In this clear and concise monograph, Beitz argues in favor of a ‘practical’ theory of human rights. Inspired by Rawls’s approach to human rights in *The Law of Peoples*, the book follows nearly a decade of publications proposing what Beitz has called both a ‘practical’ and a ‘functional’ approach to human rights, which ties the content of human rights doctrine to its functions and roles in international relations. But where those early papers could only hint at how a practical approach to human rights might work, this longer examination of the subject draws out real contrasts with the dominant understandings of human rights.

The central and groundbreaking argument of the book suggests that (1) the modern practice of human rights is not adequately explained by traditional human rights theory; and (2) that the modern practice of human rights nonetheless exhibits a form of normativity that arises from the distinctive functions of international human rights. The familiar accounts of human rights by Griffin, Donnelly, and others place human rights in a continuous history with natural rights and natural law. Human rights have changed over the centuries, of course, but the iterations of various doctrines of the Rights of Man lead to a familiar narrative. The narrative suggests that human rights have some ties to natural law, some implicit account of human nature, or some central account of the authority of human rights. Beitz’s theory implies that the modern doctrine of human rights has moved away from this narrative and the tradition of natural rights. Accordingly, Beitz argues that the question of moral authority for human rights is no longer the central issue, and instead posits an account of human rights where practical questions take precedence.

Beitz offers an examination of two dominant accounts of the philosophical foundations of human rights – naturalism and agreement – and finds that neither adequately captures the content and sources of normativity of modern international human rights practice.

Beitz begins with an examination of ‘naturalism’ about human rights, according to which human rights belong to human beings by virtue of their humanity or human nature. Provided that we can agree on an account of human nature, naturalism about human rights suggests that this essence or nature explains the content and the force of protections of human rights. Beitz suggests that the pursuit of naturalism about human rights has had only limited success. He argues that naturalism lends itself to several forms of skepticism about both the content and foundations of human rights – that they might be excessively individualistic or Western, or that they might be extremely minimal. Each of these forms of criticism exerts pressure to limit the content of a doctrine of human rights to minimal, universal, and uncontentious values. If any universal account of human nature can be found to serve as the foundation for human rights, only a minimal such foundation is likely, leading once again to minimal content for human rights. Naturalism therefore exerts deflationary pressure on the international doctrine of human rights. Any human right requiring institutional protections (such as the right to seek asylum, or to an elementary education) or requiring a modern legal system (such as a right to a fair trial) cannot properly be conceived of as a ‘human right’ on a naturalist view, given that they do not belong to human beings ‘as such,’ but only to persons in specific institutional contexts. As Beitz carefully shows, many currently-accepted international human rights do not fit this ‘naturalist’ model.
The second model of human rights examined, and rejected, is the ‘agreement theory’ model. Agreement theories might rely on a common core of values shared by a wide variety of moral and cultural value systems, or they might rely on an ‘overlapping consensus’ wherein human rights values are reachable from the foundational principles of a variety of moral views. On either view, human rights are objects of an agreement amongst real or idealized cultures, societies, or peoples. The appeal of agreement theory is its potential to explain the uptake of human rights. If there is widespread agreement about human rights values, then human rights enforcement will be more effective, and human rights violations should be rare and easily identifiable. If human rights can be shown to be values already possessed by most cultures, or at least easily agreed to, then interference to remedy human rights violations cannot be accused of paternalism or imperialism. However, Beitz remains concerned about the scope of human rights that can be justified by agreement. If the effectiveness of human rights is measured in terms of obedience to human rights, lowering the measure for success will raise its effectiveness at an extremely high cost. Human rights will turn out to be an extremely effective set of principles with extremely limited content, and no critical force.

Neither naturalism nor agreement models adequately capture the breadth or the critical force of the existing international doctrine of human rights according to Beitz. Furthermore, neither theory adequately explains what human rights do, or how they constitute a practice. If human rights simply duplicate a set of moral principles that we have independent reasons to endorse, what does the language of human rights add?

Drawing on Rawls, Beitz suggests that human rights add a global language of public reason, and moreover a practice of public justification. As Beitz explains in the opening paragraph to the book, “if the public discourse of peacetime global society can be said to have a common moral language, it is that of human rights” (1). The modern language of human rights is used to publicly justify coercive practices such as interventions, to justify political and economic sanctions, and to justify the provision of aid. Finally, and perhaps most commonly, human rights serve the discursive functions of condemnation and praise.

Beitz’s idea of a practical conception of human rights “takes the doctrine and practice of human rights as we find them in international political life as the source materials for constructing a conception of human rights” (102). And this is the point at which Beitz takes his model further than Rawls. Beitz suggests that the full range of the practice – including both broad content for the doctrine of human rights and a wide variety of functions in international political life—can be used to explain the concept of human rights, and that the elucidated concept can then be used to settle debates about content and authority. Where Rawls focuses on the coercive use of human rights as a justification for intervention, Beitz takes discursive practices such as public condemnation of human rights violators to be an essential function of modern human rights.

Beitz proposes what he calls a two-level model of human rights, wherein states are the primary bearers of responsibility for human rights, and the international community acts as guarantor that states fulfill their primary duties (108). Human rights protect urgent interests, and these two levels explain how human rights are to be enforced. He explains, “human rights are standards for domestic institutions whose satisfaction is a matter of international concern” (128).

It is for this practical reason that Beitz is so concerned that any foundational justification for human rights might have the effect of limiting or minimizing the scope of human