mouth. “I, the state, am the people.”

- Friedrich Nietzsche¹

ABSTRACT

Right to self-determination is one of the rights that transcends the on-going East-West debate of ‘Are Human Rights Western’? The first part of the article unravels the world politics behind the evolution of self-determination from a political principle to a right. In the second part it questions the confinement of self-determination to the colonial context, especially in the context of India’s reservation to Article 1 of the International Covenant on Civil and Political Rights. The third and the fourth parts deal with the scope of self-determination, with the focus on carving space for a right to secede in some contexts.

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¹The Portable Nietzsche selected and translated by Walter Kaufmann 160 (1976).