



The Heart of Human Rights

By Allen Buchanan

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This is the first attempt to provide an in-depth moral assessment of the heart of the modern human rights enterprise: the system of international legal human rights. It is international human rights law--not any philosophical theory of moral human rights or any "folk" conception of moral human rights--that serves as the lingua franca of modern human rights practice. Yet contemporary philosophers have had little to say about international legal human rights. They have tended to assume, rather than to argue, that international legal human rights, if morally justified, must mirror or at least help realize moral human rights. But this assumption is mistaken. International legal human rights, like many other legal rights, can be justified by several different types of moral considerations, of which the need to realize a corresponding moral right is only one.

Further, this volume shows that some of the most important international legal human rights cannot be adequately justified by appeal to corresponding moral human rights. The problem is that the content of these international legal human rights--the full set of correlative duties--is much broader than can be justified by appealing to the morally important interests of any individual. In addition, it is necessary to examine the legitimacy of the institutions that create, interpret, and implement international human rights law and to defend the claim that international human rights law should "trump" the domestic law of even the most admirable constitutional democracies.

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Editorial Review

Review

"Buchanan's *The Heart of Human Rights* is a valuable contribution, moving beyond the debate between the political and the orthodox conception and inviting philosophers to engage with the task of justifying human rights law. We should accept his invitation, his book is as an essential reference in the philosophy of human rights law." --Notre Dame Philosophical Reviews

"Allen Buchanan's book is an impressive addition to the contemporary philosophical discussions about human rights...The most significant philosophical contribution that Buchanan makes is undoubtedly his dismissal of the "orthodox" philosophical accounts of human rights. Buchanan powerfully forces philosophers of human rights, especially those who hold the orthodox view, to confront the problem of institutional justification." -- ID: *International Dialogue, A Multidisciplinary Journal of World Affairs*

.."it makes an indispensable contribution to human rights theory...Buchanan both broadens our understanding of the international human rights regime by considering what other interests and values it serves beyond this core of moral human rights, and provides a promising normative account of the legal norms and institutions of this system." -- *Philosophy in Review*

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About the Author

Allen Buchanan is the author of eleven books and over one hundred-fifty articles. His work is mainly in Political Philosophy, Philosophy of International Law, and Bioethics. He currently divides his time between Duke University, King's College London Dickson Poon School of Law, and the University of Arizona.

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