

The project aims at analysing one of the most paradoxal and controversial notions of international law – the right of nations to self-determination – in a specific historical moment, when this right, abused in populist political discourses, once again brims over the constraints imposed by international law. The project is based on the assumption that the entanglement of law and politics, in which the right of nations to self-determination is embedded, is a source of inevitable paradoxes linked to the very construction of the modern state. If they are not fathomed out with due diligence, this will be nothing but an explosive device planted under the whole construction of contemporary international law.

Historically speaking, the right of nations to self-determination is rooted in 19th century nationalism, construed as an ideological and social movement for establishing nation states and forming their populations into highly uniformised societies. With successful unification of Italy (1861) and Germany (1871), nationalism began to penetrate into international law under the guise of a demand that there should be a certain correspondence between state's population and its character and execution of power. To a certain degree nationalism was a pro-democratic movement which vindicated the population's right to determine not only the form of state rule, but also the specificity and borders of the state. From the point of view of state-centred international law – as shaped in early European modernity – nationalism presented a significant challenge, because it posed a threat to independence of states and their territorial integrity. Nonetheless, since the end of WWI and Wilson's plan it made its way into the canon of notions and norms of international law as the right of nations to self-determination. It gained particular importance in the decolonisation era after WWII, when it gave the basic justification for secession of colonies. Still, after the rather uncontested wave of secessions in the aftermath of the fall of the Eastern Bloc, the right of nations to self-determinations was caught in a doctrinal and practical limbo. Most recent attempts of its execution provoke significant political and theoretical disputes (as evidenced by the cases of Kosovo, Crimea, Lugansk and Donetsk People's Republics). Simultaneously, the right of nations to self-determinations began to be all more often invoked in domestic political discourses, principally those which might be labelled as populist. In this usage it is directed against the liberal international order and tendencies of depoliticisation of international cooperation under the notion of global governance (which bases international relations on cooperational problem-solving based on international law and techniques of management rather than on balance and competition of states). It might be therefore argued that the legal framework of the right of nations to self-determination, which was successfully crafted for nationalism, can no longer withhold the dynamics of pro-sovereignist and anti-universalist backlash.

In the light of these tendencies it seems legitimate to reconsider the right of nations to self-determination in its current meaning. The return of the paradoxality of this right, as straddling between the normative and political spheres, requires an interdisciplinary and dialectical approach. The proposed project will focus on five main research tasks: (1) presenting the history of development of the right of nations to self-determination from the perspective of contemporary international law, (2) analysis of meaning and scope of application of this right in contemporary international law, (3) dialectical reconsideration of its paradoxes stemming from its position between law and political discourses, (4) analysis of the functioning of this right in contemporary political discourses on the basis of selected cases and (5) complex portrayal of the contemporary right of nations to self-determination as a concept which eludes unilateral definitions by legal or political sciences.