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The emphasis on collective rights is a contested area of law, at least in Western oriented jurisdictions, and states generally refrain from acknowledging rights held by communities and groups whether it be for instance religious, ethnical or indigenous communities. Such rights, it is claimed, rest instead ultimately in the individual. This important book contributes therefore to the ongoing scholarly debate on collective vs. individual rights, and it does so by the viewpoint of moral entitlements.

The author, Dwight Newman, now working as a Professor at the University of Saskatchewan College of law in Canada, is sketching a general theoretical framework on collective rights based on moral considerations. By addressing a wide range of collective rights issues within one common moral framework, he thus challenges the notion that collective rights cannot be discussed within a united context. The examples provided as illustrations are however given mostly in the context of religious and ethnical minorities, proving the importance of the theory for indigenous communities and alike. In the Acknowledgements it is informed that the book builds on the author’s DPhil thesis from Oxford University, Faculty of Law.

The book is structured into three main parts: (I) The existence of collective moral rights, (II) Moral considerations for collective rights, and (III) Realising collective rights. Part I gives an overview and platform for collectivities as moral right-holders and the relationship between collective interests and collective rights. Part II develops moral requirements necessary to legitimate collective rights-holdings through certain conditions, labeled as Community Conditions. The task of Part III is to lay foundations for how to institutionalize the theory developed in previous chapters of the book. The nine chapters of the book is well structured, providing both an introductory text of what will be addressed and a condensed sum up in the end of each chapter and section, which greatly

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facilitates the readers comprehension of the complex and multifaceted issues raised. Altogether, I find Newman’s argumentation well-balanced and convincing, proving the worthiness of the book and the book’s theme.

As I understand the general theory designed and the claims by Newman, he questions the central role of the individual in much other theorist literature. Instead he argues that our lives essentially have meaning by our relations to groups, i.e. our lives are always evolved around connections and membership to certain groups that builds moral considerations. In our pluralistic world of today, the question is how to reconcile group rights with individual rights, and with the rights of other groups. Newman’s theoretical account provides for a deep relation of communities and individuals, something that may be described as ‘a community of communities’, which also is the heading of the book’s last section. With such emphasis Newman’s aim has partly been to reorient ‘rights talk’ in a way that correlates to many real issues in society, proving that the book is not merely a theoretical account of collective rights.

Turning lastly to the theory, Newman builds his theory largely in polemic with other theorists, and in particular with Kymlicka’s famous work on group-differentiated rights. This strategy seems necessary and brings, in addition, valuable insights of principal points of disagreements between different theorists for the reader. In the three parts of the book the author maintains that collective rights do exist, develops moral conditions of communities/groups necessary to fit with individual rights and, lastly, discusses some principles for institutionalizing collective rights. The general theory of collective rights is thus gradually developed through discussion and examples.

The theory’s rationale for identifying collective rights rests on moral consideration; certain individual interests that establish duties are meaningful interests and can be fulfilled only where certain collective interests are also understood as rights. In other words, Newman argues that certain individual rights presuppose collective rights. In the context of land rights, where there is a cultural connection to property, and a community relationship to certain pieces of land, it forms part of a fundamental cultural framework, notably for indigenous communities. In recent years, especially in the Inter-American Court of Human Rights, there has been a readiness to recognize that a collective right to that land is necessary to the fulfillment of individual interests protected by the right to property. Therefore, certain individual rights cannot be separated from collective rights, as the two categories of rights are interdependent. Consequently, if certain individual rights exist, then there are also collective moral rights.

Newman’s theory of collective rights rests on the humanistic principle, thereby permitting communities to be subject to normative evaluations. In so doing he objects the idea that collective rights are inherently in conflict with individual rights. The humanistic principle implies that collective interests count only insofar as they serve individual interests and by this stipulating that only certain