

Sovereignties

Citation for published version (APA):

Waltermann, A. (2016). *Sovereignties*. [Doctoral Thesis, Maastricht University]. Maastricht University. <https://doi.org/10.26481/dis.20160428aw>

Document status and date:

Published: 01/01/2016

DOI:

[10.26481/dis.20160428aw](https://doi.org/10.26481/dis.20160428aw)

Document Version:

Publisher's PDF, also known as Version of record

Please check the document version of this publication:

- A submitted manuscript is the version of the article upon submission and before peer-review. There can be important differences between the submitted version and the official published version of record. People interested in the research are advised to contact the author for the final version of the publication, or visit the DOI to the publisher's website.
- The final author version and the galley proof are versions of the publication after peer review.
- The final published version features the final layout of the paper including the volume, issue and page numbers.

[Link to publication](#)

General rights

Copyright and moral rights for the publications made accessible in the public portal are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.

- Users may download and print one copy of any publication from the public portal for the purpose of private study or research.
- You may not further distribute the material or use it for any profit-making activity or commercial gain
- You may freely distribute the URL identifying the publication in the public portal.

If the publication is distributed under the terms of Article 25fa of the Dutch Copyright Act, indicated by the "Taverne" license above, please follow below link for the End User Agreement:

www.umlib.nl/taverne-license

Take down policy

If you believe that this document breaches copyright please contact us at:

repository@maastrichtuniversity.nl

providing details and we will investigate your claim.

PROPOSITIONS

1. Hohfeldian terminology is insufficiently precise with regard to powers and competences.
2. "Sovereignty" has four different meanings, which need to be disentangled and carefully distinguished.
3. Linking Hart's rule of recognition to the notion of internal constitutive sovereignty shows that, and in what way, "all state power emanates from the people".
4. None of the meanings of sovereignty require democracy or legitimacy.
5. Constitutional review by an independent court is a desirable check against majority rule.
6. The existence of *ius cogens* implies an understanding of validity in international law that does not coincide with hard positivism.
7. The refugee crisis presents a social dilemma for European States.
8. Knowing different meanings of "sovereignty" allows politicians to avoid fallacies in discussions involving "sovereignty", or to point out fallacies in their opponents' arguments.
9. Once you have obtained a PhD, every appointment you go to becomes a doctor's appointment.