

Power of language in the making of international law - the word sovereignty in Bodin and Vattel and the myth of Westphalia

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On the one hand, the belief that sovereignty is undergoing profound change is greatly facilitated by a nominalist view of concepts since, according to this view, concepts are nothing but general names that we use to constitute different classes of objects as distinct from each other. He then goes on to argue that such a conception indeed is indispensable in order to understand and justify the transition from good old Westphalian sovereignty to our present condition of late sovereignty.

The power of language in the making of international law (2004 edition)

From this nominalist point of view, the concept of sovereignty appears profoundly problematic.

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It is challenged by new constellations of authority and community which transcend the divide between the domestic and the international spheres, and will soon be replaced by new forms of political life that know nothing of this distinction. The analysis provided by Martin Loughlin is best described as neoclassical.

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On the other hand, the concept is used in such a way that it becomes hard to distinguish it from that of autonomy. In these texts, the idea of a territorially-based system of independent states is nowhere to be found. While Buijs does not provide us with anything like a comprehensive

conceptual history, he succeeds in unearthing several layers of theological meaning that have been long lost to political and legal philosophy.

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