

on the side speechless and powerless while human beings lose their lives on a daily basis—is a real tragedy on our human consciousness. Not only does this book invite a critical reflection of the global moral order but it is a definite must read for anyone truly concerned with the state of human rights in our world today. Perugini and Gordon have used their profound knowledge of the intricacies of the Palestinian–Israel situation to wisely and urgently suggest a critical reinterpretation of HR that subverts relations of domination. For this reason, this book would have benefited from a subtitle. Overall this is a disturbingly powerful book that shakes off all preconceived ideals about HR and NGOs. It reveals how Israel’s obsession with its highly militarized sense of security, its abuse of international HR frames and the negative impact not only on Palestinians but also on Israeli society at large are in urgent emergency mode. For the sake of all human lives involved the occupation must end now.

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Human Rights and Disability Advocacy. By Maya Sabatello and Marianne Schulze. Philadelphia, PA: University of Pennsylvania Press, 2014. 304 pp. \$59.95 cloth.

Reviewed by Linda Steele, School of Law, University of Wollongong

The United Nations Convention on the Rights of Persons with Disabilities (“the Convention”) which entered into force on May 3, 2008 has been hailed as marking a “paradigm shift” both in relation to how international human rights treaties are developed (from state-centric to participation by Disabled Persons’ Organisations [“DPOs”] and Non-Governmental Organisations [“NGOs”]) and how international human rights law approaches disability (from medical model to social model) (see, e.g., Melish 2007). With 160 signatories and nearly 10 years having passed since the Convention was open for signature in May 2006, the Convention is now in a phase of domestic implementation and the international origins of the Convention and its paradigm shift might seem in relative terms a distant past. In *Human Rights and Disability Advocacy* editors Maya Sabatello and Marianne Schulze take readers back to the Convention’s development via a series of first person reflections by individuals from a diverse range of DPOs and NGOs who were involved in the treaty negotiations.

The book provides a useful complement to scholarship which takes a more abstract or formal approach to the Convention’s

development. In taking a first person approach from multiple perspectives rather than a single, chronological narrative the interplay of the chapters in *Human Rights and Disability Advocacy* form a *bricolage* that provides an enriching insight into the challenges, complexities, and tensions of international human rights advocacy and how these play out specifically in relation to human rights of people with disability. The different authors in each chapter are unexpectedly candid and reflective of their first hand experiences—sharing successes as well as failures, disappointments, and disagreements—and together illuminate the complex lived, material, and affective dimensions of the development of international human rights law and specifically of the Convention.

The multiperspectival narrative structure of *Human Rights and Disability Advocacy* provides important and unanticipated insights into the strategies and challenges of “new diplomacy,” including in relation to working in coalitions and lobbying states parties. For a legal readership, one chapter which is particularly valuable is Tara J. Melish’s chapter on Disability Rights International’s approach to the Convention drafting negotiations which was focused on achieving the goal of legal technical and operational effectiveness at international and domestic levels (as opposed to a focus on aspirational and concept driven goals) and careful, legal attention to international law principles in this strategy.

This book will be of interest and use to disability legal and critical disability scholars and students because it poses provocative, material challenges to the theorizing of disability. While the editors of *Human Rights and Disability Advocacy* make the point that the approach to disability in the Convention owes much to theorizing on social models of disability, the chapters in *Human Rights and Disability Advocacy* implicitly show the converse: that the experiences of the individuals involved in the development of the Convention can in turn inform the further theorizing of disability as a political category. One of the fascinating themes to emerge from the book’s structure and multiperspectival approach is the hierarchies, tensions and at times interesting alliances *between* different disability categories and groups of disabled people: summed up by MacQuarrie and Laurin-Bowie as: “The negotiations of the [Convention] brought the world together to talk about disability. With that came stereotypes, assumptions, and outdated language use about disability – and not just from government delegations. . . . the tensions and differences among and within civil society organizations were, in many ways, more difficult and more important to overcome” than those between government delegations and civil society organizations (p. 26).

The book contains perspectives from a number of different dimensions of marginality including Gerison Lansdown on children, Mi Yeon Kim on women, Pamela Molina Toledo on Global South, and

Huhana Hickey on Indigenous people. The interplay of and gaps between these perspectives contributes, in a very grounded way, to theoretical explorations of disability and intersectionality [see, e.g., Erevelles (2011)] and the geopolitics of disability [see, e.g., Soldatic and Meekosha (2014)]. Hickey's and Toledo's chapters are particularly significant in drawing attention to issues which typically sit on the margins of much Western disability legal scholarship and human rights scholarship, such as foreign occupation, disaster, poverty, and colonialism (notably as causes of disability). While it is not the purpose of the book to explore these issues in detail, their emergence in the course of the reflection on the Convention's development points to the richness of the book for anyone engaged in disability legal studies, as well as legal scholars studying other marginalized groups. Obviously, a book of this kind cannot capture every dimension of marginalization, but it is unfortunate that the book did not have the scope to sufficiently explore the place (if at all) in the development of the Convention of migration [see, e.g., Pisani and Grech (2015)], criminal justice issues [see, e.g., Ben-Moshe, Chapman, and Carey (2014)] and dementia.

One aspect of the Convention which has generated considerable scholarly discussion and domestic law reform consideration is that of the right to legal capacity enshrined in Article 12. It is useful to read in *Human Rights and Disability Advocacy* a variety of perspectives about the development of Article 12 (including those both for and against substituted decision making) and see the tensions and interesting alignments on this Article between the various DPOs and NGOs. It is unfortunate that the issue of abortion and assisted reproductive technologies was not given much attention in the book. This is particularly given how contentious this issue is in relation to people with disability coupled with Lex Grandia's observations of the relative lack of interest in this issue demonstrated by the bulk of DPOs and NGOs during the treaty negotiation process.

Human Rights & Disability Advocacy is a rewarding, engaging, and thought-provoking read for disability legal, human rights, and international law scholars and students, and disability rights advocates. Ultimately, it celebrates the Convention's paradigm shift at the same time that it tells us in frank terms that this shift came about through the maneuvers, stumbles, and brave leaps of the individuals on the ground during the Convention's development.

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American Immunity: War Crimes and the Limits of International Law.
By Patrick Hagopian. Amherst and Boston: University of
Massachusetts Press, 2013. 244 pp. \$27.95 paper.

Reviewed by Joseph Margulies, Cornell University Law School

Patrick Hagopian, a Senior Lecturer in history and American studies at Lancaster University, has turned his prodigious talents to an enduring feature of American exceptionalism. American lawmakers after World War II piously demanded that the rest of the world follow universal human rights norms. Yet they carefully exempted American servicemen from these same standards by preventing veterans from prosecution for war crimes committed during their deployment overseas. This created a "jurisdictional gap" that the United States protected for decades, closing it only in the last years of the twentieth century to avoid the growing reach of universal jurisdiction exercised by foreign courts (e.g., p. 2). Hagopian finds this perplexing.

But if you believe, as I do, that law is the handmaiden of ideology—that it serves and legitimizes prevailing belief systems within society—then there is nothing perplexing about the behavior Hagopian has worked so hard to explain.

American Immunity: War Crimes and the Limits of International Law is an engaging account of the varied legal arguments by which the United States developed and maintained this double-standard. The net, however, is simply this: In its foreign face, the United States has long insisted on one rule for itself and another for everyone else, and justified the difference by making particular arguments about the law. This of course is a time-honored feature of the interaction between law and ideology in the United States—law blesses what ideology wants—and there is nothing unusual about the behavior Hagopian describes. On the contrary, it is merely another