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Review of "Human Rights: An Interdisciplinary Approach"

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Human rights seem to be a difficult concept to grasp. From a legal point of view, the concept can be associated to what a legally founded right is gaining by a claim that is only grounded in natural law. However, although the application of human rights is subjected to a given legal system, most of the questions that people pose regarding rights cannot be applied in practice without supervening the hegemony of constitutional perspective. A couple of theorists envisaged human rights as a subtype of those ethical concerns that equalize humans before the state. The problem with this view seems to involve the questions that rights raise regarding the respect to others. Starting from the premise that humankind has a universal application, Freeman questions why some rights are indeed more important than others? And at what point the state should address, resolve or ignore the conflict between competing rights?

Reflecting on human rights not only leads us to recall atrocities that shock our humanity, but also reminds us of the vulnerability of their victims. Human rights violations can only be understood in a historical, economic, and political background. Societies in many parts of world have witnessed on numerous occasions acts of violence expressed either by the state or private factors. Neither hate nor the thirst for power suffices to explain these human rights violations.

The author goes on to acknowledge that, “the concept of human rights provides a way of thinking about such events. As you read these words, there will be probably be reports in the newspapers, and on radio, television, the internet and other new media, of similar cruelties and injustices elsewhere. There are histories about violation of human rights.
These events are too real as human right is a concept. It is a device for thinking about the real, and for expressing our thoughts. If we are to understand the discourse of human rights, we must analyse this concept (p. 3).

On the same path with the previous argument, it should be noted that the importance of human rights acquires its true significance and meaning in those cases where ordinary people feel that their security in their daily lives is endangered. Before that, its importance is trivialized by citizenry simply because they are alienated, beyond the possibilities to be detained and tortured by states; indifference paves the ways for the advent of dictatorships. To some extent, further research is requested to understand the gap between ideals in human rights, practical application, and the legal system. The fact is that states in the world, since the Second World War, prioritize their interests more than the violation of rights in others. Methodologically, the study of human rights has been historically determined by lawyers’ views that connected the technical expertise with the need of common laws to protect the well-being of all. This approach, even though illustrative, is far for being applicable and becomes illusory because of two primary reasons. First and foremost, implementation of laws is based on politics and power more than ethical concerns. Second, the international relations that make fluid the conversation among countries rests on shaky foundations.

Unfortunately, a shared legal scaffolding to prevent acts of crimes in the world, a policy that some scholars encourage, would entail a unique government. This paradoxically not only would defy a previous state’s autonomy but also would lead humankind to a situation of dictatorship. Brilliantly, Freeman said that the neglect of human rights by social scientists facilitated lawyers’ accumulating the necessary knowledge to create new paradigms to develop a definition linked to the respect of law. Sociology and political science should contribute to reformulate the existent definition to the extent to facilitate the conditions for achieving an interdisciplinary approach.

It is necessary to arrive at a consensus to transcend the human rights law paradigms, which focus exclusively on sovereignty. In this token, the paradox of human rights should be resolved. This means that governments that often are accused of violating ethnic minorities’ rights should be the same that in cooperation should protect them. This philosophical nature evokes complex ideals in selecting not only what rights should be respected, but also which international institution, such as UN, should monitor them. After 1945, participating countries envisaged the possibility of a platform (United Nations) to declare the importance of human rights. In this way, the international declaration of human right was undoubtedly a considerable advance in these fields but not a definite solution. Rather, some minorities appeal to human rights precisely because states and laws are unable to protect their integrity. According to this belief, Freeman said, “the principal philosophical problem of
human rights is to show how they can be justified if they derive neither from law nor superstitious beliefs” (p. 11).

With the benefit of hindsight, the dichotomy is explained by means of secularization theory. Whether or not the philosophical root of human rights was based on the idea of God, who created all life, how can we now understand this concept in a world that rejects this religious belief? Likely, we should think that human rights occupy in these days the role of moral theory. From its origin towards a much deeper debate, this book provides a masterful conceptual framework to expand the existent understanding about the challenges and limitations in human rights research. This project is structured (besides an introduction) in eight well-written chapters that explore diverse themes ranging from the law universality to globalization and its impact in poverty. After a magnificent introduction, the first chapter examines the historical conditions for the rise and fall of human rights in the international legal system. The second one refers to the influence of Nazi’s concentration camps and systematic policies of extermination in turning into a new view of the phenomenon. The third and fourth chapters emphasize the role of social science to articulate interdisciplinary research in these fields. Politically circumscribed to specific practices, the rest of the sections explore the manner in which the doctrine of human rights helps today to redefine other concepts such as poverty and development that sometimes remain unclear. At this time, poor nations seek to improve their situations by soliciting credits and their economic situations not only worsen due to the interest that accrues, but also generate a strong dependency between the center and its periphery.