

Ordine internazionale e diritti umani

International Legal Order and Human Rights Ordenamiento Jurídico Internacional y Derechos Humanos Ordre juridique international et Droits de l'Homme

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The paper begins by noting that in a first stage globalization has led to the hoarding of resources of poor countries (or rather ... impoverished) through a wild liberalism without rules or, in the case of petrol-resistant regimes, through the instrumental use of wars declared "humanitarian", and then miserably failed in an attempt to impose a western governance to economic protectorates *de facto* established, on the contrary generating the state of anarchy, chaos and disorder in inter/intra state relationships that is framed in the concept of "destatalization".

Faced with changes of this magnitude, what matters is the method. The legal scholar is for once abandon the formalism, the hypocrisy, the escamotages, the instrumental arguments, the dominant narrative, the media representations and come back to reality to make it the subject of legal systematic interpretation.

In light of these methodological premises, the contribution is aimed at identifying the factors that gave rise to the phenomenon of "destatalization" through recourse to the reconstructive line represented by the "oil wars" and to propose a legal approach aimed at its depotentiation focused on a review/re-evaluation of the principle of self-determination. The limits of this work require to give the discussion a limited purpose of presentation of general research hypotheses, while reference is made to further studies for the deepening of the relevant theories.