Civilising Globalisation. Human Rights and the Global Economy. By DAVID KINLEY, Cambridge: Cambridge University Press, 2009. ISBN 978-0-521-71624-6, 256 pp.

Most of those who work in human rights related fields ask themselves the question, at some point, about the interdependence between human rights and economic welfare. With a certain degree of simplification, one could argue that human rights concerns are often brought to international fora by developed Western countries, with the major violators of human rights being poorer developing countries. However, it still remains unclear whether economic well-being brings a stronger human rights-based approach to governance or whether there might be a more nuanced inter-relationship which is subject to a much broader number of variables. These questions become even more complicated at the international level when developed and developing states attempt to establish common rules for economic and social cooperation and regulation within intergovernmental organisations, and more complex still when transnational corporations (TNC) attempt to intervene and advance human rights standards in developing states.

Civilising Globalisation is an attempt to expand upon the link between human rights and global economy. Arguments are often put forward by leaders of authoritarian regimes that these two areas should be kept separate, and that economic cooperation should not be conditioned on adherence to human rights standards. However David Kinley illustrates the unbreakable link between international human rights and all pillars of the global economy. While he observes some obvious controversies between human rights and economics namely the attitude of some 'capitalist' lawyers that human rights including workers' rights constitute an obstacle to economic growth, the author maintains that all freedoms are interconnected and strengthen one another. The author explores different aspects of the interaction between human rights and economics – socio-political, legal and institutional.

This monograph focuses on the interaction between human rights and three particular aspects of global economics: aid, trade, and commerce. Beginning with a historical perspective, Kinley tracks some of the landmarks of global economic development and of human rights and their intersection over the course of centuries. The following chapters examine the distinct human rights impacts of development aid, multilateral trade policies and role of TNCs in the management of human rights issues. The main argument articulated is that each of these economic instruments can have a positive impact on human rights protection because the economy provides important means for the achievement of human rights objectives. However, it is only possible if the negative impacts of a globalised economy are minimized. The core argument Kinley makes is that the 'market is more effective in the economic area but human rights should also be an objective necessity for the state rather than on optional deviation' (p. 38). He further applies and tests this argument against the state activity in the areas of trade, development, the elimination of poverty and commerce. The author concludes that globalisation can be a force for good if its force for bad is properly restricted (216).

In this interdisciplinary study, the connections between human rights and economics are usefully translated from the highly specialised language of economics, law, sociology and politics into a vernacular which can be grasped by all readers. To underpin his arguments, Kinley uses fascinating and illustrative examples, often based on his own experience as an advisor and consultant on human rights, making the concepts both accessible and interesting. Arguments are richly reinforced with case-law from different jurisdictions and international organisations, including the World Trade Organisation, the European Union, and the Council of Europe. Examples from some of the most globalised countries in the world such as China, Burma and Papua New Guinea, clearly depict the political reality of complex clashes between human rights and economic development, particularly in the area of environmental management.

Traditionally, the relations between human rights and economics were poisoned by misunderstanding, mutual accusations, mistrust and suspicions. Proposals to link human rights standards to international trade liberalization have made developing countries, who notionally stand to gain from the prioritisation of rights, fearful that such a form of linkage could become a tool of protectionism and manipulation. This fear is not unfounded and developed countries do sometimes disguise their protectionist intentions with human rights rhetoric; as one high-ranking American trade union leader commented: 'We don't give a damn about workers in the Third World. We just want to protect our members' interests' (p. 67).

TNCs are often criticised for supporting authoritarian regimes by trade and investment, and in doing so perpetuating human rights violations overseas. Poor understanding among TNCs of corporate social responsibility, low corporate culture and vague internal legal regulations can have severe implications in terms of human rights. The distribution and management of aid provided to the developing countries is often insufficient and can impact on human rights outcomes. In addition economic sanctions against states that violate human rights do not bring rapid positive changes. These are all aspects of global economics which impact negatively on human rights. Kinley's evidence points unassailably towards the strong but complex link between economic well-being and the adequacy of human rights protection.

The author does not engage in a more detailed legal analysis of the complexities and nuances of existing international human rights. He approaches them as a broad moral notion, without undertaking a more detailed and precise definition of the legal provisions and mechanisms currently in existence. For Kinley 'it is the twin proclamations of the modern development of human rights – that they are universally applicable, and that they are expressed in law as such that really makes their intersection with the global economy so pertinent' (p. 10). Refreshingly, this book is not about abstract human rights theory, but rather about the verifiable effect of the global economy on the relations between states and individuals and between TNCs and individuals.

The author is not simply satisfied with a theoretical conceptualisation of relations between human rights and the global economy and he tends to evaluate the practical application of every assessment he makes. Kinley compares rhetorical proclamations or purely legal concepts with the practice of global economic cooperation and comes to the conclusion that the reality is far less optimistic than presented by officials of international organisations.

The book ends with a call to re-orient perspectives on the interdependency between human rights and global economy. Kinley argues that

[t]he protection and promotion of universal human rights... must be recognised not only as a key strategic objective of the global economy, but also as an important tool in civilising the global economy on its way towards the goal. On the other side of the equation, I have argued for recognition, indeed appreciation, of the global economy's role in pursuing the ends aspired to by these same human rights standards' (pp. 204-205).

However, this notion is based on the assumption that states are pursuing human rights ends as their primary objective. This is hardly the case, and the author clearly realises this fact by referring to the *realpolitik* of global economy. The author claims that successful economic cooperation can lay the foundation for a successful implementation of international human rights standards.

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