Contents

Preface

13


1. Human Rights and the Ethics of International Relations
   1. Human Rights as Standards of Legitimacy 21
   1.2. The Normative Substance of Human Rights Standards 26
   1.3. Human Rights Standards and International Institutions 32
   1.4. Human Rights as “Universal” Standards: A Few Arguments Against Relativism
      1.4.1. Substantive Relativism 37
      1.4.2. Metaethical Relativism 39

2. The Limits of Statism and the Normative Significance of Political Associations
   2.1. Methodological Statism. The Limits of a Theoretical Paradigm 45
   2.2. The Ethical Status of Political Associations 49
   2.3. States as Legal Persons and the Assignment of Collective Responsibilities 54
      2.3.1. The Argument from Methodological Individualism 56
      2.3.2. The Argument from Moral Agency 59

3. Two Types of Normative Political Theory
   3.1. General Norms and Principles for Action 68
   3.2. Challenges for Normative Agency and the Structure of Theoretical Argument 71

Part II. Human Rights in Contexts

4. Peace Ethics
   4.1. Contemporary Challenges and Theoretical Options: An Overview
      4.1.1. Challenges 78
      4.1.2. Theoretical Options 81
      4.1.3. Ethical Argument and Practical Conditions of Application 83
4.2. Beyond Just-war Theory 84
4.3. The Legalist Paradigm and the Limits of Normative Institutionalism in Peace Ethics 91
4.3.1. Walzer’s “Deontological” Proposal: Self-defense as Collective Self-determination 91
4.3.2. The Challenge for “Deontology” 95
4.4. Collective Security 102
4.4.1. The Basic Idea 102
4.4.2. Practical Approximations 105
4.5. Democratic-peace Theory 106
4.6. Theoretical Perspectives for a Changing Practice 109

5. Humanitarian Intervention: An Institutional Perspective 113
5.1. The Structure of Moral and Legal Discourse of Humanitarian Intervention 114
5.2. The Permissibility of Humanitarian Intervention. The Legal Debate 119
5.2.1. Humanitarian Intervention in Legal Argument 121
5.2.2. Theoretical Perspectives on “Legal Validity” 127
5.3. Transnational Responsibilities to Protect Human Rights. The Ethical Debate 134
5.3.1. The Individual Rights Approach 134
5.3.2. Humanitarian Intervention as the Collective Responsibility to Promote Just Institutions 136

6. Human Rights and Poverty Relief 145
6.1. Some Deficiencies of the Present State of the Debate 147
6.2. Human Rights Standards and the Normative Status of Institutional Goals 149
6.2.1. The “Negative Rights” Argument 150
6.2.2. The Separation of Powers Argument 152
6.2.3. The Institutional Perspective: Legitimacy and Political Goals 152
6.3. Separating Human-rights Requirements from Requirements of Political Justice 154
6.4. Socioeconomic Human-rights Requirements Beyond the Nation-state 156
6.4.1. Extreme Poverty and the Right to Subsistence 156
6.4.2. International Trade 163
6.5. Objections to Cosmopolitanism 168
6.5.1. The Methodological Level 168
6.5.2. The Analytical Level 169
6.5.3. The Practical Level 170
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Transnational Migration</td>
<td>171</td>
</tr>
<tr>
<td>7.1. Human Rights Standards and Voluntary Migration</td>
<td>173</td>
</tr>
<tr>
<td>7.1.1. The Holistic Structure of Political Society</td>
<td>174</td>
</tr>
<tr>
<td>7.1.2. The Limits of Social Constructivism</td>
<td>177</td>
</tr>
<tr>
<td>7.2. Justified Interests of Political Societies and Individual Persons</td>
<td>181</td>
</tr>
<tr>
<td>7.3. A Critique of Some Common Arguments of the Current Debate</td>
<td>183</td>
</tr>
<tr>
<td>7.3.1. “Freedom of Association:” The Libertarian Approach</td>
<td>184</td>
</tr>
<tr>
<td>7.3.2. “Freedom of Movement:” The Egalitarian Approach</td>
<td>185</td>
</tr>
<tr>
<td>7.3.3. Communitarian Ideals of Membership and the “Argument from Culture”</td>
<td>187</td>
</tr>
<tr>
<td>7.4. Involuntary Migration</td>
<td>190</td>
</tr>
<tr>
<td>7.5. Are We Moving towards Cosmopolitan Society? – A Very Short Afterword</td>
<td>192</td>
</tr>
<tr>
<td>A Final Remark</td>
<td>193</td>
</tr>
<tr>
<td>Bibliography</td>
<td>195</td>
</tr>
<tr>
<td>Index of Names</td>
<td>207</td>
</tr>
</tbody>
</table>