Globethics Repository

Globethics

Book Reviews

This page was generated automatically upon download from the Globethics Repository. More information on Globethics see https://www.globethics.net. Data and content policy of Globethics Repository see https://repository.globethics.net/pages/policy.

Item Type	Article
Authors	Health and Human Rights
Publisher	Harvard School of Public Health
Rights	Creative Commons Copyright (CC 2.5)
Download date	2026-09-15 01:57:11
Link to Item	http://hdl.handle.net/20.500.12424/186151

Book Reviews

Children's socio-economic rights, democracy and the courts. Aoife Nolan. Hart Publishing, 2011. ISBN 978-1841137698 (hardcover). 336 pages. $110.

Aoife Nolan addresses a crucial and underdeveloped topic in the literature of human rights law: the socio-economic rights of children. Her analysis focuses on the role of the courts in securing and safeguarding these constitutional rights, arguing that judicial activity in these situations is justifiable because of the positive obligations to children that stem from those rights. In order to support the claim that courts are not only able but obligated to enforce child socio-economic rights, Nolan provides a thorough analysis of liberal democratic theory, the role of children in democracy, the judiciary's role as guardian of rights, the institutional capacity of the courts to enforce the socio-economic rights, and the implementation of rights-related court decisions. The book is a necessary analysis of the efficacy and legitimacy of judicial action in favor of child rights. Nolan advocates for the implementation of a rights-based response to child poverty, a crucial driver of poor overall health, and in doing so provides a powerful contribution to health and human rights scholarship. [JF]

The right to health – a resource manual for NGOs. Judith Asher. Martinus Nijhoff, 2009. ISBN 978-9-00-415438-4 (paperback). 260 pages. $175.

Although this excellent resource manual by Judith Asher has been available electronically since 2004, the print version will now be a welcome addition to NGO, health professional, and academic libraries. This manual sets out to overcome barriers that have long prevented the ready uptake of human rights in the field of health. The reader is introduced to the meaning of human rights, rights instruments, monitoring and accountability processes in non-legal language. Armed with this understanding, the manual then describes the obligations that the right to health places. In particular, it addresses the state obligation to respect, protect, and fulfill the right to health, but pleasingly, it also includes a section on the obligations of international partners and non-state actors. In the final and largest part, Asher shows how to use rights in advocacy and monitoring activities.

The real value of the publication lies in its down-to-earth language, excellent use of case studies and examples, and clear focus on the need for this information in developing country settings. [CW]

International human rights and mental disability law: When the silenced are heard. Michael L. Perlin. The Raoul Wallenberg Institute for Professional Guides to Human Rights, Volume 6. Oxford University Press, 2012. ISBN 978-0-19-539323-1 (hardcover). 352 pages. $75.

In his latest book, Michael L. Perlin sheds light on the continued violations of human rights law through the mistreatment of people with mental disabilities. Despite a well-defined international law framework, the mentally disabled are subject to some of the poorest human rights climates around the world. Perlin argues that these harsh conditions stem from pervading collective attitudes of sanism and pretextuality, as well as social neglect and inadequate or non-existent legal protection from the violations of the rights of persons with mental disabilities.

While the author has written extensively in the past on domestic issues in the US, he has broadened his analytical lens to focus on the current relationship between international human rights law and mental disability law. Perlin thoroughly reviews international human rights law and evaluates mental disability legal doctrine in a comparative law context. He moves on to define the issues that must be addressed in order to safeguard the human rights of the mentally disabled on an international scale, namely the "lack of comprehensive legislation, lack of independent counsel, inadequate care, lack of community programming, and inhumane forensic systems." Perlin's social, political, and legal analysis of rights-based international mental disability law and its applications addresses the gap in the protection of the human rights of the mentally disabled around the globe. [JF]