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Edzia Carvalho on Human Rights in the Global Political Economy: Critical Processes. By Tony Evans. Boulder, CO: Lynne Rienner Publishers, 2011. 232pp.

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Abstract

A review of:

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Keywords

Human rights, Globalization, United States, Economy, Political economy, Ideology

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Human Rights in the Global Political Economy: Critical Processes. By Tony Evans. Boulder, CO: Lynne Rienner Publishers, 2011. 232pp.

The current international human rights regime is the outcome of a political project that was created by the victors of the Second World War and has succeeded in locking human rights in the discourse of states while limiting the dynamism of the wider human rights movement in responding to new challenges. Therefore, it is imperative that the unique characteristics and effects of the present wave of globalization be addressed not with criticisms from within the liberal ideological framework that is the foundation of the modern human rights regime, but with critiques from outside its bounds such as feminism, neo-Marxism and postmodernism. This argument is at the core of Tony Evans's latest book.

The chapters of *Human Rights in the Global Political Economy: Critical Processes* fall into four broad sections. Chapter Two expands the argument set out above. Subsequent chapters highlight the following: the "theoretical challenges" to human rights as understood today (Chapters Three and Four); critiques of state and inter-state institutions designed to protect these rights (Chapters Six and Seven); and critiques of the role of some non-state actors that affect the enjoyment of these rights (Chapters Five and Eight).

Evans begins by laying the groundwork for his main argument and justifying the ethos of the book with clarifications of what "this book is not about." He claims his work is not an apologist critique favoring a particular ideological framework and does not seek to "deal a death blow to the whole idea of human rights" (3). Instead, Evans makes a case for engaging with multiple critiques of the modern conception and practice of human rights. He advocates "investigating the ways in which the claims for truth are achieved, legitimated, and presented as the authoritative guide for action" (1).

The foundation of Evans's argument is that the post-WWII human rights regime was the creation of the United States, part and parcel of the American pursuit of hegemony – shorthand for American domination of the global economy. One of the ways the United States managed this was to create a liberal regime that guaranteed particular individual rights such as civil and political rights while excluding others, particularly economic and social rights. This regime allows criticism (from within the bounds of accepted norms) but not critique (that challenges its "foundational values") (18). Moreover, "the creation of law performs an effective act of 'closure'" (18) by reifying certain norms and preventing them from developing further. This results in a loss of dynamism of the human rights movement to respond to developing issues and new contexts. This restrictive conception and practice of human rights is unable to address effectively the unique set of problems brought on by the new form of economic globalization prevalent today. Therefore, Evans argues that it is necessary to heed critiques from outside the liberal mode of thought if human dignity and well-being are to be protected in these changing circumstances.

The subsequent chapters follow from this argument and represent the strengths of this volume—contextualized and comprehensive critiques and criticisms of the normative conception of human rights, and the institutions and actors that are involved in the protection of these rights. Some of

these challenges, such as the Asian values debates (Chapter Four) or the issue of state sovereignty and human rights law (Chapter Six) will be familiar to a wide readership. Other critiques, particularly those from the feminist, neo-Marxist, and post-modern schools (Chapter Three), and the links between human rights and Islam are significant but may be less well-known (Chapter Four). Finally, issues concerning the human rights obligations of corporate actors and international financial institutions, and the design and functioning of new international human rights institutions like the International Criminal Court and the Human Rights Council are of topical importance.

Chapter Eight, in particular, conceives of human rights as a field of struggle between conservative and radical interpretations of the concept, the former in support of globalization and the latter against its perceived detrimental effects. Expressions of this struggle and resistance by international non-governmental organizations (INGOs) are deemed legitimate insofar as they fall within the bounds of accepted methods and issues of dissent. These are matched by "conservative counter-resistance INGOs" that, in collaboration with the United Nations, construct and maintain the boundaries within which this opposition is managed (182-184). This critical conception of what has been termed "global civil society" is markedly different from the benign and largely positive popular perception held about its role, performance, and effectiveness in human rights protection.

Despite Evans's assertion that he does not give undue preference to any particular ideology, the discourse emanating from what may be termed a critical Marxist perspective is discernible within the pages of this volume and is especially prominent in Chapters Two and Eight. The intended audience of the book seems to be one that is familiar with the ideas and structure of the current human rights regime but has yet to encounter alternative perspectives on human rights. The critiques addressed would serve as a valuable introduction to the discerning reader. In the conclusion to the volume, Evans reiterates the notion of "human rights as process" rather than an outcome. It is a movement that should "[remain] young, vibrant and experimental," and this is dependent on "our ability to imagine new futures" (198, 201). Evans's book provides a summary of the current debates and problems in understanding human rights that might help spark this imagination.

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