



BOOK REVIEW

COLEMAN, LARA MONTESINOS. *Struggles for the Human. Violent Legality and the Politics of Rights.* [Global & Insurgent Legalities.] Duke University Press, Durham (NC) [etc.] 2024. xiv, 250 pp. \$104.95. (Paper, E-book: \$27.95.)

Human rights are often understood as a liberating set of ideals. At their core, they hold the nation state to account to provide a minimum level of treatment for individuals, recognizing something inherently worthy and sacred in individual human life. Their entrenchment in the international order over the course of the twentieth century has undoubtedly changed the way in which humanity understands one another globally. These ideals have become the bedrock of a number of transnational campaigns seeking to improve the lives of people around the world. Human rights abuses are often described as moments of persecution, oppression, or violence, and are understandably met with a dedicated response from the concerned around the world. However, the way in which human rights are constructed, understood, and implemented often go unquestioned, especially in a global context where these ideas now sit in an enviably powerful position. Are there aspects of human rights and the way in which they are understood that may be hindering the lives of some? How does our understanding of human rights “blind” us to their inherent problems? Does their abstract nature make them malleable constructs that shift to fit broader international projects, making them far from the unimpeachable moral constructs that they are often described as? It is this complex space that Lara Montesinos Coleman’s *Struggles for the Human* addresses.

This is an ambitious book that places these challenging issues alongside the impact that neoliberal capitalist ideas have had on the understanding of human rights, the human, and ethical behaviour more broadly. The role of the corporation in both protecting and violating human rights is a complex issue, where moral obligations to protect rights are often in stark contrast to the legal requirements these businesses are subjected to, let alone their corporate responsibilities to maximize profit for their shareholders. To ground these issues, Montesinos Coleman draws on her experiences of activist work in Colombia, where the tensions inherent in understanding these issues come to light. As the author notes, this is not a book about Colombia, but one that uses the nation and its experiences as a lens through which to assess human rights more broadly. It shines a light on the way in which corporations have understood, used, and manipulated human rights issues in their corporate activity in Colombia, offering a critical reflection on human rights and neoliberalism that can be applied much more broadly. This is an especially effective approach, which allows engagement with theoretical issues whilst grounding them in real-world issues.

This book takes a broadly thematic approach to this topic. Chapter One seeks to recalibrate our understanding of the relationship between violence and law. It

challenges the ideal of a neutral “rule of law” in the neoliberal context, arguing that, whether in the extreme example of armed repression in Colombia or the tamer context of Britain, violence is inherent in the day-to-day workings of capitalism. The context painted in this chapter offers an excellent grounding in the landscape that this book operates in. The next chapter moves to draw on Montesinos Coleman’s personal experience of working with activist groups in Colombia, arguing that direct engagement with corporate responsibility on a voluntary basis is counterproductive for activist groups. Instead of furthering their causes, this chapter argues that this engagement creates and sustains a discourse linking resistance with irrationality. By following the language of corporate rights, activist organizations may, in turn, be challenging their ability to deviate from this language. This is a challenging but compelling observation that encourages a critical reflection on the way in which human rights are drawn upon in a corporate context, and the broader implications that this may have.

The third chapter effectively draws on a case study, that of a trade union-led campaign against food workers in Colombia. It highlights the tensions present in recognizing and responding to human rights violations, arguing that these rights have been privatized by neoliberal ideas. The construction of so-called global social partnerships has, Montesinos Coleman argues, entrenched a form of human rights that consolidated neoliberal ideas. Chapter Four focuses on demonstrating how the use of law to address human rights violations in Colombia has hit the problem of corporate impunity. Instead of addressing the ethical and moral issues inherent in human rights violations, corporate entities instead consider these violations as part of a broader palette of risks that can be compensated for. In this context, moments of human rights violation are reimagined as a “possibility” in corporate activity, rather than a real event with roots in peoples’ experiences. This critiques the role of the corporation as an ethical actor, a position actively promoted by a number of multinational businesses. The consequences for failing to adhere to these principles are extremely limited in the case of human rights violations, as only individuals can be legally prosecuted for these crimes, whereas corporations can point instead towards civil offences of “negligence” or a breach of “duty of care”. In this context, Montesinos Coleman encourages readers to reassess the relationship between violence and legality, how this has become entrenched in a neoliberal context, and how this division can be removed.

Chapter Five focuses on the consequences of “pernicious optimism”, whereby the consequences of capitalist activity, including violence and death against individuals, become papered over with a fetishized veneer of abstract ethical values. Instead of engaging with the horrors of human suffering that often come from “extractivist” corporate activity, we are left with positive and often vague slogans about corporate good. In this sloganeering, the abstract nature of human rights discourse has become a powerful tool. This is not to suggest that the idea of human rights should be rejected, but rather that we should be critical about the use of abstract values, and the gaps that their breadth may leave. The final chapter outlines an “insurgent humanism”, inviting the reader to rethink the relationship between human rights and “goodness”. By complicating our understanding of human rights as a “messy” concept, rather than one with clearly understood and unambiguous meaning, this

chapter argues for a more challenging relationship between hope, the sense of good, and human rights.

The short but especially engaging conclusion to this book is worthy of particular note. In five pages, Montesinos Coleman offers ten points in response to the question “What do we make of human rights?”, synthesizing much of this book’s argument into an evocative assessment of the challenges facing human rights advocates. The direct nature of this conclusion, which offers both exceptional depth and clarity while retaining brevity, leaves the reader with a huge amount to think about. These points boil the contribution of this book down to its very core and act as a manifesto of sorts, setting the intellectual space for challenging our understanding of human rights in the context of neoliberal economics and its very real impact upon human lives.

In many ways, this book is a challenging read – for all the right reasons. It is a powerful critique of capitalist engagement with human rights, highlighting the hypocrisy of perniciously optimistic corporate culture towards human rights issues that simultaneously overlook (or, in some cases, permit) the violent treatment of individual lives. Much like frustrations with “slacktivism” and “clicktivism” – often derided activist campaigns that rely solely on online activity such as sharing social media posts or signing online petitions – there is potential in this approach to entirely overlook the positives of this corporate culture, no matter how slight they may be. Instead, Montesinos Coleman sensibly highlights the need for human rights activists to be realistic in their ambitions, recognizes that the desire to defend human rights is part of an innate human goodness, and argues that challenging the interpretation of human rights does not mean that they should be rejected outright. The challenge lies in the broader question that has dogged revolutionaries, activists and intellectuals grappling with these issues throughout history – what is to be done? This book does not offer a clear answer to this question, but it offers an exceptionally impressive landscape in which these issues can be explored. Anyone interested in human rights and their position in the modern world would be well served by reading this book and engaging with the issues raised.

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