Index

Abacha, Sani 67
Abbott, Tony 138
Afghanistan
Operation Enduring Freedom (2001–) 244
agency
human 79
normative 79
political 78
Amnesty International 223
Aquinas, St Thomas
view of natural law of property 133–4
Arendt, Hannah
Origins of Totalitarianism, The 80–81
Argentina 64
mass looting (2001) 218
Aristotle 160
Rhetoric 179–80
Topics 179
Australia 155
population of 138–40
Austria
Vienna 107
autonomy-identity debate 203–4, 206–7, 211, 213
cultural identity 203–5
role of language 206, 208
self-creation 203–4, 208–16
self-knowledge 201–3, 205, 208–16
Bangkok Declaration (1993) 250–51
Bangladesh 64
Barthes, Roland 232
view of myths 230
Beitz, Charles 18–20, 80, 131, 136–7, 141
Idea of Human Rights, The ix
Belarus 168
Bentham, Jeremy 7–8, 221
criticisms of natural rights 27–8, 33, 36
Bourdieu, Pierre 210–12, 215–16
concept of ‘doxa’ 210, 212
concept of ‘habitus’ 203, 207–10, 212–15
Brandt, Willy 70
Brown, Wendy 220
view of human rights activism 227–30, 234–5
Buddhism 252–3
Butler, Judith
Gender Trouble 206
Cameron, David 217–18
economic policies of 219
view of UK summer riots (2011) 217–19, 222, 235
Campbell, Tom 30–31, 34–6
view of rights 28–9, 33, 37–8
Canada
Charter of Rights and Freedoms 162
capitalism 232
development of 226
political economy of 219
relationship with human rights 226, 247
Chakrabarti, Shami 225
view of UK summer riots (2011) 218–19, 222, 235
China 62, 168
Communist Party of 246
GDP per capita 64
government of 246–7
258

Human rights

Christianity 252
citizenship 239
Cohen, Joshua
Purely Domestic Theory of Poverty (PDTP) 88
Cold War 245
colonization 138–40
common rights protection 109
Congo 67
constitutionalism 169–72, 181–2, 191
definitions of 180–81
unitarian-identarian nature of 181–2
Costa Rica 64
Council of Europe 97
crimes against humanity
definitions of 86
Critical Legal Studies Movement 164
cultural fundamentalism
concept of 250
cynicism
concept of 231

Dallaire, General Roméo 47–8
Darby, Derrick 32–6, 38
Dembour, Marie-Bénédicte 250
democracy 25, 151, 158, 167–72, 183, 185–6, 190–91, 196–7, 246
conflict with human rights 145–7, 151–3, 157, 168
democratic tyranny 168
electoral systems 150
human right to 196–7
legitimacy in 184–7, 198
proportional representation (PR) 155
single transferable vote (STV) 155–6
universal enfranchisement 156
Denmark 69
Dominican Republic 64
Dworkin, Ronald 145, 156, 189–90, 196–7
Justice for Hedgehogs ix
view of democracy 152–5
views of judicial review 154, 156
Ecuador 64
Elster, Jon 105
Enlightenment 238
European Convention of Human Rights
ix, 147, 167, 245
enforcement of (1953) 97
jurisprudence of 24
Protocol 11 97
European Court of Human Rights 103, 111, 147–8
case law of 242–3
European Court of Justice 111
European Parliament 184
European Union (EU) 184
Charter of Fundamental Rights ix, 109
Feinberg, Joel 19–20, 31–2, 36
criticisms of theories of 38
France 69, 98, 223
Paris 245
Freedom House 168
Frost, Rainer 81
General Comment 12 46–7, 51
Article 15 44
human rights duties 46–8, 52–3
Germany 69
Geuss, Raymond
views of human rights discourse 114–19, 131–2
Gewirth, Alan 15
global financial crisis (2007–9) 68
Global Financial Integrity (GFI) 67
globalization 54, 61–4, 68, 95, 232
concept of 61
contemporary 142
democratizing of 66
relationship with poverty 56–60, 62–3, 87
Gracchus, Tiberius
land reforms of 164
Great Depression 64
Green, Leslie 204, 211
Griffin, James 15, 18, 76
On Human Rights viii–ix, 78–9
Index

Group of Seven (G7) 61
Group of Twenty (G20) 61

Habermas, Jürgen 199
Hague, Ros 206

Helsinki Final Act
signing of 223

Hinduism 252

Hobbes, Thomas
concept of ‘state of nature’ 133–5

human flourishing 142


activism 227–30, 234–5

as legal rights 11, 16–17, 77
as moral rights 3–5, 12, 20, 22–3, 25–6, 39, 77, 82
as societal rights 11

basic 81–2

conflict with democracy 145–7, 151–3, 157, 168
idealism 238, 241–2, 249, 254

in human rights laws 3–5, 15

indivisibility of 143

inflation of claims 78–9, 85

legal-form 5

legal reductionist model of 7–9

moral basis of 17, 238–40

moral-form 5–6, 23, 25

pragmatism 238, 241, 244–5, 252, 254–5

practice of 19, 74, 236, 249

protection of 109–12, 141, 157, 223

relationship with capitalism 226, 247

role in legitimacy claims 188

role of human agency in 18

temporal relativization of 138

transnational 101, 107

universalism of 2, 4, 90–93, 99–100, 102–4, 108–9, 111–12, 124, 129, 137–8, 140–41

human rights institutions 15

human rights laws 15, 23–4, 45–6, 242, 252

examples of 162–3, 165–6

human rights in 3–5, 15


causal responsibility by agents 42, 53–5

duties to facilitate 49

duties to protect 47–8, 76

duties to provide 47, 84

duties to respect 46–7

negative duties 83–5

non-fulfilment of human right 42–6, 53

Hungary 64

Ignatieff, Michael 227

India 72

individual rights

as moral rights 77

concept of viii

individualism 130

Indonesia 250

International Bill of Rights 96

International Criminal Court

establishment of 86

Iran 244

Iraq

Operation Iraqi Freedom (2003–11) 244

Islam

Shari’a 251

Italy 69

Jamaica 64

Japan 72

Judaism 252

judicial review 5, 23, 154, 163

practice of 145

shortcomings of 166–7
Human rights

supporters of 164–5
jurisdictional power
human rights abstracted from 136
significance of 133

Kant, Immanuel 15, 92, 199, 240
On Perpetual Peace 198–9
Kazakhstan 168
Kennedy, David 234
Kent, Anne 99
Klein, Naomi
view of development of human rights movements 225–6
view of UK Summer Riots (2011) 218–19
Kosovo War (1998–9) 244
Kuznets Curve hypothesis 64
Kymlicka, Will
concept of ‘cultural identity’ 203, 205

legal reductionism 13, 16
legal rights 10, 27, 33
collection of vii
defence of 48
human rights as 11, 16–17, 77
legitimacy 171, 174–5, 178–9, 186–7, 195
concepts of 172
constitutional 185
democratic 184–7, 198
public 176–8
reasons to reject 175–7
role of human rights in 188
LeGuin, Ursula K.
Ones Who Walk Away from Omelas, The 172–4
liberal-communitarian debate 201–3, 215
collection of self-knowledge 205–6
Libya
Civil War (2011) 244
Locke, John 159
theories of human rights 135–6, 158
Luxembourg 69

Madison, James 160
Mahathir, Mohamad 250
Malaysia 250
Martin, Rex 33
minority rights 202
Mercosur 110
Mobutu Sese Seko 67
moral rights 1–2, 10, 33–7, 39
as societal rights 10–11
collection of vii
disposable nature of 20–21
dysfunctional nature of 21–2
human rights as 3–5, 12, 20, 22–3, 25–6, 39, 77, 82
individual rights as 77
moral rights reductivism 14–15
concept of 11–12
Moyn, Samuel 103, 107, 220, 229
collection of rights 222
Last Utopia, The 223–5
myths 230–31
dangerous dark 231–2

natural law
of property 134
natural rights 18, 24
collection of 159–60
criticisms of 27–8, 33, 36
negative rights 87
collection of vii, 90
property rights as 77
Netherlands 69
New Zealand
Bill of Rights Act 162
News International
phone hacking scandal (2011–12) 236
Nickel, James 23, 25, 32
Nietzsche, Friedrich 116, 240
Nigeria 67
North American Free Trade Agreement (NAFTA) 110
North Korea 244
Norway 69
Nussbaum, Martha 248

official development assistance (ODA)
Index

- spending on 69
- O’Neill, Onora 76
- Organization for Security and Co-operation in Europe
  establishment of 223
- Paraguay 51–3
- particularism 90–91, 93–4
  ‘thick’ 93–5
- Pogge, Thomas 87–8, 135
  Purely Domestic Theory of Poverty (PDTP) 88
  views of human rights violations 73–6, 82–8, 126
- political modernity 89–91
  institutional form of 99
- positive rights 34
  concept of vii, 90
  positivism 28–9, 32
- Posner, Richard
  concept of ‘academic moralists’ 35
- debt 66–7
- definitions of 40–41
- developed nation tax evasion 67
- domestic roots of 62
- embezzlement of funds of developed nations 67
- exploitation of natural resources 66
- foreign aid 68–9
- household income 62–5, 70
- pollution 67–8
- relationship with globalization 56–60, 62–3, 87
- systemic nature of 50
- unfulfilment of living standards 42–5

- Rawls, John 141
  A Theory of Justice 50–51
- Raz, Joseph 194–5, 219, 225, 229, 232
  concept of rights 150–51, 220–23
- Réaume, Denise 150–51
- religion
  freedom of 253
  relationship with politics 251–2
- rights as primarily counter-majoritarian

- concept of viii
- rights as universal
- Rome Declaration on World Food Security 55
- Roosevelt, Franklin D.
  New Deal 167
- Rwanda
  Genocide (1994) 47–8
  Kigali 47
- Second World War (1939–45) 45, 89, 98, 244
  internment of US Japanese citizens during 165
- Sen, Amartya 7, 25–6, 202, 243, 248
- Shue, Henry 46
  Basic Rights 44, 104–5
- Sierra Leone 53
- Singapore 168, 250
- Sloterdijk, Peter 231
  societal rights
  concept of 10
  human rights as 11
  moral rights as 10–11
- Socrates 160
- South Africa
  apartheid regime 149
  Parliament 162
- Spain 69
  subjective rights 77
- Suharto 67, 250
- Sumner, L.W. 33
- supranational institutional schemes
  40–41, 55–7, 60, 62, 68, 71–2, 82, 84–5
  design of 58, 66
  unjust 54
- Sweden 69
- Sweet, Alec Stone 111
  system plurality 111
- Tasioulas, John 139
  view of human rights discourse 116–18, 129, 138
  view of modernity 129–30
- Taylor, Charles 105–6
Third Reich (1933–45) 46, 70
Tunisia revolution (2010–11) 244
Turkey 51–3
United Kingdom 98, 146, 149, 168–9
Human Rights Act (1998) 162, 167
London 233–4
Race Relations Act (1966) 162
Racial and Religious Hatred Act (2006) 147
Scottish independence movement 190
summer riots (2011) 217–19, 222, 233–5
Westminster 190
United Nations 34, 96, 98, 101, 106, 223, 248
Charter of 96, 120–21, 128
Committee on Economic, Social and Cultural Rights 44, 243
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 121–2
Convention on the Elimination of All Forms of Racial Discrimination (CERD) 121–2
Convention on the Rights of the Child (CRC) 121–2
Food and Agriculture Organization 59
High Commissioner for Human Rights 96
High Commissioner for Refugees 239
Human Rights Committee 242
Human Rights Council 96, 245
International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities 121
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMRW) 121–2
International Covenant on Civil and Political Rights (ICCPR) 120–21, 146, 148, 157, 161, 241, 252–3
International Covenant on Economic, Social and Cultural Rights (ICESCR) 122–4, 127–8, 243, 245
members of 119–20, 123
Millennium Development Goals (MDGs) 57, 246–7
peacekeepers 47
United States of America 41, 55, 68–9, 163, 182, 223
9/11 attacks 236
Civil Rights Act (1871) 165
Civil Rights Act (1964) 162, 167
civil rights movement in 148–9, 162
Congress 161
Constitution of 146, 165–6
Declaration of Independence (1776) 98, 135	household income development in 64–6
Internal Revenue Service (IRS) 64
New York 163
Republican Party 232
slavery in 57, 165–6
Supreme Court 146, 163, 165
Article 23 78
Article 24 124
Article 25 43
Article 28 126–7
definition of poverty 41
language of 45
universal rights 29, 105, 124
limitations of 100–103
state tradition in 98
universality of 92
definitions of 93
‘thick’ 95, 108
‘thin’ 107
Index

utilitarianism 21
shortcomings of 17

discussion of ‘Modified
Majoritarianism’ 193–4
Law and Disagreement 170–71, 192–3

Warner, Mariana
view of myths 230–31
World Conference on Human Rights
(1993)

Vienna Declaration 107
World Trade Organization (WTO) 63, 66, 110
Trade-Related Aspects of Intellectual
Property Rights (TRIPS)
Agreement (1994) 63

Yew, Lee Kwan 250

Zakaria, Fareed 168–9