

BOOK REVIEWS

Robert McCorquodale*

*Culture and Human Rights:
The Wroclaw Commentaries*
Andreas Joh. Wiesand,
Kalliopi Chainoglou,
Anna Śledzińska-Simon,
and Yvonne Donders (eds.)

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Culture is deemed to be one of the main categories of human rights, as seen most clearly by its place in the title of the International Covenant on Economic, Social and Cultural Rights, as well as constituting a separate article (27) in the Universal Declaration of Human Rights. Nevertheless, it is surprising how few jurists focus on cultural rights or understand the links between culture and other human rights. This large collection aims to remedy this lack of focus.

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This book emerged from two conferences in Poland, and the authors' aim is "to assess the relationship between culture and human rights from the position of culture as a basic need of all individuals which includes, but is not restricted to, the canons of artistic creation and encompasses tradition and innovation, conservation and modification, doctrinal purity as well as hybridity and experimentation" (p. XXIV). They state that the book's approach is one that is inclusive in terms of subjects, contents, and forms, as well as in promoting access to the culture of minorities and acknowledging new forms of technology, while at the same time posing "questions for law and policy-makers about the implications of laws and policies which do not take the cultural aspects of such activity into account" (p. XXV).

Part I of the book is a series of seven overview analyses by some of the leading writers in this field, while Part II is a series of about 120 short "keyword" briefings, which are usually 1-3 pages (double columned) in length. The chapters in Part I cover a range of issues: Culture and Human Rights: Concepts, Instruments and Institutions (Andrzej Jakubowski); Freedom of Expression in the Arts and Media (Annamari Laaksonen); Cultural Diversity and Cultural Identity (Yvonne Donders); Access to Culture, Media and Information in the Digital Age (Paul de Hert); Rights and Protection of Social/Socio-cultural groups (Federico Lenzerini); Freedom of Religion or Belief (Heiner Bielefeldt); and Cultural Heritage in the Human Rights System (Janet Blake). These are all clearly structured and summarize the authors' overall position on those aspects well, albeit briefly. There are, however, other core issues that could have been considered, such as those arising from anthropology and sociology, as they would have represented a reflection that the legal approaches can be enhanced by other disciplines when considering culture and human rights. This is also relevant when considering the implications for policy makers.

The keywords in Part II are structured into five aspects for each subject matter: key issues/definitions; legal instruments; case law; literature; and commentary. The intention is to provide an introductory reference for researchers and "a user-friendly tool for the daily needs of policy- or law-makers at various juridical, administrative or political levels" (p. XXVII). It is, therefore, neither an edited collection of scholarly articles nor a dictionary of terms, but more like a lexicon commentary with introductory articles. This is an unusual approach, and susceptible to the problem that so many diverse voices can result in a cacophony of noise without being able to hear anything. In fact, there are enough layers of nuance in the keywords analysis that a rhythm can sometimes be found in reading them, especially because most readers are likely to select only topics of specific interest to them. All the entries include bibliographies for further reading.

These keywords are of a wide variety and generally open up the topics by referring to key documents, cases, and literature, without restricting them to giving a final answer, although this is not invariably the case. While there is a core structure to each keyword entry, some authors set out their views more strongly than others. There are also some keywords which would seem unexpected in such a vol-

ume, such as “clash of civilisations” and “golden rule”, as well as more recent issues such as “trolling and shitstorm”. At the same time, there are also occasional glimpses into the reality of the human rights issues underlying the volume, such as in the entry on Censorship, which ends:

It is highly significant for our topic that this contribution, scheduled to be written by an author in an Asian country, had to be reassigned at the last minute to one of the editors. Conditions for the free exercise of human rights vary greatly around the globe which, in this particular case, could have endangered the future professional life of the expert had he insisted in delivering the article like originally planned. This shows, in a nutshell, that we still have a long way to go until the promises of freedom of expression and cultural diversity, enshrined in international legal instruments, can successfully stand the reality test (p. 103).

This is powerful.

Overall, this is an extraordinary undertaking in an area in great need of such material. It is not really manageable to be read as a single text, but enables the reader to select issues/keywords when needed and delve further if he or she wishes. The editors are to be congratulated for undertaking this endeavour and creating such a resource.