

Economic Self-Determination: A Theory of a Contested Right

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The right of self-determination stipulates that the right-holders are (nominally) entitled to “freely pursue” their economic and social development. Common Article 1(1) of the International Covenant on Civil and Political Rights and of the International Covenant on Economic, Social and Cultural Rights reads: “All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development”. The research objective is to develop an empirically informed theory of this economic and social component of the content of the right of self-determination. How ought we to understand the abstract notion “free pursuit”? What “freedom” can plausibly be taken to mean, in particular under conditions of intensive international interaction, and which international obligations and duties should follow? The proclamations of the right clearly do not envisage a world of autarkies “free” in the sense of being sealed off from one another. Extensive cross-borders interaction and exchange is not only a brut fact of our world, but also one that there are good reasons to see in a positive light. The question is thus of consequence, how free pursuit is to be interpreted under these conditions and which duties and obligations follow, so that international interconnectedness does not debilitate, but possibly even fosters the free pursuit of economic and social development in the participating polities. Despite the formal acclaim and rhetorical appeal of the principle of self-determination in international politics, law and political theory, little is known about the economic and social component of the right’s content. Thus, my aim is to develop a first systematic theory of the content of the right of self-determination in the economic and social domains.

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