

MARK GOODALE and SALLY ENGLE MERRY (eds). *The Practice of Human Rights: Tracking Law between the Global and the Local*. Cambridge Studies in Law and Society. Cambridge: Cambridge University Press, 2007. Pp. 369. ISBN-978-0-521-86517-3 (hardback); ISBN-978-0-521-68378-4 (paperback).

During the recent decade, anthropologists have finally dared to readdress the hot potato of the Cold War days: human rights. Since the end of the 1940s and especially after drafting the Universal Declaration on Human Rights, anthropologists have been blamed for being cultural relativists (often meaning nihilists) who oppose universal human rights. Even though some anthropologists such as Melville Herskovits, Laura Nader or Clifford Geertz patiently declared that anthropology as a discipline is rather worried by the growing provincialism (the belief that one's own culture is the only natural way of understanding the world), it took great efforts to get anthropologists seriously involved with the phenomena of global human rights. The publication under review is a result of in-depth debates which began in 2005 and continued as a scholarly discussion with the aim of developing and defining the critical study of human rights practices. This carefully edited volume offers both a deep and broad picture of what that 'critical anthropological inquiry' into human rights can best mean in practice. For the purposes of a review, however, the range of themes addressed in the ten articles precludes in-depth analytical engagement with the individual essays. Thus, what follows is a brief overview of what the book has to offer for future research on human rights law and talk.

Both editors are serious professionals: Sally Engle Merry, professor of Law and Society at the New York University, has inspired anthropological inquiry of international human rights with an extensive list of publications. Mark Goodale is assistant professor of Conflict Analysis and Anthropology at George Mason University and has in his work coherently argued for the importance of understanding the practical role rights play in the life of people.

The first chapter written by Mark Goodale serves as an introduction for the whole volume. In it Goodale, drawing from his own field research experiences, locates human rights as something that exists between different local and global understandings and meanings of humanness and rights. Simultaneously with this definition, he raises appropriate criticism of this binary metaphor and underlines that it is exactly in the 'between' that the practice of human rights takes place. Going back to the Universal Declaration of Human Rights and the early sceptical statement by the American Anthropological Association on it (1947: 539–543) and referring to famous international lawyers such as Jack Donnelly and Upendra Baxi, Goodale stresses that "it makes no sense either to conceptually divide the idea (or philosophy) of human rights from the practice of human rights" (p. 10).

Goodale defines the practice of human rights as any kind of activity by social actors in which they talk about, advocate for, criticize, study, legally enact, or vernacularize the idea of human rights in different forms (p. 24). Sally Engle Merry continues by stating that understanding the practice of human rights requires attention to the people who translate human rights principles, norms and documents into social situations (p. 41). The remainder of the book is gathered around four thematic fields: violence, power, vulnerability, and ambivalence, and the chapters are expected to reveal the potential and limitations of universal legal and ethical frameworks (p. 27). In this way, the individual chapters of the book

present case studies from different parts of the globe where the authors analyze how human rights are utilized for varying purposes which always depend on how they are circumscribed in a specific context. Goodale stresses that the aim of the publication is to generate interdisciplinary dialogues on the meanings and possibilities of human rights (p. 27).

In part I—shaped around the theme of states of violence—Daniel Goldstein provides an insightful analysis of the ambivalent relationship of human rights and security, and shows how in Bolivia the concept of citizen's security is mobilized to deny human rights. Lauren Leve argues that a similar tension exists even at an earlier stage of human rights talk: she describes how adopting the language of human rights means that the Buddhists in Nepal have to accept certain concepts of individuality and secularity which are otherwise foreign to their worldview.

In part II—on registers of power—Mark Goodale describes how human rights became a new category of sociolegal practice in Bolivia and argues that as a dominant frame of reference, human rights discourse is inseparable from neoliberalism. Shannon Speed takes the position, carefully analysing the Zapatista movement in Mexico, that one downside of human rights' struggles is the reinforcing of neoliberal governmental strategies which increases inequalities. Simultaneously indigenous peoples are forced to petition the state and feed the illusion that organized power can only be exercised by the state.

In part III—on conditions of vulnerability—Jean Jackson re-evaluates the conditions and constraints of the concept of belonging to 'indigenous people'. According to international legal standards, indigenous peoples are vulnerable and deserve specific protection. Yet according to her analysis only, such protection follows only as long as indigenous groups are culturally distinctive in a way dictated by the state. Kay Warren concludes the section with an analysis of the discourse on the trafficking on human beings, and points out how the process of defining 'the victim' and the grounds on which someone can be defined 'vulnerable' is characterized by ambivalent practicalities.

In part IV—on encountering ambivalence—John Dale describes the internationalisation of local conflicts as a double-edged sword: whereas the process can result in international aid which helps overcome conflicts with the state, it can also easily pit different groups against one another and take conflicts to places where local politicians and mediators have no access. In her chapter Sari Wastell expands this theme by discussing the ambivalence with which the people of Swaziland encounter the idea of multi-party democracy which they feel forms a system of governance which would reject their understanding of Swaziness based on community responsibility and consensus making.

As one of the pioneers of ethnography of human rights, Richard Ashby Wilson has been merited with the honour of concluding the volume. He traces the start of anthropology of human rights to a review essay written by Sally Engle Merry in 1992 in which she encompassed human rights, indigenous rights, colonial and customary rights, culture, popular justice and other related topics under the rubric of law and transnational processes (p. 343). Reevaluating the term legal pluralism, Wilson rightly concludes that it makes sense to differentiate between rights and norms that constitute human rights law and human rights talk. Wilson characterizes human rights laws as something, according to Tamanaha's definition (1993: 192–217), created by specialists within state bureaucratic structures and backed by state apparatus coercion, whereas with human rights talk he construes to refer "to how people speak about norms, or aspire to expand or interpret them

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in new ways” (p. 350). At the same time, a researcher has to be cautious: as the law does not work the same way everywhere, there is a great need for research on why translation between international law, state laws and local cultural norms is a partial and unpredictable process (p. 357).

In every book combining such a diverse array of themes and approaches there always exists a danger that the volume may remain unfocussed. In the present publication, the short introductions at the beginning of each section provide focus by summarizing how anthropologists have previously worked with the addressed themes. Simultaneously they also provide orientation for future research by demarking research gaps and pointing out theoretical inconsistencies. One can easily agree with Goodale and Wilson: a great need exists for critical anthropological analysis in questions related to human rights law—to document and analyze how international human rights laws and norms are produced or how knowledge practices are constructed in international criminal tribunals.

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