

# Cooperative Sovereignty

## From Independence to Interdependence in the Structure of International Environmental Law

By *Franz Xaver Perrez*

In the late 20th century, it has become widely accepted that States need to cooperate in order to pursue effectively their interests within the increasingly interdependent world order. At the same time, the principle of sovereignty is still often invoked as a claim for independence and a justification for non-cooperation. This book goes beyond that traditional understanding to develop a new theory which holds that cooperation between States is not an independent principle supplementing State sovereignty or even a counterweight to State sovereignty. Rather, cooperation should be conceived an element of the very notion of sovereignty itself. Sovereignty is not a negative principle meaning merely State independence and freedom, but it also inherently includes a positive element which stresses a State's innate membership in the international community and its authority, its responsibility, its duty to participate actively in that community. In short, sovereignty not only means independence, it also means a responsibility to cooperate.

The first part of the book traces the history of the principle of sovereignty from the theories of Grotius and Francisco de Vitoria to the modern understanding of the principle in the light of the United Nations system. The second part of the book poses challenges to the traditional concept of sovereignty in the light of the 20th century interdependence, and the third part goes on to formulate a new theory which takes into account the principles of customary law and treaty law. The conclusions drawn on by the author are refreshing, but may also be controversial, and this book will most definitely contribute to the discussion and development of the principle of sovereignty in international law.

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# MINORITY RIGHTS IN EUROPE: European Minorities and Languages

Editor-in-Chief  
Snežana Trifunovska

Throughout the history of the European continent minorities have had a significant impact on political stability and security. Currently, most of the situations involving internal tension, as well as conflicts, whether internal or international, involve inter-ethnic relations. It is therefore not surprising that the international community at large and – for the European minorities more importantly – the European institutions have placed *minority issues* high on their agenda. One of these issues concerns *minority languages*, the subject of the present volume. The possibility to communicate and to be educated in one's own language is one of the most crucial aspects of a person's and a group's identity. This book deals with *minority languages* in the OSCE area in a systematic way. It provides information which facilitates discussion in scientific, governmental and non-governmental circles dealing with both human rights protection and security issues and assists in finding solutions to particular situations concerning *minority languages*. In the first part of the book, academics and experts from various countries subject a number of questions concerning the linguis-

tic rights of minorities to scientific scrutiny. The second part deals with activities and developments within major international organizations and the third part provides a survey of relevant national legislation and documents.

This volume contains the most extensive collection of both international and national documents and excerpts from documents relating and/or relevant to the linguistic rights of minorities. It is a valuable source of reference to public and academic work and, as such, is an indispensable tool in the development of rules and policies which protect the linguistic rights of persons belonging to minorities.

Dr. S. Trifunovska is currently a Senior University Lecturer at the Law Faculty, Nijmegen, The Netherlands. She is also the editor of *Minorities in Europe: Croatia, Estonia and Slovakia* (T.M.C. ASSER PRESS, 1999).

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# The International Monetary Fund under Constraint Legitimacy of its Crisis Management

By *Eva Riesenhuber*

The International Monetary Fund under Constraint exposes a legal dilemma facing the IMF as it tackles international crisis management. Using the Asian crisis – and more particularly economic and political events in Indonesia – as an example, this volume examines whether the Fund's activities in Asia were legally justified.

The results of this analysis lead to the following question: What future role can the IMF play in the international financial architecture? The principles of international law and the legal foundations of the Fund are used to analyse the reform suggestions of economic experts and to find a suitable concept for future IMF involvement in financial crises and crises prevention.

This volume is a long-overdue legal analysis of IMF activities. It presents the combination of law and economics which was originally at the heart of the IMF but which so far has been ignored in today's reform discussion.

About the author: Eva Riesenhuber, a law graduate of the University of Frankfurt, specialized in international law at the University of Paris where she graduated with a *Maîtrise*. For the research of this book she lived in Indonesia and Australia in 1998–1999, visited the IMF headquarters in Washington DC and spent a month at the Deutsche Bundesbank, Frankfurt. She is currently pursuing the preparation of her bar examination at the Court of Appeal, Berlin.

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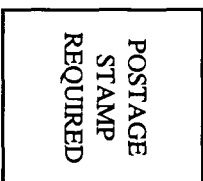
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## PROFESSIONAL SPORT IN THE EUROPEAN UNION: Regulation and Re-regulation

Edited by Andrew Caiger and Simon Gardiner

This book comes at a critical time for the future development of sports law. Sport is becoming increasingly commercialised and commodified and, presently, sports business accounts for around three per cent of world economic activity. Its regulation, however, is fragmentary and it is difficult to delineate issues of pure sport and issues of business. In several contributions, eminent sports law scholars examine the interface between sport, business and policy. They analyze how law regulates sport and sports business and demonstrate the need to redefine the frontier between 'Sporting' rules and regulations and legal regulation. It is suggested that sporting bodies and associations have a significant role to play in shaping the contours of this frontier. It is also suggested that there is sufficient clarity in EU polity, which allows sports associations to become proactive in their own re-regulation.

In their *Postscript* the editors summarize the contents of the book and draw final conclusions. The accessibility of the contributions is facilitated by a *Table of Cases* and an *Index*. *Professional Sport in the European Union: Regulation and Re-regulation* engages the debate concerning how best sport can be re-regulated in the 21st century and represents a significant contribution to the recognition of a *Lex Sportiva*.

*Andrew Caiger and Simon Gardiner, are both connected to the International Sports Law Centre of Anglia Polytechnic University, Chelmsford, United Kingdom.*

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