

BOOK ANNOTATIONS

Gender Parity & Multicultural Feminism: Towards a New Synthesis.
Edited by Ruth Rubio-Marín and Will Kymlicka. New
York, NY: Oxford University Press, 2018. Pp. xi, 284. \$85
(hardcover).

REVIEWED BY CLARA CORREA

In *Gender Parity & Multicultural Feminism*, editors Ruth Rubio-Marín and Will Kymlicka explore ways in which gender parity—a measurement of female equality above and beyond mere representation that may be utilized in a plethora of fields—can be incorporated with multicultural feminism—the idea that women of all races and ethnicities should be empowered in the push for equality. Rubio-Marín and Kymlicka center their discussion of gender parity around the field of politics, exploring the various ways in which women around the world have achieved greater political gender parity through higher rates of political representation and participation. However, while the increase in gender parity within legislative and decision-making bodies has advanced gender equality worldwide, it has largely failed to benefit minority women. It is within this context that Rubio-Marín and Kymlicka establish the parameters of their discussion. The book’s nine chapters, comprised of nine essays by various authors, offer a variety of possible routes to bridge the gap between the general achievements gained through the push for political gender parity and multicultural feminism’s recognition of a lack of equity for minority women. Overall, the book provides a diverse and fascinating account of the struggles, setbacks, and solutions with which the global community must contend in its fight for gender parity for all women.

The introduction in chapter one, authored by the editors, describes how the focus of the gender equality movement worldwide has shifted from equal rights, equal representation, and anti-discrimination to a narrower focus on political gender parity, or higher female *participation* in positions of power. Authors Will Kymlicka and Ruth Rubio-Marín characterize this shift in focus as the “participatory turn” in the gender equality

movement. They argue that since the 1990s, the increased use of gender quotas—where a certain percentage of governmental seats are reserved for women, ranging from a modest percentage to true fifty-fifty equality—have helped to achieve a higher level of *participatory* parity within decision-making bodies across the globe. Initially seen as temporary measures to allow women some participation in government, many perceive gender quotas as permanent fixtures that guarantee democratic legitimacy and gender equality in politics. As a result, many countries across the globe have incorporated gender quotas. Building off of this general participatory turn, the book as a whole attempts to identify and isolate other instances of increased political participation also occurring within gender minority groups.

In chapter two, Anne Phillips continues the discussion from chapter one and emphasizes the importance of participatory parity in continuing the fight for gender equality, arguing that without democratic parity, there is no democracy. However, she also acknowledges that establishing gender quotas takes time, and there may currently be quicker remedies for minority women. The following chapter then analyzes whether human rights law and norms support the gender parity trend, finding that several sources of soft law, such as the Beijing Declaration and Platform for Action of 1995 and CEDAW Committee's General Recommendation no. 23, identify gender parity as a necessary component of gender equality and democratic legitimacy.

Chapter four, written by Melanie Hughes, explores the possible implementation of "nested quotas," a hybrid gender and ethnic quota, and the impact this may have in increasing the representation and participation of ethnic-minority women. While gender and ethnic quotas have differing origins and are typically established for different purposes, they can effectively operate in tandem. Hughes identifies three countries as good candidates for the use of nested quotas—India, Venezuela and Brazil—and ultimately concludes that nested quotas could prove an important tool for promoting the representation and participation of marginalized subgroups.

The remaining chapters focus on case studies examining the successes and obstacles that women (and particularly minority women) have faced in different countries with various religions, customs, and indigenous groups. Chapter five fo-

cuses on gender parity within Israel's religious sphere, where women have made notable—albeit few—strides towards balanced participation. Chapter six concerns the difficulties of a strong reliance on patriarchal and gendered customary law principles in Libya and their deterrent effect on gender parity and equality. Chapter seven highlights the effectiveness of female paralegal training and other advocacy and participation tools in promoting gender parity in Sub-Saharan Africa. Finally, both Chapters eight and nine focus on gender parity within indigenous populations in Latin America.

The book succeeds in presenting a broad overview of how gender parity and multicultural feminism currently interplay, and the difficulties that certain legal systems and subgroups pose to the incorporation of multicultural gender parity. The various authors comment on theories and predictions posited by each another, continually referring to the frameworks laid out in the introduction in chapter one. However popular today, gender parity is an ambitious goal, and the book effectively discusses the challenges involved in implementing gender parity initiatives within different frameworks. For instance, as Susan Williams explores in chapter six, the goal of creating gender parity within countries like Liberia, where custom and tradition seem at times more authoritative than the law or state legal objectives, may necessitate the use of alternative tools for gender equality and participation in order to achieve results.

Melanie Hughes's analysis of nested quotas in chapter four stands out in particular as one such compelling alternative, as it is the most directly related to the primary topic put forth as the subject of the book: the incorporation of minority women into the broader push for gender equality. The possibility of creating nested quotas utilizes the broad popularity and effectiveness of gender quotas, which largely benefit non-minority women, to protect and promote minority women as well. A nested quota is a refinement of the broader quota practice, which provides minority women with the power to enter into the political arena. In this vein, Hughes presents a much needed discussion on the inclusion of non-minority women and provides a welcome base for a solution. However, the book could have expanded upon the discussion of nested quotas and the countries that would most benefit from such measures, and further could have included more perspectives on

this issue. Similarly, in chapter one, Kymlicka and Rubio-Marín miss an opportunity to use the nested quota discussion as an introduction to the obstacles of creating gender parity within state and non-state spheres.

While each chapter comprises an interesting, thoughtful and enjoyable read, the book falls just short of justifying the structure and content of each subtopic, because each subtopic does not necessarily fit neatly into the book's stated larger exploration. While Hughes's chapter on nested quotas, with its tangible proposal of inclusion of minority women within the political sphere, provides an excellent example of a subchapter living up to the book's broader vision of comprehensive gender parity, the book's various case studies do not quite fit the bill. The case studies either present a situation where traditional methods of gender parity through gender quotas would not be effective (such as in Israel, where gender parity in the political sphere has made little progress), or delve into a minority group and analyze the rate of success for the participation of women within the group (such as the success of indigenous female participation in Mexico). These case studies are fascinating glimpses of the larger complexities that complicate widespread gender equality and parity, but are not narrowly tailored to the goal of incorporating multicultural feminism into the gender parity objective.

This is not to say Kymlicka and Rubio-Marín are wrong to include the chapters that they did. Indeed, the inclusion of the case studies spanning various continents is still a valuable component of the work as a whole. The entirety of the book still manages to fall within the posited research questions in the introductory chapter: They focus on finding evidence of gender parity and on the strides towards equal participation within minority groups. However, the questions differ slightly from the expressed focus on including ethnic minority women in widespread gender parity initiatives. The book would perhaps benefit from a reframing of the proposed exploratory goal, or at the very least, some type of editorial comment on each chapter's connection to the book's overall framework. The book could also have benefitted from a conclusory chapter that synthesizes the ideas presented in previous chapters and connects the introductory questions and goals to the collective findings of the authors. By restructuring the organiza-

tion of the work, each author's chapter, discussion, and depiction could have landed with even more force.

Another difficulty central to this book is that several ideas and events reproduced within the chapters are very recent, and it is therefore hard to predict or attempt to find answers for such recent developments. The case study in the chapter on Mexico acknowledged the many unprecedented ways in which indigenous women were aiming to seek representation in the same year the book went to press, and the nested quotas chapter mentioned that the idea of nested or tandem quotas originated in the mid-2000s. The conclusion to chapter one also reveals that the authors have no clear answers as to which innovations or suggestions discussed should be endorsed by the movement as a whole. This is because the effectiveness of a gender parity method is likely case-specific, and because there is insufficient evidence from the global sphere to know which methods prove most successful. If the book has subsequent editions, the authors will likely be able to successfully assess some of the ideas posited in this copy.

Overall, the book successfully presents a preliminary exploration of the routes that the gender parity movement can take, particularly in order to incorporate and promote minority women as an integral part of female representation in the body politic. The book also serves as a reminder of the work that needs to be done in order to overcome gender inequality throughout the globe. Through its analysis of the shortfalls of gender quotas and their potential alternatives, the book presents some first steps towards achieving equality for all women.

Making Markets Work for Africa: Markets, Development, and Competition Law in Sub-Saharan Africa. By Eleanor M. Fox & Mor Bakoum. New York, NY: Oxford University Press, 2019. Pp. xxi, 248. \$35.51 (hardcover).

REVIEWED BY ALEXANDRA E. CUBALESKI

In *Making Markets Work for Africa*, Eleanor M. Fox and Mor Bakoum explore the market potentials and opportunities available in a set of thirteen African nations through the lens of competition law and policy. The analyzed nations have immense levels of poverty and suffering, in addition to inade-

quate access to food, water, shelter, education, and employment. These dire situations, argue Fox and Bakoum, indicate the countries' need for efficient markets. However, competition law and policy, depending on its implementation, has the capacity to either alleviate or exacerbate the problems faced by each country. Choosing the appropriate set of laws and policies is crucial to achieving equitable progress. It is with this understanding that Fox and Bakoum embark on their analysis of market efficiency, asking what economic development means exactly and for whom is it achieved, noting that fast and large levels of growth will mean nothing to average citizens if the development is not equitable and inclusive. Overall, Fox and Bakoum, although they touch upon this basic dilemma and discuss it in comprehensive detail, fail to take the needed extra step and propose solutions other than pure market-based reforms. *Making Markets Work in Africa* is an exercise in untapped potential, as the authors paint the right picture but forget to properly frame it.

Given Africa's size and diversity, Fox and Bakoum focus on a smaller subset of African nations in Western Africa, Eastern Africa, and Southern Africa. Specifically, they focus on the countries of Senegal, the Ivory Coast, Mali, Guinea-Bissau, Kenya, Namibia, Botswana, Zambia, Tanzania, Zimbabwe, Mauritius, Malawi, and South Africa. All of these countries have at least notionally embraced market solutions as a way to lift their citizens and economies. Fox and Bakoum highlight South Africa as having the most sophisticated system of competition law and policy of the entire analyzed group, and of sub-Saharan Africa at large.

The first two sections of the book are devoted to analyzing each of the countries' competition law and policy in addition to overall political economy. The authors consider whether each nation has a central government agency dedicated to competition and antitrust, examining the types of enforcement each agency is capable of conducting. In each country, corruption and high levels of impunity lead to massive income inequality and disenfranchisement, although it is hard to decipher which way the causality may actually run. It is important to note that many of the countries are currently undergoing or have recently undergone a transition from government-controlled economies to market economies. Fox and Bakoum

highlight that state-owned enterprises, in fact, may pose the biggest threat to efficient markets.

In their analysis, the authors provide sophisticated commentary of antitrust and competition law with the assumption that readers have some background knowledge of the subject. They specifically include a chapter with analysis on broader regional arrangements such as the Common Market for Eastern and Southern Africa, Southern African Development Community, East African Community, Economic Community of West African States, and West African Economic and Monetary Union (WAEMU). Reinforcing the notion that every proposed solution is context-specific, Fox and Bakoum deem some of these arrangements helpful and some harmful. For example, WAEMU preempts national competition law but hinders the local development of a competition culture overall, because WAEMU is largely ineffective and lacks sufficient human resources to take strong enforcement action.

The third part of the book is largely normative. Upon setting the socioeconomic and legal scene, Fox and Bakoum turn to identifying how markets can work for these countries and what must be done in order to achieve “market efficiency”—often by comparing them to developed markets such as the United States and the European Union. While the authors acknowledge that a one-size solution will not address the unique problems faced by each nation, they give a subtle nod towards creating a global regulatory framework that will unite differing policy and legal standards. The issue, the authors say, is that this framework is not politically feasible. The discussion, therefore, is brisk. However, missing from Fox and Bakoum’s argument is a healthy dose of skepticism towards a global regulatory framework dominated by developed nations. Even assuming such a system were politically feasible, they do not address the possibility that grossly unequal bargaining power could also taint a global regulatory framework, nor the possibility that African states could end up losing more than they gain from such a global arrangement.

In arguing for a global regulatory framework and its attendant incorporation of Western economic values, Fox and Bakoum seem to default to classic free market economic theory. However, their assumption that African states should adopt Western ideals of sound economic policy could plausibly be seen as a form of modern economic imperialism. Any

system predicated on absolute free markets could deny the very protections that the nascent domestic industries in these African nations may require to develop. With low barriers to entry that leave African entrepreneurs unable to compete and thus create economic value and opportunity, these entrepreneurs would need some form of protectionism to stand against the large foreign companies that have ample resources and institutional knowledge acquired over the decades.

Moreover, these desired protections are also ones that many industrialized Western nations took advantage of while they themselves were developing, and that they still occasionally continue to utilize. In an anecdote in the book's introduction, Fox and Bakoum discuss the failure of an antitrust agenda during the 2001 Doha Round Negotiations because the United States and the European Union "failed to offer sufficiently sizeable cutbacks in their agriculture subsidies (subsidies that particularly harm the developing world)." How is it fair to require African countries to refrain from protectionist policies when developed nations themselves are not immune from kicking the habit? Western institutions and frameworks developed in the Global North may very well be kicking away the ladder of development that they themselves climbed on the way to their current dominant positions.

Fox's and Bakoum's suggestions also pointedly ignore another problem for the analyzed African nations: incentive structures. The incentive structures of developed nations in the West are skewed and deeply misaligned with African development efforts. Many countries in the West benefit from cheap labor and products sourced from the Global South, and therefore have little interest in Africa developing in a way that delivers profits to Africans rather than to foreign investors. While stable markets and stable political climates may be attractive to multinationals, an educated workforce and strong institutions could pose a threat to these multinationals' profits and bottom lines as wages rise. In this context, the authors are implicitly posing a question: For whom is the economic growth? Increased GDP will do little to alleviate the suffering of a country if the profits reaped flood out of the domestic economy. Increased profits do not necessarily better the day-to-day life of millions if they only line the pockets of a wealthy elite, foreign or domestic. Markets working in the traditional sense do not necessarily indicate whom they are working for.

To be fair, however, the authors do refreshingly and repeatedly acknowledge that these African nations were decimated by colonialism, slavery, and apartheid. Still, while Fox and Bakoum elaborate on the historical development of economic and political institutions, they seem to ignore its lessons. Fox and Bakoum would have made a more compelling argument had they taken their acknowledgement a step further and provided an alternative normative analysis of the competition landscape in these nations. The authors could ask what the West owes to these countries in order to help repair that which they so brutally broke. As foreign industries and actors continue to extract resources and wealth from these nations, the historical debt to these nations continues to grow. The authors could, in addition to a global governance structure promoting market efficiency, also explore the possibility of reparations in the form of technology and information transfers. Targeted aid to build up competition and antitrust agencies and allowances for domestic protection measures may also constitute useful reforms.

Overall, free market economic theory, within the framework of a global governance structure dominated by developed nations, may not be the route that will help Africa develop in a way that is equitable and inclusive. Of course, Fox and Bakoum include intriguing market-based proposals that may stimulate Africa's development, but this cannot possibly cover the ground lost through hundreds of years of exploitation. Rather, investing in these nations and allowing them to play an active role in designing their own futures could be a way for the West to make up for its violent and extractive past. Indeed, relying on the West to find answers to problems that they created may not be the most fortuitous solution, or in the best interests of African nations. As a result, Fox and Bakoum provide interesting but modest and formulaic solutions. Fox and Bakoum, in their exploration of Africa, neglect and miss out on the opportunity to delve into challenging the status quo and striving for a new breed of market efficiency that the world has yet to see, but which it so desperately needs.

A World of Empires: The Russian Voyage of the Frigate Pallada. By Edyta M. Bojanowska. Cambridge, MA: The Belknap Press of Harvard University Press, 2018. Pp. viii, 373. \$24.19 (hardcover).

REVIEWED BY FABIOLA DELGADO-CRUZ

Edyta M. Bojanowska's *A World of Empires* provides exciting and detailed insight into the imperial world of the mid-nineteenth century. Bojanowska's work tracks Russian novelist Ivan Goncharov's forgotten masterpiece, a travelogue entitled *The Frigate Pallada*. In the travelogue, Goncharov describes his experience in 1855 as a member of a Russian expedition to open up Japan and inspect Russia's North American possessions. The nearly three-year journey, which began in the Gulf of Finland, took the Russian officers through Europe, Africa's Cape Colony, the European-run ports of Manila, and much of Asia. In choosing to track this journey, Bojanowska examines Goncharov's—and by extension Russia's—intellectual conceptions of imperialism and colonialism. What makes the book a well-rounded read is that the author not only focuses on what Goncharov experiences, but also provides historical background on the colonization game, as it were, playing out at the time between the world's imperial powers. Bojanowska also divides the journey (and the book) into an analysis of imperial themes: differences and similarities between the prevalent imperial models of the time, the transforming force of global trade, and the culture clash between colonizers and colonized. The book is sometimes too ambitious, in that it tries to cover many themes through the lens of this expedition, but it is nonetheless a great read for history buffs. *A World of Empires* demonstrates the travelogue genre's historical utility and ability to provide great insights into the way people thought in other times. The travelogue genre not only teaches about cultures and histories through the writings of others, but also provides a window into the observer's own culture through an examination of his or her comments and prejudices.

Chapter one offers a comparison of the imperialist models of the British and Dutch. The *Pallada* began its expedition with a direct understanding of the global reach of the British Empire, which Goncharov greatly admired. After departing from Kronstadt, the crew stopped in London, where

Goncharov marveled at what he called “the center of the colonial world and its economy” and the “center of nineteenth century modernity and its consumer culture.” Once the ship was repaired in England, the crew stopped in the Cape Colony in southern Africa, where Goncharov witnessed the decline of Dutch rule and the successful transposition of the British, creating a new environment and establishing “a corner of England.” Here, the reader sees how Bojanowska excellently demonstrates how England’s consumer culture at the time was brought to the colonies—all possible comforts an Englishman could need in London were available to him in the British outposts. Bojanowska makes sure that Goncharov’s (and Russia’s) proclivities toward the British really come through. Whereas Goncharov describes the Dutch colonial effort as aimless and apathetic, he depicts the British as sharp and purposeful in their colonial enterprise. By pointing out this dichotomy, Bojanowska ensures that the reader understands that the British colonial model was the worldwide gold standard to which all imperial powers aspired. Bojanowska, mindful of her modern audience, also points out that Goncharov glosses over the abusive British treatment of the indigenous peoples, and is somewhat too enamored or too removed to consider this a significant issue in the British colonial track record.

Chapter two examines the concepts of globalization, empire, and trade through the lens of the *Pallada*’s journey through European trading posts and colonies in Southeast Asia, specifically in Singapore, Manila, Hong Kong, and Shanghai. Bojanowska begins by demonstrating how globalization, a phenomenon that the modern audience generally ascribes to the age of the Internet, was very much in action in the nineteenth century. Even though the world was interconnected to a certain degree before the nineteenth century, there was a significant uptick in connection during this time due to the increased demand for raw materials needed to maintain and erect vast empires. Additionally, the expedition coincides with Adam Smith’s ideas on free trade seeping through the Western world. Bojanowska does a great job of demonstrating how these ideas fueled the impetus to globalize. From the point of view of the Europeans, free trade was imposed on *backward Asians* in order to civilize and humanize. Goncharov, for his part, views civilization as providing access to comfort wherever one is in the world: “Wherever a Euro-

pean sets his foot . . . you will find the security, plenty, peace, and welfare to which you are used at home.” Despite Goncharov’s admiration of imperial globalization, Bojanowska emphasizes Goncharov’s somewhat more humanist side by showing that he was critical of the abusive and demeaning treatment of indigenous peoples in Shanghai as part of the opium trade. As Bojanowska correctly states, “Shanghai certainly marks the low point in Goncharov’s estimation of the British.” Bojanowska uses this observation as a great tool to show some of the prejudices and hypocrisy in Goncharov’s own views. She suggests that maybe a closer racial connection (as a Russian) to the Asians of Shanghai, as compared to the indigenous Africans discussed in chapter one, might have made him more sensitive to their plight and less willing to gloss over their ill-treatment. This observation epitomizes how the critical study of travelogues teaches the reader about the cultures observed by the writer (Goncharov in this case), as well as the prejudices and culture of the observer himself.

Chapter three departs from Bojanowska’s focus on broader themes and devotes considerable time to Goncharov’s comments about the expedition in Japan. The Russians, who up until this point had been passive observers of imperialism in Africa and Southeast Asia, now become active participants in the enterprise. The Russians, as well as other European imperialists at the time, believed in the so-called use it or lose it principle. This principle justified the takeover of foreign lands if the Europeans concluded that a specific nation wasn’t exploiting the land’s resources in a useful, or at least profitable, way. According to this logic, conquest and exploitation was simply fulfilling a land’s full potential. Goncharov fully subscribes to this mentality, and appraises the colonial world as an imperial prospector might when he writes, “nature is to be exploited, resources monetized.” However, imperial logic was also combined with the humanitarian idea that it was the responsibility of Western powers to *civilize* other non-white nations. Bojanowska exemplifies this dichotomy perfectly in explaining the Russian approach to Japan. Russia’s goal was to open Japan from seclusion and make use of land and resources that, according to them, were improperly settled and utilized; moreover, the Russians believed the Japanese were unfit to solve their own problems and, therefore, took it upon themselves to *civilize* them. Bojanowska at this stage asks the

reader interesting rhetorical questions regarding this view: Did the Japanese even have any problems? Were they upset at how things were being run in their own country? She clearly hints at the fact that imperial powers didn't truly care about civilizing or even helping the colonized, given that they didn't stop and consider the wishes of the Japanese. However, it seems that asking these questions and suggesting a lack of empathy is somewhat naïve and futile. It is evident enough already that the colonizers didn't care about the welfare of those they conquered, and that these *humanitarian* and *civilizing* justifications were just coverups for a harsher realpolitik.

This chapter also presents one of the best scenes from the book: the somewhat comical clash of cultures seen in the diplomatic interactions between the Russians and the Japanese. The relevant passage shows how much the reader can learn about the culture of the observer by his or her observations in a travelogue. The Russians complained about Japan's pomp, bureaucracy, ceremony, and formalism in their diplomacy, but failed to see their own cultural intransigence. It took the Russian delegation and the Japanese two days to reconcile diplomatic etiquette. The Russians refused to sit on their heels on the floor, as is the custom in Japan, because their limbs weren't flexible enough and their clothes didn't allow for such mobility. They even joked that they would need to leave their legs behind on the ship ("Lord give us patience!"). Even though the Japanese were the targets of Goncharov's ridicule at the time, the Russians' response may appear even more comical to us today, as Bojanowska points out. Their solution was to bring their own chairs from the ship into the Nagasaki governor's mansion every day for the meetings! This in turn forced the Japanese to erect platforms for themselves to sit on so they wouldn't be seated lower than the Russians. The Russians also refused to remove their shoes! To not offend the Japanese, they placed covers on their shoes and shuffled around the palace. One can only imagine if such a comedy of errors were to occur today.

Finally, chapter four focuses on the *Pallada's* arrival in Siberia. Here, Bojanowska very successfully compares and contrasts the Russian conception of imperialism with that of the Europeans, and paints a great picture of the Russians' unabiding belief in Russian exceptionalism. Bojanowska first analyzes the undertones and implications of Goncharov's commentary,

again a great example of what the reader can learn about the writer of a travelogue. She characterizes Goncharov and the Russians' conception of Siberia as a colony without colonialism. That is to say, although colonization didn't have a negative connotation at the time, Goncharov shied away from using the term when describing Siberia, probably because such a reference could be "seen as weakening Russian rule there." Bojanowska notes that this was particularly true given the recent loss of British colonies in North America. The Russians wanted to differentiate Siberia from the European colonial experience by employing a theory more similar to U.S. Manifest Destiny, especially given the area's territorial contiguity with and proximity to Moscow. Even though Siberia was a major source of natural resources for Moscow, just as the overseas colonies were for European countries, Russians at the time didn't really believe they were exploiting Siberia. They were simply utilizing untapped resources within their claimed territory.

Overall, Bojanowska's book presents a lot of information, which sometimes makes it hard for the reader to keep track of its overarching theme. Despite the information overload, the book is an enjoyable read for those that have some background in nineteenth century imperial history. It provides a good mix of analysis of specific events and more general trends. Bojanowska certainly got the point across that globalization is a phenomenon that has been developing for ages. Despite it having accelerated in the past two decades in the age of the Internet, there have been other periods of accelerated connection throughout history, as is evident from Goncharov's journey throughout the imperial world. Additionally, history enthusiasts that still haven't explored the travelogue genre will be more compelled to do so after reading this book. It's a great way to take a deep dive into a particular period of interest and truly hear the voices of the people at the time.

Trade Governance of the Belt and Road Initiative: Economic Logic, Value Choices, and Institutional Arrangement. By Dawei Cheng. New York, NY: Routledge, 2018. Pp vii, 76. \$45 (hardcover).

REVIEWED BY JEFFREY KIM

In *Trade Governance of the Belt and Road Initiative*, Dawei Cheng argues that in the midst of U.S. and British retreat from the helm of global trade governance, China and its Belt and Road (B&R) initiative are sufficient to take their place. Cheng spends a large portion of the book describing the specifics of this program and its appeal to developing nations. She argues that China can replace the United States and Britain as a leader in global trade governance, taking charge in crafting the set of rules that will apply to everyone. However, Cheng, in laying out her vision, neglects to consider several factors that may frustrate the success of the B&R initiative. Particularly, she fails to consider the possibility that China has underlying political motives, and underestimates the impending financial crisis in China.

Cheng begins with the proposition that global trade governance is in a state of rapid transformation. This transformation is the result of two major political events: the United Kingdom's decision to leave the European Union (Brexit) and the election of Donald Trump in the United States. Brexit symbolizes the British rejection of European cooperation and integration, while the Trump administration has been vigorously promoting trade protectionism and the weakening of the World Trade Organization's enforcement capabilities. These events, according to Cheng, not only suggest that current multilateral or global system frameworks are poised to undergo changes, but they also indicate that countries no longer respect the core elements of the current global governance system and the concomitant regulations. Indeed, amidst the restructuring of U.S. politics, the international community increasingly expects China to become the new mainstay of globalization.

Cheng next looks to the feasibility of China's B&R initiative (a combination of the Silk Road Economic Belt and the 21st Century Maritime Silk Road initiatives) as a possible solution to a new global trade order. The B&R is the largest regional cooperation initiative to date, encompassing Asia, Eu-

rope, and Africa. At one end is the active East Asian economic circle and at the other is the developed European economic circle, collectively involving sixty countries, sixty percent of the global population, and a third of the world's GDP. Most countries involved in the B&R are developing countries, a large portion of which do not currently benefit from globalization. Since the introduction of the B&R, China has launched various projects involving the energy, infrastructure, and agriculture industries, all of which comprise important economic sectors for many of the developing countries. The B&R's greatest appeal to these developing countries, however, is its ability to establish production networks, lessen the coordination challenges of mutual development, and enhance project connectivity. Overall, the B&R initiative has two specific policy goals: first, to strengthen intergovernmental communication to more effectively implement high-level economic development policies for regional cooperation; and second, to improve the coordination of infrastructure plans so as to better connect hard infrastructure networks like transportation systems and power grids. Cheng argues that this regional arrangement can supplement multilateral systems and global rules weakened by U.S. and British withdrawal.

In order to understand Cheng's vision for a global trade system with China at its helm, it is important to understand global governance generally. As a general principle, global governance aims to provide a strong institutional arrangement to which all parties will adhere. Global governance cannot be achieved without a set of universal rules that regulate all global citizens. Therefore, a core issue of global governance is the establishment of systematic rules through collective actions of various organizations and the use of these rules to influence and resolve global problems. However, because of uneven political and economic development, imbalance and fluctuations are inevitable in global systems. Indeed, this seems self-evident given the historically unbalanced economic growth among wealthy and developing nations. As a result of this imbalance, Cheng's trust in China and its role in establishing a new global trade system is really about remedying the wealth and growth asymmetry in the current global order. Cheng treats China's B&R initiative as a solution to the distorted system established by Britain and the United States, believing China can establish a more stable, more equitable global order.

One primary school of thought driving Cheng's vision is *regionalism*—the practice of establishing regional, as opposed to global, systems of economic, cultural, and political cooperation. Scholars advocating for regionalism, including Cheng herself, have always stressed that an emphasis on regionalism is a necessary supplement to multilateral, global systems, and should serve as the basis for new global rules in the twenty-first century. From a geopolitical standpoint, countries can adopt regionalism as a tool to achieve a more balanced trade system with shared economic, cultural, and political values. The B&R initiative, consistent with the regionalism principle, emphasizes the values of co-business, co-construction, and sharing; in doing so, the initiative insists that all countries are equal, regardless of size, power, and wealth. According to Cheng's theory, through establishment of strong regional networks, China is slowly developing a blueprint for a truly global set of rules that conforms to all nations' interests. Overall, Cheng's arguments seem rational, yet Cheng makes several questionable assumptions that must be addressed.

Cheng assumes that China's true intentions lie in the economic realm, and that China is fully committed to its public statements regarding the initiative. The fear in some defense and security circles, however, is that China has another, not so benign, agenda. Rather than simply building these coordinated economic networks, China is in fact also seeking to expand its own political clout by burdening smaller countries with obligations to China, while weakening those countries' partnerships and alliances with the United States and other Western democratic nations. This sentiment is not absurd, considering the current trade war between the United States and China as well as past Chinese forays into Latin America and Africa. As part of its economic expansion, China has, in the past, engaged in the practice of offering loans with unfavorable conditions in order to create a very large debt burden on the recipient country as a means of bringing them into China's political orbit. It is quite plausible that China's B&R initiative represents a continuation of these predatory practices.

In another move to increase political clout, China has also engaged in a pattern of troubling militarization. Over the past year, China has increased its military presence in the South China Sea, compelling Australia, India, Japan, and the United

States to intensify defense cooperation with one another. More recently, China celebrated the seventieth anniversary of its founding by holding a massive military parade. This parade featured a number of formidable weapons systems that demonstrated the growing capability of the Chinese military, erosion of U.S. military superiority, and the need for continued action by Washington and its partners. The United States and its Western partners, in response, have ramped up modernization efforts, and have recognized that they can no longer belittle China's military prowess. While there certainly are benefits for developing countries to align themselves with China, developed countries are wary about aligning themselves with either camp. Others have seemingly chosen to side with the United States. All of this points towards increasing hostility between the United States and China, leading to a troubling question regarding Cheng's singular vision of a united global system.

Given this eruption of international tension between China and the United States, governments will have to tread lightly with respect to any contest between the two countries. Even if the United States is retreating from its position as a leader of globalization, as Cheng purports, would it tolerate China taking its place? Any Chinese resurgence might result in suspicion and anxiety on the part of the United States and its allies, potentially leading to another Cold War and economic split. Cheng fails to take into account the possibility that the United States may begin a sustained aggressive stance towards China's expansion, one that lasts far longer than Donald Trump's presidency. While it would remain sensible for developing countries near China's borders to receive Chinese capital, it would be less so for developing countries that are closer to the borders of Western democratic nations. In this scenario, would China actually be a leader of globalization? How would globalization fare if the world is divided between two camps? Moreover, given the fact that China is surrounded by multiple competitors, such as India and Japan, would its increasing influence be tolerated even in Asia alone? What would happen if these nations refrain from engaging in any institutional arrangement with China? Cheng seems overconfident about the success of the B&R project in light of current and developing geopolitical events.

Additionally, Cheng fails to forecast potential obstacles to the future *economic* success of the B&R initiative. China is leveraging its own capital to get involved in helping other countries get wealthier so that they become consumers of Chinese products. However, it is not clear that these other countries can continue their sustained growth so that they may keep buying Chinese products. Developing countries of Asia will require an investment of twenty-six trillion dollars in infrastructure investment to sustain growth. Indeed, as things currently stand, China is already suffering from widespread overcapacity in heavy industries such as steel, cement, and aluminum. Of course, China, through its B&R initiative, is attempting to ameliorate this problem and open up new markets for Chinese goods. Nevertheless, Cheng does not address the question of whether the B&R initiative can deliver the growth and returns Chinese leaders desperately desire from these other countries. Similarly, Cheng does not address the question of whether China can maintain the political will to fund these investment projects in other countries if they do not bear the political fruits hoped for. For example, will China be willing to pour even more money into Vietnam if the United States is successful in wooing Vietnam to its side in the upcoming years?

Finally, Cheng does not take into account China's domestic economic woes. China's economic expansion in recent years after the global financial crisis derives from its debt binges. The total amount of debt in the Chinese financial system is now several times the size of the entire economy. While some of this money has gone into building infrastructure, much of it has been squandered on big, inefficient, state-run companies. Moreover, China must deal with its plunging currency as well as its real estate bubble. Finally, low marriage rates, low birth rates, and a shrinking labor force are also cause for concern, especially considering China's economy is more consumption-driven than ever before. All of these factors present tricky problems from which China must extricate itself, and so it is unclear whether China's investment in the B&R is sustainable, given China's domestic woes. Cheng unfortunately does not address these questions and concerns in her book, leading one to wonder whether her vision of China's preeminence is truly realistic.

Overall, Cheng provides a compelling account of China's attempt at global economic dominance. Her proposal and vi-

sion are interesting and present a plausible picture of the future of a new global trade order. However, Cheng's narrative falls victim to several hard facts that may hamper China's envisioned ascendancy. While many attribute China's recent economic slump to its current trade war with the United States, it is undeniable that China has several chronic systemic issues that may severely affect its long-term economic future, and thus its ability to lead a new trade order. Moreover, China's B&R initiative is highly ambitious, and may not end successfully within a more hostile geopolitical environment not dissimilar to that of the Cold War. Finally, and perhaps most importantly, Cheng in her rosy-eyed vision, ignores the potential ulterior motives of China's B&R initiative, and China's push to become a dominant global force. Although Cheng need not account for all of China's motives, by glossing over the most obvious geopolitical and military impulses, Cheng misses an excellent opportunity to provide Western readers with a comprehensive, objective account of China's political and economic rise.

Tribes and Politics in Yemen: A History of the Houthi Conflict. By Marieke Brandt. Oxford, U.K.: Oxford University Press, 2017. Pp. xxii, 354. \$45 (hardcover).

REVIEWED BY PAULINE MORGAN

At the time Marieke Brandt was writing *Tribes and Politics in Yemen* in 2017, the conflict in Yemen had just begun to reach international attention as the humanitarian crisis on the ground escalated and human rights groups broadcasted the country's dire situation. Brandt, through her book, attempts to capture and understand the historical and sociological causes of Yemen's current crisis. From the outset of *Tribes and Politics in Yemen*, it becomes apparent that Brandt's work is that of an anthropologist—studying Yemen's people, culture, and religion in order to shed light on the book's main topic, Yemen's political conflict. In the beginning, Brandt challenges the reader's preconception of politics going in, asking, "are the petty squabbles of barnyard notables really what we mean by politics? Are mud huts and goat skin tents really where the action is?" As Brandt guides the reader through her exploration of Yemen, it is clear she means to answer her own ques-

tion with a resounding yes, providing insight into Yemen's unique political atmosphere, culture, and history along the way. The end result is a strikingly thorough study of the political realities within Yemen, stretching from the Sa'dah region to the capital city of Sana'a—necessary at a time when Yemen continues to be at the heart of conflicts in the Persian Gulf region, though so little is known about the nation. Though at times disorienting in her exhaustive and micro-focused approach, Brandt nevertheless allows her readers to glimpse into the complex political, social, and cultural situation on the ground in Yemen today.

The book is split into two parts. In the first half, Brandt spends a significant amount of time examining the roots of the Houthi conflict. She begins by considering various anthropological theories of study, and justifies her approach by considering these theories in relation to Yemeni tribes. In the second half, Brandt explores the Sa'dah wars (waged between 2004 and 2010), tying in the tribal history that she laid out in the first half of her work, as well as the contemporary conflicts that arose out of this history.

Brandt begins her first chapter by defining the territory she means to cover and identifying the territory from which the Houthis originated. The Houthis, in fact a political movement that derives its name from the Houthi tribe, originated in the Sa'dah province in the northwest of Yemen in the early 1990s. The Houthi political movement encompasses many tribes other than the Houthis from the Sa'dah region. Brandt expands upon these basic facts and explores in-depth the origin and meaning of terms integral to Yemeni culture and society. Most important is the *sadah*, "the hereditary Zaydi elite to which the al-Huthi family belongs." Brandt also defines *tribe*, or *qabilah*, as it is understood in Yemen. She dissects the term and considers the actual Yemeni concept of a tribe, which they defined in relation to *sharaf* (honor) and *'ayb* (disgrace). Within the tribe, the *shaykh* governs and is bound by tribal customary law, *'urf*, as well as *Shariah*. These two systems of law are incredibly complex, especially in terms of how they interact with one another, thus informing the Houthi conflict over governing law in certain issues. Brandt quickly glosses over this complexity, stating that sometimes they complement each other, sometimes they conflict, and *shaykhs* exist to act as arbiters. Brandt continues with an extensive genealogical list of tribes in the

region, which forms a reference guide to names she mentions throughout the remainder of the book. As a helpful note to future readers, referencing this extensive list while reading the remainder of the text will prove to be helpful in understanding the origins of each tribal leader, as well as each leader's perspective in the conflict.

Before discussing the Sa'dah wars that began in 2004, Brandt dives into the history of the Sa'dah province, discussing its general relationship to Yemen and Yemen's central government. Scholars have argued that the Sa'dah tribes generally fell on the royal government's side of Yemen's civil war in the 1960s. However, Brandt argues that the situation was much more complex. She notes that complicated tribal relationships defined and influenced allegiances to Yemen's monarchy at this time. Brandt then goes on to identify three legacies of the war that prove particularly important in producing the Sa'dah wars: "the fragmented but relatively stable character of tribal loyalties; the central role of intra-tribal rivalry in the alignment of political positions; and the rise of those tribal 'big men' who became prominent actors in Sa'dah." According to Brandt, the "reshuffle of power relations" caused by the civil war of the 1960s—shifting the central government from a monarchy to a new republican leadership—set the stage for conflict in the northwestern provinces.

While these political transformations took place, there were also economic transformations within Sa'dah given its shared border with Saudi Arabia. The border between these two countries cuts across various tribal confederations, creating a complicated relationship between those in Yemen and those in Saudi Arabia. Brandt follows this relationship in her discussion of the 1934 Saudi-Yemeni war, which hugely affected these tribes. Until the civil war in the 1960s, the Saudis had allowed the borderlands to govern themselves. When the Saudis strengthened their border, it made life for those in transnational tribes more difficult. However, since the Houthis took control of the Sa'dah region, the Saudis have had almost no way to secure their southwestern border, as the Houthis refuse to cooperate; consequently, movement between the local tribes has been able to continue.

Following the discussion of the civil war and the connection of the Sa'dah province with Saudi Arabia, Brandt dives into the religious divide that is at the heart of the current

Houthi conflict, and which is one of the main forces that caused the Sa'dah wars. In short, Yemen has two main religious movements: Shiite Zaydism and Sunni Shafi'ism. The Zaydis dominate the north and the Sunnis oversee the south. The divide between Zaydis and radical Sunnis—promoted by both the Saudi and Yemeni states—“triggered the emergence of a Zaydi resistance movement.” This resistance became a revival movement, which under the Zaydi leader Husayn al-Huthi “united the interests of those who felt economically neglected, politically ostracized and religiously marginalized.” Brandt seamlessly moves from discussing Zaydi dominance to the political conflicts that stemmed from these sectarian disagreements. She also begins to discuss in greater detail the sustained rise of the Houthi family in power and influence. Brandt not only looks at the internal conflicts involving the Houthis, but also analyzes the claims that they were influenced by outside actors, such as Iran. Because she views her role as that of an anthropologist, Brandt hesitates to make any conclusions on these internal and external influences, but lays them out for readers to assess.

Brandt's chapter on the religious divide is thorough and well-executed, as it avoids brushing over the complexities of the divide and effectively dives into the sectarianism that makes the conflict unique. For example, she describes the way that the legal teachings of the Zaydi Hadawi school of law influenced Zaydi political philosophies, including ideas about the position of the imam. Although this section conveys important information, it should have come much earlier in the book; throughout previous chapters, Brandt rarely touched on religious divides, only passively mentioning the Zaydis. Regardless, this chapter thoroughly lays the foundation for the second half of the book—the Sa'dah wars—in which Brandt addresses the debate within the region's population as to whether or not to side with the Houthis.

Finally, Brandt, in her discussion of the Sa'dah wars, lays out each of the six conflicts in the ensuing chapters, making sure to carefully articulate the particularities of each war. An average reader with no familiarity with Yemen might find this section exhausting—not a name, date, or place is overlooked. Nevertheless, Brandt paints a vivid portrait of the country and lays out an incredibly complex conflict. The first chapter of the section incorporates Brandt's extensive discussion of trib-

alism. Brandt begins with the June 2004 “police operation against Husayn al-Huthi” in Sa’dah that led to a full-scale conflict, and eventually, the intervention of foreign states such as Qatar. Throughout the chapter, Brandt deftly balances discussion between internal conflict and external influence, which she argues has been the focus of most scholarship on the Sa’dah wars. Brandt then ends the chapter with the mediation of the third conflict in 2006: the contractual ceasefire called the *suhl*. All the while, Brandt balances her discussion of the cultural and political conflict by focusing on both attempts to resolve each war through mediation, a culturally accepted practice, as well as the political realities that led to the ultimate failures of such mediation attempts.

The following chapter describes the last three of the Sa’dah wars, ending with the Houthi domination of a large territory. Brandt focuses on the September 2006 elections as a turning point for many tribal leaders: when what they refer to as “warmongers” gained momentum. Brandt argues that at the same time, the war economy narrative came into focus—as those who had benefitted from the 2006 war sought to continue the conflict—and the international stage brought in Iran and Libya as combatants and mediators. Then, in February 2007, after approximately one year of ceasefire, war broke out again. Brandt states that this time, the so-called language of war changed, dominating every aspect of life in the Sa’dah region and eliminating the practicability of another long-term ceasefire. By mid-February of 2007, the tensions were enough to trigger a fourth war that lasted until June. Brandt does a fantastic job of articulating each battle, agreement, and Qatari intervention. Following this war, the interim peace lasted until May of the following year, when a two-month war broke out and expanded the territorial hold of the Houthis. There followed yet another year of ceasefire before the final war in August 2009.

In the final portion of this chapter, Brandt lays out the role of Saudi Arabia and their formal entrance into the Yemeni conflict. Relying on much of the socio-historical background articulated in previous chapters, Brandt brings readers back to her discussion of the Yemeni conflict in the 1960s and its importance in the Sa’dah wars. Her anthropological approach allows her to examine the state of individual leaders during the 1960s conflict, and the ways in which the alliances

and disagreements of these leaders led to the Houthi conflict today. Brandt ends the chapter with the Houthi seizure of Sa'dah city to show that by 2011, "the Houthi shadow state came into being."

Brandt argues that, as the Sa'dah wars approached their final years, the conflict in the region came to take on "an openly sectarian character as the Houthis were increasingly confronted by radical Sunnis and their allies." Though various parties attempted mediation—notably the 2013 National Dialogue Conference—the dialogue between the Houthis and Sunni Islamists failed. The inability to come to a conclusion only strengthened and emboldened the Houthis, resulting in their eventual September 2014 seizure of the capital Sana'a. Their rise and takeover of Yemen was essentially complete.

On the whole, Brandt is thoughtful in relating the history of the conflicts, the leaders, and their roots through the lens of an anthropologist. She considers individuals and their motivations, but also takes a large-scale approach and examines the wars' impact on cities, regions, and states. Though at times the writing feels tedious—filled with long lists of leaders, tribes, and locations—Brandt's explanations of the cultural context enable readers to understand the importance of each detail, and provide for a comprehensive examination of the conflict. Brandt shows how, "instead of putting down the rebellion, the government's military campaigns [against the Houthis] triggered destructive cycles of violence and counter-violence in Sa'dah's tribal environment which, step by step, engulfed Yemen's north . . . [and] Sa'dah's citizenry became increasingly polarized along government-Houthi lines." Brandt skillfully describes the situation among tribes within the region, while also elaborating on their complex relationships internally. Today, Yemen remains in a precarious position, plagued by continuous war with Saudi Arabia, in part due to its status as a proxy for Iran. In the book's final two chapters, Brandt lays out the difficult reality faced in Yemen as of 2017. Though much has changed in the mere two years since the book's publication, Yemen still faces a serious humanitarian crisis. Brandt's analysis of the conflict, therefore, remains important for understanding the current situation on the ground and providing Yemen and its people with the help they so desperately need.

Philosophy of International Law. By Anthony Carty. Edinburgh, U.K.: Edinburgh University Press, 2017. Pp. i, 300. £29.99 (paperback).

REVIEWED BY ANDREW VAN DUYN

International law rests on an uneasy philosophical foundation. Some scholars, like H.L.A. Hart, have argued that international law does not constitute *law* in the same way as law does within a domestic legal system. Rather, international law arises within the so-called anarchy of international relations, and is defined by its players. Indeed, the dominant analytical framework for international law is positivism, which holds that the practice of states defines the content of international law. Regardless of whether an international lawyer agrees with this view, he or she must grapple with legal philosophies more often than does his or her domestic counterpart.

It is within this contemplation of the philosophical underpinnings of international law, that the second edition of Professor Anthony Carty's *Philosophy of International Law* is particularly welcome. Carty's work covers much intellectual ground. In the introduction alone, Carty discusses naturalist, positivist, realist, constructivist, liberal, and postmodernist approaches to international law. The rest of the work, consisting of four chapters, focuses on the philosophical bankruptcy of positivism, a doctrine that puts the state at the center of its analysis. According to Carty, positivism fails to explain how the state came, or comes, into existence; positivism merely assumes the state's absolute sovereignty as a basis of other rules. Instead, Carty, relying on natural law, underscores that the state is contextualized by those who reside in it, and with whom it interacts; man cannot be viewed simply as "an artificial construction of the State."

In his first chapter, "Continuing Uncertainty in the Mainstream," Carty argues that the notion of custom, a foundation of modern international law, lacks a workable definition. Custom, as codified in Article 38 of the Statute of the International Court of Justice, is one of the three sources of international law, the others being treaties and general principles of law. Recognition of custom requires *opinio juris* and state practice, which, combined, explain that a state follows the custom because the state believes it is legally mandated to do so. How-

ever, in practice, a state almost never says it acts under a belief of obligation, because the state may be required to follow those obligations in the future. Carty also highlights a more fundamental issue: the very problem of conceptualizing a state as even having *intention*. He writes, “it is no less problematic to ask what are the intentions, the internal subjective state of an individual person, than it is to explore the activities of a collective entity.” To ask what the state believes is to misunderstand its corporate nature. It has never been clear what constitutes the voice of the modern state, comprised as it is of multiple actors?²—administrative departments, a legislature, and the judiciary—that are often at odds. Rather, Carty believes the focus should be on “the structures of shared knowledge” that contextualize the state’s actions. Therefore, a reconstruction of the modern state is needed. Carty writes, “[i]f States have . . . an idea of obligation, it can only come from an ethnological background, a common historical, by its nature almost entirely unreflective, consciousness.”

Carty expands on this notion of a historical reconceptualization of the state in his second chapter, “Towards A New Theory of Personality in International Law”, where he discusses international legal personality, particularly as it relates to sovereignty. Historically, an understanding of sovereignty transitioned from Louis XIV’s “l’état c’est moi [I am the state]” to the modern “l’état c’est l’état [the state is the state]”; the state exists because it must. The state is a creature of fact, not of law; “[l]aw is whatever the sovereigns choose to define as such through their will.” Similarly, on the international plane, states are concerned with maintaining boundaries, and view relations with other states as a threat to their monopoly on the legitimate use of force. This conception of the state explains the poverty of legal positivism’s approach to self-determination. “[T]he coming into existence of states is not regulated by an international legal order,” but rather by the consent of what one calls the mother country. If positivism provided a legal basis for a state to come into existence, it would undermine the sovereignty of the mother state over its territory, which is one of the central norms of positivism. The axioms of positivism, therefore, prevent it from creating legal rules in this domain of self-determination, a vital principle embedded within modern international law.

In response to these shortcomings, Carty suggests a stronger reliance on a natural law approach, which would allow states to “recognise the other as similar, reflections of the self,” rather than the alternative of engaging in the positivist boundary-setting mechanism of declaring absolute sovereignty over a certain area as a precondition of a state. The international order needs a radical reorientation around the person, rather than the state, as “[t]he world of institutions is made by men and thus one can arrive at a comprehension of them through a knowledge of the self.” This requires a recognition of history when framing legal rights, as opposed to the timeless and static state entity that precedes law commonly by reference to a so-called original contract with the governed. Carty argues that “where a historically easily defined territorial entity chooses its independence this must be accepted.”

When discussing this natural law approach in the introduction, Carty cites favorably to the work of Janne Haaland Matlary, a Norwegian political scientist and conservative politician. He states that “the fundamental problem is, throughout, a radically subjectivised individualism, with no objective judicial ground for constraint . . . a problem that only a classical, natural law grounded legal philosophy can answer.” To avoid this problem, natural law principles must have a universal character, rather than a specific theological mooring. However, Carty skirts the fact that Haaland derives her natural law from Christianity, harkening back to the medieval scholastic approach discarded in favor of positivism. While Carty himself does not cite to any Christian tenets in discussing naturalist principles, more is needed to analytically separate the new naturalism from the historical shadow of scholasticism.

Carty then applies the natural law framework to the legality of the use of force in the third chapter, “The Existence of States and the Use of Force.” He is particularly critical of the International Court of Justice (ICJ) *Nuclear Weapons* decision, which confirmed the principle that a state can determine for itself when the use of a nuclear weapon in self-defense would be appropriate. The non-use of nuclear weapons over the past fifty years does not serve to vindicate the ICJ according to Carty, because the circumstances for their use simply may not have arisen in the judgment of those states that possess them. Carty writes, “events of the use of force usually form part of wider structures of events in which moral choices are now fro-

zen in time.” Putting aside any views on the use of nuclear weapons, Carty lays bare the failure of the ICJ to escape the positivist paradox on this issue. If international law “[is] derived from the particular nature of the State,” and the state exists to maintain itself, then there can be no legal analysis of actions it takes to do so. Applying a legal framework to self-defense, which is core to a state’s sovereignty, would imply that there is an external check on its existence. Carty answers this conundrum nicely when he writes, “[t]he philosophy of international law, in respect of reflection on the State practice of the use of force, has to begin with the personalities of existing States.” Law must, therefore, depend on the mediation and balance of these personalities, in developing “institutions of co-existence” grounded in natural law.

Carty also highlights the danger of the extremes of the current system, as evidenced by his discussion of recent U.S. foreign policy, which takes the modern positivist view to its logical conclusion. The United States has equated its own “security with that of the planet.” Instead of ignoring international law, the United States subsumes it into an imperial law. The only way to guarantee security is to have military bases in more than seventy countries, so the United States can meet the *other* before it reaches U.S. shores. This approach is plainly unsustainable, particularly as the economic might of the United States recedes.

The clear denouement of Carty’s argument is his discussion of the use of force, which leaves the chapter titled “International Economic/Financial Law” as an afterthought. Most compelling is his vision for a post-U.S. global financial system, where the “socially oriented” European, Japanese, and Chinese capitalist models are better able to “negotiate relations with different cultures,” in comparison to the fiercely individualistic Anglo-American approach. This assumes, of course, that the United States will relinquish the military might backing its economic control.

Despite Carty’s comprehensive legal theorizing, much of the book reads as a jeremiad against U.S. control of the global financial system. He notes that the right to “economic self-determination” was destroyed by U.S. President Nixon’s decision to float the dollar, and the subsequent financialization of the world economy. The extractive nature of the global North-South relationship undermines any claim to sovereignty by the

latter. It is rather remarkable that Carty makes no mention of bilateral investment treaties (BITs) in his discussion of international economic law, considering their North-South dimension. The end of the Cold War marked a proliferation of BITs, and the number of claims submitted under them has increased exponentially since that time. However, BITs have been sharply criticized in recent years, and the United States pulled out of the Trans-Pacific Partnership (TPP) partially due to concerns over its investor-state dispute resolution provisions. Instead, Carty focuses on the complicity of major U.S. financial institutions in the 2007–08 financial crisis. While this is undoubtedly true, it is at best tangentially related to Carty's exposition of a naturalist approach to international economic law. More interesting would be an analysis of how the relationship between investor and state further circumscribes the sovereignty of the Global South, and how that relationship could be reimagined to include the institutions of coexistence cited above.

Ultimately, *Philosophy of International Law's* most valuable contribution is its impressive marshalling of philosophical arguments from a range of approaches and disciplines, particularly those outside legal philosophy narrowly understood. The result, however, is more of a stinging rebuke to international legal positivism rather than a compelling framework utilizing a modern natural law approach. Positivism's shaky intellectual grounding is well-demonstrated through this method. However, the direction of a newly invigorated natural law foundation for international law is less clear. Considering the antipathy towards natural law in the international legal community, more will need to be done to bring it to the fore. Nonetheless, Carty has provided the community with an excellent start.

Humanitarian Wars? Lies and Brainwashing. By Rony Brauman in Conversation with Régis Meyran. London, U.K.: Hurst & Company, 2019. Pp. vii, 114. \$20 (paperback).

REVIEWED BY RYAN WOODS

Humanitarian Wars? Lies and Brainwashing is a brief but fascinating book that consists of an extended conversation between Rony Brauman, a former president of Médecins Sans Frontières (Doctors Without Borders), and Régis Meyran, an

anthropologist and associate researcher at the University of Nice. Its title summarizes well the subject matter of the book, providing the reader with an engrossing account of how states have manufactured support for phony humanitarian interventions through deceit and falsehoods.

Brauman first tells the reader what he means by the term *humanitarian war*, which he believes has become rhetorically synonymous with the concept of the *just war*, although in Brauman's conception, humanitarian wars are anything but just. To Brauman, humanitarian wars are wars that are "ostensibly motivated primarily by humanitarian concerns," but actually have ulterior motives. Examples of humanitarian wars include those purportedly fought to save populations from famine, stop impending massacres, and gain freedom from oppression. Brauman distinguishes humanitarian wars from wars that are fought primarily in the name of security or in support of a government or United Nations. For Brauman, humanitarian wars must meet three criteria: Humanitarian rhetoric dominates the justifications for the war, this rhetoric is based on false claims, and this rhetoric forms the core of the Responsibility to Protect (R2P) doctrine.

The R2P doctrine comes from the title of a report written by the International Commission on Intervention and State Sovereignty. The Commission drafted the report in response to a question from U.N. Secretary General Kofi Annan regarding the criteria for humanitarian interventions, following international shame from states' inaction during the Tutsi genocide in 1994 and Bosnian War in the early 1990s. Under R2P, the Security Council must determine whether certain criteria are met in order to authorize a humanitarian intervention. The criteria for authorizing a humanitarian intervention include: i) legitimate authority, meaning the decision to intervene must be made by the U.N. Security Council; ii) proportionality, meaning the violence of the response must not exceed that of the atrocities; iii) last resort, meaning that all other means short of force have been tried; and iv) a reasonable chance of success.

As the title of the book suggests, Brauman is highly critical of the R2P doctrine. He observes that, by setting up criteria for a so-called legitimate war, the United Nations has effectively rehabilitated war rather than prevented it. But Brauman is no hardline pacifist. He believes that taking a non-interventionist

stance in principle is simply politically irresponsible, and in this regard, the criteria for humanitarian interventions thus serve an important purpose. Indeed, some interventions are necessary, he argues, such as to support wars of resistance against aggression. However, he suggests refining the criteria to permit interventions that i) the international community actively tried to avoid; ii) have a cause that is *prima facie* justifiable; and iii) have an objective that is well-defined and achievable. As part of his analysis, Brauman wants international actors to keep in mind two observations of the early nineteenth century Prussian military theorist Carl von Clausewitz: first, that one cannot sensibly begin a war without a clear idea of one's objectives and means of achieving them and, second, that no war ends up going as originally planned due to changing means of carrying on the war and constantly changing objectives. As such, Brauman notes that the most sensible war is one that is greatly limited in scope, so that it is reasonably likely that its clear objectives will not spin out of control and will actually, likely be achieved. Brauman also cites political philosopher Michael Walzer, who notes that "[t]he object in war is a better state of peace." A war that brings more destruction and less stability at its conclusion than existed at the beginning has clearly failed in Brauman's mind.

In the remainder of the book, Brauman uses particular examples of humanitarian wars, as he defines them, to illustrate both his criticisms and his recommendations going forward in the sphere of humanitarian intervention. He cites the French intervention in Somalia in the early 1990s as the first humanitarian war in the post-Cold War era. He makes it clear that while he does not mean to deny the real challenges going on at the time, such as famine, officials nevertheless crafted a distorted narrative by manipulating the number of victims in order to justify intervention. Moreover, even though there was a famine, the initial international response was made in law-and-order terms, despite the more pressing need for a massive increase in emergency food aid. The international community also eagerly accepted any rationales for intervention—such as the claim that eighty percent of food aid had been looted—as fact, and used these figures as justification for obscenely inefficient publicity stunts, such as the U.S. army escort fiasco. In sum, “the war in Somalia was conducted for the wrong reasons and in disastrous fashion” and, “having been launched under

inauspicious circumstances, it couldn't help failing." And through such failure, the intervention worsened the situation it was intended to improve. This also conforms to Brauman's more general criticism of U.N. responses to humanitarian crises typified by the Security Council policing model: "an inability to think about security outside established, U.N.-type law-and-order approaches."

Brauman follows his discussion of the abortive Somalia effort with the intervention in Libya in 2011. Brauman characterizes the intervention in Libya, perhaps a bit anachronistically although not inaccurately, as a prime example of the use of so-called alternative facts to justify war. "Libya was France's Iraq War," he begins, "except that it was legal, having been authorized by U.N. Security Council Resolution 1973." Brauman points to several alleged facts leading to the intervention, including exaggerated and false reports from Al Jazeera about the Libyan air force bombing protestors, a fictional eyewitness account from Bernard-Henri Lévy, and the almost immediate political consensus on commencing war emanating from Nicolas Sarkozy, Barack Obama, and David Cameron. With respect to the United States, Brauman notes that despite the Pentagon's reluctance to get involved, Obama sided with "well-known interventionist" Hillary Clinton. Brauman remains "amazed, and sometimes saddened, by the passivity—even the submissiveness—with which people allowed themselves to be brainwashed by the political and media consensus that was being created at that point in time." In short, while the formal legal criteria for a *humanitarian war* were met (i.e., legitimate authority and proportionality), the political criteria were simply ignored (i.e., last resort and reasonable chances of success). In particular, Brauman notes that it would have been possible to protect Benghazi using clear warnings, overflights, and shows of strength rather than creating a no-fly zone, which we too often forget is an act of war.

The next chapter on Kosovo is intriguingly titled "Kosovo: A Morally Justified Unjust War?" Brauman in this chapter contends with his past approval of the intervention in Kosovo. He had initially supported the intervention at the time due to the real "chances of success" in ending the atrocious regime of Slobodan Milošević. This support existed in spite of what he describes as the war's beginning in "a climate of intense propaganda based on allegations of massacre and even genocide."

Despite this propaganda, Brauman still believed the intervention to be justified at the time. It was only after the dust had settled that he began to reassess his initial approval. Brauman—along with Henry Kissinger—believes that the United States did in fact use the Rambouillet Conference of 1999 and Yugoslavia's refusal to accede to the reached agreement as a pretext to begin bombing. "Americans wanted the war for American reasons," he says, which included "reaffirming their status as a military power in Europe through [the North Atlantic Treaty Organization (NATO)]." With the clarity of hindsight, Brauman fully understands that NATO and the United States were aggressively pushing for war, thus suggesting the principle of last resort was not so closely followed. Indeed, the subsequent trajectory of Kosovo, including its lack of a viable economy and corrupt leadership under "people with strong mobster tendencies," has shaken Brauman's prior convictions on the rightness of the intervention. On the other hand, however, Brauman still believes on some level the intervention to have been morally justified. Brauman just struggles with this divide, and presents the interesting question of whether legal justifications for interventions can ever truly map squarely with moral justifications.

Finally, a book on military intervention and lies and brainwashing can hardly be expected to exclude discussion of the War on Terror, and Brauman gives us just that in chapter five, entitled "Afghanistan and Iraq: Two Wars For Civilization." While Brauman finds it hard to argue with the appropriateness of targeting al-Qaeda training camps in response to the September 11 terrorist attacks, there was clearly much more going on than just a response to the attack. His criticism lies in the muddling of primary objectives at the outset, such as destroying al-Qaeda training camps, with the much more problematic question of overthrowing the Taliban regime in Kabul. Brauman describes how the hunt for al-Qaeda leaders evolved into a long-term "war for civilization" by calling on the "magical concepts" that had emerged in the heyday of interventionism in the 1990s: state-building, confidence-building, nation-building, and peace-building. The result has been a prolonged intervention that continues to this day without clear objectives or end goals. Similarly, Brauman also discusses the development of a "women's rights" justification for the intervention—the idea that the intervention liberated women from their "cloth

prison.” However, he rightly points to the war in Afghanistan and Iraq as an example of the United States futilely utilizing military force in an attempt to change these countries’ cultures. He concludes strongly that “we see that military force is useless for anything except fighting another army.”

Additionally, in regards to the supposed weapons of mass destruction in Iraq, Brauman’s interlocutor, Régis Meyran, calls the situation “an enormous lie of international proportions.” He provocatively notes that what began as a response to aggression had evolved into a dubious “war for civilization,” showing the true face of U.S. democracy; that is, “the dictatorial leanings of the American empire.” Meyran also intriguingly adds: “[W]e generally blame the people who pull the trigger, but too often forget the scientists who methodically, painstakingly, develop the weapons. Humanitarian law doesn’t seem to have anything to say about that.” In a similar vein, although not expressly mentioned by Brauman or Meyran, society seems to forget about the lawyers too, who smooth over niceties of international law and serve as the judicial face of the propaganda machine. The most notorious recent instance of this was the Torture Memos. These memoranda were drafted by officials in the Bush administration seeking to legally justify the use of waterboarding and other so-called enhanced interrogation techniques. If we are to hold the researchers complicit in the machinations of war, so too—and perhaps more so—must we hold the legal profession accountable.

Brauman and Meyran then conclude the book with a brief discussion of the technological direction that warfare is taking and the legal and ethical issues which this brings. Brauman notes the “necro-ethics” of deploying killer robots and the “moralization of killing” in the form of increasingly precise weapons technology. While he supports the reality of decreasing civilian deaths in such a manner, he fears that the rhetoric surrounding such technological change, just as with humanitarian wars, will serve to further whitewash warfare, “disguis[ing] the hell that it is in reality” by making warfare appear more limited and humane than it is in fact. Brauman paraphrases Einstein’s memorable quote: “I don’t know which weapons will be used in World War III, if it happens, but one thing is certain: World War IV will be fought with clubs.”

Despite all of this, despite humanitarian law's white-washing tendencies and enabling of pretextual wars, Brauman does not conclude that humanitarian law is useless. He notes that humanitarian law creates a space for negotiating with governments, and supports the legitimacy of humanitarian actors in conflicts. He thus ends the book on an optimistic note, challenging the reader to be more aware of the true justifications for renewed calls of war and to help return humanitarian law back to its roots of promoting peace and wellbeing for all. Brauman fittingly writes in the end: "[H]umanitarian law helps humanitarian organizations find their place in war. That's not nothing, and for that it should be defended."