

provides enough information for practitioners to get a sense of their options, and to model their efforts after what were, all things considered, a fairly successful set of experiments. Any deficiencies in the arrangement of chapters or the vividness of the prose are more than made up for by the excellent page layout and the clear, easy-to-read system of headings and subheadings, which allow even a casual reader to quickly find the information that most interests her. *Measuring Human Rights* does not, however, offer many thoughts of particular academic or legal interest, but may serve as a corrective to purists who favor the exclusive use of non-statistical research.

—Jason Green-Lowe

*Social Rights Jurisprudence: Emerging Trends in International and Comparative Law*. Edited by Malcolm Langford. New York: Cambridge University Press, 2008. Pp. 687, \$90.00, paper.

The protection of social, economic, and cultural rights has become an increasingly important issue to human rights lawyers. There is a burgeoning body of social rights jurisprudence at the national level in several countries, with the most notable developments early on coming from the South African Constitutional Court and the Indian Supreme Court. *Social Rights Jurisprudence: Emerging Trends in International and Comparative Law* attempts to catalogue and explore the implications of nearly two thousand judicial and quasi-judicial decisions in a variety of national and international jurisdictions. The amount of material it attempts to cover (in terms of sheer number of cases, jurisdictions, and issues) is perhaps both its biggest strength and its biggest weakness.

The book consists of essays by individual authors and is divided into five parts: Overview, Select National Jurisdictions, Regional Procedures and Jurisprudence, International Human Rights Procedures and Jurisprudence, and Special Topics. One of its distinguishing features as compared to other similar works is that it tackles both comparative and international law. The experiences of the sixteen national jurisdictions that are described have a comparative emphasis while the subsequent parts have a more international law focus. This allows the reader to see how international and national developments have interacted to build support for making social rights justiciable.

In his introduction, Langford emphasizes the role that practice can have on theory, which is one of the unifying themes of the book. Langford notes that as a result of practical experience, the theoretical debate on the jus-

ticiability of social rights has shifted from whether these rights are justiciable at all to the appropriate degree of justiciability. To illustrate, he describes a dramatic shift in opinion by Cass Sunstein, at one time a vocal critic of social rights' place in national constitutions. Just seven years later, after the landmark and nuanced *Grootboom* decision in South Africa, Sunstein observed, "The approach of the Constitutional Court stands as a powerful rejoinder to those who have contended that socio-economic rights do not belong in a constitution."

The contributors also challenge several misconceptions, particularly the traditional dichotomy between social and economic rights on the one hand and political and civil rights on the other. They demonstrate that these two categories of rights do not map neatly onto the distinction between positive and negative obligations, and that in any case, many adjudicative bodies see their role as reviewing policy rather than leading implementation of policy. Several other interesting issues are also addressed in the book, including, whether there should be a right to civil legal aid in social rights litigation ("the right 'conservative of all other rights'") and the horizontal application of rights (i.e., private actors bringing cases against private actors).

Overall, *Social Rights Jurisprudence* can be seen as an attempt to derive theory from a field with a wide diversity of practice. The use of different authors familiar with the various jurisdictions gives this effort authenticity and a sense of detached objectivity. While it is possible that the lack of generalizations made and conclusions drawn in the work will leave the reader feeling unsatisfied, the editor should be commended for his restraint in letting the experiences of various jurisdictions speak for themselves. *Social Rights Jurisprudence* could be a useful tool or reference guide to public interest lawyers seeking information on comparative experiences and international procedures. It is also an impressive work of scholarship on an issue that still has not received the amount of scholarly attention that its growing significance merits.

—Rebecca Kahane