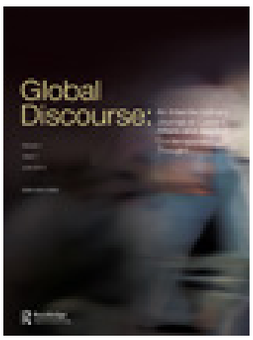

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BOOK REVIEW

The human right to dominate, by Nicola Perugini and Neve Gordon, Oxford, Oxford University Press, 2015, £16.99 (paperback), ISBN: 9780199365005

The Human Right to Dominate is a compelling book for many reasons. The authors present a clear argument that the relationship between human rights and domination is strong and insidious, and explore it through the case of the seemingly intractable Israel/Palestine conflict, which attracts some of the most voluble human rights debate.

It may be a surprising book, especially for anyone who has not examined the human rights system very closely. Many consider human rights to be necessarily good things. The human rights system is supposed to uphold principles of equality, justice, humanity. Those who argue for the protection and implementation of human rights must surely be on the side of the angels.

But this book reveals the many ways in which human rights are deployed to sustain and legitimize systems of domination – military occupation, war, settler-colonialism. In explaining how divergent, even opposing, goals can be pursued through the human rights system, it calls that system into question. As such, Perugini and Gordon have made a welcome contribution to the growing range of scholarship that takes a hard, critical look at what the human rights system has become. The book stands in conversation with the likes of Stephen Hopgood, Mark Mazower, Samuel Moyn, and Winifred Tate among others, who have chipped away at naive and idealistic assumptions, interrupting the 'narrative of global salvation and redemption through human rights' (p. 27) by examining the empirical realities of how human rights function in the world, for good or for ill, and always for politics.

Although the authors recognize that the human rights system was erected within a political framework after World War II, and has been therefore inherently political from the beginning, the book examines appropriations of human rights discourse by conservative groups especially after the turn of the millennium (p. 5). They explain the spread of human rights appropriations in largely practical terms: the conservatives saw that human rights worked for liberals and underdogs, so they jumped on the bandwagon.

The most fascinating material in the book emerges out of the authors' research into the human rights work of advocates for the Israeli state and the settler movement, a little recognized phenomenon. They show how the world of human rights has become a shared playing field for a range of actors who spend an inordinate amount of time and energy saying basically two things: the way those guys – our opponents – are using human rights is incorrect, politicized, bad; whereas our political causes accord with human rights principles, and therefore our goals should be protected and helped by the human rights system. The killing of civilians and colonization of Palestinian land are rendered acceptable, protected by human rights and humanitarian law, and therefore moral.

Among the conservative organizations involved in human rights appropriations, NGO Monitor, UN Watch, Global Governance Watch, Im Tirtzu, all run by Zionist activists, have made it their business to try to discredit the work of those human rights and UN organizations that show how egregious a violator the Israeli state is. As Perugini and Gordon show, for those within this extreme nationalist mindset, human rights critiques of Israeli state and settler behaviour are tantamount to terrorism. Nationalist tribalism cannot brook any criticism of Israel, and its partisans react only with blunt defensiveness. The

authors discuss the strong support for a Knesset proposal to investigate funding of rights groups that are perceived to delegitimize Israel, arguing that this is essentially an attempt to curb freedom of expression. This legislation reflects the extremely hostile and repressive nationalist atmosphere in Israel. Unfortunately, organizations like B'Tselem, an important Israeli human rights NGO, and one of their funders, the New Israel Fund (NIF), seem to have buckled somewhat under the pressure. NIF, for example, made explicit its opposition to the implementation of universal jurisdiction that would allow Israelis suspected of crimes against humanity to be tried in foreign courts. They made this stance public shortly after the anti-human rights campaign by right-wing groups and legislators against 'legal terrorism,' (what they call human rights work critical of Israel), took off (pp. 63–66). Perugini and Gordon infer a causal connection.

However, it is not clear if all of B'Tselem's approach is a tactical response to this toxic atmosphere. When B'Tselem invokes humanitarian law to condemn Palestinian militants for not distinguishing between combatants and non-combatants, is it an effort to produce more 'balance' in its reports to appease the critics? Because much of the research in *The Human Right to Dominate* consists of critical readings of human rights discourse, the authors do not give us much of a sense of the logic, motivations, or intentions of human rights actors like B'Tselem. Based on a close reading of its reports, they critique B'Tselem for 'taking at face value Israel's declared precautions published on the IDF blog' (p. 96). It would have been interesting to know if there were any internal debates among B'Tselem staff about this or other reports, and what motivated this willingness to go along – to some degree – with the government portrayal of Palestinian combatants' responsibilities.

One of the most intriguing insights of the book emerges out of its brief institutional sociology, which shows the overlap of a range of Israeli institutions and political actors – including former state officials, state lawyers, settler and liberal NGOs, and settlers. This includes, for example, personnel that move between settler human rights NGOs like Regavim and the Israeli military's administrative body that governs the occupied Palestinian territories, or the Association for Civil Rights in Israel (ACRI), a liberal human rights NGO, and the government. The book hints at similar kinds of overlaps in the United States – one example being Suzanne Nossel's move from the State Department to head Amnesty International, a position from which she argued against NATO's withdrawal from Afghanistan.

Perugini and Gordon have begun to uncover the development of right-wing and neoconservative human rights claims as a global phenomenon. *The Human Right to Dominate* gives us disturbing insight into the nefarious ways that the human rights system, as a constantly mutating, globally available political framework, is being put to use.

One of my criticisms of this book is that I wanted more of it in places. The authors have raised many provocative and important questions, but some of their answers and arguments could have been more fully laid out. One set of assertions converges around the role of human rights in legitimizing certain political systems, actions, and actors. For example, the authors state that the human rights system that emerged following WWII 'served to restore the legitimacy of the state' as the 'central unit of global politics and as the juridical actor responsible for the people under its governance' (p. 28), arguing that the UN provided Israel's settler-colonial state with 'an aura of international legitimacy.' And as the system developed, human rights NGOs 'helped legitimize the very same Israeli courts that many Palestinians had boycotted' (p. 41). That the Israeli state engages with human rights law helped it 'constitute an image of equanimity and morality… in effect producing its own legitimization' (p. 43). The authors suggest that this legitimizing power stems from the assumed neutral and universal character of human rights (p. 53). These arguments are more than plausible, but more detailed explication of how that legitimizing function works, and for whom, would have been useful.

The back cover praise from anthropologist Didier Fassin states that the authors' analysis 'invites a critical rethinking of the global moral order,' which I thought was an interesting observation. But the suggestion that there is a global moral order should be questioned. What this book shows us are some of the people who make claims to a putative global moral order, and justify their actions with reference to it. Given how widespread is the appropriation of human rights for obviously political, and diametrically opposed, goals, one wonders if there is much of an aura of morality, or any credibility left in the system. Nevertheless, the authors insist that the system still has possibilities: 'human rights can still be used in a counterhegemonic way… can still be a potent tool for advancing justice' (p. 25). But if the system and its language have become so bendable and compliant such that Israeli settlers can transform colonialism into their 'human right,' one might wonder if it is recuperable at all.

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