

State Sovereignty and Human Rights

Jon Mandle, University at Albany, mandle@albany.edu

The modern international order of independent and sovereign states is often associated with the Peace of Westphalia which ended the Thirty Years' War in 1648. It established an ideal of self-determination and non-interference in the internal affairs of other countries. Following World War II, the Universal Declaration of Human Rights in effect declared that state sovereignty could not be used to excuse the violation of human rights. Sovereignty and human rights therefore stand in some tension with one another. However, we can see both ideals as emerging from a single commitment of justice to the non-subordination of persons. This provides the conceptual tools with which to reconcile the two.