

CONTENTS

<i>Contributors</i>	ix
<i>Acknowledgements</i>	xi
<i>Preface</i>	xiii

Introduction	1
<i>Samantha Besson and John Tasioulas</i>	

PART I GENERAL ISSUES IN THE PHILOSOPHY OF INTERNATIONAL LAW

SECTION I HISTORY OF THE PHILOSOPHY OF INTERNATIONAL LAW

- 1 State of Nature versus Commercial Sociability as the Basis of
International Law: Reflections on the Roman Foundations and
Current Interpretations of the International Political and Legal
Thought of Grotius, Hobbes, and Pufendorf 33
Benedict Kingsbury and Benjamin Straumann
- 2 Immanuel Kant on International Law 53
Amanda Perreau-Saussine

SECTION II LEGITIMACY OF INTERNATIONAL LAW

- 3 The Legitimacy of International Law 79
Allen Buchanan
- 4 The Legitimacy of International Law 97
John Tasioulas

SECTION III INTERNATIONAL DEMOCRACY

- 5 Democratic Legitimacy and International Institutions 119
Thomas Christiano
- 6 Legitimate International Institutions: A Neo-Republican
 Perspective 139
Philip Pettit

SECTION IV SOURCES OF INTERNATIONAL LAW

- 7 Theorizing the Sources of International Law 163
Samantha Besson
- 8 The Sources of International Law: Some Philosophical Reflections 187
David Lefkowitz

SECTION V INTERNATIONAL ADJUDICATION

- 9 International Adjudication 207
Andreas Paulus
- 10 International Adjudication: A Response to Paulus—Courts,
 Custom, Treaties, Regimes, and the WTO 225
Donald H. Regan

SECTION VI SOVEREIGNTY

- 11 The Logic of Freedom and Power 245
Timothy Endicott
- 12 Sovereignty in the Context of Globalization: A Constitutional
 Pluralist Perspective 261
Jean L. Cohen

SECTION VII INTERNATIONAL RESPONSIBILITY

- | | | |
|----|--|-----|
| 13 | International Responsibility | 283 |
| | <i>James Crawford and Jeremy Watkins</i> | |
| 14 | International Responsibility | 299 |
| | <i>Liam Murphy</i> | |

PART II SPECIFIC ISSUES IN THE PHILOSOPHY OF INTERNATIONAL LAW

SECTION VIII HUMAN RIGHTS

- | | | |
|----|--|-----|
| 15 | Human Rights without Foundations | 321 |
| | <i>Joseph Raz</i> | |
| 16 | Human Rights and the Autonomy of International Law | 339 |
| | <i>James Griffin</i> | |
| 17 | Human Rights | 357 |
| | <i>John Skorupski</i> | |

SECTION IX SELF-DETERMINATION AND MINORITY RIGHTS

- | | | |
|----|---|-----|
| 18 | Minority Rights in Political Philosophy and International Law | 377 |
| | <i>Will Kymlicka</i> | |
| 19 | Two Conceptions of Self-Determination | 397 |
| | <i>Jeremy Waldron</i> | |

SECTION X INTERNATIONAL ECONOMIC LAW

- | | | |
|----|--|-----|
| 20 | The Role of International Law in Reproducing Massive Poverty | 417 |
| | <i>Thomas Pogge</i> | |

- 21 Global Justice, Poverty, and the International Economic Order 437
Robert Howse and Ruti Teitel

SECTION XI INTERNATIONAL ENVIRONMENTAL LAW

- 22 Philosophical Issues in International Environmental Law 453
James Nickel and Daniel Magraw
- 23 Ethics and International Environmental Law 473
Roger Crisp

SECTION XII LAWS OF WAR

- 24 Laws of War 493
Jeff McMahan
- 25 Laws of War 511
Henry Shue

SECTION XIII HUMANITARIAN INTERVENTION

- 26 Humanitarian Intervention 531
Thomas M. Franck
- 27 Humanitarian Militarism? 549
Danilo Zolo

SECTION XIV INTERNATIONAL CRIMINAL LAW

- 28 Fairness to Rightness: Jurisdiction, Legality, and the Legitimacy of
 International Criminal Law 569
David Luban
- 29 Authority and Responsibility in International Criminal Law 589
Antony Duff
- Index* 605