

past two centuries,” and his empirical story does place significant weight on the self-restraint that has accompanied increased interconnections and functional democratization. “Different forms of harm have encouraged the development of universal structures of consciousness with significant cosmopolitan potential” (p. 261). Yet throughout the book he also examines the limits of ideas of collective learning and the abuses to which progressivist narratives have so often been put. In terms of process sociology, he stresses Elias’s overriding concern with the interplay between civilizing and de-civilizing processes, and adds a further critical edge by “incorporating the moral dimensions of Horkheimer and Adorno’s writings that found only muted support in Elias’s analysis of global civilizing processes” (p. 23). And in terms of the English School, he invokes Wight’s realism and

his awareness of the Janus-faced nature of the state (underappreciated in Pinker’s account of the decline of violence), and the extent to which any civilizing processes within international society have been rendered precarious by recurrent struggles between major powers.

Established ways of thinking about ethics and international affairs are coming under increasing challenge. This major study opens up a fascinating range of historical and conceptual perspectives and interconnections that should be of great interest both to political theorists and to all those concerned with the changing normative character of international society.

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***The International Human Rights Movement: A History***, Aryeh Neier (Princeton, N.J.: Princeton University Press, 2012), 379 pp., \$35 cloth.

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Aryeh Neier has written a fluent and engaging “history” of the international human rights movement, of which he is a senior statesman. Neier, following a prominent career in advocacy, most recently as president of the Open Society Institute, has successfully summarized his own understanding of the movement for a lay audience of those—and I would think they are many—who might like to hear his thoughts on where things stand today.

At the moment of his retirement, at seventy-five years of age, it is generous of Neier to offer up this volume to mark the occasion.

I wish, however, that Neier had not presented his book as a history. It is really a series of essays, only a couple of which offer deeper historical context for the American branch of the human rights movement—which Neier helped launch in 1978 when he participated in the founding

of the forerunner to Human Rights Watch. Neier is not really in dialogue with—and, alas, he is far behind—the substantial and controversial professional history of human rights that has appeared in the past decade. There are few new facts or interpretations in the book. No matter: just as Winston Churchill's history of World War II is remembered because it provided a unique perspective on events he had lived through and indeed personally driven, this book is a primary source rather than a scholarly achievement.

Neier is weak on the prehistory of the international movement, whether that of long ago or in the era shortly before he moved in his professional career from domestic civil liberties to global human rights. In his brief exploration of whether human rights antedate the French Revolution, Neier invokes the English historian Christopher Hill to trace a direct line between the pioneering efforts of the famous Diggers and Levellers of seventeenth-century England and his own strenuous activities centuries later. The suggestion is not entirely implausible, but then Christopher Hill was a Marxist who saw these radicals as prefiguring a different movement than that of international human rights today (Neier, in contrast, continues to be very diffident about economic and social rights). I suppose the explanation for Neier's invocation is simple: for a man of his generation, Hill was the person whose books you sought out when you wanted to learn about the England of that period. The stacks of libraries are now full of newer books on seventeenth-century England, not to mention lots of other places and times relevant to Neier's subject, but this fact is not reflected in his autumnal effort to establish a deep past for human rights.

Fortunately, Neier can draw effectively on personal experience in reconstructing the more recent trajectory of the contemporary human rights movement, and in so doing he converges with current trends in isolating the mid-1970s as a crucial breaking point. Two key arguments emerge. First, whatever happened before that date, the construction of a global consciousness of and movements around human rights over the last three decades was an entirely surprising event. Second, in what Neier calls the thesis of his book, the shift occurred because human rights, mired before then in obscure United Nations processes, were reclaimed by non-state actors and, more specifically, by non-governmental organizations. I think both of these claims are correct.

In chapters on the cold war, Neier gives a valuable overview of the trajectories of Amnesty International and Human Rights Watch, though without offering any deep explanation for why the groups emerged and how they evolved. Not entirely without a personal stake in the matter, Neier interprets Amnesty as pioneering but ultimately eclipsed by other organizations, especially once American liberals belatedly entered the fray—in part, Neier notes with refreshing candor, simply because they could draw on massive private philanthropy. Less seriously explored, though Neier certainly mentions it, is that Amnesty emerged primarily as a grassroots social movement eventually numbering in the tens of thousands. In contrast, while Neier's Human Rights Watch borrowed Amnesty's techniques for a professional organization with a tiny and elite global staff, it never attempted to build widespread popular membership for itself.

Lurking in Neier's contrast of Amnesty and Human Rights Watch—and the

transition from a non-American and mass group to an American and elite outfit—is the possibility that the international human rights movement became Americanized and bureaucratized largely as part of the dynamics in and through which a once stalemated cold war was reactivated and ultimately won. Further, Neier goes on to suggest that the age in which nongovernmental monitoring had such importance ideologically and institutionally may give way to one in which law and courts take center stage. (He correctly points, for instance, to the prominence of the European Court of Human Rights today.) Neier seems to see Human Rights Watch as a lasting breakthrough with a self-evident future; but some of his own historical suggestions help locate his American, bureaucratic, and informational politics in a precise moment in world history. If so, the organization's permanent centrality is not obvious, for it depended on specific circumstances that may pass.

Neier is clearly right that, almost overnight, international human rights came to provide exclusively the language of political legitimacy for states and international organizations. Probably the main flaw in Neier's coverage of the last few decades, however, is that it does not acknowledge the extent to which, especially after the cold war, human rights came to be a language authorizing and not merely criticizing the exercise of power. I expect Neier would be loath to admit this fact, because he was a central actor in the Americanization and bureaucratization of human rights. Along the way, human rights were also governmentalized, a process that Neier abetted in his time at Human Rights Watch out of the understandable strategic belief that a language of moral

critique that remained entirely external to power might prick the conscience of the world but would never change it. In his coverage of Ronald Reagan's presidency and his useful chapter on rights after 9/11, Neier shows that Human Rights Watch explicitly wanted to avoid becoming an apologist for America's side in the cold war or a cheerleader for its post-cold war geopolitical imperatives. And it never did. Nevertheless, the Americanization, bureaucratization, and governmentalization of human rights were surely more complex than Neier acknowledges here.

It is also hard to agree with Neier's depiction late in the book of the "global movement" for human rights. On this topic he is much less authoritative precisely because for him human rights are defined by the American and bureaucratic model he did so much to create. His chapter on world movements is essentially a catalog of organizations parallel to his own, and Neier spends its first half listing ones based in the United States (the rest are in London, Paris, and Geneva, with only a couple of exceptions). In its parochialism, Neier's selective "global" list captures something deep about the international human rights movement and how its leading figures see the geography of the world. Arguably, the list radically understates the ideological and institutional proliferation of human rights over a brief timescale and their transformation according to local context—most especially their embrace by groups in the global South as a tool to take on structural inequality.

That in Neier's opinion human rights are typically an unhelpful language for confronting such wrongs does not change the fact that many have deployed human rights to do just that. Partly because human rights

have served all comers, Neier's argument that "the international . . . movement maintains a high level of coherence" is sustainable only once a huge number of aspirations, claims, and causes have been left out (p. 257). Once they are included, the future trajectory of international

human rights is much more uncertain and nebulous than Neier may assume.

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*Humanity's Law*, Ruti G. Teitel (Oxford: Oxford University Press, 2011), 320 pp., \$35 cloth.

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In his draft of the opening speech for Sir Hartley Shawcross, the British prosecutor at Nuremberg, Hersch Lauterpacht wrote that the establishment of the tribunal meant that the "sovereign State" had finally been arraigned before the law. In Lauterpacht's mind, Nuremberg signaled the end of the political system of statehood. With other interwar internationalists, Lauterpacht viewed the First World War, and now the Second, as outcomes of an outdated and dangerous idea of sovereignty that put the egoistic values of the nation over those of a universal humanity. But when Shawcross received Lauterpacht's draft, he coolly crossed out the latter's wording. It is not that difficult to understand why he did so. After all, Hitler's opponents had struggled fiercely, at the cost of many lives, to defend the sovereignty of their own countries. The allied forces that finally crushed Nazi Germany were composed of military and economic resources that had been gathered, organized, and operated by states. The last thing the English, the Russians, or the French wanted to hear

was that they would now condemn precisely the sovereignty they had spent five years fighting to protect.

International law originated in late nineteenth-century Europe as an anti-sovereignty project—one that supported abstract cosmopolitan ideas, law, and international institutions against the Realpolitik of statehood. Speaking on behalf of humanity was an attractive intellectual posture for Western jurists and intellectuals, who have since advocated for political projects ranging from the civilizing mission to free trade, from modernization to globalization, and from human rights to the "fight against impunity." In the last years of the twentieth century, at least partly as a result of the end of the cold war, the language of universal humanity spread throughout diplomacy and international institutions. The cost of this has been the abstraction of political discourse, which has made invisible the reality of political choices: the way some will win, others lose. The language of the universal also tends to lift the speaker's values to an