

Discuss the concept of state sovereignty. What are the main arguments about non-interference in International law?

## 1- Introduction

State sovereignty is a fundamental concept in international relations and international law. It refers to the principle that each state has exclusive control over its own territory and domestic affairs, and that no other state or external entity can interfere in these matters without its consent. However, the principle of non-interference in international law has been subject to debate, particularly when a state violates the international norms or <sup>states actions may</sup> harms its own citizens. The concept of non-interference is rather a subjective one, making the idea more debateable in the era of globalization and collective security.

## 2- Concept of State Sovereignty

State sovereignty is a political concept that refers to complete

and exclusive power of a state to govern itself without interference from the external forces. Sovereignty includes the ability to exercise authority over a defined territory, make and enforce laws, manage foreign affairs relations, and defend itself against external threats.

The concept of state sovereignty is rooted in the idea that a state is a self-governing entity with the right to determine its own internal and external threats.

- 1- Historical context of state sovereignty  
The concept of state sovereignty emerged in Europe in 16<sup>th</sup> and 17<sup>th</sup> centuries and became a key element of the modern nation state system. The Treaty of Westphalia in 1648 recognized the right of each state to determine its own policies without interference from external powers. 18<sup>th</sup> century's age enlightenment criticized the traditional notions of sovereignty, and in 19<sup>th</sup> century, international law came into existence. Post World War II caused the formation of

organizations like UN and also in the modern times, globalization and such organizations further challenge the traditional concept of state sovereignty.

### 2. Modern concept of state's sovereignty

The modern concept of state sovereignty is based upon the principle of state's exclusive right to govern itself without any external interference. It can enforce its own laws, regulate trade matters, manage foreign relations, and defend itself against external threats.

The modern concept of sovereignty also recognizes the importance of individual rights and rule of law. States are ought to respect and protect human rights of their citizens, and provide a system of justice that upholds the rule of law and protects individual liberties.

### 3. The Concept of non-interference in International Law

The concept of non-interference implies that countries should respect each others sovereignty and avoid

intervention in each other's internal affairs. There are several arguments for and against the concept of non-interference in international law:

- Arguments in favour of non-interference

a- Respect for state sovereignty:

Non-interference is based on the principle of respect for state sovereignty, which is a fundamental principle of international law. States have the right to govern themselves without interference from external forces. Therefore, it is the defining feature of political existence of a sovereign state.

b- Promotes peace and stability:

Non-interference can help to promote peace and stability by avoiding conflicts between states. It encourages diplomacy rather than coercion. Hence it limits the threat of war.

c- Preserves cultural Diversity:

State interference ~~can~~ allows its state to propagate its own unique

identity and way of life without external influence. In short, it prevents the issue of identity crisis for a sovereign state.

• Arguments against non-interference:  
a- Human Rights violations:

Non-interference can lead to human rights violations of the citizens of a state. It can sometimes lead to genocide or ethnic cleansing, external intervention may be necessary to protect innocent lives. The situation of Israeli atrocities in Palestine and India's brutality in Kashmir are major instances in it.

b- Global Challenges:

Non-interference may not be enough to address global challenges such as climate change, terrorism, or ~~zoo~~ pandemics. They require interference/collaboration to deal with the challenge. The non-cooperation in reducing carbon cuts by USA and China can be considered as an example as how non-interference is posing existential threat to the world.

### c. External Factors:

Non-interference does not work in some cases where external factors affect the internal affairs of a state. The intervention can be done in order to address these external factors. Hence, collective action is required to resolve the issues.

## 4. Theoretical Framework

### a. Realism

Realists consider sovereignty as the ability of a state to control its own territory, maintain internal order, and defend itself against external threats. According to the realists: 'Nations always seek power, demonstrate power and use power.'

The withdrawal of United States from Paris agreement in 2017 was considered as a realist belief that the agreement was not in their national interest, and it would also limitize their economic growth.

### b. Liberalism

Liberals define sovereignty as the

ability of a state to participate in international institutions to cooperate with each other to achieve common goals. For example, organizations such as United Nations & it is meant to promote peace and diplomacy among the state works on liberalist perspective.

## 5. Conclusion

In conclusion, state sovereignty is a fundamental concept in international relations and international law, based on the idea of equality among states and the principle of exclusive control over territory. The ~~upheaval~~ tension between state sovereignty and the responsibility of states to protect human rights has been a major issue. The arguments ~~and~~ in favour of international law and against it reflect the challenge of balancing the principle of state sovereignty with the need of international cooperation and protection of human rights.

Good

Add jargons and flowcharts

More profound analysis is required