

INDEX

Causation, 14

Ability, 101 Adaptation, 326 Africa, 139 Agency, 50, 82-85; secondary, 274 Agreement, 89, 100 Alcohol use, 332 Alexander the Great, 99 Altman, Andrew, 280-308 "Amy's Pup-in-the Tub," 5 Andersson, Anna-Karin, 114 Anscombe, G. E. M., 48 Aphrodite, 324 Aquinas, 243 Arendt, Hannah, 301, 304 Aristotle, 326 Arnold, Denis, 164 "Associated living," 330 Associations, 88 Assurance, 39 Atlantic Ocean, 93 Atrocity: mass, 299; Nazi, 306-7 Augustine, 325 Austin, John, 36, 39 Austria, 329 Authenticity, 20 Authority, 29, 34, 65, 328, 330; of law, 39 Autonomy, 17-20, 53, 75, 90, 240, 315, 320; and political liberties, 3 Autonomy Argument, the, 17 Axelworthy, Lloyd, 302

Background injustice, 155, 171–72
Barbie, Klaus, 302
Bargh, John, 255
Barry's Argument, 208
Bentham, Jeremy, 46
Bias, 23
Book of the Dead, 322
Bowie, Norman, 164
Brennan, Jason, 1–27
Brentano, Franz, 85
Bureaucracy, and education, 334

Calvinists, 274
Cameos, 325
Campaign, 15
Capital, 191
Capitalism, 63, 148, 158
Caplan, Bryan, 22–23
Cartesian dualism, 244

Central government, 333 Cepalism, 139 Cervantes, 325 Chaucer, 325 Chalk, Frank, 294 Change: agent as source of, 82-83 Charity, 76 Charter of the International Military Tribunal (1945), 282 Charter of the United Nations, 280 Child support, 115 Children: transfer of as a feature of genocide, 297-98 China, 149 Christiano, Thomas, 12, 16 Christopher Heath Wellman, 213-32 Citizens, 65; deliberative, 24; participatory, Citizenship: and political liberties, 9 Civic Humanist Argument, the, 4-5 Civil law, 316 Civil liberties, 2-3 Classical liberalism, 50, 57 Clemenceau, Georges, 235 Closed society, 28 Coercion, 32, 36, 64-65, 161, 175, 313, 315, 320; alternatives to, 41-42; and state power, 28-31; as secondary to authority, 40 Cohen, G. A., 101, 180-82, 243 Cohen, Joshua, 57 Commands, 36-37 Common Agricultural Policy, 133 Compensation, 101 Competition, 136, 327 Compliance: with law, 38 Confirmation bias, 22 Conflict, 30 Conscious will, 254 Consciousness, 241 Consent, 52, 89, 161, 309-311, 313-316, 318 Constitutive value: and political liberties, Consumers, 133 Contracts, 309 Convention on the Prevention and Punish-

ment of the Crime of Genocide, 286,

293, 297, 300

Cooperation, 31

Conversion of property, 117

337



338 INDEX

Crimes against humanity, 280–81; as international criminal law, 282; as wrongs against humankind, 305; definition of, 301; legal concept versus moral concept of, 302; value of moral concept of, 308; versus war crimes, 284
Criminal law, 290, 309, 316
Criminal liability, 291
Criminalization, 309, 310, 313
Cronkite, Walter, 23
Cultural diversity, 297, 334
Cultural genocide, 297
Curricula, 15, 332; and egalitarianism, 329
Cynicism, 26

Dagger, Richard, 20 Danner, Allison, 303-4 Dante, 325 Darwin, Charles, 325, 327 Dautricourt, Joseph, 288 Dead, the, as sources of knowledge, 322-25 Decision-making: democratic, 18; economic, 70 Declaration on the Permanent Sovereignty of Natural Resources, 143 Deliberation: and citizens' capacities, 65 Deliberative democracy, 1, 52 Democracy, 13; and education, 327, 330; and political liberties, 3 Democrats, 22, 24 Dennett, Daniel, 85, 260 Desert, 234 Determinism, 276 Developing countries: and effects of protectionism, 133-35 Dewey, John, 324, 326-31, 333-34 Dictator-Thief Thesis, 140-41

Discrimination: and genocide, 298
Distribution, 183
Distributive justice, 52, 97–98, 101, 134; and coercion, 31
Dogma, 330

Domination: and political liberties, 12 Dominican Republic, 163 Donation, 15

Difference principle, 182, 185-88

Drug abuse, 332 Due process of law, 291 Duty: and law, 37 Dwarf-tossing, 317–19, 321 Dworkin, Gerald, 309–21 Dworkin, Ronald, 30

Eastern Europe, 297 Economic exceptionalism, 72–73 Economic liberties, 3, 50–51, 53, 57; and flourishing, 5; and freedom, 70 Education, 322–25; and bureaucracy, 333; and evolution 325–27; and multiculturalism, 329; and opportunity, 334; and paternalism, 332; and political liberties, 3; as grounds for parental rights, 111; as preparation for work, 331; as preparation for participation in the political process, 328

Education Argument, the, 20
Efficiency: economic, 183
Egalitarian proviso, 100
Egalitarianism, 193, 221; and education, 334
Egypt, 149

Eichmann, Adolph, 301; trial, 302

Eliminativism, 258 Eliot, T.S., 322

Elitism, 332; economic, 78

Emotionality, 239 England, 331, 333

Epiphenomenal will, 265 Epstein, Richard, 51, 57

Equality, 82, 181; of moral status, 7

Equality, 82, 181; of moral states Euthanasia, 316, 319
Evans, Gareth, 289
Evolution, 326–27, 334–35
Evaportionalisms, 50, 60

Exceptionalism, 59-60

Exchange: legitimate *versus* exploitative, 177–78

177-78 Explanation, 83 Exploitation, 154-79, 312, 313 Export subsidy, 150 Expression Argument, the, 25-26

Extinction, 326

Fairness, 183, 312 Feinberg, Joel, 309-11, 313-14, 318-19 "Feinberg premise," 319-20 Feminism, 73

Fenrick, Williams, 289 Filmer, Sir Robert, 110–11 Final causes, 326

Finkielkraut, Alain, 302 Flourishing: and political liberties, 3-5

Folk psychology, 234 Force, 30, 102. See also, coercion.

France, 331 Frankfurt, Harry, 86 Free trade, 126, 130 Free will 242 Freedom, 312; of occupation, 67–68

Freeman, Samuel, 57, 77

French Court of Cassation, 302 Freud, Sigmund, 274

Frulli, Micaela, 289

Functional magnetic resonance imaging, 24

Gaitra, Raymond, 302 Gap, the, 164-65



INDEX 339

Gauss, Gerald, 52 Genocide, 280-81; as a crime of attempt, 295-96; as a criminal act, 299; as an act of discrimination, 298, 308; contextual element of, 287; moral definition of, 286; legal definition of, 290-91; versus crime against humanity, 288-89 German cannibal case, 317 Germany, 83, 284, 329, 331 Gerson, Lloyd P., 81-105 Gladiators, 313-15, 319 Global justice, 138-39 Global warming, 333 Globalization, 162 Goethe, 325 Good life, the, 5 Government, 10, 13-14; and political liberties, 3 Grading, 327 Great Britain, 282 Green, T. H., 57 Greene, Josh, 243 Grievance, 310, 318 Grotius, 114 Groups: as agents, 83-84; as victims, 300; as victims of genocide, 296

Hague Convention (1907), 284 Haidt, Jonathan, 21-22 Haiti, 163 Harm, 295, 310, 311; and exploitation, 156; definition of, 136; to humankind, 306 Harm to others principle, 309-314, 316 Harmless wrongdoing, 313, 320 Hart, H. L. A., 37, 39 Hayek, F. A., 50, 51, 57 Hecht v. Superior Court, 119 Hemingway, Ernest, 322 High liberalism, 50, 57-58 History, as a source of knowledge, 324 Hobbes, Thomas, 28, 39, 46, 274 Hohfeld, Wesley, 53 Holmgren, Margaret, 73 Holocaust, the, 281, 290, 301-2 Homer, 322, 325 Honduras, 163 Honoré, A. M., 55, 107-8 Horace, 325 Hubin, Donald C., 106-25 Human nature, 81 Human rights, 218, 280 Humanity: as a victim, 302-4, 306 Humankind: nature of, 305 Hume, David, 60 Hurt, 311-12

Ideal law, 294; and genocide, 291 Identity, 69

Immigration, 129 Imperialist Thesis, 140-41 Incentives, 42, 309 India, 149 Individuals: as victims of genocide versus groups, 298 Indoctrination, 329 Inequality, 333 Injury, 314 Injustice, 312 Innocent threat, 320 Institutions: and state power, 30 Intelligentsia, 329 Intent: as a requirement of genocide, 292, 299-300 Interests: in reproduction, 121-23, 311-12 International affairs: principles of, 214-15 International crime, 300 International Criminal Court, 285, 287 International criminal law, 280-81 307 International Criminal Tribunal for Yugoslavia, 302 International justice, 223 International Law Commission, 284 International Monetary Fund, 147 International trade, 140, benefits of, 127-32 Intrinsic value, and liberal education, 330 Inverse Education Argument, 25 Italy, 83

Jackson, Robert, 282
Jaspers, Karl, 301
Jones, Adam, 302
Joyce, James, 322
Jurisdiction problem: and genocide, 300
Just savings principle, 192
Just states: and coercion, 32
Justice, 81–82, 126, 180–90, 192–212; and deprivation of liberty, 2–3; basic structure of, 219; intergenerational versus intragenerational, 191
Justice Argument, the, 3–4
Justification: political, 51

Kant, Immanuel, 47, 75, 166, 318; and respect for persons, 157 Kevorkian, Jack, 317 King Henry VIII, 9 Knowledge, 330 Kress, Claus, 288 Kristol, Irving, 313 Kuhn, Thomas, 327 Kymlicka, Will, 57

Labor: freedom of, 56 Labor decisions, 196 Labor theory of value, 88 Land: seizure of, 170



340 INDEX

Landes, David, 148 Larmore, Charles, 31 Latin America, 139 Lauterpacht, Hersch, 282 Law, 34, 36-37 Legal moralism, 309, 312-13, 318 Legal positivism, 307-8 Legitimacy, 29, 47; and coercion, 64-65; political, 30 Leipzig, 283 Leisure time, 183 Lemkin, Raphael, 286, 296-97, 304 Levine, Andrew, 32 Liability, 174 Liberal democracy, 214, 331 Liberal education, 329, 333 Libertarianism, 29, 50, 58-59 Liberties, 53, 315, 321; basic, 67; political, 63; restrictions on, 46 Liberty-limiting principles, 310, 313 Libet, Benjamin, 251 Lifetime Channel, 16 Locke, John, 64, 75-76, 84, 114; and human generation, 112-13; on ownership, 99; theory of acquisition, 98 Lockean proviso, 100 London Charter, 282-84

Mack, Eric, 57 Macleod, Christopher, 304-5 Majority, political, 16 Market democracy, 50-51; and economic liberty, 59; and injustice, 78; and Kant, 76; and tax-funded social safety net programs, 77 Martens Clause, 282 Marxism, 32, 88, 158-59, 221 Mass murder, 297-99 Mass violence, 294 Maximin decision rule, 190, 193 Maximizing principle, 193 May, Larry, 302, 304 Mercantilism, 129-30 Meyers, Christopher, 169 Middle Ages, 237 Mill, J. S., 20–21, 42, 57, 92, 136, 315–16, 310, 332, 335; and economic liberty, 58 Milton, John, 325 "Minimal liberalism," 311 Minimum wage, 74 Minorities, political, 17 "Moderate liberalism," 311, 315 Monopolies, 138; of force, 48-49 Monty Python, 115 Moore, Michael S., 233-80 Moral agency, 88, 92; as a natural kind, 89, 104; mutual recognition of, 100 Moral character, 312

Moral paternalism, 312, 318 Moral responsibility, 101 Morris, Christopher W., 28-49 Morse, Stephen, 243 Multinational enterprises, 155, 162-63 Murphy, Liam, 60-62 Murray, Charles, 70-71 Musgrave, Richard, 195 Mussolini, 324 Mutz, Diana, 24

Nagel, Thomas, 29, 31, 48, 57, 60-62 Narveson, Jan, 57 Nation building, 331 Nation-states, 7 National Curriculum (in England), 332-33 NATO, 305 Natural law, 308 Natural rights, 81 Nazi Germany, 40, 280 Nazis, 282, 284, 296-97, 302-3, 306-7 Needs, 163 Nersessian, David, 295, 303-4 Neuroscience, 242-79 Newman, Blessed John Henry, 329-33 Nicaragua, 163 Nickel, James, 53-54 Non-harmful wrongs, 311 Non-wrongful harms, 311 Norms, 43 Nozick, Robert, 18-19, 29, 31, 51, 57, 112, 123, 183, 202; and self-ownership, 113 Nuremburg trials, 282, 284, 306 Nussbaum, Martha, 57

O'Hear, Anthony, 322-35 Obesity, 332 Objects: as property, 109 Obligation, 37 Odyssey, 322 Offense principle, 309-10, 313-14 Okin, Susan Moller, 113, 123 Original Position, 214-15 Osysseus, 325 Otsuka, Michael, 100-1, Outcomes Argument, the, 10-13 Ovid, 325 Ownership, 54-57, 82, 90, 106; and selfauthorship, 69; collective, 96; full liberal, 107-8; group, 104; of children, 115; of personal property, 68-69; of sperm, 117-18,123-25; rights of, 76; state, 103

Pain, 311, 312 Pareto efficiency, 184, 194 Parfit, Derek, 202 Paris Peace Conference, 283



INDEX 341

Rand, Ayn, 50

Rational irrationality, 23

Rational reconstruction, 180-81

Participation: political, 14 Participatory democracy, 328 Paternalism, 310, 315, 320 Paternity, 116 Patriarchy, 11 Pauper-Labor Argument, 143-44 Pedophilia, 333 Peoples, 214-16 Perfectionism, 198 Person: political conception of, 84, 200 Persuasion, 34 Pets. 89 Phillips v. Irons, 117-18, 122 Physician-assisted suicide, 316-17 Pinker, Steven, 235 Plato, 325, 334 Pogge, Thomas, 147-49, 216 Political community: humanity as, 304 Political legitimacy, 66 Political liberties: and autonomy, 17; and enlightenment, 20; communicative function of, 26; value of, 1-19 Political office: value of right to run for, 11 - 12Political participation: as an impediment to enlightenment, 21-22 Political power, 8; and moral status, 7; of individual citizens, 16 Polyphemus (the Cyclops), 323 Poor, the, 105; and competition, 152-53; and free trade, 131; and injustice, 126-27 Possession, 94 Posthumous reproduction, 119, 124 Pound, Ezra, 322, 324 Poverty, 76, 147, 163 Powell, Benjamin, 163 Powers, 37, 53 Practical rationality, 239 "Principle of effectiveness," 141-42 Progressivism, and education, 334-35 Prohibition of alcohol, 43 Propaganda, 334 Property, 58, 93-96, 107; as a legal convention, 60; personal, 54; rights of, 59 Property paradigm, the, 106, 109-10; and reproductive issues, 110-15 Property-owning democracy, 183 Protectionism, 126, 170; and injustice, 133 Prussia, 331 Ptolemy, 326 Public opinion, 334 Public policy: and ownership, 106 Public property, 103 Public spending, 328 Pufendorf, 114

Rationality, 38 Ratner, Steven, 288 Rawls, John, 28-29, 36, 50-51, 57, 73, 213-32; against thick conception of economic liberty, 62; and self-respect, 74; on economic liberties, 58-60; proponent of the Status Argument, 6 Raz, Joseph, 43 Read, Leonard, 51 Reasons for action, 43 Reciprocity, 185, 190, 202, 206 Redistribution, 220 Reductionism, 245 Religion, and education, 331 Republicans, 22, 24 Respect: and exploitation, 157; and political liberties, 6; for others as selfauthors, 66 Responsibility, 160, 172-73; and personhood, 84 Rights, 7, 53, 81, 104-5, 311, 318, 320; and international trade, 144-46; and legitimacy, 66-67; as claims, 55; inalienable, 315-19; of property, 121; parental, 106, 110-11, 114; to run for office and vote, 8-27 Ripstein, Arthur, 47, 310, 316, 319 Rissee, Mathias, 143-44 Roemer, John, 171 Rome Statute, 287 Rousseau, Jean-Jacques, 333 Rule of law, 290 Rules, 37, 65 Russell, Bertrand, 293 Russia, 149 Rwanda, 300, 303 Rwandan genocide, 285 Sample, Ruth, 159-60, 171 Samuel Freeman, 78 Sanctions, 36, 38 Scale: of violence, and genocide, 292 Second-order desires, 86 Security, 69 Self-authorship, 65 Self-consciousness, 85 Self-ownership, 76, 90-92, 102 Self-respect, 6, 73, 195 Sellars, Wilfred, 321 Shakespeare, 325

Single system, of education, 332

Single-parenting, 124

Skarbek, David, 163 Slavery, 89, 315-16

Slye, Ronald, 289

Smith, Adam, 57

Racine, 325

Punishment, 290, 308



342 INDEX

Smith, Kellie, 117 Smoking, 332 Snyder, Jeremy, 167-69, 172-73 Social construction, 8, 15; and political liberties, 3; of basic rights, 61 Social Construction Argument, the, 13-16 Social democracy, 70-71 Social engineering, 331 Social justice, 50 Social mobility, 331 Social pressure, 22 Social respect, 6 Social Security taxes, 46 Social status: and political liberties, 3 Socialism, 55, 63, 142 Sokolowski, Robert, 85 Sovereignty, 35-36 Sovereignty principle, 310, 316 Soviet Union, 40, 282 Specialization, 327 Species, 326 Sperm: as a gift, 117-18; evidentiary value regarding crime, 115; forensic use, 116 Spontaneous order, 50-51 Stagnation: in developing world, 148 Stalin, 294 State: as an agent, 102; concept of, 32-33; justification of, 31; unjust, 40-41 State education, 331 State of nature, 62 Status Argument, the, 6-7 Statute of the International Criminal Court, 282 Steinbock, Bonnie, 119-21 Structural exploitation, 158-59 Structural injustice, 159-61 Surplus, 129 Sweatshop: definition of, 161-92 Sweatshops, 154

Talent: distribution of, 207 "Tale of the Slave," 18-19 Taxes, 42, 56, 60, 309 Technology, 326 Teenage pregnancy, 333 Territoriality, 34 Tesón, Fernando R., 126-53, 218 Thatcher, Margaret, 333 Third Reich, 281, 283, 303, 307, 329 Threats, 37 Tocqueville, Alexis de, 20-21 Tomasi, John, 5, 50-80 Torts, 309 Trade barriers, 126; harms of, 129-30 Tragedy, Greek, 325 Transactional exploitation, 158 Transfer, voluntary: of sperm, 118 Tripartite soul, 238

Turkish massacres of Armenians, 283, 290–91, 296 Tyrrell, James, 111–12

UN General Assembly, 286 Unfairness, 178–79, 313 Unions: suppression of, 169–70 United Nations, 284, 305 United Nations Economic Commission for Latin America and the Carribean, 139 United States, 116, 162, 282, 305 Universal Declaration of Human Rights, 280 Utility: of individual vote, 11–12

Value, 312; subjective, 2 Victims: of genocide, 296 Vietnam War: and genocide, 293 Violence, organized, 299 Virgil, 325 Vladman, Mikhail, 171 Volenti Principle, 309, 312, 315–17 Voluntariness, 88, 92, 315; and exploitation, 156 Voluntary slavery, 319 Voting: instrumental value of, 10

Waldron, Jeremy, 72, 109 Wales, 333 Wall, Steven, 180-212 Wallis, Peter, 117 Walzer, Michael, 16 War-nexus requirement, 284, 287 Wealth, 127, 196 Weber, Max, 32-34 Wegner, Daniel, 254 Welfare-state capitalism, 183 Wenar, Leif, 142-53 Wertheimer, Alan, 158, 166, 171 Westen, Drew, 23 Wolff, Jonathan, 32 Worker safety, 163 Working, 54 World Bank, 147 World Trade Organization, 146 World War I, 283, 322 World War II, 288, 300, 303, 307 Wrongful conduct, 310-14; and exploitation, 157; and genocide, 291, 298 Wrongful harm, 307

Wages, 163

Yankee Stadium, 313 Young, Iris Marion, 172 Yugoslavia, 285, 300, 303

Zwolinski, Matt, 154-79