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REVIEW ESSAY

Ranee K.L. Panjabi *

Human Rights in the 1990s: Promise or Peril?

International Human Rights. By Jack Donnelly. Boulder: Westview Press, 1993. Pp. xvi, 206. Acknowledgments, Introduction, Appendix, Discussion Questions, Suggested Readings, Glossary, Chronology, Index. Paper \$14.95, Cloth \$52.50.

The hope, the promise, and the euphoria which marked the entrance of our planet into a new decade a few short years ago have rapidly evaporated as the world today seems fraught with perils of such complexity that they almost seem to defy solution. What appeared initially to be the emergence of a new era for human rights—an era of active implementation—has degenerated into a period of brutality and violence that mocks the very notion of human rights as having any relevance in certain areas of this world. Every day we are barraged by the failure of human beings to respect human rights in Chechnya, Rwanda, Bosnia, and numerous other areas where life has so deteriorated that it hardly qualifies as worthy of being called human.

The joy which marked the disintegration of the Soviet Empire has turned to sorrow at the sight of starving old men and women wandering the streets, searching for food. Who could have predicted that the unshackling of Soviet society from totalitarian chains would bring not democracy but crime, not freedom but insecurity, homelessness, and poverty?

Those of us who live comfortably, where fundamental human rights are routinely respected, can only watch with horror and helplessness at the brutalization of human life which assails us from so many less fortunate areas of the world. We are confronted daily with the realization that human rights are facing their greatest peril now. If we fail to see or to react to the suffering of our neighbors in other countries, could we not ultimately endanger the preservation of our own rights here in North

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America? Given the shrinking of our planet, any human tragedy has inevitable spillover effects. We cannot continue to assume that we are somehow immune simply because we live in a comfort zone. The citizens of Sarajevo could not, a dozen years ago, have envisaged the degree to which their lives would be overturned by the concept of ethnicity. As sophisticated, modern, educated, cosmopolitan people, they share with us a basic adherence to civilized values. Yet today, those still left alive eke out a precarious existence, surrounded by a degree of brutality and callous disregard for humanity which would have been unthinkable a few years ago.

The ultimate obstacle to implementing human rights universally lies in the old concept of state sovereignty—a protective mantle for all states, particularly those that routinely violate human rights. The People's Republic of China regularly uses the argument of state sovereignty against foreign protests about its dismal human rights record and virtually thumbs its nose at the world because, unfortunately, the concept of a state's virtual right to control its citizens is still held sacrosanct in many parts of the world.

The ideal of human rights requires a world which transcends nationalism and state sovereignty in favor of a more universalist outlook, a more cosmopolitan approach which perceives the individual person as enjoying certain rights and privileges apart from the confines of his citizenship. It is a glorious ideal, but its day has not yet dawned on a planet now rife with ethnic tension which threatens to dissipate even the limited amount of unity brought about by nation-states. Although this ethnic tension is itself grounded in a form of nationalism, it is avowedly hostile to existing nation-states and emphasizes the artificiality of these older creations. Whether the existing state is the product of dogmatically drawn colonial frontiers (as in many parts of Africa) or the achievement of some much earlier agreement (as in Canada), the artificial force which combined diverse people into political units is now weakening as these units come asunder in many parts of the world.

While recognizing the obviously negative features of current political events, I would like to suggest that this ethnic scourge may have a positive outcome some years from now. After the bloodletting is over, there may be a recognition that the nation-state has been far too artificial a creation for many societies. State sovereignty and the whole concept of adherence to a nation may be replaced by a patriotic attachment to one's own immediate group (ethnic or otherwise), along with a wider affiliation on a universal level. This is not to suggest that the large nation-state may wither away, but rather to speculate that its very artificiality—evidenced by the wars in Africa and Eastern Europe—has now to be recognized and its structures amended to suit a new world order. Perhaps the very agony of this transitional period may make it a precursor of a more universalist outlook. Unfortunately, in the interim, the struggle between the old and new forms of nationalism will result in serious and persistent violations of the human rights of thousands of men, women, and children. It is also important to remember that much of the ethnic protest is grounded in the

human right to self-determination and has arisen because of a real and/or perceived violation of a minority's human rights by a majority of the citizens of a nation-state.

History provides some lessons and guidance here. A demand for the right to determine the nature and content of one's spiritual beliefs, as well as a strong dose of religious fanaticism—the insistence that one's own religion was the only path to God—gave way after years of bloodletting and violence during the Reformation to an era of religious tolerance and accommodation of diverse opinions. The violence of the narrow perspective ultimately yielded to the peaceful solution of a broader concept. Religious sects proliferated and diversity was perceived not as a threat but as a unique expression of the varied paths human beings choose to define their spiritual nature.

Nationalism was itself brought into being through war. The process of European wars by which Germany and Italy became unified nations in the last century was mirrored in the agony of violence against colonial rule which brought numerous developing nations into being in this century. In ethnicity and ethnic warfare we may be witnessing a process of reversal as old injustices papered over by the creation of nation-states are now coming to the fore. We may also be witnessing the emergence of a wider outlook which may be just the kind of universalist foundation that human rights desperately require to become part and parcel of the lives of all people on this planet. I realize that this theory of mine may be too optimistic, given the obviously desperate situation prevailing in so many parts of our world today. It would provide small comfort to those suffering from gross deprivations of their rights. But human history is not measured by individual suffering. It sweeps in, cutting a wide swath, encompassing millions whose lives are overturned by one event like a war. Its ultimate impact can best be viewed in the long term. Immediate perspectives magnify the short-range consequences without exploring the eventual outcome.

We may well be living in an age of transition when the nation-state has outlived its usefulness. The European imperial empires of the past had just as much a hold on power and on popular adherence as do nation-states today. Yet they are now gone, part of history. Despite the economic exploitation which beggared so many African and Asian countries, despite the racial discrimination which defined Man so illogically by his color, the imperial past left a legacy of cosmopolitanism which has lingered. My point is that if state sovereignty—the underpinning of nationalism—is the single biggest obstacle to the universal adherence to and implementation of human rights, then we ought to be able to perceive a positive outcome from any situation which erodes the sovereignty of the nation-state.

The human rights experience of the past fifty years has clearly established that human rights cannot be protected when the violators—governments—insist that state sovereignty gives them complete control over their citizens. Ironically, those states with the firmest human rights protective systems are also blessed with governments which honor the principles of

human rights. As the citizens of human rights-deprived nations cannot defend themselves, those of us in comfortable zones have an obligation to assist them if we can. However, human rights activists in free countries are continually circumscribed, restricted, and thwarted by the notion of state sovereignty and by its stern implementation by the violator states. If the universal implementation of human rights is perceived as a laudable goal, then clearly the greatest hindrance to this end—state sovereignty as propagated by nation-states—has to be dealt with. And although it may be impossible for a few thousand activists to do more than protest and publicize human rights violations, in one of those ironic twists of history, the sheer scope of the injustice has prompted ethnic groups to revolt and demand the breakup of stifling nation-state systems which have crippled their rights. If one departs from tunnel vision, which views only the immediate horrors of ethnic violence, one may see a wider perspective, a perspective that may well take a hundred more years to become universally recognized. That perspective would see the adjustment or even the demise of artificial political entities and their replacement by more realistic, smaller institutions reflecting the rich cultural diversity of human life on this planet. In that scenario, there might be far greater scope for human rights implementation. However, until that day dawns, we are left with the somewhat limited institutional framework devised to function—albeit slowly—within the nation-state system.

The conclusion is that these are dark days for human rights and for human beings in many parts of the world. We cannot afford simply to ignore their situation, nor is it sensible simply to wring our hands in helpless despair at their plight. Those of us who still enjoy human rights have an obligation to ensure that the precious victories of the past are not forgotten or swept away in a new world which shows scant respect for them. It is imperative that we continue to spread the word about the existence of these rights, which belong to us simply because we are human. These rights protect us from tyranny, give our lives a meaning beyond the mundane, provide us with barriers against repression, and give us a vision of an ideal to which we must continue to aspire. In a world gone mad with gross abuses of human dignity, it is incumbent on those of us who live under the protection of human rights to keep this ideal alive, to ensure that the will to implement human rights does not wither away, and to increase awareness of the plight of those whose rights have been violated. Given the technological marvels which have shrunk our planet into a global village, awareness of human rights may be the best weapon we have to fight against such iniquitous violations.

The book *International Human Rights*, by Jack Donnelly, is particularly welcome at this time, as he underscores the necessity for human rights to reach a wider audience, to expand beyond academic realms, and to become part of the awareness of all men and women. The book accomplishes its purpose admirably and is highly recommended for students of human rights and international law, lawyers, journalists, and, in fact, anyone who wants a clear, lucid explanation of this complex subject. The

book is an important contribution to the Dilemmas in World Politics Series, which aims to combine historical, political, and theoretical facets of significant issues.

Donnelly defines human rights as "the social and political guarantees necessary to protect individuals from the standard threats to human dignity posed by the modern state and modern markets."¹ In an eloquent passage he states that "[h]uman rights cannot be given. They must be earned—and maintained—through hard and persistent domestic political work. Rights-protective regimes are almost always the product of domestic, not international, political forces."²

He traces the modern development of human rights since the Second World War, describes the process by which the major human rights covenants were produced, and explores the prospects for future development via the institutions and framework already in existence. There is some explanation of the theoretical background which underpins all the covenants and declarations in existence. Donnelly provides some insight into problems associated with universal adherence to human rights which stem from cultural diversity. Donnelly concludes that "[h]uman rights are held to be largely universal, subject only to secondary cultural modifications."³

He draws on examples of human rights violations in a number of countries ranging from South America to Africa. He describes the sadistic brutality of previous repressive regimes in Argentina, Chile, and Uruguay. Although the treatment of these subjects is somewhat superficial, that superficiality could not be helped given the vast amount of information required in any general book on human rights.

Donnelly provides us with a clear explanation of the international framework which operates under the aegis of the United Nations to implement human rights. He describes both the strengths and weaknesses of this system. The ultimate challenge for human rights activists lies in the fact that "[t]he principal subjects of international human rights obligations, and the principal violators of international human rights, are the same sovereign states that are the members of the United Nations."⁴ Such states, as Donnelly points out, are not likely to accord too much authority to the United Nations,⁵ particularly when the exercise of international power could erode national sovereignty. The United Nations is not a world government and can only be as powerful as its member states will allow it to be. As Donnelly explains, "the UN, like other intergovernmental organizations, has only those powers that states, the principal violators of human rights, give it. Its limited powers in the field of human rights are

1. JACK DONNELLY, *INTERNATIONAL HUMAN RIGHTS* 23 (1993) (citing JACK DONNELLY, *UNIVERSAL HUMAN RIGHTS IN THEORY AND PRACTICE* chs. 1-3 (1989)). See also Rane K.L. Panjabi, *Describing and Implementing Universal Human Rights*, 26 *TEX. INT'L L.J.* 189 (1991) (review essay of JACK DONNELLY, *UNIVERSAL HUMAN RIGHTS IN THEORY AND PRACTICE* (1989)).

2. DONNELLY, *supra* note 1, at 148.

3. *Id.* at 36.

4. *Id.* at 58.

5. *Id.*

thus easily explained."⁶

Nevertheless, the existence of a number of commissions and committees devoted to the subject of human rights is itself an achievement. The United Nations Commission on Human Rights has played a pivotal role in formulating the instruments by which human rights are articulated: the Universal Declaration of Human Rights and the International Human Rights Covenants.⁷ Additionally, it has in recent years worked on the Convention Against Torture (1984), the Declaration on the Right to Development (1986), the Convention on the Rights of the Child (1989), and the Second Optional Protocol to the International Covenant on Civil and Political Rights (1989).⁸ Without these covenants there would be no standard by which citizens could measure the performance of their governments. In 1967, the Commission was authorized to broaden its scope into the realm of public discussion of violations.⁹ A few years later, in 1970, it acquired the power to investigate complaints of gross violations.¹⁰ Donnelly is justified in stating that "[f]ew states fear the immediate political power of the UN."¹¹ However, the publicity generated by an international awareness of violations becomes an important defense against violators who prefer secrecy and an absence of scrutiny.

Donnelly criticizes the slow, cumbersome United Nations machinery and its inherent weakness against the concept of state sovereignty. But he also emphasizes the significance of an expanded role for the Commission. For example, since 1980, it has investigated the serious problem of "disappearances" via its Working Group on Enforced or Involuntary Disappearances.¹² In 1982, the position of Special Rapporteur on Summary or Arbitrary Executions was created to publicize this problem.¹³ A Special Rapporteur on Torture was appointed in 1985.¹⁴ Donnelly concludes that the "Commission on Human Rights is likely to remain an active, and occasionally even effective, part of the global human rights regime. And it remains the primary international body that, in principle at least, may examine human rights violations anywhere in the world."¹⁵

Donnelly is less enthusiastic about the human rights record of the General Assembly of the United Nations. This august body consists of all the member states of the United Nations, allowing each nation one vote. Although there is a clear perception that "politics has largely determined which repressive regimes have been condemned in the General Assembly and which have not,"¹⁶ it is also important to remember that the General

6. *Id.* at 12.

7. *Id.* at 58.

8. *Id.* at 63.

9. *Id.* at 58.

10. *Id.* at 59.

11. *Id.*

12. *Id.* at 62.

13. *Id.* at 62-63.

14. *Id.* at 63.

15. *Id.*

16. *Id.* at 64.

Assembly exists largely as a forum of world public opinion. It is not the ultimate *acting* body of the United Nations—only the *recommending* agency. As such, member states are free to air a variety of concerns in the general debate, and this debate can generate publicity for a number of causes that the United Nations may find politically inconvenient to tackle in any active manner.

The weakness of the United Nations is also caused by its dominance by the five permanent members in the Security Council. The veto power—allotted to the United States, the United Kingdom, France, Russia, and China—ensures that decisions will generally not be politically embarrassing to any of the great powers or their client states. This inherent politicization of the Security Council cannot but spillover into the General Assembly and affect its consideration of internationally sensitive matters. Donnelly is justified in stating that the “United Nations is a political body, used by sovereign states to further their own national interests.”¹⁷ This game is played by all nations, with the larger, more powerful states willing to sacrifice human rights concerns for political or economic motives. The recent rush to capture a portion of the vast market in China is a case in point. The 1989 Tiananmen Square massacre notwithstanding, economic necessity dictated that many governments, including that of the United States, downplay human rights concerns to placate and please the totalitarian Chinese government in return for enormous economic gains. The United Nations can hardly be blamed for being weak and ineffective when its member states practice the politics of expediency.

Another important group monitoring human rights under the United Nations umbrella is the Human Rights Committee. This body of eighteen experts supervises the implementation of the International Covenant on Civil and Political Rights.¹⁸ Member states of the Covenant report periodically to the Committee and, although this process is inherently flawed, “[d]espite these weaknesses, the Human Rights Committee can draw some public attention to a country’s record. This may occasionally embarrass a state into altering its practices.”¹⁹

Donnelly also provides an overview of some single issue human rights regimes, including the activities of the International Labour Organization,²⁰ the Committee on the Elimination of Racial Discrimination,²¹ the Committee on the Elimination of Discrimination Against Women,²² and the Committee Against Torture.²³ These committees have had limited success in implementing their mandates.

He explores in greater detail the U.N. involvement with the problem

17. *Id.*

18. *Id.* at 65.

19. *Id.*

20. *Id.* at 67-68.

21. *Id.* at 67-69.

22. *Id.* at 76-77.

23. *Id.* at 77-79.

of apartheid in South Africa²⁴ and concludes that the International Convention on the Suppression and Punishment of the Crime of Apartheid is "largely a symbolic normative document."²⁵ However, the transfer of power in South Africa to a majority black government is indicative of the impact of the entire national and international struggle against apartheid. The very existence of an international convention criminalizing a system which was legally sanctioned and upheld in South Africa for years was an important feature of a multifaceted opposition to racial discrimination in South Africa.

Most authors, including Donnelly, praise the strength of the human rights regime in Europe. The (European) Convention for the Protection of Human Rights and Fundamental Freedoms (1950) is the legal underpinning for a human rights regime that Donnelly believes is "unprecedented."²⁶ Unlike many international fora, the European Commission of Human Rights can evaluate individual complaints²⁷ (which is probably the single most important function that any commission can acquire in terms of effective action against specific violations). Commission decisions, "although not technically binding, are usually accepted as authoritative."²⁸ The protective mantle of human rights is extended by the European Court of Human Rights, which has the authority to make legally binding decisions on cases considered by the Commission.²⁹ Moreover, states may complain against each others' human rights records.³⁰ Donnelly highlights the effectiveness of the system.

The decisions of the European commission and court, and the general guidance provided by the European convention, have had a considerable impact on law and practice in a number of states. For example, detention practices have been altered in Belgium, Germany, Greece, and Italy. The treatment of aliens has been changed in the Netherlands and Switzerland. Press freedom legislation was altered in Britain. Wiretapping regulations have been changed in Switzerland. Legal aid practices have been revised in Italy and Denmark. Procedures to speed trials have been implemented in Italy, the Netherlands, and Sweden.³¹

The European regime exists largely to supervise the implementation of civil and political rights. Applying the provisions of the European Social Charter has been more problematic in most of the western democracies largely because economic and social rights are not accorded the universal acceptance given to civil and political rights. It is significant to note that although the right to property is an economic right, it does enjoy near-universal support, even among the ultraconservative elements of

24. *Id.* at 69-76.

25. *Id.* at 75.

26. *Id.* at 82.

27. *Id.*

28. *Id.*

29. *Id.*

30. *Id.* at 82-83.

31. *Id.* at 83.

North American and European society that are reluctant to endorse social welfare programs for the poor.

The European human rights regime is extended by the addition of a European Committee for Equality Between Women and Men, a Human Rights Documentation Center, a Steering Committee for Human Rights, and by the incorporation of human rights considerations into the foreign relations of the European Community.³² The European Parliament has also become involved by passing resolutions endorsing human rights and by promulgating in 1989 the Declaration on Fundamental Rights and Freedoms.³³ Surveying this extensive activity, Donnelly comments:

A cynic might argue that the unusual breadth and strength of the European human rights regime simply illustrate the paradox of international action on behalf of human rights: strong procedures exist precisely where they are least needed. Strong procedures can only be established with the permission of the states concerned, which is likely only when a state has both a high interest and a good record.

"Least needed," however, does not mean "unneded." Even committed governments with good records can fall short of their best intentions.³⁴

The situation elsewhere in the world is not as conducive as in Europe to the development and effective implementation of human rights regimes. Although such regimes can be found in almost every region (Asia being the notable exception), the existence of either repressive totalitarian regimes or weak fledgling democracies makes enforcement of human rights very difficult. Donnelly delves briefly into these other systems, explaining the institutional structures available and both the strengths and weaknesses of each system.

The Inter-American Court of Human Rights and the Inter-American Commission of Human Rights are the pivotal institutions operating in this part of the world. Donnelly blames the "domestic human rights environment"³⁵ for the difference in effectiveness between the highly-praised European system and its oft-derided American counterpart. Emphasizing the excellent human rights records of many European states, Donnelly states that "[m]ost countries in the Americas, by contrast, have suffered repressive military rule within the past generation."³⁶ However, even weak systems serve an important function in drawing the attention of world public opinion to violations, and by doing this, they can on occasion embarrass a violator government into improving its human rights record. "States often respond to adverse international human rights publicity by releasing or improving the treatment of prominent victims. These may be small victories for international action, but they are victories nonetheless—and of immense significance to the individuals involved."³⁷

32. *Id.* at 83-84.

33. *Id.* at 84.

34. *Id.*

35. *Id.* at 86.

36. *Id.*

37. *Id.* at 89.

Donnelly is critical of U.S. foreign policy with respect to the international implementation of human rights. He suggests that the American tendency has been to denigrate economic and social rights because such rights were emphasized by many of the former communist governments. In American eyes this emphasis "bestowed on those rights a sort of guilt by association."³⁸ This attitude has led the United States to misinterpret actions taken by developing nations to alleviate the lot of poverty-stricken populations through the redistribution of national resources. Such redistribution often benefits the majority at the expense of a wealthy elitist minority.³⁹ Donnelly concludes that when economic or political factors are at stake, "[t]he United States, like most other states, has been willing to pay very little to achieve its international human rights objectives."⁴⁰

He contrasts the self-interested foreign policy of the United States with what he believes is a more human rights-oriented policy adopted by other western democracies like Canada, Norway, and the Netherlands. Although Donnelly stresses that one "should be careful not to romanticize the policies"⁴¹ of these other governments, he tends to do just that. Countries like Canada have frequently downplayed human rights violations to gain an entrance into markets like China. Donnelly believes that "the overall international human rights record of the like-minded countries is clearly superior to that of the United States, both in avoiding associations with severe human rights violators and in responding forcefully to severe violations in countries with which they do have special relations."⁴² Although his point is well-made, it is important to qualify it with the following observations: 1) the United States is a world power, and therefore any action it takes will have far greater impact than the actions of most countries and 2) the sheer scope of United States global involvement is several times larger than that of the comparator nations he selects.⁴³ This fact alone magnifies the failings of American activity or nonactivity. Although the comparator nations have expressed and articulated great support for human rights on an international scale and have not played as great a role in interfering in the internal affairs of developing nations, their foreign policies do not, I believe, merit the badge of clear superiority awarded to them by Donnelly. In recent years, economic considerations have weighed heavily with the Canadian government at the expense of both human rights and environmental necessity. Donnelly tends to downplay the role of sheer size and political power in his consideration of this issue.⁴⁴ He concludes that national political culture is of far greater significance in the formulation of human rights-related foreign policy than size.⁴⁵

38. *Id.* at 101.

39. *Id.*

40. *Id.* at 104.

41. *Id.* at 128.

42. *Id.* at 128-29 (endnote omitted).

43. Donnelly considers the significance of size as a factor. *See id.* at 129-30.

44. *Id.*

45. *Id.* at 132.

Donnelly's explanation for the poor human rights record of the United States is best understood by its concentration on the politics of the Cold War which, until a few years ago, dominated all other aspects of international relations where the American public and policy-makers were concerned. While the United States "viewed the world in East-West terms," other states like Canada tended to "view international conflicts more in North-South than in East-West terms."⁴⁶ These states' emphasis has been on the divergence between the rich, industrialized developed nations (the so-called North) and the poor, relatively underdeveloped nations of Africa, Asia, and Latin America (the so-called South). The disintegration of Soviet communism ought to improve the chances for a more human rights-oriented U.S. foreign policy. Donnelly believes that "the post-cold war environment for human rights should be significantly improved."⁴⁷ On the premise that international politics has now become issue-specific, Donnelly theorizes that because "political processes and outcomes vary dramatically from issue to issue,"⁴⁸ this may possibly generate

new opportunities for progressive international action, by freeing issues from the dominance of security and ideological concerns. It also means, though, that we cannot automatically generalize from one issue area to another. In particular, the growing recognition of the need for international economic cooperation does not necessarily imply similar conclusions about human rights.⁴⁹

The prognosis for human rights implementation is not positive, despite the end of the Cold War. Donnelly sees the survival of state sovereignty as a continuing impediment.⁵⁰ "Most states today still jealously guard their sovereign prerogatives in the field of human rights."⁵¹ The future does not look too promising:

progress in the field of international human rights remains substantially constrained by deep structural forces. The end of bipolarity, as opposed to the end of cold war ideological rivalry, is likely to have few significant short- or medium-run implications for international human rights. The impediments to international action on behalf of human rights rooted in the states system remain essentially unchanged in the post-cold war world. The best that we should hope for is slow incremental progress.⁵²

Given this situation, Donnelly makes a few suggestions based on the assumption that "[f]oreign policy is in part a moral undertaking."⁵³ He would like human rights to be allotted a clear priority in U.S. foreign policy by linking trade, cultural exchanges, and other relations to the human rights record of states, with the United States withdrawing support where

46. *Id.* at 130.

47. *Id.* at 134.

48. *Id.* at 137.

49. *Id.*

50. *Id.* at 137-38.

51. *Id.* at 137.

52. *Id.* at 138.

53. *Id.* at 160.

there are persistent violations.⁵⁴ Donnelly also discusses the significance of "preventive human rights diplomacy" to "encourage an international response before the situation gets entirely out of hand."⁵⁵ The essential task for policy-makers in the United States will be to "develop a realistic, committed, morally sound international human rights policy and to truly integrate this into the rest of U.S. foreign policy."⁵⁶

Finally, this book is a most welcome addition to a literature which is vast but is frequently not written with the general audience in mind. This work takes human rights out of the strictly academic/legal realm and makes the subject comprehensible to a much larger group. In doing so, it retains a grasp of essential dilemmas confronting both policy-makers and the general public in western democracies and proposes some interesting ideas for the future. Ultimately, whether or not human rights are implemented globally will depend first, on awareness and second, on the degree to which the citizens of any state are willing to sacrifice in order to achieve such implementation. One can only hope that the human rights enjoyed by those of us who live in the United States and Canada will become the norm for our neighbors in Africa, Asia, and Latin America in the not-too-distant future.

54. *Id.* at 160-61.

55. *Id.* at 161.

56. *Id.* at 163.