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Global Justice or Global Revenge? International Criminal Justice at the Crossroads by Hans Köchler. New York: Springer, 2003.

In Global Justice or Global Revenge, Hans Köchler aims to analyze the project of international criminal justice from legal, philosophical, and political perspectives. Köchler is a co-founder and current President of the Vienna-based International Progress Organization. The book is largely based on his work for this organization, as the many references to the organization's reports attest to. The three parts of the book survey international criminal justice, the theory and practice of humanitarian interventions, and the potential role of the United Nations in fighting terrorism.

The main part of Köchler's book provides a broad overview of the developments of international criminal justice and universal jurisdiction interspersed with his own theoretical assessments. For Köchler, the practices of international politics with an emphasis on power are the prime obstacles to international criminal justice. Institutions of international criminal justice therefore need to be shielded from international power politics. Köchler would like to see an international equivalent to the domestic rule of law and separation of powers instead of the diagnosed dependence of international courts on political power.

Köchler's assessment of international criminal justice reveals a highly reductive understanding of international law and international politics: "power politics" are complex results of different actors' interests and identities. Moreover, the legitimacy of law on the domestic level cannot be secured by banishing politics from lawmaking. Instead, domestic criminal law needs the legitimacy that only a democratic political process can confer. Why should international criminal law be able to garner legitimacy without the backing of a democratic and therefore political process of lawmaking? Köchler seems to assume that law's legitimacy springs from its contents alone. In fact, he posits that human rights form the indisputable "basic norm" of international law.

Once human rights are presumed to be the Kelsenian "basic norm" of international law, state sovereignty and democratic processes are relegated to the status of second-order norms. But what are human rights precisely? Why should they always prevail over state sovereignty? How can human rights be reliably grounded in a pluralistic world without a democratic process? Would the primacy of human rights over state sovereignty entail a broad mandate for humanitarian intervention? Köchler does not address the theoretical questions that arise from his choice of declaring human rights the singular basic norm of international law.

Human rights have a complicated relationship to the practice of humanitarian intervention. The interventions of the 1990s that Köchler criticizes for their neo-colonial aspirations were largely based on the rhetoric of human rights and the alleged mandate to protect vulnerable populations in faraway countries from their repressive governments. A theory of international justice that is simultaneously critical of humanitarian interventions and favors human rights as the basic norm needs to provide grounds for adjudicating the reach of human rights norms when they conflict with assertions of state sovereignty. Köchler's book does not engage in a nuanced discussion of the limits of human rights as a basic norm of international law.

A further weakness of the volume arises from the asserted dichotomy between law and politics. Köchler reduces politics to "power politics," neglecting that democratic politics are needed for

making and implementing law. Law simply cannot do without political power, and it is no stranger to political conflicts. But whenever Köchler detects politics in international criminal law, he suspects that politics corrupts justice. For him, law's dependence on politics is a liability. As a consequence, Köchler is critical of practices of international criminal justice that are tied to political struggles. For example, he distinguishes genuine "victims of atrocities" from those who merely have "political grievances." To Köchler, the repeated attempts to bring Augusto Pinochet to trial appear as results of "political strife in Chile resulting from the coup d'état against the government of Salvador Allende" (97). This judgment illustrates that Köchler's strict division between law and politics is not only theoretically unsatisfactory but practically pernicious as it leads to an unwillingness to recognize that crimes against humanity committed with a political purpose are no less crimes against humanity. On the contrary, organized violence is usually connected to political projects and therefore needs to be understood as a political and legal phenomenon.

The strength of Köchler's book lies not in the promised "philosophical reflections on the principles of international legal order" but in its analysis of less well-known cases of international criminal justice. For example, Köchler uses his experience as an observer at the Hague trial of the Lockerbie bombing suspects for insights into the mechanisms and limits of international criminal justice. The book's strengths in presenting neglected cases and unorthodox viewpoints are at times outweighed by the predictable costs of this approach. Köchler's arguments have the habit of sidestepping rather than engaging with the established literature in the field. One would wish that uncommon arguments were accompanied by more discussion than merely references to Köchler's own prior writings.

Köchler rightly points out that we need a better understanding of the philosophical, legal, and political aspects of international criminal justice. Yet his own account is too rigid and insensitive to the mutual interdependence of international law and politics to provide a compelling critique and illuminate the next steps of the project of international criminal justice.

Global Justice or Global Revenge is a survey of international criminal justice with a theoretical argument. However, the lack of theoretical *nuance* renders this book an unsatisfactory addition for those who are more familiar with the broader literature on international criminal justice. Furthermore, its lack of attention to the debates in the field and its technical style make it a problematic choice as an introductory book.

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