intervention. Political expediency is, of course, the age-old nemesis of ethical (and legal) considerations. Nevertheless, these chapters serve the purpose of illustrating just how difficult it is, after the complex ethical and legal arguments have been put forth, to devise workable political solutions.

Ongoing violence and disregard for human rights in countries such as Liberia and the Democratic Republic of Congo ought to keep humanitarian intervention on the agenda at the United Nations and among the global powers. Farer suggests that an ineffective humanitarian interventions regime is partly responsible for the environment that has encouraged the spectacular emergence of various terrorist organizations, and that the US is now certain to take (unilateral) military action to protect its own interests. Therefore we need a ‘new scheme of international cooperation’ that can transcend the interests of ‘parochial, narrowly compassionate figures who predominate in the councils of the leading states’ (pp. 88-89). It remains to be seen whether new standards for humanitarian intervention will result from the reconfiguration of global power, and standards for interaction between states, emerging in the era following the September 11, 2001 terrorist attacks in the US. Any ‘new world order’ will surely affect our understandings of, and rationales for, humanitarian intervention.

To this end, Humanitarian Intervention constitutes a valuable contribution to a pressing issue of our time. As any constructive and durable transformation of the current humanitarian interventions regime must stand on a solid ethical, legal and political ground, this book represents a basis from which to begin a thorough evaluation of when, and by what right, states intervene in the ‘internal’ affairs of each other.

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Second in the new Oxford Handbook series is this impressive collection edited by Jules Coleman and Scott Shapiro which contains 24 original contributions to the philosophy of law by authors such as John Finnis, Frances Kamm, John Gardner and Timothy Macklem, Brian Bix, Leslie Green, Gerald Postema and Kent Greenawalt. The purpose of this work, state Coleman and Shapiro, is not to add to the growing list of dictionaries, encyclopaedias and companions that presently saturate philosophical publishing, but to offer an overview of, and an addition to, scholarship on the philosophy of law. No attempt, however, is made to contribute to every major topic or school of thought within legal philosophy. There is no treatment, for example, of law and economics (a subject the editors believe has been extensively explored in recent writings), or of feminist legal theories, or of non-western philosophy of law. Despite these gaps, though, a notable range of issues and theories is addressed: authority, reasons, rights, methodology, adjudication, constitutional and statutory interpretation, inclusive and exclusive legal positivism, classical and
modern traditions of natural law theory, formalism, responsibility, language, and political obligation. Moreover, several chapters look at the philosophy of law as it applies to specific domains of law including tort law, common law, contract law, private law, criminal law, property law and international law. Each topic receives comprehensive treatment, as the editors granted authors both the space (15,000 words) and the freedom to present their ‘take’ on the relevant issues.

Constrained by space, I shall highlight only three articles from this volume. One well-argued and engaging piece is Gardner and Macklem’s ‘Reasons’, which teases out and neutralizes various challenges to the view that reasons fall within the domain of facts. After reasserting the classical position that, as rational beings, we are beings in the world responding to the world and not to our construction of the world, Gardner and Macklem rebut some purported implications of their position. One such implication is that, given the importance of reasons, all actions must be taken by reasoning with the reasons for those actions. To this, these authors reply that deliberating about what to do, an activity in itself, is not always the best way to achieve what the reasons that figure in one’s deliberations would have one do. Some values are better served when one acts spontaneously than when one acts deliberately. In this article, Gardner and Macklem also consider the relationship between fact and value, the distinction between a justification (a reason to act) and an excuse (a reason to believe there is a reason to act), and the ways in which reasons can be incommensurable.

Despite the merits of this article as a contribution to the ongoing debate about reasons, one might question its relevance for a handbook on jurisprudence and philosophy of law since, excluding a brief discussion of the distinction in criminal law between a denial of wrongdoing and an assertion of justification, little is said to explicate the place of reasons in law. Gardner and Macklem justify their limited treatment of legal reasoning on the grounds that ‘there is no special legal mode of rationality… Legal thought and action is subject to the same fundamental doctrines and principles of rationality as the rest of human life’ (p. 442). And yet, irrespective of this claim (which is not defended), more attention to reasons permitted by law, that is, legal justifications, perhaps is required to warrant inclusion of this article in this handbook.

Kamm’s ‘Rights’ offers a detailed analysis, first, of moral and legal aspects of rights; second, of possible grounds for rights; and finally, of conflicts that arise between rights and utilities and amongst rights themselves. Taking as her starting point Hohfeld’s conceptual scheme, which classifies rights as claim-rights (or directed duties), privileges, powers or immunities, Kamm challenges the nature of the correlation between duties and rights, maintaining that there is a sense in which rights can exist without anyone possessing the directed duties to which these rights give rise. Kamm then rebuts various theories of rights—the beneficiary theory, the choice theory and the interest theory—arguing in favour of a status-as-person theory according to which the importance of a right may outstrip any interest that it protects when that right is a response, not to what is good for a person, but to the good (worth or dignity) of that person. The worth of persons is implicated in the impermissibility of violating any one person, says Kamm. In expressing something true of all persons, this right of inviolability, although not absolute, surpasses the interests of any one person and thus offers a way of understanding and addressing conflicts between rights and great goods not protected by rights.