

Amid the revival of economically damaging Mao-era policies – universal Communist Party leadership, self-reliance, channelling vast resources toward state-controlled enterprises, top-down investment and innovation priorities – the author’s unwillingness to consider possible obstacles confronting China’s economy other than “speed bumps” arising from COVID-19 and from friction with the US may signify a retreat from robust public discussion of economic policy, trends and prospects – a particularly unfortunate manifestation of China’s not-so-distant past.

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*China and the International Human Rights Regime, 1982–2017*

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It has been almost a quarter of a century since the appearance of Ann Kent’s path-breaking book *China, the United Nations, and Human Rights* (University of Pennsylvania Press, 1999). The work under review is a much-needed update on the subject.

Inboden’s introduction contains an excellent theoretical overview of the international human rights regime (hereafter “the regime”), which she sees as comprised of four “pillars”: an interstate forum; universally accepted norms; treaty bodies; and procedures for dealing with specific rights issues. Within this structure, states are variously seen as playing five different roles regarding the regime: makers thereof; promoters; takers; constrainers; and breakers. The People’s Republic of China (PRC) is sometimes seen as a “taker,” in that it at least goes through the motions of complying with regime requirements. Certainly, with regard to the International Labour Organization (ILO) China is happy, given how little scrutiny the country receives – because of its refusal to ratify key ILO conventions. However, sometimes Beijing’s actions can be viewed as virtually “constraining,” that is, acting to rein in various aspects of the regime.

The core of the book is comprised of three essays, arranged chronologically by subject matter in order to show how Beijing’s thinking about the regime changed over the years. The first of these is an overview of China’s post-1949 evolving posture toward the regime in general, including regarding the more traditional rights such as civil liberties and due process. Although the PRC’s policy has not been total denial, the country’s approach “demonstrates the limits” of its “acceptance of the regime and its intense aversion to human rights monitoring that spotlighted its violations” (p. 76).

Two subsequent chapters are more narrowly focused on China’s involvement in a pair of sub-regimes. Chapter three concerns the country’s nuanced approach to the various instruments relating to torture (1982–2002): rather than the PRC being the lone holdout, the general Convention Against Torture (CAT) was grudgingly accepted, despite its unwelcome inclusion of the principle of “universal jurisdiction” (no safe haven). Whereas the country only passively resisted CAT, the separate, less palatable, Optional Protocol was rejected outright as being too intrusive and

incompatible with the overriding principle of state sovereignty. In the wake of the 1989 Tiananmen crackdown, China actually attempted to restrain the drafting process. Whereas it had ratified CAT (in 1988, just at the end of the relatively liberal era), to this day it has not ratified the Optional Protocol.

In 2007, the UN Commission on Human Rights was replaced by the UN Human Rights Council. Although the PRC supported this move, it had not been among those most dissatisfied with the old Commission. In the process of changeover, China, in Inboden's view, acted as a somewhat unsuccessful "constrainer" (not a "breaker"), seeking to eliminate country-specific resolutions. Still, China and like-minded sceptics of human rights oversight were able to clip the wings of the new Council in many respects.

The various granular accounts go far in helping one understand the extent to which China is willing to interface with the regime. It turns out that, of many variables, the main driver in the PRC's acquiescence in (or avoidance of) the regime is China's wish to itself dodge critical attention. The author gives second place to the PRC's adherence to a narrow Westphalian view of state sovereignty, but today that strikes one as less explanatory in view of China's non-objection to Russia's war on Ukraine.

The discussion of the international human rights covenants is slightly flawed by the obliviousness to the fact that it is a fake, and not the actual, Chinese-language human rights covenants that China acknowledges (see Seymour and Wong, "China and the International Human Rights Covenants," *Critical Asian Studies*, 47[4], 2015, 514–536). To the extent that the documents are substantively different, China is that much less integrated into the international human rights regime.

One of the book's "key findings" is the "remarkable consistency in PRC views" resisting the idea of the universality of human rights, at least between 1982 and 2017 (pp. 21–22). Viewed in terms of attitudes toward the international human rights regime, that is quite correct. On the other hand, it should be kept in mind that occasionally China has enjoyed relative liberalism, such as in the 1980s, with heterogeneous views sometimes tolerated if not welcomed for long. The same was true of various earlier occasions. All this is important because it shows that, whatever the *government* might say about the human rights regime, there has been considerable resonance between international norms and on-the-ground sentiments (and sometimes realities) in China. In other words, exclusive focus on the government's view of the regime runs the risk of masking a coexisting reality that, whenever given the opportunity, the Chinese people (both intellectuals and working class) are (albeit unwitting) "promoters" – they eagerly exercise their human rights.

Much of China's behaviour in this area can be viewed as instrumental. China has its own goals, which have little to do with human rights. Certainly, its behaviour often "did not amount to an internalization of human rights norms" (p. 220). The regime would certainly be stronger, but for foot-dragging by China and like-minded governments.

This excellent book will find a welcome place in many university courses – especially the free-from-Kindle introduction, with its finely tuned theoretical exegesis.

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