

# CONTENTS

<i>Foreword</i>	page ix
<i>Acknowledgements</i>	xi
<i>List of abbreviations</i>	xiii
<i>Table of cases</i>	xiv
Introduction	1
1 Ethnicity in the discourse on the ‘self’ and the ‘other’: liberal and conservative traditions and their implications	11
Introduction	11
What does ‘ethnicity’ mean?	12
Ethnicity: from ‘otherness’ to the conservative image of the ‘self’	22
Ethnicity in the liberal construction of the nation	30
Social Darwinism: the scientific logic of assimilation and exclusion	38
Ethnicity, traditions, and nineteenth-century international law	46
Conclusion	60
2 Colonialism and international law: a story of two traditions	62
Introduction	62
The ethnic ‘other’ in German colonialism and international law	63
The background of German colonialism	63
The projection of the ethnic ‘self’ on the colonial ‘other’ through exclusion	71
The ethnic ‘otherness’ reflects back on the understanding of the ‘self’	79
The liberal approach to the colonial ‘other’ and international law	82
From assimilation to association: the case of the French civilising mission	82
International law and colonialism in the liberal tradition	89
Conclusion	97

viii	CONTENTS
3	Ethnicity in interwar international law: the minority protection regime in perspective 98
	Introduction 98
	Minority rights as a compromise between the liberal and conservative traditions 100
	The liberal West and its conservative 'other' within Europe 111
	The ethnic 'other' within the ethnic 'self': a case of reciprocal exclusion 122
	Conclusion 134
4	Ethnicity in the era of liberalism: human rights, minority protection, and the post-Cold War paradigm shifts 136
	Introduction 136
	Understanding the 'minority' as an ethnic phenomenon 140
	Dismantling ethnicity in minority 'protection' 148
	The post-Cold War European context: minorities as a problem of the East 165
	Conclusion 176
5	Liberal individualism meets conservative passion: international law responses to ethnicity in ethnic conflicts 178
	Introduction 178
	Ethnicity, ethnic conflicts, and international law 180
	Democratic peace and ethnic conflicts 185
	Liberal exceptionalism vis-à-vis ethnicity 191
	Ethnic accommodation and the liberal challenge 197
	Ethnicity: from the Badinter Commission to the Dayton Agreement 203
	Conclusion 215
	Conclusion 217
	Ethnicity and international law: an engagement with consequences 218
	Ethnicity and international law: a future direction? 221
	<i>Bibliography</i> 232
	<i>Index</i> 253