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# Global Justice State Duties The Extraterritorial Scope Of Economic Social And Cultural Rights In International Law

## Author Malcolm Langford Dec 2012

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Cosmopolitan Regard  
 A Moral Reckoning of the Law of Nations  
 The State and Cosmopolitan Responsibilities  
 Global Justice, State Duties  
 A Normative Framework  
 Global Justice  
 Global Justice: The Basics  
 A Cosmopolitan Account  
 Cosmopolitan Justice  
 A Philosophical Exploration  
 Comparative, International, and Global Justice  
 Climate Justice Beyond the State  
 Theoretical and Empirical Perspectives  
 Political Membership and Global Justice  
 Global Justice and Climate Governance  
 Between Cosmopolitan Ideals and State Sovereignty  
 Global Justice and International Affairs  
 Challenging Territoriality in Human Rights Law  
 Global Justice and Bioethics  
 The Oxford Handbook of Global Justice  
 Globalization and Global Justice  
 The Thin Justice of International Law  
 A Philosophical Plea for a New Global Deal  
 Sovereign Justice  
 Bridging Theory and Practice  
 A Provisional Duty  
 Global Justice and Avant-Garde Political Agency  
 The Extraterritorial Scope of Economic, Social, and Cultural Rights in International Law  
 Justice and Reconciliation in World Politics  
 Perspectives from Criminology and Criminal Justice  
 Global Justice, Kant and the Responsibility to Protect  
 The Extraterritorial Scope of Economic, Social, and Cultural Rights in International Law  
 Building Blocks for a Plural and Diverse Duty-Bearer Regime  
 A Global Overview  
 National Responsibility and Global Justice  
 Global Justice in a World of Nations  
 Global Poverty, Injustice, and Resistance  
 From Global Poverty to Global Equality  
 Global Justice and International Labour Rights

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### JUAREZ HUANG

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*Cosmopolitan Regard* Harvard University Press

Trade has made the world. Still, trade remains an elusive and profoundly difficult area for philosophical thought. This novel account of trade justice makes ideas about exploitation central, giving pride of place to philosophical ideas about global justice but also contributing to moral disputes about practical questions. On Trade Justice

is a philosophical plea for a new global deal, in continuation of, but also at appropriate distance to, post-war efforts to design a fair global-governance system in the spirit of the American New Deal of the 1930s. This book is written in the tradition of contemporary analytical philosophy but also puts its subject into a historical perspective to motivate its relevance. It covers the subject of trade justice from its theoretical foundations to a number of specific issues on which the authors' account throws light. The state as an actor in the domain of global justice is central to the discussion but it also explores the obligations of business extensively, recognizing the importance of the modern

corporation for trade. Topics such as wages injustice, collusion with authoritarian regimes, relocation decisions, and obligations arising from interaction with suppliers and sub-contractors all enter prominently. Another central actor in the domain of trade is the World Trade Organization. The WTO needs to see itself as an agent of justice. This book explores how this organization should be reformed in light of the proposals it makes. In particular, the WTO needs to endorse a human-rights and development-oriented mandate. Overall, this book hopes to make a theoretical contribution to the creation of an exploitation-free world.

*A Moral Reckoning of the Law of Nations*  
Cambridge University Press  
Global Justice: The Basics is a straightforward and engaging introduction to the theoretical study and practice of global justice. It examines the key political themes and philosophical debates at the heart of the subject, providing a clear outline of the field and exploring: the history of its development the current state of play its ongoing interdisciplinary development. Using case studies from around the world which illustrate the importance of the debates at the heart of global justice, as well as activist campaigns for global justice, the book examines a wide range of theoretical debates from thinkers worldwide, making it ideal for those seeking a balanced introduction to global justice.

**The State and Cosmopolitan Responsibilities** Oxford University Press, USA

Debates about global justice have traditionally fallen into two camps. Statists believe that principles of justice can only be held among those who share a state. Those who fall outside this realm are merely owed charity. Cosmopolitans, on the other hand, believe that justice applies equally among all human beings. On Global Justice shifts the terms of this debate and shows how both views are unsatisfactory. Stressing humanity's collective ownership of the earth, Mathias Risse offers a new theory of global distributive justice--what he calls pluralist internationalism--where in different contexts, different principles of justice apply. Arguing that statists and cosmopolitans seek overarching answers to problems that vary too widely for one single justice relationship, Risse explores who should have how much of what we all need and care about, ranging from income and rights to spaces and resources of the earth. He acknowledges that especially demanding redistributive principles apply among those who share a country, but those who share a country also have obligations of justice to those who do not because of a universal humanity, common political and economic orders, and a linked global trading system. Risse's inquiries about ownership of the earth give insights into immigration, obligations to future generations, and obligations arising from climate change. He considers issues such as fairness in trade, responsibilities of the WTO, intellectual property rights, labor rights, whether there ought to be states at all, and global inequality, and he develops a new foundational theory of human rights.

*Global Justice, State Duties* Princeton

University Press

Argues that the poor have the right to resist causes of poverty, examining illegal immigration, social movements, and political violence.

*A Normative Framework* OUP Oxford  
Who ought to do what, and for whom, if global justice is to progress? In this collection of essays on justice beyond borders, Onora O'Neill criticises theoretical approaches that concentrate on rights, yet ignore both the obligations that must be met to realise those rights, and the capacities needed by those who shoulder these obligations. She notes that states are profoundly anti-cosmopolitan institutions, and that even those committed to justice and universal rights often lack the competence and the will to secure them, let alone to secure them beyond their borders. She argues for a wider conception of global justice, in which obligations may be held either by states or by competent non-state actors, and in which borders themselves must meet standards of justice. This rich and wide-ranging collection will appeal to a broad array of academic researchers and advanced students of political philosophy, political theory, international relations and philosophy of law.

**Global Justice** Oxford University Press  
Suggests that a cosmopolitan theory of political obligations involves extending these obligations beyond our own borders.  
*Global Justice: The Basics* BRILL  
Presents innovative perspectives on the moral and legal obligations of individuals and institutions toward workers in the global era.

**A Cosmopolitan Account** OUP Oxford  
In a world full of armed conflict and human misery, global justice remains one of the most compelling missions of our time. Understanding the promises and limitations of global justice demands a careful appreciation of international law, the web of binding norms and institutions that help govern the behaviour of states and other global actors. This book provides a new interdisciplinary approach to global justice, one that integrates the work and insights of international law and contemporary ethics. It asks whether the core norms of international law are just, appraising them according to a standard of global justice derived from the fundamental values of peace and the protection of human rights. Through a combination of a careful explanation of the legal norms and philosophical argument, Ratner concludes that many international law norms meet such a standard of justice, even as distinct areas of injustice remain within the law and the verdict is still out on

others. Among the subjects covered in the book are the rules on the use of force, self-determination, sovereign equality, the decision making procedures of key international organizations, the territorial scope of human rights obligations (including humanitarian intervention), and key areas of international economic law. Ultimately, the book shows how an understanding of international law's moral foundations will enrich the global justice debate, while exposing the ethical consequences of different rules.

*Global Justice, State Duties*  
The Extraterritorial Scope of Economic, Social, and Cultural Rights in International Law  
This book shows how globalization shrinks distance, thereby expanding international obligations to aid the poor and make free trade fair.

*Cosmopolitan Justice* SAGE Publications

Global justice is an exciting area of refreshing, innovative new ideas for a changing world facing significant challenges. Not only does work in this area often force us to rethink about ethics and political philosophy more generally, but its insights contain seeds of hope for addressing some of the greatest global problems facing humanity today. The Oxford Handbook of Global Justice has been selective in bringing together some of the most pressing topics and issues in global justice as understood by the leading voices from both established and rising stars across twenty-five new chapters. This Handbook explores severe poverty, climate change, egalitarianism, global citizenship, human rights, immigration, territorial rights, and much more.

*A Philosophical Exploration* Routledge  
Previously published as a special issue of the Critical Review of Social and Political Philosophy, this collection brings together some of the most influential political contemporary philosophers to present a critical review of David Miller's co-national priority thesis and give a state-of-the-art overview of the prevailing positions on nationalism and global justice within political philosophy today. The redistribution schemes of our democratic societies drastically prioritize the needs of co-nationals above those of other human beings. Is this common practice legitimate or is it a form of collective egoism? Answering this question brings us to the heart of two of the most significant debates in contemporary political philosophy: those on nationalism and global justice. Within contemporary political philosophy, Miller is one of the few political theorists who occupies a prominent place in both debates. His central argument is that national

boundaries cannot be upheld at the cost of the basic rights of others, but that they do have ethical significance and therefore entitle us to prioritize the preferences of our co-nationals. This volume will be of interest to students and scholars studying philosophy, politics, international relations and law.

*Comparative, International, and Global Justice* Routledge

From Global Poverty to Global Equality provides a philosophical exploration of some of the central questions in the flourishing debate on global justice: Do we have a duty to help eradicate global poverty? Do we also have a duty to pursue global equality? What makes such demands morally justifiable?

*Climate Justice Beyond the State* Taylor & Francis

This book offers a moral argument for world government, claiming that not only do we have strong obligations to people elsewhere, but that accountable integration among nation-states will help ensure all persons can lead a decent life. *Theoretical and Empirical Perspectives* Routledge

"This thesis is divided into three chapters. In the first I consider the conceptual distinction between duties of humanity and duties of justice. In the second I show how a rights claim is characterised by major theorists in the global justice debate and state why it is a mistake to generate rights based arguments to be relieved from poverty when no one is causally responsible for this. In the third chapter I revisit the conceptual distinction between duties of humanity and duties of justice and argue why we can only have a duty of humanity in cases where no one whether it be governments, institutions, individuals, nations or states are responsible for individuals being in global poverty. This thesis argues that although there are many wrongs that occur within a particular territory and across national boundaries this does not imply that all are unjust or that they are always the fault of other human beings. It could be that merely being in a state of poverty is morally wrong or unfair but not that all instances are a result of injustice. Many accounts of global justice assume there is a moral duty to eradicate poverty and that failing to do so is an account of injustice. Providing a conceptual framework for establishing duties of humanity from duties of justice is important for determining when one set of duties has priority over the other given a particular domain"--Abstract.

*Political Membership and Global Justice* Cambridge University Press

This book provides an innovative contribution to the study of the Responsibility to Protect and Kantian political theory. The Responsibility to Protect (R2P) doctrine has been heralded as the new international security norm to ensure the protection of peoples against genocide, ethnic cleansing, war crimes and crimes against humanity. Yet, for all of the discussion, endorsements and reaffirmations of this new norm, R2P continues to come under fire for its failures, particularly, and most recently, in the case of Syria. This book argues that a duty to protect is best considered a Kantian provisional duty of justice. The international system ought to be considered a state of nature, where legal institutions are either weak or absent, and so duties of justice in such a condition cannot be considered peremptory. This book suggests that by understanding the duty's provisional status, we understand the necessity of creating the requisite executive, legislative and judicial authorities. Furthermore, the book provides three innovative contributions to the literature, study and practice of R2P and Kantian political theory: it provides detailed theoretical analysis of R2P; it addresses the research gap that exists with Kant's account of justice in states of nature; and it presents a more comprehensive understanding of the metaphysics of justice as well as R2P. This book will be of much interest to students of the Responsibility to Protect, humanitarian intervention, global ethics, international law, security studies and international relations (IR) in general.

#### **Global Justice and Climate**

**Governance** Cambridge University Press

This thesis is the first step in a research project which aims to develop an accurate and robust theory of global justice. The thesis concerns the content of our duties of global justice, under strict compliance theory. It begins by discussing the basic framework of my theory of global justice, which consists in two aspects: duties of minimal wellbeing, which are universal, and duties of fairness and equality, which are associative and not universal. With that in place, it briefly discusses the nature of duties of fairness and equality. I shall argue that they are associative, because they are derived from the form of cooperation at hand; and that there are three kinds of them in our contemporary world: states, local cooperation and trans-state cooperation. It is from their forms of cooperation that these duties are derived. After that, the thesis focuses exclusively on duties of minimal wellbeing. Against the usual account of these duties - the

human-flourishing account - I argue for my human-life account. This account argues that the function of these duties is to secure a human life for individuals; and it begins with a Razian conception of wellbeing, which states that the wellbeing of an individual is fundamentally constituted by: (a) the satisfaction of his biological needs, and (b) his success in whole-heartedly pursuing socially defined and determined goals and activities which are in fact valuable. An account of what constitutes a human life is then derived from this conception of wellbeing? it is a life that consists in having a level of wellbeing that is higher than the satisfaction of biological needs, where this is constituted by the pursuit of goals and activities with a sense of what is worth doing; and this in turn consists in: (a) being able to form ideas of what is worth doing, (b) being able to revise them in light of further reasons, and (c) being able to coordinate one's actions according to them. I then determine the specific objects of duties of minimal wellbeing (means for the satisfaction of biological needs, education, physical security, freedom of belief, association and expression, freedom of non-harmful conduct, and minimal resources), by determining what is involved in securing such a human life for individuals.

#### **Between Cosmopolitan Ideals and State Sovereignty** Routledge

The scope of climate justice -- The grounds of climate justice -- The demands of climate justice -- Bridging theory and practice -- Assessing multilateral climate governance -- Assessing transnational climate governance.

*Global Justice and International Affairs* Cambridge University Press

*Between Cosmopolitan Ideals and State Sovereignty* explores how philosophers and political theorists have recast principles of justice and human rights in the light of challenges posed by globalization. It discusses ethical issues that arise at a global level and considers whether human rights and sovereignty can ever be reconciled.

*Challenging Territoriality in Human Rights Law* Walter de Gruyter

The book is an argument about the moral foundations of foreign policy. It argues that the traditional idea of liberal equality can be interpreted so as to give moral guidance to policy leaders in understanding what they ought to seek internationally.

*Global Justice and Bioethics* Cambridge University Press

Though the revised edition of *A Theory of Justice*, published in 1999, is the definitive

statement of Rawls's view, so much of the  
extensive literature on Rawls's theory

refers to the first edition. This reissue  
makes the first edition once again

available for scholars and serious students  
of Rawls's work.

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