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The Battle of Human Rights

Gross, Systematic Violations and the Inter-American System

by
CECILIA MEDINA QUIROGA

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The development of the international law on human rights has been a steady process, particularly since the Second World War. This development, however, has not produced for human beings a significant and uniformly spread improvement in the enjoyment of their rights: during the last decades, millions of individuals have been killed, tortured, arbitrarily imprisoned, or have disappeared as a consequence of government action, or with government consent, world-wide. It is the conviction that the plight of these individuals must not be left unanswered that lead Cecilia Medina Quiroga to write this book.

Three premises are taken as the starting point for the study: first, that at least two different types of violation of human rights may be distinguished – those that constitute a definite pattern, and those that may be described as isolated instances. Second, that the existing international instruments and supervisory mechanisms deal most effectively – if not almost exclusively – with isolated violations. Third, that mechanisms that deal with isolated violations are not effective to deal with gross, persistent violations.

By presenting a detailed study of the Inter-American Commission on Human Rights, and then testing the general analysis of the system against three case studies – Cuba under Castro, Nicaragua under Somoza, and Chile under Pinochet – Cecilia Medina Quiroga presents an evaluation of the system, and discusses possible improvements. In the process, she has written a penetrating, absorbing, and scholarly contribution to an area of perennial humanitarian interest.



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