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Shadi Mokhtari. *After Abu Ghraib: Exploring Human Rights in America and the Middle East.* Cambridge: Cambridge University Press, 2009. ix + 252 pp. $85.00 (cloth), ISBN 978-0-521-76753-8.

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Protecting Human Rights Begins at Home

Shadi Mokhtariâs *After Abu Ghraib* is original and conceptually incisive in its argument that much-publicized U.S. violations of human rights–epitomized by Abu Ghraib–have helped stimulate a healthier human rights discourse in both the Middle East and, to a lesser degree, the United States. This argument, very much contrary to common wisdom, is grounded in both field research and theoretical interdisciplinarity. This combines to give the bookâs arguments a depth lacking in more one-dimensional takes on human rights, and confronting on-the-ground contradictions encountered in field research lends her conclusions a realistic diffidence. Mokhtari makes a convincing case that both human rights offenders *and* defenders have too often contributed to a distorted construct of human rights that poses the United States as a leader needed to advance human rights globally. U.S. leadership implies U.S. ownership. This understanding of ownership reinforces the misbegotten clichÃ© of a West to East flow of human rights, a clichÃ© that is a death sentence for human rights in other parts of the world. To the contrary, as Mokhtari makes clear, human rightsâ legitimacy flows out of the degree to which human rights are identified with local actors and normative frames. Thus, the paradox that Mokhtari explores: as the United States egregiously violated human rights over the last decade, it made itself a target of human rights-based criticism from around the world. This gave human rights, ironically, greater credence and legitimacy in many parts of the world, opening space for advancing a rights-based normative frame–especially in the Middle East.

Mokhtari explores this paradox in the context of three contentious issues: the American campaign to challenge the Bush administrationâs policies regarding detention and torture; efforts from the Middle East to challenge American human rights practices; and Middle Eastern challenges to domestic human rights violations. Interviews with American, Yemeni, and Jordanian human rights NGO activists reveal a struggle to confront the simultaneously hegemonic and emancipatory elements in U.S. co-optations of human rights rhetoric. The bookâs theoretical framework for this research comes out of two usually distinct academic frameworks: Third World Approaches to International Law (TWAIL–grounded in critical theory) and constructivism. Mokhtari understands TWAIL as highlighting âthe ways in which power relations among states, cultures, races, or âcivilizationsâ can be assembled around and built into international dynamics“ (p. 9). Constructivism is understood to offer a âfocus on the potential of norms and identities to foster compliance with human rights standards, notwithstanding power” (p. 9). No one will suggest that Mokhtari is making cutting-edge theoretical advances, and it could have been hoped that she would have more clearly elaborated how she sees these theories mutually informing each other–particularly given tension in their contradictory understandings of power. Nonetheless, there are

two instances in which this theoretical framework informs particularly revealing insights.

The first of these is in the argument that, both before and after 9/11, the United States projected ownership of a universal human rights project from which it exempted itself. This is an important point, if not novel. But what is interesting is the way in which Mokhtari zeroes in on how even the most vociferous critics of U.S. violations of human rights couch their critique in claims that U.S. violations betray its role as a human rights leader–a sort of self-congratulatory American essentialism. This theme of the United Statesâ betrayal of its ânaturalâ position took center stage, for example, during the fight against the confirmation of Alberto Gonzales, as well as in the push for the passage of the McCain Amendment to limit torture. As Mokhtari rightly points out, this implicitly assumes a history of U.S. respect for human rights and the right for the United States to act as a benevolent hegemon legitimately able to advance human rights around the world. In this sense, even Bushâs fiercest critics replicated his narcissistic assumptions about the United Statesâ role within the international human rights regime–i.e., that the United States has some inherent right to lead. This contradicts a U.S. record toward human rights that has most often been (both before and after Bush) disengaged if not downright oppositional.

This logically leads to a second insight worth emphasizing from *After Abu Ghraib.* Mokhtari acknowledges that debates over cultural relativism have faded. Yet she contends that the basic language of those debates still implicitly underlies arguments around human rightsâ legitimacy. In criticizing U.S. relativism, she notes how Middle Eastern actors–including many states–have simultaneously highlighted and discredited their own relativism. This is part of what has led to a greater ability to move beyond stale debates over relativism and toward a push for great intellectual consistency among both advocates and academics. This is, in Mokhtariâs words, âan important emerging trend ... in subjectivity in the [Middle East]. Whereas previously dominant anti-imperialist discourses provided limited space ... to human rights, as the September 11^{th} era progressed, increasingly human rights were invoked and understood as essentially emancipatoryâ (p. 160). In other words, increasingly the abstract universalist-relativist debate has been surpassed by a focus on what resonates in on-the-ground struggles for justice.

In short, Mokhtari uses her field research and theoretical grounding to move us beyond some clichÃ©d debates in human rights, advance a critique of U.S. insularity even among human rights defenders, and open our eyes to key trends in the Middle East. This is an impressive achievement. Of course there are elements on which we wish Mokhtari had pushed harder. For instance, the only reference to social, economic, or cultural rights is a quick mention of their importance in relation to the concerns of Palestinian and Iraqi refugees (p. 140). In the face of so many social, economic, and cultural human rights violations in both the United States and the Middle East, focusing almost exclusively on civil and political rights ignores the resonance of other categories of rights and arguments for their indivisibility. Regarding âthe Middle East,â trends are sometimes assumed to be relevant for the region as a whole when it would be more appropriate to differentiate within the region. But these are quibbles given how relevant and incisive Mokhtariâs arguments are to ongoing events and debates. *After Abu Ghraib* is highly recommended as part of an emerging human rights literature that emphasizes the grounding of those rights in human agency, cultural fluidity, and normative dynamism, rather than in a particular location or philosophy.

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