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Book Review: International Human Rights

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International Human Rights. 5th Edition. Jack Donnelly and Daniel Whelan. 2017. Boulder CO: Westview Press. ISBN-13: 9780813349480.

International Human Rights by Jack Donnelly and Daniel Whelan is holistic overview of human rights theory, institutions and law. The text is a well-developed summary that does not shy away from abstract concepts and advanced ideas. This allows the writers to do two things, convey the history of thought on the matter of rights, and to introduce the palpable tension within human rights concepts versus practice. Time is spent on democracy and human rights for example, where guarantees of freedom for all can understandably lead to violation of rights for some. This is important because these foundational concepts set the tone for the rest of the text.

In a similar vein the text lingers on the question of universality in human rights in Chapter 3. Rightly bringing up their relativistic nature, disparity of their understanding between different cultures and human rights reputation as a western concept. Donnelly and Whelan argue to the lattermost point, that at many times in history, it was not the European states that had the greatest conception of human rights, but the Eastern ones. They also simultaneously introduce Rawlsian thought, which separates fundamental philosophical perspectives from “political conceptions of justice.” These philosophical perspectives are what might differ from culture to culture, but through dialogue proponents may arrive at shared or overlapping conception of justice. In this manner the text makes effective use of historical examples and political thought to challenge misconceptions and encourage contemplation.

Particularly appreciated is the way that human rights are conceptualized in the text. Human Rights are fundamentally political and politicized in the current day. The authors keep this notion central to discussion, paying deference to the subtitle of the book; Dilemmas in World Politics. From discussing the primacy-driven rift between Civil and Political Rights and Economic, Social and Cultural Rights to the prioritization and instrumentalization of human rights in foreign policy to the ability of human rights organizations to affect political change, all comes to the fore in this text.

The organization and writing style are well suited for use in the classroom, particularly for graduate students or advanced undergraduate students. In parts of the text, the authors employ a conversational style of writing which invites discussion, coming across as very self-aware of the political and real-world challenges of human rights practice. In other parts they present a problem with the current regime, and then offer a solution, again encouraging the audience to develop its own ideas. Discussion questions at the end of chapters assist in this role as well.

One opportunity for improvement that the authors might consider is having a chapter on International Human Rights Law. In the current version of the book, the UN Treaty bodies are introduced as part of the chapter on human rights institutions, with the ICC being introduced in the same chapter. The ICJ is not mentioned, which although does not precisely deal with individual human rights but is regardless an international institution and part of the UN system. The regional human rights regimes; i.e. the European system and European Court of Human Rights are discussed in the next chapter. In addition, a separate chapter on humanitarian

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intervention, introduces the audience to wartime law, crimes punishable under international law and authority for intervention especially R2P.

The authors must have wanted to avoid overly technical canonical discussion, and that might be a reason why they chose to organize the text in this manner. However, I think the text would benefit if these somewhat disparately mentioned areas could be integrated into a unified chapter. And perhaps some international law cases could be included as well, to illustrate how international law functions and how it operationalizes human rights. Significant judgements such as that *Abu Zubaydah v. Lithuania* or *Government of South Africa v. Grootboom* could also help illustrate points which the authors make other places in the text.

Overall, I think the book is very accessible and a great read for students and practitioners. It makes the history of human rights exciting and simplifies concepts greatly.

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