

January 1995

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Recommended Citation

David Mazarella, Human Rights: A European Perspective, 23 Denv. J. Int'l L. & Pol'y 471 (1995)(book review).

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Human Rights: A European Perspective

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REVIEWED BY DAVID MAZZARELLA*

HUMAN RIGHTS: A EUROPEAN PERSPECTIVE; Edited by Liz Heffernan; Round Hall Press, Dublin, Ireland (1993); (\$35.00); ISBN 1-85800-023-8; 356 pp. (pbk).

During this fiftieth anniversary of the United Nations, it is important that we celebrate the great advances in international human rights law that the United Nations has directly created and indirectly inspired. This is particularly important now since there is less resolve to strengthen international institutions. Lest we forget that it took two world wars and two and half decades to develop the current international legal regime. Although gains on the global level may be slowing, perhaps the best hope for progress in the near future is on the regional level. The best and most successful model for regional human rights regimes is the system created by the European Convention for the Protection of Human Rights and Fundamental Freedoms.

"The European Convention on Human Rights shows how far a group of like-minded States, sharing a common culture, can go in building on and developing the basic rights of the Universal Declaration . . ." (at 17). This is the model system for all regional human rights regimes to aspire to. The right of individual petition makes the Convention more than a set of goals for member states to work toward; it makes the Convention's catalogue of rights an enforceable guarantee for the individuals of the nearly 30 states that are members.

Despite the Convention's success and preeminence, human rights in Europe derive from several legal sources, such as the European Union, the Conference on Security and Cooperation in Europe, the constitutional traditions of each state, and of course, the United Nations. It is in light of these overlapping human rights regimes that Liz Heffernan has assembled a collection of essays entitled *Human Rights: A European Perspective*. Whereas most books in this field focus on one particular legal regime, this compilation offers the reader a broader perspective on the approach necessary to analyze practical human rights issues in Europe.

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The majority of the articles in *Human Rights* offer a summary on the law relating to a specific right, drawing from the most important source of law for that particular right. Thus, *Human Rights* is a good reference book for those who would like an overview of the law in Europe pertaining to specific rights. Nearly all of the most important civil and political rights are covered, including some of the most notable social and economic rights such as education and worker's rights. The collection also contains several articles on refugee law. There are even some surprises such as the rights of psychiatric detainees and the rights of children in intercountry adoption. In addition to the legal summaries of various rights, there is a selected bibliography at the end of each section for researchers.

Human Rights should be of interest to scholars working in the area of comparative human rights law. It offers a succinct and pragmatic view of human rights law in Europe. In addition, some of the articles in this collection are concerned with human rights under Irish national law, and international human rights from an Irish perspective.

Professors of international human rights law are likely to find material in this work suitable for their courses. The book has twenty-six relatively short articles on narrow topics which are ideal for use as supplementary material. Furthermore, some of the articles are not likely to cover standard course topics and would make a fine addition to courses on international human rights. For example, the articles on human rights law in the European Union would offer the student a more complete survey of human rights law in Europe.

The majority of the contributors to this compilation are from Ireland, and they comprise an impressive list of scholars, practitioners, and government officials. Their essays are effective in laying out the most important human rights issues in Europe. The only possible criticism is that by dealing with European human rights in a very general manner, it cannot be a comprehensive nor important source for any particular area of the law, nor for any particular legal regime. But clearly the editor, Liz Heffernan, did not intend this collection to be focused on one area of human rights nor on one legal regime. Instead, she has successfully compiled a collection of essays that summarize the most important sources of human rights law in Europe.