

BOOK ANNOTATIONS

Modern Albania: From Dictatorship to Democracy in Europe. By Fred C. Abrahams. New York, NY: New York University Press, 2015. Pp. 384. \$75.00 (hardcover).

REVIEWED BY CLINTON AGRESTI

At the center of *Modern Albania: From Dictatorship to Democracy in Europe* is a messy struggle for power. Fred C. Abrahams provides a riveting account of Albania's rocky transition to democracy after forty years of rule under the brutal communist dictator, Enver Hoxha. The book offers a whirlwind tour of the unique yet familiar series of events that have led Albania to its democratic—albeit, still precarious and corrupt—present. Abrahams begins by tracing the earliest seeds of opposition in student protests following the fall of the Berlin Wall and details the rise of and infighting within Albania's most powerful opposition party. Later, he describes the collapse of an economy built on countrywide financial pyramid schemes, the political corruption of ruling elites, and the ensuing public rage—all while illuminating the international backdrop against which internal power struggles took place. In sum, Abrahams paints a complex and nuanced picture of the country's recent past, and leaves readers with a sense of the peculiar difficulty involved in building robust, democratic institutions that keep power in check. Newly beholden to complex international forces, beset with power struggles, and still striving to throw off the old shackles of authoritarianism, Albania's transition to democracy has been a difficult one indeed.

Abrahams gives a gripping account of personal and political conflict, both among those in power and those opposing them. For example, Enver Hoxha began as an idealistic young resistance fighter, but eventually became a cruel and paranoid Stalinist dictator, bent on eliminating every last opponent or potential rival. In describing this period of history, Abrahams shows how a political culture in which authoritarianism is deeply embedded enables corruption and paranoid cruelty to flourish.

Abrahams renders in detail the key players who formed the Democratic Party—the early opponents of the ruling Socialist party (known at the time as the Party of Labor). Out of what began as a series of poorly organized student protests, the young and promising Sali Berisha rose to power on a platform opposing Hoxha's legacy. Viewed by many western countries as an adept, charismatic leader who could advance stability in the region, the United States in particular courted Berisha in an effort to establish an ally in a volatile area of the world and cement its victory in one of the final battles of the Cold War. Indeed, soon after his rise, the United States put its full support behind Berisha. After a relatively short period, however, it became clear that he was replicating many of the patterns of his ruthless forebear: jailing members of the opposition party, cracking down on press freedom, meddling with elections, involving the country in financial corruption, and in various ways, unscrupulously suppressing dissent. Readers will note the irony that the model entrenched by Hoxha in many ways reproduced itself in the story of Albania's most promising and capable democrat. Abrahams seeks to explain this, in part by noting that Berisha and his counterparts "embodied the paradox throughout the former Soviet bloc that those equipped to govern in the new system were those who had benefited from the old." While Abrahams provides many portraits of influential individuals and their role in the country's events, he is correct to focus on Sali Berisha; not only because Berisha is the most important political figure in Albania since the fall of communism, but also because his example highlights the difficulty of establishing a strong separation of powers and the ease with which old autocratic patterns reproduce themselves, especially in a culture of fear wrought by those very patterns.

While never neglecting the role of key individuals and their struggles to grab and hold onto power, Abrahams highlights important forces in the international system that formed the parameters within which individual power struggles took place. He focuses mainly on Albania's relationship with the United States, whose main interests were ensuring communism's final defeat in Europe and fostering stability in a region torn asunder by war in former Yugoslavia. Abrahams is not exceedingly critical of the United States, but he laments the superpower's shortsighted insistence on backing Berisha for as

long as it did (though there were some dissenters within the United States, one of whom warned early on after a dinner with Berisha, that he was “unstable psychologically”). Nevertheless, the United States continued backing Berisha even as it was well aware of his burgeoning antidemocratic tendencies. Stability came at the cost of dissent, and the stability clearly did not last. “In the desert of Albania’s early post-communist politics,” Abrahams observes, “the U.S. watered one sprig.”

Zooming out further, readers are treated to a comprehensive and comprehensible account of the economic forces that threw the country into havoc in 1997. Since its transition from communism in the early nineties, Albania had been trumpeted as the poster child for the success of the policies advanced—some would say “imposed”—by the International Monetary Fund and the World Bank during that period. In their ideological enthusiasm, the Bretton Woods institutions failed to notice the three pillars that were actually propping up Albania’s economy during its short-lived success. First, the country was largely dependent on remittances sent by those who had left to neighboring countries when the old system collapsed. Second, the country was receiving significant amounts of aid from the United States and Europe. And third, illegal trade had grown massively. Albania became a key smuggler state, supplying significant amounts of oil to Milosevic’s regime during the war while the international system turned a blind eye. When the war ended, the “gangster economy” collapsed because it could no longer sustain the gigantic pyramid schemes that had parasitically grown on its back. In short, when money from illegal trade stopped pouring in, the national economy fell into a tailspin, leading the country to the brink of civil war in 1997. Abrahams’s concise description of the pyramid schemes shows how almost every sector of Albanian society was complicit, including the government, its opposition, and the public at large. “To question the pyramid schemes,” Abrahams explains, “was like speaking against communism during the time of Hoxha: everyone thought you were insane. It was a confederacy of collusion, a societal secret, a profiteers’ pact.”

Aside from the occasional wooden sentence, *Modern Albania* is eminently readable, even enthralling at times, and the lively cast of characters lends the book an almost novelistic feel. A fascinating aspect of the book concerns the author’s

own involvement in many of the events he recounts. While conducting much of the research for the book, Abrahams worked for Human Rights Watch and pushed for press freedom through a job with a student newspaper in Tirana funded by the Soros Foundation. During Berisha's authoritarian turn, Abrahams testified before the United States Congress on the rampant police abuse, press restrictions, and lack of independent courts in Albania. Over the course of two decades, Abrahams gained access to and interviewed many of the key political figures and intellectuals in Albania's recent history, and he did so at varying stages in their careers. He peppers the book with telling anecdotes and amusing quotations, using them as narrative devices to pull readers in, cut ahead in time, and add temporal flair. Once immersed, the reading experience can feel akin to viewing a documentary film.

Primarily a narrative account, *Modern Albania* seeks less to provide substantive arguments in the service of overarching theses; rather, it is a multi-perspective telling of events that aims to shed light on Albania's present circumstances—and definitively succeeds in doing so. At various moments throughout the book, however, Abrahams does provide the arguments relied upon by opposing sides in political disputes, allowing readers to conclude for themselves whether those arguments were made in good faith or in service of political opportunism.

To his credit, Abrahams acknowledges in the book's introduction that the perspectives of women are not well covered, and perhaps this is partly justified because his analysis applies principally to the political system—a system that was and is run by men. But a key metric of success for a society transitioning into democracy involves how it treats those at its margins. For an author clearly striving to deal fairly with such an uneven and complex transition, Abrahams makes scarce mention of those at Albania's margins—other than political minorities, of course—and how the tumultuous events of the past twenty-five years affected them. Have things improved for women? For ethnic or religious minorities? Abrahams's account leaves one wondering.

Both a comprehensive chronicle of modern events and an entertaining rendering of power conflicts, *Modern Albania* serves as a perfect entry for anyone interested in the history of Albania or the Balkans more generally. At the same time, it also provides the kind of up-close detail and systemic analysis

that a reader more familiar with the history of the region will crave.

Europe and Extraterritorial Asylum. By Maarten den Heijer. Portland, OR: Hart Publishing, 2012. Pp. xx, 321. \$112.00 (hardcover).

REVIEWED BY PATRICIA DE LUCIO

In 2015, 1.2 million first time asylum seekers applied for international protection in the European Union, a number more than double that of the previous year. One in three of these first time asylum seekers originated from Syria. In *Europe and Extraterritorial Asylum*, Maarten den Heijer, assistant professor of international law at the Amsterdam Center for International Law, seeks to define the current international law framework for extraterritorial asylum and propose solutions to uneven enforcement policies. Though the book was published four years ago, its findings remain incredibly relevant to the refugee crisis in Europe today. Europe's continued outsourcing of asylum functions in response to the refugee crisis has highlighted the problems that result from an incoherent extraterritorial system. Now more than ever, states should heed den Heijer's claim that the European Union needs to develop a unified legal framework of human rights norms for pre-border migration enforcement.

Den Heijer's study has two major aims: first, to provide a better understanding of how international human rights and refugee law constrain states in their use of pre-border migration enforcement; and second, to identify how human rights law can respond to states' increasing use of extraterritorial migration control procedures. Overall, the book seeks to contribute to the existing legal framework for extraterritorial state activity by grounding those theories in international human rights law. This is accomplished through an overview of the applicable human rights law followed by the examination of several case studies. The book focuses on different aspects of the migration framework in each chapter to ultimately evaluate the legality of the European Union's extraterritorial asylum framework as a whole. This structure proves to be a very effective way of breaking down and organizing the key elements of what is normally a muddled area of international law.

The first chapter provides a high level review of the theory of jurisdiction in international human rights law. Den Heijer concludes that the current European framework falls within the boundaries of international human rights law, but that the applicable human rights norms that govern it are often ignored in practice, partially due to the legal ambiguity in this area caused by conflicting court opinions and legal regimes. The study attempts to clarify this ambiguity by identifying the proper application of the law to current practices. While it asserts that the European Union should develop an overarching framework that takes international human rights law into account, the study fails to provide concrete examples of how this should be done.

Chapter Two establishes that under human rights law, the notion of jurisdiction has been construed to imply factual control by the state over an affected individual. Unlike the meaning of jurisdiction in international law, jurisdiction in human rights need not be linked to a state's control over territory. For instance, in the Human Rights Committee's decision in *Ibrahima Gueye*, the Committee found that Senegalese soldiers of the French Army residing in Senegal were within French jurisdiction because they relied on French legislation for their pension rights. Thus, jurisdiction was established without any territorial link. The author notes that the European Court of Human Rights construed jurisdiction more narrowly in its *Bankovic* decision, finding that NATO air strikes during the Kosovo crisis were insufficient to create a "jurisdictional link" between the victims of the airstrikes and the respondent NATO states because the states did not have "effective control" over the victims. However, in subsequent cases the Court has moved away from this narrow construction. After examining several other decisions in this area, den Heijer compellingly concludes that "human rights obligations serve as a code of conduct for all activities of a state, regardless of territorial considerations," and that "the condition of jurisdiction is satisfied if an act or omission of a state affects a person to such an extent that he or she can be considered a victim of a human rights violation."

Chapter Three evaluates the mechanisms for holding a state internationally responsible in situations where wrongful conduct involves multiple state actors. The chapter identifies and explains three such mechanisms: the notion of attribu-

tion, the concept of derived responsibility, and the doctrine of positive obligations. The author takes a broad view of state responsibility, arguing that even in extraterritorial situations, “a state should always be held responsible for the consequences in its own sphere of activity . . . [and] should not be allowed to do through another actor that which it cannot do by itself.” This view of state responsibility fits well within the activity-driven theory of jurisdiction previously developed in Chapter Two.

In Chapter Four, the study shifts its focus to the current framework for extraterritorial asylum in international law. Specifically, this chapter analyzes whether the principle of “non-refoulement” applies to cases of extraterritorial asylum and whether there are any limitations on the ‘right to leave.’ One of the key themes explored throughout the study is the tension between the obligations imposed by human rights law on states and the sovereign power of a state over its own territory. Den Heijer finds that granting extraterritorial asylum for humanitarian reasons in cases where the territorial state opposes asylum has a weak legal basis because doing so would constitute an interference in the territorial sovereignty of the host state. However, he shows that the “right to leave” is a well established norm in international law and restrictions aimed at preventing persons from leaving a country (either a country of origin or country of transit) must be based on legitimate reasons with a basis in law and are subject to independent review. This chapter compellingly explores the potential contradictions in trying to honor the international community’s human rights obligations to individuals while simultaneously respecting the territorial sovereignty of a foreign state.

Chapter Five investigates the extent to which European Union law can constrain the activities of member states in pre-border migration enforcement. Den Heijer concludes that unlike the internal asylum system governed by the Schengen Borders Code (“SBC”), the external asylum system away from European borders operates under an incoherent framework for selection and admission, lacks adequate procedures for migration enforcement, and does not provide a system of judicial review of decisions affecting migrants’ fundamental rights. He argues that the SBC is well positioned to be applied to pre-border control measures, but the member states’ use of Frontex sea operations disregards the procedural guarantees

under the SBC regime. Unlike the SBC, many member states' individual policies for pre-border migration do not distinguish between refugees and other irregular travelers. Though den Heijer contends that the more coherent SBC standards should replace the current fragmented external migration system, it is difficult to see how this would function in practice as the number of persons requesting asylum in the European Union continues to grow substantially. For instance, the SBC provides that border guards may not refuse entry to asylum-seekers (even if they fail to satisfy typical entry conditions) as long as the asylum application was made "at the border." It also provides a right to an appeal for each refusal to grant entry. If these rules were extended to areas of pre-border migration, member states whose immigration agencies already are struggling to process an increased number of migrants would likely be completely overwhelmed. Den Heijer does not address the pragmatic effects of this recommendation.

In Chapter Six, the study delves into the specifics of interdiction at sea, one of the most prevalent current practices of extraterritorial migration control. This chapter examines the relevant maritime law governing interdiction and notes how it overlaps with international human rights law, creating further legal ambiguities. Ultimately, the author concludes that "European states cannot simply pretend that their [interdiction] policies do not entertain human rights concerns and that if human rights policies are not established to govern interdiction at sea, a legal vacuum will emerge as "an area outside the realm of the law, where migrants would enjoy no protection whatsoever, and where states could simply seize persons at their utter discretion."

Chapter Seven presents case studies of the American and Australian external asylum processing programs in Nauru, Guantanamo Bay, and Christmas Island and evaluates each under the previously discussed international law norms. Den Heijer asserts that these programs do not have sufficient procedures in place to protect the rights of asylum-seekers, and again calls for a framework which takes human rights law into account and allows for judicial review of decisions.

The final chapter of the book restates the central premise of the study that "the territorial scope of a state's obligations under international law . . . is congruent with—and must necessarily follow—the locus of state activity." The author suggests

that the European Union is in a better position than individual member states to develop a set of overarching policies to protect human rights in extraterritorial migration enforcement. However, he acknowledges the difficulties presented by member states refusing to give up some of their sovereign authority to the European Union in this respect.

Overall, *Europe and Extraterritorial Asylum* is an effective overview of the most salient issues relating to pre-border migration enforcement and international human rights. The author does an excellent job of clarifying an inherently confusing area of law by starting from the most general tenets of human rights law and methodically honing in on extraterritorial migration control practices and their central human rights gaps. The book would benefit from a greater consideration of the practical effects of some of its recommendations, but generally it serves as a cohesive guide to the key legal issues in extraterritorial asylum today.

Realpolitik: A History. By John Bew. New York, NY: Oxford University Press, 2016. Pp. vi, 395. \$27.95 (hardcover).

REVIEWED BY NATHAN GUSDORF

John Bew, a Reader in the War Studies department at King's College London, has written an intellectual history of that forbidding concept-term "*Realpolitik*." While the word remains burdened by its association with Machiavelli and Henry Kissinger, Bew's book promises to recover the true meaning of this misunderstood idea. He argues that the conditions of its genesis in 1850s Germany show that *Realpolitik* is in fact a kind of "liberal realism" rather than the amoral pursuit of power for its own sake. Though what precisely "liberal realism" means for Bew is unclear, he sees it in the Obama administration's simultaneous embrace of international institutions and strategic use of military power. Rather than proving this thesis, however, Bew leaves his readers with the impression that this nebulous term was never more than a polemical device for denouncing political opponents.

The work reads as a meticulous record of the varied uses of the word *Realpolitik* with no theory of its meaning or appeal. The reason for the book's frustrating style is partly methodological: Bew studied for his doctorate at Cambridge, and he

follows the scholarly methodology of Quentin Skinner's Cambridge School. This method consists of a detailed study of historical texts in order to develop sensitivity to the linguistic context in which political ideas were deployed. In principle, this scrupulous historicism should avoid anachronistic reading and instead offer insight into how historical actors thought about political ideas in their own time. Here, Bew provides method without purpose. Instead of illustrating how past historical actors understood the idea of *Realpolitik*, he simply shows that they used the word.

Realpolitik: A History consists of five parts, divided into chapters and organized chronologically. Part I: Real *Realpolitik* introduces the subject and its origins in 1850s Germany. The story starts with a little-known journalist and politician named Ludwig von Rochau who published his treatise on *Realpolitik*—or practical politics—in 1853. Rochau had been involved in German radical politics in Frankfurt in the 1830's, and ended up escaping a prison sentence to spend ten years in exile in France. He returned to Germany, wrote for a liberal newspaper, and saw the rise and failure of the revolutionary movements throughout Europe in 1848. Rochau concluded that the fundamental problem with the radicals of this period was their disregard for the factual realities of practical politics. Consumed by revolutionary fervor and high-minded ideals, his contemporaries needed a corrective in the form of a prescription to understand politics realistically. Thus the notion of *Realpolitik*.

Following their defeat in 1848, German liberals of Rochau's stripe found themselves in an uneasy alliance with that ruthless Prussian leader so often identified with *Realpolitik*, Otto von Bismarck. Interestingly, Bismarck never used the word himself. Instead it was Rochau and his fellow liberals who used the idea of *Realpolitik* to justify their alliance with the right-wing nationalists who sought German unification.

Rochau was not famous, and it seems that his reputation has been revived only thanks to Bew's diligence. This is unsurprising, for *Realpolitik* is neither a theory nor a philosophy. In fact, it's not clear that the term has a conceptual core at all. After all, who would deny that political actors should stay clear-eyed and grounded in reality? No wonder, then, that the history of *Realpolitik* shows that it mostly serves as a polemical, and sometimes propagandistic, rhetorical device.

Realpolitik travels overseas in Part II: Anti-*Realpolitik* and the Anglo-American Worldview. Bew analyzes international relations among Britain, Germany, and the U.S. around the turn of the twentieth century. This is the apex of the British Empire and its ideological self-justification as the “white man’s burden.” British imperialists argued for a gentlemanly politics of empire, which they contrasted with the Germans’ ruthless imperialist expansion. This intellectual milieu solidified the reputation of the Prussians as the characteristically ruthless practitioners of *Realpolitik*. British polemicists, such as the Liberal Party member of Parliament Ramsay Muir, argued that the Germans fundamentally could not understand the civilizing power of the British empire because they viewed it through the brutish lens of *Realpolitik*.

Indeed, right-wing German nationalists (and anti-Semites) such as Heinrich von Treitschke and Friedrich Meinecke did advocate for *Realpolitik*—as the pursuit of political power—in international affairs. But they argued that this was just the way of the world, and that the British engaged in *Realpolitik* like every other country. British liberalism, they said, was a mask for the same underlying political reality. The idea of *Realpolitik* could be used to expose British hypocrisy as well as offer a prescription for German politics.

These conflicts were brewing around the turn of the twentieth century, but they intensified with the onset of World War I. Part III: Interwar *Realpolitik* continues the previous discussion through the First World War and into the interwar period. This is the time in which the United States rose to the status of a global power and needed an accompanying political outlook. American President Teddy Roosevelt, influenced by Navy Admiral Alfred Thayer Mahan’s famous text, *The Influence of Sea Power Upon History*, initiated the first major era of American overseas imperialism. British imperial idealism seeped into the American political consciousness, first peaking with Wilson’s Fourteen Points and the short-lived League of Nations. Meanwhile, Britain had transitioned from an age of imperial growth into facing the challenges of maintaining the empire it had built, and ended up embracing the rhetoric of *Realpolitik*. The 1916 Sykes-Picot agreement between Britain and France divided up colonial holdings in the Middle East, and British Prime Minister David Lloyd George defended this power brokering as *Realpolitik*.

The remainder of the book follows American dominance after World War II. Part IV: Realpolitik and the Tangled Roots of American Realism turns the book's focus to the American postwar establishment, when German émigrés such as Hans Morgenthau, and later Henry Kissinger, would define the nation's thinking on foreign policy. Predictably, they were sometimes admired—and as often rebuked—as advocates of realpolitik (the word by now having lost its capital and italics). Just as much as this discussion highlights the role that realpolitik would come to play in American foreign policy debates, it also shows how hard it can be to identify its theoretical content. Consider Morgenthau, a German-Jewish lawyer who fled Germany and came to the U.S. in 1937. As the founding father of realism in international relations, he thought deeply about the relationship between domestic and foreign politics, but also argued that internationalist projects should not be put ahead of the national interest. Attuned to the failures of internationalism to prevent the rise of Nazi Germany, Morgenthau's skepticism was common among his generation. But he rejected attempts to characterize this "realist" outlook as realpolitik, eschewing the pursuit of power for its own sake. Nonetheless, another influential German émigré, Carl Friedrich (a founding faculty member of Harvard's Kennedy School and educator of many senior American policymakers) criticized Morgenthau for drifting too close to the *Realpolitik* of nineteenth-century Germany and neglecting the importance of normative ideals in foreign policy.

The final section, Part V: Practical Realpolitik, further discusses Cold War debates, in particular the Vietnam War. If there is any single figure today who is associated with realpolitik, it is Richard Nixon's Secretary of State Henry Kissinger. Kissinger's ruthless support of the American wars in Indochina (examined in Christopher Hitchens' *The Trial of Henry Kissinger*), secured his place next to Bismarck in the pantheon of realpolitik's proponents. Interestingly, just as Bismarck never used the word *Realpolitik*, Kissinger rejects this label and considers himself someone with a moral and ideological vision of international politics. Bew explains that Kissinger prefers to speak of the deficits of realpolitik and the importance of foreign policy based on morality rather than the national interest. Presumably even the national interest was insufficient to justify such crimes as the bombing of Cambodia.

In discussing this era Bew seemingly shows his own political colors, grouping together Morgenthau, the radical leftist and famous linguist Noam Chomsky, and the Neo-Marxist Herbert Marcuse as idealistic, irresponsible critics of the Vietnam War. He prefers the neoconservative thinker Irving Kristol, and defends Kristol against Chomsky's charge of embracing an amoral *realpolitik*. As Bew explains, Kristol was in fact critical of *realpolitik* because it was so often used as an argument against American imperialism. A reader might fairly wonder if this defense of Kristol—that Kristol did not embrace *realpolitik* because he enthusiastically supported American empire—would impress Chomsky.

Bew's dissatisfaction with the more aggressive critics of the Vietnam War flows from his commitment to liberal realism that he sets out in the introduction. He believes in pursuit of the national interest (whatever that may be) through military means if necessary, balanced by liberal internationalism. The radical critics of American imperialism, in his view, neglected the national interest. And this is where Bew ends the book. His conclusion proposes a return to the real *Realpolitik*, understood as liberal realism, and offers Obama as a model practitioner.

The evidence in the book supports a conclusion different from Bew's view of *Realpolitik* as liberal realism: that there is no true meaning to the term *Realpolitik*, and that it instead functions merely as a polemical device. Nineteenth-century German liberals reproached naïve radicals for their lack of *Realpolitik*; turn-of-the-century British politicians skewered Germany for its ungentlemanly, vulgar culture of *Realpolitik*; American leftists attacked Kissinger for his *realpolitik* in America's wars in Indochina; and Kissinger himself criticized the critics of America's wars for *their* *realpolitik* and refusal to see the moral importance of fighting communism.

Bew's work gives the impression that he set out to write the history of an idea, and instead just discovered decades of newspaper editorials and foreign policy memoranda that used the same word. Thus, the use of the words "*Realpolitik*" or "*realpolitik*" can be traced through various historical moments, but rarely operate as more than a name used to discredit the opposition—either as political naïfs (in need of *Realpolitik*) or unprincipled militants (followers of *Realpolitik*).

Stylistically, the book leaves much to be desired. The abundant factual content can be confusing, and there is little interpretive commentary or narrative structure. The chapters are organized chronologically, but they feel like one-thing-after-another history rather than a coherent story. A few short sections are written in the voice of a foreign policy intellectual rather than an academic historian, and these are more enjoyable to read. The introduction, in which Bew frames his project of unearthing the true history of *Realpolitik*, and the conclusion about Barack Obama's "liberal realist" foreign policy, show that Bew is perfectly capable of writing clearly. Unfortunately, the book fails to deliver on its academic promises, and leaves one confused about whether *Realpolitik* means anything at all.

Temptations of Power: Islamists & Illiberal Democracy in a New Middle East. By Shadi Hamid. New York: Oxford University Press, 2014. Pp. 269. \$27.95 (hardcover).

REVIEWED BY RAZIA HAMID

In 2011, the world watched Egypt with wonder and surprise. Hosni Mubarak was ousted by popular uprising from his 29-year presidency, and the Muslim Brotherhood's Mohamed Morsi replaced him after the country's first free elections. That sense of wonder and surprise was shared by the Brotherhood themselves, according to Shadi Hamid's *Temptations of Power: Islamists & Illiberal Democracy in a New Middle East*. Hamid argues that the Brotherhood and other mainstream Islamist groups operated and even thrived under the assumption that they were far from being in power. Before 2011, they aspired only to continue as opposition groups, purposefully playing a "long game." However, the groups' aspirations suddenly changed in the wake of the Arab Spring. Hamid attributes Morsi's short-lived rule, subsequent overthrow, and other Islamist parties' unsuccessful tenures more broadly to "temptations of power" which led them to vie for offices and leadership roles for which they were woefully underprepared and fundamentally unsuited.

Borrowing the phrase from Fareed Zakaria, Hamid explores this intersection of religion and politics through the concept of "illiberal democracy." Hamid observes that the

democratically elected Islamist groups instituted increasingly radical and puritanical positions and governed illiberally, veering strongly towards repression and denial of liberties. While he carves out a potential exception in Tunisia, a country with a strong secular history and particularly moderate and well-organized Islamist party, Hamid ultimately concludes that liberalism and Islamism are irreconcilable.

Illiberal democracies exist throughout the world, but their illiberalism is usually negotiable. However, for Islamist groups, this illiberalism is non-negotiable. Restricting personal rights and freedoms does not stem from a desire to consolidate power, but instead is fundamental to their existence as religious groups. Islamists and their supporters by definition believe Islam and Islamic law should play a central role in political life, and they interpret Islamic law to be at odds with many freedoms and liberties essential to a liberal democracy.

Hamid, a Senior Fellow at the Brookings Institute, began interviewing Muslim Brotherhood officials in 2005, when “their offices were [still] modest and dingy, befitting an opposition group with a long history—almost eight decades—of near constant repression.” He noted a welcoming atmosphere of political activism and enthusiasm. When he first met with a relatively unknown Mohamed Morsi in 2010, Morsi objected to Hamid referring to the Brotherhood as an opposition group. Opposition connotes the seeking of power, and according to Morsi, the Brotherhood was not seeking power. As a religious movement first, and a political party second, the Brotherhood was prepared to remain on the sidelines.

During this pre-Arab Spring period, the Brotherhood was still in what Hamid deems the “stage of opposition.” Counter-intuitively, the nature of this stage pushed the group into adopting far more moderate, liberal positions than those held once they were in power. Hamid calls this the “puzzle of moderation.” While still in the stage of opposition, the Brotherhood had no need to flesh out the contentious questions of ideology and cultural politics surrounding religious governance. There was no reason to focus on implementing provisions of rigid Sharia law—for example, the banning of alcohol—if there was no immediate expectation of coming to power. In order to politically participate at all in Mubarak’s authoritarian regime, Islamists had to adopt moderate stances and work in coalitions. Espousing strict ideals based around

Sharia law or calling for a revival of the caliphate would mean risking being shut out of the political system completely.

Once they were democratically elected, however, the internal debates began. The Brotherhood was elected in its capacity as an Islamist group, and was expected to reflect its constituency's desire for Islamic rule. At their inception, and throughout most of their existence, Islamist groups such as the Muslim Brotherhood existed to spread Islamic morals and promulgate the idea of reordering society around Islamic ideals and values. Their broad, expansive ideas about pure Islam and Sharia-governed society turned out to be incompatible with the negotiations and compromises involved in actual day-to-day governance. Morsi had to focus on working within the state apparatus and gaining respect as a leader to maintain power, but he also had to implement the Islamicized agenda that supporters believed to be at the Brotherhood's core. Unable to strike this balance, he ostracized his supporters and pushed them to support more radical, "pure" Islamist groups such as the Salafis, and ultimately failed miserably at governing. The dangerous result of the Islamists' ineffective governance became the use of an even stricter interpretation of religion to justify and legitimize power. If the Islamists can't "fix the potholes" and effectively govern, "then the temptation to cloak themselves in religion becomes all the more irresistible," and the hope of narrowing the divide between the Islamic and liberal agendas disappears.

Relying on patchy evidence, Hamid argues that the Egyptian people became more Islamicized in the years leading up to Morsi's election. Though the Brotherhood may have had little interest in legislating morality in the years leading up to 2011, Hamid argues that they were elected by a populace hungry for governance based upon Islamic religious and moral values. Hamid attributes the rise of Salafism in Egypt in part to the Brotherhood's sustained focus on politics; those seeking a more "pure" group, focused solely on religion, turned away from the Brotherhood and towards the hardline Salafis. Hamid uses evidence of the increasing popularity of Salafi media outlets and TV channels in the 2000s to show a shift in broad segments of society towards more puritanical interpretations of Islam. He claims this phenomenon was widespread among Arab countries facing democratic openings.

The Arab Spring unseated long-ruling authoritarian leaders throughout the Arab world, and with its demands for new governments, it brought the hope and promise of reform, justice, and democracy. In the years following the Arab Spring, and following the publication of *Temptations of Power*, this hope and promise was all but extinguished, as a reality of violence and repression emerged and persevered. Governments across the Middle East have been quashing free speech and routinely detaining and silencing human rights activists and critics. Libya, Yemen, and Syria are facing prolonged, internal armed conflicts worse than any the world has seen in decades. The Islamic State, a radically extreme mutant version of the Islamist groups studied by Hamid, is wreaking havoc throughout the region and beyond.

It seems the Islamist experiment has categorically failed, at least in the eyes of the West and of the liberal agitators who hoped for a new era of democracy. Except perhaps in Tunisia, which Hamid envisioned as a potential exception to the rule of incompatibility between democratic rule and Islamism. In 2011, long-ruling secular President Ben Ali was ousted, and Tunisia's Islamist Ennahda party easily took power. Three years later, Tunisia passed a new constitution, maintaining Islam as the state religion, while guaranteeing various freedoms including the freedom of religion. The press hailed this as a landmark victory for the co-existence of Islamism, democracy, and secular liberal freedoms. In *Temptations*, Hamid predicts Ennahda's success, but cautions that once Ennahda feels it has a strong enough hold it will re-order society and pull Tunisia closer to becoming an "Islamic State" and further from open, liberal democracy. However, the opposite has happened. In May 2016, Ennahda dropped its commitment to Islamic values and became a purely political organization, and some of the party leadership declared Islamism to be "dead."

Hamid writes in carefully researched yet easily digestible prose. *Temptations of Power* is not a beginner's guide to political Islam, and Hamid assumes the reader's basic familiarity with key players and concepts. However, *Temptations* is by no means aimed at academics or specialists. Hamid's detailed analysis and clearly expressed point of view provide an entry point for any reader interested in better understanding current events in the Middle East. Hamid's non-judgmental style sometimes leaves him seeming apologetic for Islamist groups. Still, this

helps the reader develop empathy crucial to understanding the groups' successes and popular support.

Constitutional Conventions in Westminster Systems: Controversies, Changes and Challenges. Edited by Brian Galligan and Scott Brenton. Cambridge, England: Cambridge University Press, 2015. Pp. xii, 266. \$113.00 (hardback).

REVIEWED BY BENJAMIN HANSON

Westminster democracies are countries with a parliamentary system of government originally developed in the United Kingdom. Yet, despite their democratic nature, in the United Kingdom the Queen's power is virtually unlimited. Theoretically she can refuse to grant assent to bills from parliament, thereby barring them from becoming law, however, the last Monarch to do this governed in the 18th century. So what stops the Queen from exercising her unbridled power? The answer is constitutional conventions. Unlike the United States, which adopted a Republican government with a constitution explicitly separating governmental powers, Westminster democracies have relied upon constitutional conventions to play a similar role.

In *Constitutional Conventions in Westminster Systems*, Galligan and Brenton argue that conventions are political institutions relying on political and social support for their existence. To further this point, they take a comparative look at how conventions operate and adapt to societal changes in four of the most similar Westminster countries: Canada, the United Kingdom, Australia, and New Zealand. The chapters are written by different contributors, with Galligan and Brenton serving as both authors of some chapters and editors of the book as a whole. The contributors consist of academics in the fields of political science, history, international relations, and law, as well as government practitioners from each of the four countries.

Chapters One and Two open the work by defining conventions, and distinguishing them from laws. Galligan and Brenton begin by asserting that constitutional conventions provide the rules for forming governments and thus precede law and ultimately make law-making possible. Next, Nicholas Aroney, a professor of law and an Australian Research Council Future Fellow at the Center for Public, International and Com-

parative Law at the University of Queensland, sets out the political nature of conventions and explores their legitimacy and flexibility. He argues that political consensus gives law and specifically courts the authority they enjoy, and that the same political consensus applies to conventions. While conventions are not codified as laws or enforceable by courts, they are accepted as binding on governments and citizens alike. Two basic concepts can be gleaned from these two chapters. First, conventions must be recognized by key political actors. Second, conventions must be binding. However, conventions do conflict with each other and although some conventions are regarded as more fundamental than others, there is no official hierarchy.

These first submissions do not answer the question of how states choose between multiple, conflicting conventions. The Canadian Prorogation Crisis in 2008 exemplifies this dilemma. The Governor-General, an appointed official, abided by the convention dictating she accede to the advice of the prime minister, even though he was asking her to dissolve Parliament so that he could avoid a vote of no confidence. This was in direct contradiction with the convention of responsible government, demanding the prime minister have the confidence of the House of Commons. Therefore, though it would seem that conventions cannot demand perfect compliance, they nonetheless remain intact. This issue is left largely unresolved by the editors. One possible response is that conventions are amorphous and the duties they impose are unclear. However, without further analysis the reader is left guessing.

Chapter Three focuses on conventions that delineate the rules of responsible government, known as executive conventions. Chapter Four looks at conventions that dictate how ministers act with respect to the Cabinet, called the Cabinet conventions. Chapter Five analyzes the convention that restricts executive actions during the turnover period following an election, also known as the caretaker convention. The executive conventions both identify who governs—the real executive consisting of the prime minister and their cabinet—thereby limiting the formal executive, the Queen. Constitutional crises, like the 2008 Prorogation Crisis, arise when the formal executive exercises real power. Constitutional crises, however, are exceedingly rare. These crises can be partially attributed to

the lack of certainty associated with conventions and their unenforceability in courts.

One notable omission of these submissions comes in their discussion of executive conventions, which does not address the differences between crises in Westminster systems versus Republican governments. A constitutional crisis is simply a situation that a legal system's constitution is unable to resolve. The United States has suffered from constitutional crises in the past 40 years, for example Watergate, even though it is a republic with a formal written constitution. So concrete guidelines notwithstanding, constitutional crises can still occur. The book would have benefited from an analysis as to what distinguishes constitutional crises in a Republican system.

Chapters Six, Seven, and Eight describe how conventions adapt to changing societies. The starkest example is how the changing arrangements of political parties and the prevalence of minority and multi-party governments have affected the cabinet conventions described in Chapter Four. The Cabinet conventions can be summarized as consisting in private disagreement and public harmony. Ministers can privately argue against a Cabinet position but must publicly support it. Collective cabinet responsibility has been challenged by multi-party government arrangements, because cabinet ministers hail from different political parties and can share widely divergent views on social issues. In Chapter Six, Brenton argues that the Cabinet convention has remained intact but simply adapted to this political arrangement. The "New Zealand" model, for example, allows Cabinet ministers to publicly dissent with a Cabinet decision along party lines, but not to take individual positions. However, the aim of the model remains consensus, with dissent accommodated as a last resort and muted relative to criticism of the opposition.

The next several Chapters describe conventions in practice using each Westminster society as a case study. The Chapters split between countries with a written constitution as well as constitutional conventions—Canada and Australia—and those without any written constitution whatsoever—New Zealand and the United Kingdom. When there is a written constitution, conventions furnish rules where the text is silent, acting as gap-fillers. Without a written constitution, the conventions do most of the work of constraining political power. The authors note that in countries with written constitutions, there

is a clear hierarchy between conventions and law and a drive to distinguish the two. However, in Canada, notwithstanding the written constitution, the authors highlight that the Supreme Court has acknowledged the importance of constitutional conventions in upholding the political system. The acknowledgement was made in the Supreme Court's advisory role, yet is important nonetheless given the hesitancy with which courts have approached the issue of judicial enforcement of conventions.

In the final Chapters, contributors describe attempts to codify conventions in the face of constitutional crises and reform. In countries without written constitutions, conventions do more work and therefore the divide between law and convention is not so stark. However, the lack of a written constitution has helped propel the drive towards codification of conventions in these countries. In theory, codification tries to capture and record existing conventions rather than create new ones. Yet this process has led to a dispute. On one hand, there are those who believe that codification leads to greater certainty concerning the duties imposed by conventions and their enforceability, thus diminishing the number of constitutional crises. On the other, are those who believe that conventions inherently lack precision and that their practical application is contentious even when codified. Moreover, as discussed earlier, constitutional crises exist even in societies with Republican governments and more comprehensive written constitutions. The editors fail to point to something that distinguishes constitutional crises in Republican systems from Westminster ones, leaving the reader to conclude that constitutional crises will continue regardless of codification.

Galligan and Brenton highlight a fascinating issue. Westminster societies have built their democracies on top of something undefined and unwritten: constitutional conventions. This book attempts to define what a convention is and how it operates in practice, but runs up against the problem that conventions are as of yet still not fully understood. As with any complex issue, the book raises more questions than it answers. For example, the aforementioned silence on the role of crises in Republican governments, and the implications of this fact on the codification of conventions. Additionally, in situations where conventions conflict, the book underexplores how state actors decide which conventions to follow. However, this book

is a starting point and an effective introduction to constitutional conventions for anyone looking for a summary of the state of the field today.

The International Politics of the Middle East. By Raymond Hinnebusch. Manchester, UK: Manchester University Press, 2015. Pp. xi, 353. \$38.95 (paperback).

REVIEWED BY JACOB HYMES

Many scholars have described the Middle East and North Africa (MENA) region as a graveyard of international relations theories (IR theories). This grim metaphor captures the notion that most traditional IR theories fail to provide a compelling framework that fully captures the interactions of the MENA region's unique features—such as the pervasive influence of powerful supra-state identities, the historical penetration by Western industrialized powers, and its exceptional vulnerability to violent conflict. Raymond Hinnebusch's *The International Politics of the Middle East* addresses this difficulty by providing a more inclusive, "multivariate" account of the international system of the Middle East that synthesizes several different IR theories. The ambit of the project is vast—the updated second edition traces Middle Eastern history from the fall of the Ottoman Empire to the rise of the so-called Islamic State in Syria and Iraq. As he covers this huge expanse of geopolitical history, Hinnebusch cycles through an array of theoretical lenses. Three are of particular importance to his account: realism, constructivism, and structuralism.

Realism, as the traditionally dominant school of IR theory, receives the most extensive treatment in the book, and Hinnebusch frames his synthetic approach in response to this theory's shortcomings as applied to the MENA region. While realism's emphasis on anarchy-induced insecurity, power-balancing between hostile states, and the struggle for hegemony certainly characterizes much of Middle Eastern international politics, Hinnebusch argues that it provides little explanation of *why* states respond to that anarchy in the ways they do. For example, what makes a state pursue a revisionist, hegemony-seeking strategy as opposed to a status quo, defensive one? Hinnebusch also criticizes realism's assumption that a Westphalian system applies to the Middle East. The Westphalian

perspective holds that state actors pursue unified national interests and thus overlooks the fundamental fragmentation of most Middle Eastern states. Hinnebusch argues that, since many MENA countries lack unitary, secure national identities, foreign policy in those countries most often reflects only regime interests, which in many cases is at odds with the interests of the state's citizenry.

In view of realism's shortcomings, Hinnebusch supplements his realist analysis with two additional theoretical lenses: constructivism and structuralism. Constructivist theory holds that constructed identity shapes states' perceptions of threats and enemies, thereby influencing states' international politics. As Hinnebusch explains, "interests and threats are not given by material factors but are shaped by actors' identit[ies]," which are themselves constructed. Thus, while the anarchic international system helps shape states' foreign policies, each state's own constructed identity influences its responses to this system. In this way, constructivism helps address realism's simplistic view of national identity as reflected in foreign policy.

Hinnebusch's structuralist analysis further refines realism's theory of international anarchy. Under this theoretical lens, the international system is more aptly characterized as a hierarchy rather than pure anarchy. Atop this hierarchy is the capitalist, imperialist "core" of Western countries. According to Hinnebusch, this Western core used its market and military power to reduce the Middle East to an economic "periphery" following the fall of the Ottoman Empire. By this account, capitalist countries developed increasingly large appetites for markets and raw materials, and they were able to use their superior military capacity to open up and reshape the non-Western world through force. Structuralism thus describes how the West "hollowed out" the sovereignty of MENA states, which in turn led to lasting legitimacy deficits in these countries' ruling elites.

Though Hinnebusch clearly presents realism, constructivism, and structuralism, it is often difficult to identify his comprehensive analytical structure. Hinnebusch incorporates principles of historical sociology, state formation theory, hegemonic stability theory, international society theory, neo-realism, and foreign-policy analysis as either supplements or as subtle variations of his three central theories. Given the massive breadth of his topic, as well as the Middle East's reputa-

tion as the graveyard of IR theories, it is perhaps understandable that Hinnebusch begins his book by elaborating on more than ten possible theoretical lenses. However, he presents these theories in rapid-fire succession in the book's opening pages, with few illustrations provided to ground their importance to his overall project. In addition, Hinnebusch's fragmented and stilted writing style makes the book's dense material even less accessible.

These difficulties aside, Hinnebusch's analysis is ultimately persuasive. Despite the daunting breadth of his subject, he provides compelling explorations of many of the region's pivotal international events and political movements, such as the spread of Pan-Arabism, the 1967 Six-Day War, the U.S. invasion of Afghanistan and Iraq, and the Arab Spring of 2011. His discussion of these and other topics convincingly demonstrates the high explanatory value of his three fundamental lenses. The strength of his analysis—and of the three central theories driving it—is most apparent in his analysis of the enduring conflict between identity and sovereignty that characterizes most Middle Eastern states.

Hinnebusch frames his discussion of this topic as a response to the Westphalian model of state behavior that underpins realism. In Hinnebusch's telling, realism assumes that there is a fundamental "congruence" between a state's identity and its territorial boundaries, which gives the state legitimacy. Yet this model is ill-suited to the MENA region. As Hinnebusch explains, there is rarely such congruence between the "nation and the state" in the Middle East, since "historically, identification with the territorial state in MENA has been weak, with popular identity tending to focus on the sub-state unit—the city, the tribe, the religious sect—or on the larger Islamic *umma*."

Hinnebusch most effectively employs his structuralist and constructivist lenses when he explains this pervasive tension between territory and identity in the MENA region. From a structuralist perspective, much of the tension that drives Middle Eastern international politics stems from Western imperialism's creation of artificially bounded states in the wake of World War I. Hinnebusch explains how, instead of allowing the region's boundaries to be sorted out through processes like war or even dynastic marriage—as was the case in the northern hemisphere—Western powers arbitrarily imposed

the state boundaries of the modern Middle East according to their own needs. This Western imposition of arbitrary boundaries set the stage for several enduring sources of conflict that continue to plague the region. For example, it left two peoples, the Kurds and the Palestinians, stateless and likely to harbor irredentist grievances. It also built in enduring legitimacy deficits that made states like Syria internally insecure, and reliant on outside powers for protection. Finally, it created a system of subordination that naturally provokes resistance and ultimately led to the rise of anti-imperialist movements such as Pan-Arabism in the 1960's and political Islam in the late 1970's. These movements, in turn, encouraged revisionist states like Egypt and Iraq to challenge their place on the global periphery.

Building on his structuralist analysis, Hinnebusch uses constructivism to explore how a loose but powerful "overarching Arab polity" emerged in the region. Given the weakness of the individual states described above, shared Arab identity became the salient identification in the MENA arena. Arabism came to be defined by a core set of values and issues—most notably, the rejection of Western domination and the defense of the Palestinian cause. This is perhaps constructivism's most valuable supplement to realist analysis: it suggests that the state system exists within the context of a powerful, overarching trans-state public sphere populated by trans-state identity movements. Moreover, these trans-state identity movements can penetrate states and ultimately influence state behavior.

While Hinnebusch's overall argument is certainly persuasive, he seems to take certain aspects of the theoretical framework for granted. For example, within his constructivist lens there is little explanation of *why* certain norms or identities prevail over others. Relatedly, if the notion of trans-state shared identity is truly as powerful as he suggests, then why has it seemingly resulted in even more inter-state conflict and competition rather than increased inter-state cooperation? As for structuralism, it frames the relationship between the core and periphery as one that is perpetually contentious. Hinnebusch's structuralist analysis thus overlooks the more complex reality that prevailed during the Cold War, when regional states frequently cooperated with core powers and even received protection from them against both domestic and international threats.

The aftermath of the Arab Spring of 2011 has strengthened Hinnebusch's central argument—only an eclectic, composite, and multivariate analytical structure can fully capture the fraught dynamics of the international politics of the Middle East. Any attempt to explain the outbreak of violence across the region by resorting to a simple realist explanation of state actors advancing national interests in an anarchic international arena is simply insufficient. Notably, such an explanation misses the important roles that trans-state ideology and fundamental territorial grievances have played in turning much of the region into a zone of conflict. The Middle East stands at a pivotal moment in its history, with some observers speculating that the ongoing violence could lead to the downfall of multiple existing regimes or even alter the region's post-World War I territorial boundaries. Hinnebusch's account lays the foundation for a more complex, but necessary, understanding of the issues plaguing the region.

Taking Care of Business: Police Detectives, Drug Law Enforcement and Proactive Investigation. By Matthew Bacon. New York, NY: Oxford University Press, 2016. Pp. ccxcii, 292. \$105.00 (hardcover).

REVIEWED BY DIANA LIU

Taking Care of Business: Police Detectives, Drug Law Enforcement and Proactive Investigation is a summary and presentation of the major findings of a two-year ethnographic study of police forces involved in drug policing in the UK. The study was conducted by the author, Dr. Matthew Bacon, from Sheffield University in the UK. The author employed numerous methodologies in depicting and analyzing the theoretical literature as well as the daily tasks of the police detectives. The book combines both empirical studies that draw upon an ample amount of historical and contemporary literature as well as direct observations of the police investigations that took place in the UK. The author spent more than two years embedded with drug detectives in both a town and a major city in the UK, the identities of which remain secret throughout the book. The total hours of observation exceeded 500 including many hours for direct observations and interviews. The result is an offering of rich and valuable insights regarding drug-related police in-

vestigations on a day-to-day basis and the background culture that has shaped these investigations.

Different from prior works written by scholars, who primarily focused on the theoretical aspects of drug policing, the book presents an almost first-hand, vivid description of the seemingly mundane routines of the police force, and leads the reader into the inside world of drug detectives, offering their view on the reality of the war on drugs. Convinced that the thriving of the illegal drug business reflects deep human psychological and physiological truths, the author goes beyond merely describing the literature and police work. While leaving whether we could eventually win the war on drugs an open-ended question, the author's critical examination of the everyday realities of the drug detectives and thorough presentation of the cultural and social background will aid future generations in understanding the nature of drug abuse and problems relating to it, and hopefully in eliminating those problems.

The book is divided into nine Chapters, covering a wide range of topics, including the day-to-day operations of the drug detectives, descriptions of the illegal drug business in general, and the exercise of police discretion at multiple stages in drug law enforcement, from the investigation phase to prosecution. The structure of the book is effective in building up a general background of the topic for the reader, especially for those who are not familiar with criminological studies and related literature. The Chapters, although seemingly loosely-related, do revolve around the general theme: the war on drugs. Organized from a broad and humane angle, the structure helps a layman see the perspectives of those who fight at the front line of drug law enforcement.

Dr. Bacon's work begins with an overview of the existing literature on drug detectives. While admitting that some of this literature might not reflect contemporary reality, as some of the police organizations and structures described in prior studies no longer exist, Dr. Bacon points out that ethnographic accounts of the police are crucial to examining whether or not cultural change has taken place in police organizations.

Chapter Two explores the topic of policing the drug problem. Dr. Bacon ultimately comes to the conclusion that polic-

ing the drug problem is really about enforcing order and managing expectations in a way that reflects the unfolding dynamics of society. These dynamics represent a multilayered and widely debated combination of liberal governance, moral entrepreneurship, and paternalistic concern. The author is also correct in concluding that the regulatory efforts aimed at drug control sometimes undermine the equality of certain demographics within the general population, such as persons with prior criminal records related or unrelated to drug abuse.

Chapter Three describes the illegal drug business in further detail, providing the readers with a clearer background picture of the economic and human incentives behind this almost commonplace feature of life in urban and rural settings around the globe. The author agrees with prior scholars that drug markets are largely shaped by the action involved in the trade, the commodities being traded, and the socio-economic and cultural context of the market setting. Dr. Bacon points out some ironic truths about drug law and enforcement efforts that have profound influences on the illegal drug markets. For example, their role in helping to maintain high prices in those markets.

Chapter Five delves into the sociology of the police force worldwide in order to explore and make sense of how police officers perceive the drug world and their roles in it. According to the author, most officers are consistently anti-drug and support prohibition. Indeed, they see drugs (excluding alcohol) as lying behind many societal issues, giving a sense of “righteousness” to their actions. However, this finding is balanced by the recognition that the police are a heterogeneous group of people who are also influenced and shaped by their own experiences, cultures, and personalities. These differences illustrate the complexities in constructing a “police identity” which in turn underlies police officers’ attitudes and behaviors. If a single police attitude can be understood at all, it is through references to a few consistent traits—their conservative sensibilities, pragmatism, solidarity, and often informal working practices.

Chapter Six gives a detailed account of the intelligence-heavy investigations that were developed in response to the rapidly evolving illegal drug business. The ability to generate intelligence and build a case remains central to the craft of an effective detective. However, many officers were instead largely

relying on their prior experiences and territorial instincts. Bacon finds that police officers were not utilizing the full potential of intelligence analysts, who routinely review the intelligence reports submitted by police officers, including those who are outside the anti-drug police force, and could have made greater contributions to reducing drug-related problems. This insight is further developed in Chapter Seven, which describes the relationship and mutual reliance between informants, whom the police called “licensed criminals,” and drug detectives. The conclusion Dr. Bacon draws is similar to the one drawn in the previous chapter: the police underutilized the information generated by the informants.

Chapter Eight explains the ways in which key aspects of drug investigations are socially organized. These aspects include issuing drug warrants, conducting covert operations, and bringing cases to formal justice in the court. The challenge is to get the timing right under uncertain conditions—to strike when the dealers were in possession of drugs or during a transaction. However, because of the nature of police investigations, which necessarily impinge on law-abiding people’s life and privacy, the author concludes this chapter with a cautionary note that police discretion should always be circumscribed and monitored by the public.

Finally, Dr. Bacon, raises the topic of the future of drug law enforcement and regulation of the drug trade. Although falling short of directly addressing any radical cures to the world-wide drug problem (which one comes away feeling may well be impossible), the author does acknowledge the necessity of breaking from the past and experimenting with different approaches to drug control and the policing of drugs.

Perhaps most intriguing is the underlying sense of fatalism that accompanied some of the interviews in Dr. Bacon’s work. Despite all the detectives’ efforts to enforce drug laws, some admitted that their actions were merely managing an unbeatable problem in order to keep the public happy. One detective sergeant told the author: “Sometimes I think we’re like those [Japanese] soldiers in World War Two—you know, those ones on the island who just kept fighting because they didn’t know the war was over. Only difference is, we’d lost the war before we even started fighting.” Another officer told him: “We’ve thrown everything at it, even the kitchen sink, but drug problems just keep getting worse. In the end, the drugs are

still on the streets, no matter how many people we lock up.” Although empathetic with these police officers’ pessimistic attitudes, Dr. Bacon believes that with the right policing efforts and coordinated global police work, we could eventually win this war.

Besides describing a large-scale ethnographic study of anti-drug police forces, *Taking Care of Business* contains a broad review of the theoretical and empirical literature on police detectives, proactive investigation, drug law enforcement, and illegal drug markets across a wide range of disciplines, including criminology, sociology, and psychology. It advances our understanding of the day-to-day operations of drug detectives, the policies behind drug law enforcement, and the cultural and social evolutions that have led to changes in these policies. In terms of style, it is very easy to read and offers a variety of police accounts and quotations that directly immerse the readers into the seemingly cold and cruel war on drugs. The audience is general, as the book could be of interest to nearly anyone—from a high school student who lacks specialized social science training to those immersed in the field of criminology and drug-related topics. This book is a helpful tool for anyone seeking a peek into the illegal drug business or for insights on those working to tackle this international crisis.

Compliant Rebels: Rebel Groups and International Law in World Politics. By Hyeran Jo. Cambridge, United Kingdom: Cambridge University Press, 2015. \$120.00 (hardback).

REVIEWED BY VICTOR LIU

There are currently around three hundred rebel groups worldwide, many of which are responsible for largescale violence. In the last five decades, seventeen million people have died in rebel conflicts. Approximately sixty rebel groups still use child soldiers to this day. Despite this level of rebel violence, some rebel groups do comply with international standards of conduct in warfare. For example, the Salvadoran rebel group Farabundo Marti National Liberation Front (FMLN) refrains from killing civilians and from using child soldiers. Yet others, like the Revolutionary United Front (RUF) in Sierra Leone, are known for their indiscriminate massacring. In fact, the FMLN even published “Legitimacy of

Our Methods of Struggle,” describing how they complied with international norms of warfare during their decade of armed struggle against the government. Although both groups participated in armed conflict, the FMLN chose to abide by the international norms of warfare, even though, as a rebel group, they took no part in drafting those standards. *Compliant Rebels* analyzes why some rebel groups comply with international law, and how this information can be used to induce others to follow suit.

One of the central assumptions of *Compliant Rebels* is that compliance is costly. When rebel groups comply with international law, they lose a means of controlling an uncooperative civilian population through civilian killings, and they lose children from their pool of potential combatants. Given these costs, why do some rebel groups nevertheless choose to comply? In answering this question, Hyeran Jo discusses what kinds of rebel groups are more likely to comply with international law and their motivations for doing so, leading to a better understanding of how to choose which rebel groups are worth engaging with.

Jo’s answer is deceptively simple: legitimacy-seeking rebel groups are more likely to comply with international law than legitimacy-indifferent groups. Jo calls this theory the “strategic legitimacy theory of rebel compliance.” Under her theory, compliance with international law is a utilitarian consideration, with rebel groups expecting “legitimacy” in return. In causal terms, the legitimacy-seeking motivations of rebel groups are the “cause” and their compliance behavior the effect. This is not to say that compliance is always a result of the desire for legitimacy. Jo acknowledges that the ideology and the local norms of rebel groups may sometimes independently overlap with international standards of warfare. However, Jo’s focus on legitimacy explains why rebel groups that violate international norms may still decide to comply later, when it is strategic for them to do so.

“Legitimacy-seeking motivations,” however, are nebulous and difficult to measure. Jo takes the abstract idea of rebel groups’ desire to obtain governing authority and translates this desire into observable, quantifiable characteristics. She postulates that “[L]egitimacy-seeking groups will care about the perception and support from constituencies. They will engage in political activities, building deep social roots in the do-

mestic arena, or forge relationships with external sponsors who care about international law compliance.”

From these assumptions, she produces three “legitimacy-seeking indicators.” The first is whether the rebel group has a political wing, since the presence of a political wing indicates that the rebel group is attempting to seek legitimacy from the domestic populace as well as international audiences. The second is whether the rebel group has a secessionist agenda, since such aims will also include the desire for international legitimacy in their efforts to establish a country of their own. The third indicator is whether the rebel groups rely on sponsorship from countries that care about human rights (measured by the number of human rights organizations in those foreign countries) assuming that those organizations influence the interactions between foreign countries and the rebel groups they sponsor.

The first two indicators are immediate characteristics of the rebel group: the first is a structural characteristic, and the second concerns the goals of the rebel group. The third, however, seems different in kind, focusing on one possible audience for the rebel group’s legitimacy, foreign countries, and that audience’s characteristic of having human rights organizations. This “legitimacy-seeking indicator” does not seem to be about the legitimacy-seeking motivations of a rebel group at all. Here, the reason for complying with international law does not seem to be about seeking legitimacy from foreign sponsors. Instead, rebel groups comply because their foreign sponsors require such compliance in return for material support. The inclusion of this indicator, without more explanation, seems tautological considering the goals of the book, that is, identifying the appropriate rebel groups to engage and ways to engage them. Rebel groups with this “legitimacy-seeking indicator” already are engaging with foreign actors to comply with international law.

After outlining her three legitimacy-seeking indicators, Jo examines whether groups with these characteristics are more likely to comply with international law, picking three issues of compliance: civilian killings, use of child soldiers, and whether the rebel group allows the International Committee of the Red Cross (ICRC) to visit its detention centers. While each of these issues of international law may seem simple as moral questions, Jo acknowledges their complexity. How do rebel groups

distinguish between civilians sympathetic to the government and enemy combatants? When do children become adults according to cultural norms? These questions depend on culture and military necessity, which are both situational and unique. Despite the definitional complexity of differentiating civilians and enemy combatants, Jo finds that the issue of civilian killings to be largely clear-cut. When any of the three legitimacy-seeking indicators are present, rebel groups are less likely to engage in civilian killings than groups without those indicators.

The issue of child soldiers is more complex. Aside from cultural differences regarding the age of maturity, rebel groups with political wings and those obtaining support from countries that care about human rights tend to refrain from using child soldiers. Unlike groups with the other two legitimacy-seeking indicators, rebel groups with secessionist aims also tend not to use child soldiers, however a significant portion did.

Jo postulates that this is especially true when the families of those children believe in the secessionist goal. Families sympathetic to the secessionist cause want to show their support by sending their children to help the rebel group. In this case, domestic legitimacy from civilian sympathizers may actually provide an incentive for the use of child soldiers. This reveals the importance of the audience to a rebel group's legitimacy in determining whether the group will comply with international law. Just as Jo makes explicit in her third legitimacy-seeking indicator that foreign sponsors must care about human rights, she seems to suggest that the domestic audience must have cultural norms against the use of child soldiering for the rebel group to comply.

The final issue of allowing the ICRC access to detention centers is even more complex. Often, rebel groups do not have the option of allowing the ICRC access because the governments they oppose do not permit it, possibly because such access could be perceived as granting legitimacy to rebel groups. Many rebel groups also do not have the resources and capacity to have detention facilities at all. Despite these difficulties, Jo still concludes that rebel groups with a combination of legitimacy-seeking characteristics are more likely to engage with groups like the ICRC.

Jo acknowledges that her lists of legitimacy-seeking characteristics and humanitarian issues are by no means exhaustive, but she does explain the importance of each. What seems to be lacking, however, is an overarching theory defining legitimacy-seeking characteristics. Just as the desire for legitimacy may cause a rebel group to form a political wing, the desire for legitimacy may cause a rebel group to comply with international law. Jo just assumes the former, but makes the latter her hypothesis. An overarching theory could provide a better conceptual distinction and causal link between compliance and Jo's legitimacy-seeking characteristics.

Jo also distinguishes between rebel groups that comply with international law throughout the life of the rebellion and those that switch from noncompliance to compliance. Persistent compliers often do so because they already hold norms that match those of international humanitarian law. They are already ideologically inclined to refrain from violating international norms and are therefore not as susceptible to external influence. Because Jo's aim is not only to explicate compliant rebels, but to apply this knowledge to rebel groups with the *potential* to comply, her primary focus is on switchover compliers. For Jo, the switchover occurs because of a change in character in the rebel group's desire for legitimacy.

Jo repeatedly emphasizes the position and uniqueness of each rebel group, providing readers with specific examples at the end of each chapter in Part II of the book in addition to statistical analysis. The most compelling case study examined the Moro Islamic Liberation Front and its changing use of child soldiers. What makes this group so compelling is that it is a switchover complier and may provide lessons for policy makers on how to engage with noncomplying rebel groups. At the height of the Moro Islamic Liberation Front's international law non-compliance, child soldiers made up 15 percent of its forces. The story of how the group gave up such a significant portion of its forces reveals legitimacy-seeking motivations at play. First, the group's political wing exercised control over its military wing and managed to implement an internal code of conduct consistent with international humanitarian standards. While the Moro Islamic Liberation Front's secessionist goal to gain autonomy in the Mindanao region in the Philippines initially garnered local support in the form of voluntary child soldiers, this support dwindled over two decades of struggle.

Because of this diminished local support, the group sought to engage with outside actors to gain international legitimacy.

In discussing the Moro Islamic Liberation Front's switch from non-compliance to compliance, Jo convincingly argues the superiority of her theory against three other arguments: (1) military advantage, (2) ideological change, and (3) the capacity to comply. Jo argues that, had the group been most concerned with gaining military advantage, it would have forced civilians to continue to provide child soldiers, even as local support dwindled. Its explicit secessionist aims meant that they were unwilling to antagonize the local populace, and that it still cared about domestic legitimacy. As for ideological change, the Moro Islamic Liberation Front remained a radical political Islamist group. While its views on Moro nationalism changed, those changes were prompted by shifting relationships with the local population and international actors. Finally, as Jo argues elsewhere in the book, the capacity to comply is merely instrumental to compliance and does not explain why the group would choose to comply with international law.

Compliant Rebels is an important work that emphasizes the possibility of engaging with rebel groups to make civil wars more humane. It reveals the underlying mechanisms of legitimacy-seeking that motivate rebel groups to comply with international humanitarian law, identifying the kinds of rebel groups worth engaging and providing suggestions on how to engage with them.

When Norms Collide: Local Responses to Activism against Female Genital Mutilation and Early Marriage. By Karisa Cloward. Oxford, England. Oxford University Press, 2016. Pp. 336. \$34.95 (paperback).

REVIEWED BY MUSTAFA MOIZ

Familial and personal affairs have stood as the last bastion against the ever-expanding domain of international law. For decades, personal matters occurring in or about the homestead, including marriage, child-rearing, and spousal interactions, *inter alia*, have resisted the internationalist call to bring all facets of human experience into the light of public scrutiny. In recent years, however, as women's voices have grown in number and in power, and as social media has reinforced the

staying power of stories from unlikely authors, these issues which once occurred behind closed doors have been thrust unwillingly onto the world stage. Under these auspices, Karisa Cloward sets forth her theory on how the movements against female genital mutilation (FGM) and early marriage have progressed, what campaigns have been the most effective, and what should be done differently. In *When Norms Collide*, she focuses on what she calls *salience*, the importance of a norm to its constituency. She argues that salience is a better metric than prevalence or tradition by which to judge the success of a campaign. Cloward's central tenet is that the more salient a local norm is to its people, the more prominent and persistent the global norm must be if it is to have a chance in supplanting the local norm.

As an initial matter, the piece is written with a decidedly neutral voice. The book cover displays an adolescent girl smiling—she wears a traditional headband with the words “Stop FGM” written in beads. Despite this purposeful lapse however, and to her credit, Cloward preserves a tone of journalistic impartiality throughout.

The first half of the book is primarily expositive, laying out a history of international human rights discourse, and feels unnecessary on balance. The passages jump from theory to theory, expanding upon or discrediting each one in turn, setting the scene in a way that only a scholar will find utility in. However, two parts stand out as worthwhile. The first is Cloward's elaboration on the development of anti-FGM and early marriage activism in Kenya. It functions as a useful crash course on the dynamics of a tangible movement, from start to finish, and gives the reader a sense of the obstacles still remaining for global activists today. The second is her pointed discussion on the focus of modern global activism. She explains that activism traditionally focuses on state actors, and on other cognizable non-state actors like corporations or government subdivisions, and that there are many ills that cannot be remedied by top-down legal enactment and enforcement. Therefore, she argues, resolution can only be achieved in such cases on the ground level, by working with individuals and communities.

The remainder of *When Norms Collide* serves as a narration and analysis of Cloward's research in the field. This research consisted of several hundred questionnaires, interviews, and

an experiment to assess the impact of telling a local that their opinions would be heard by an international audience. The research took place over the course of four years among the Maasai (and the closely related Samburu) people, within the context of three geographically and demographically unique Kenyan villages, Oldonyiro, Mukogodo, and Mau. Oldonyiro is geographically isolated, with its population largely homogeneous and dispersed. Mukogodo is more town-centric, and has interactions with people from various parts of Kenya. Mau is the most metropolitan of the three, frequently visited by international NGOs and domestic activists.

Substantively, Cloward offers FGM and early marriage as two sides of the same coin, exploring both of these local norms and their counterparts—global, anti-norm movements. She posits that FGM is a norm with high salience in the community, practiced for hundreds of years for various reasons. Some performed the ceremony to preserve modesty, to increase fidelity, to protect the wellbeing of children borne from cut mothers, and even as a rite of passage to womanhood. In most instances, cutting was a prerequisite for marriage, and even of childbirth. One woman recounted with sorrow how the women of her village threatened to end her pregnancy if she refused to be cut before delivery. The international anti-FGM campaign has become highly salient, rapidly gaining traction in academic and public discourse.

In comparison, Cloward shows that early marriage is a norm with low salience, associated with meaningful benefits, but rarely enforced by the community and largely left up to the discretion of the parents. Perhaps because of its lesser shock value, campaigns against early marriage are less pronounced. More often than not, they are attached as footnotes to broader campaigns against FGM and other human rights and women's rights issues. Cloward introduces this contrast to illustrate the divergent results of international campaigns on norms with varying levels of salience.

Cloward breaks her analysis of international norm change into four distinct categories: awareness, attitude change, primary behavior change, and secondary behavior/rhetorical change. She treats each of these formally in individual chapters, but the framework is raised repeatedly as the book progresses, often distracting from the particular category at hand.

Awareness describes the extent to which individuals in a community know that there is an international norm that runs contrary to local practice. Understandably, Cloward notes that awareness is a requirement of norm change, as a community unaware of an alternate norm will not likely arrive at that norm through natural processes. A second component of awareness is understanding the rationale or content of the alternate norm: Do locals know *why* global activists are against FGM or early marriage, due to health effects, human rights, and individual choice?²

Cloward found that in remote communities, such as in Oldonyiro, message penetration was weak. Global activists only regularly arrived at town centers, and those who lived outside urban areas had no interaction whatsoever. This is a travesty, Cloward notes, given that the majority of FGM and early marriage practitioners reside in such remote outlets. On the other side, Mukogodo and Mau residents displayed an overwhelming awareness of the conflict between the local norms and global norms, because they were significantly more metropolitan areas. One public health worker commented, “nobody has not heard of it.”

Additionally, Cloward’s research suggests that not all messages are created equal. She points out a campaign led by a local NGO to conduct alternate rites of passage (ARP) ceremonies to replace FGM as a path to womanhood. However, she notes, these ceremonies were often conducted in villages without explanation of their meaning, sometimes inviting girls without involving their parents, or without consulting elders. In many cases, the girls would attend an ARP but would nonetheless be cut at another date. Hence, Cloward argues, widespread awareness of an alternate norm, but achieved by messages of sub-par quality, may not always be an accurate indicator of the progress towards resolution.

Attitude change measures how locals have come to view their own local norm in juxtaposition with the global norm. Cloward contends and sets forth to prove two main points regarding attitude change: (1) a higher-quality normative message is more likely to convince a recipient, and (2) women and youth are more likely to be receptive to messages about alternate norms. Cloward’s evidence substantiates these claims, but the claims themselves are less than revelatory. The critical reader can already assume that youth, who are generally more

malleable than matured individuals, and women, who presumably suffer the most from the targeted practices, will be most receptive to alternate ideologies. A statement and proof to that effect seems a wasted effort. The determination is made all the more superfluous given Cloward's showing that, in these Kenyan villages, the elder males are the "custodians of the culture," and swaying the women and children under their watch will have little effect on the sustained attitude of the populace.

Primary behavior change is the actual shift of behavior from the local norm to the global norm. This is the most enlightening section of the book, as Cloward deals with the various reasons how and why locals change their primary behavior. The first concept explored is highly theoretical, and deals with norm leaders and norm followers. Norm leaders are those individuals that take the first steps and break with local tradition. They often receive the most public sanctions or punishments, but the addition of each new norm leader incrementally decreases the cost of refusal. Eventually, norm leaders will turn to the global norm if the refusal costs are low enough. They are primarily motivated by instrumental concerns; for example, the more "out-families" there are, the higher chance that a norm follower will be able to find a husband in that group for his uncut daughter. Cloward adds that, given the elevated influence of elders and chiefs in these communities, getting them to be norm leaders is particularly productive. Unfortunately, she offers no method to sway these elders.

Cloward's research also shows that, without deviation, the prevalence of individuals shirking local norms correlated positively with a community's exposure to other ethnic groups. Oldonyiro, largely Maasai and separated from other ethnic groups, had very little primary behavior change. Locals interviewed by Cloward doubted whether there had been even a one percent change in practice. In stark contrast, Mukogodo and Mau, in which Maasai regularly interacted with other ethnic groups, had shown a significant decrease in FGM and early marriage. With more exit options, such as the ability to marry into other ethnic groups or otherwise seek solace and belonging in other communities, individuals were more willing to change their primary behavior. This is the most practical discovery of Cloward's research, showing that options are, around the world, a most valuable commodity.

Finally, *rhetorical change* describes how locals portray themselves in the face of alternate norms. Cloward conducted an experiment to see how locals changed their opinions based on whether their audience was international or local. The Oldonyiro community, which had only intermittent foreign contact, was unlikely to misrepresent their primary behavior to an international audience because they perceived no particular benefit. However, the locals from Mukogodo and Mau, who had the most interactions with international and foreign NGOs, sought to portray themselves as compliant with international norms when speaking to an international audience, even if they were not, because they had developed expectations of awards from foreigners. One example is that of a “sitting allowance.” Some international NGOs would offer a small stipend and a free meal to anyone who would appear to a seminar and simply listen. The following day, an interviewee noted, the seating would be packed to the brim, not because locals wanted to listen but because they wanted to eat. An organization that came to preach, but did not create schools, or offer subsistence, or bring money, would not fare well.

This has practical significance because it suggests that current NGO practice has a tendency to foster dependency among locals without deriving the desired change. It is an affirmation of the tired notion that not all problems can be solved simply by “throwing money” at them. But given the state of international public practice, perhaps it is a message worth repeating.

Cloward draws several conclusions from the discussion, which in summation amount to the advice that meaningful change is most likely when global activists focus on influential actors in local settings in a sustained, tailored, and comprehensive manner. *When Norms Collide* has its practical and scholarly merits, but it ultimately drowns in its own verbosity. The insights Cloward derives about how people think, act, and speak have the potential to change the way powerful international actors practice activism, but the information is delivered in an indigestible way. The thread of the story is lost in an abundance of statistics and theoretical jargon that starts each chapter, and it takes an especially keen eye to track how Cloward jumps from point A to B. The book may be worth reading as part of a doctoral course on international norm change, but is not practical for the casual reader.

Soft Law and the Global Financial System: Rule Making in the 21st Century. By Chris Brummer. New York, NY: Cambridge University Press, 2015. Pp. xii, 355. \$40.99 (paperback).

REVIEWED BY JONATHAN POVILONIS

Even those who do not understand the global financial system, may support reform. For those who wish to gain a better understanding of the global financial system, Chris Brummer has provided a dual-functioning resource that not only serves as a “short theoretical handbook” on how the new system of financial supervision “works,” but also argues that other theoretical frameworks of international financial law fail to explain the existing soft law system, and thus often overlook alternative routes to regulatory reform. Ideally, these two areas of focus make the book useful for both the untrained beginner and the seasoned scholar; the trick, is to achieve an integration of these aims that preserves the integrity of each.

In his first aim—providing a theoretical handbook—Brummer is largely successful. He carefully traces the contours of various international institutions, and highlights the features that carry the most weight in determining an institution’s role and influence within the global financial system. His introduction and first chapter provide a concise recent history of finance, making a convincing case that as “economic and financial activity becomes more widely dispersed, so does regulatory influence.” Yet, Brummer is careful to clarify that territoriality—the concept that jurisdiction over markets and market participants is tied to geographic location—remains a significant limitation on regulatory or administrative institutions, albeit a limitation that varies widely depending on the institution’s overall power and influence.

Brummer defines international financial law broadly, as “the diverse set of regulatory rules, standards, and best practices governing capital markets,” which allows him to account for a staggering variety of institutions. The foundational theoretical distinction relied upon by Brummer in cataloguing institutional differences is that between “traditional ‘international organizations’” and “informal institutions”—that is, institutions founded upon a formal ratified treaty with official state membership and its associated pedigree, and institutions that lack these features.

Brummer's chapter, *Architecture of International Financial Law*, is supremely helpful, especially for the previously uninitiated. After establishing the formal-informal distinction, he sorts the institutions based on functionality, according to three primary roles they can play within the global financial system: Agenda Setters (which he further divides into subcategories, but would include, e.g., the G-20 and the Basel Committee), Implementers (e.g., national regulators), and Monitors (e.g., the IMF and the World Bank). These distinctions between functional institutional types are rarely absolute, but they are helpful in communicating the key players and the institutional features most determinative of each institution's relative influence. Brummer surveys a selection of major institutions, giving brief descriptions of each that serve to buttress his overall "architecture." All of this information provides the appropriate background for his argument.

Brummer's success in accomplishing his second aim—arguing that current theoretical frameworks of international financial law are inadequate—is more difficult to affirm. This is due in part to the fact that his thesis is, by its nature, a relative proposition. He argues that "international financial regulation, though not emanating from traditional authoritative sources, is indeed bolstered by a range of often complex enforcement technologies that render it *more coercive* than traditional theories of international law predict." Thus, Brummer's thesis cannot be evaluated in its own right until the theories to which he is comparing it have been themselves identified and evaluated—and this with precision and accuracy. Such a predicament can undoubtedly be overcome, but in a text designed for a "generalist audience" it is rather difficult.

As it is foundational to the book as a whole, Brummer is quick to establish that what makes international financial law distinct from other areas of international law is its dependence on *soft law*—informal, non-binding agreements, often between regulatory agencies and by international institutions with amorphous legal identities. Brummer contends that "classical theories" of international law underestimate soft law. However, it bears mentioning that Brummer never explicitly lays out the relevant features of what he is calling "classical" or "traditional" theories of international law. This lack of clarity makes it exceedingly difficult to evaluate his principal claims with the required detail, given their intrinsic relativity. Brummer's anal-

ysis frequently refers to general theories of international law without specifically defining these broad theoretical terms. Brummer uses terms such as “classical international legal theory,” “traditional international law,” “realist accounts”, or simply “many scholars,” “dominant explanations,” “the standard position”, “[r]eigning theories”, or even “longstanding insights of the law and finance literature.” While of course many of these are well known theoretical frameworks, Brummer’s failure to specifically identify the precise features of each theory makes it rather difficult to evaluate his claims—namely, whether the theory’s particular conception of soft law is more or less coercive than Brummer’s.

To his credit, Brummer does specifically identify two of his modern counterparts, one of which is “the burgeoning ‘network’ literature of global governance,” a perspective he associates primarily with the work of Anne-Marie Slaughter. The other is the “contractarian stream of international relations,” which he summarizes briefly before proceeding to address them both together. Brummer pairs the two theories by focusing on the “common condition precedent” that “undergirds” both of them: cooperation. In his view, the “dominant perspective among legal scholars over the last decade is that international financial collaboration is resolutely a cooperative venture that cannot be reduced to the interests or relative power of regions or individual states.” However, he argues that this emphasis on consensus and agreement is “unrealistic” given the heterogeneity of policy preferences and the asymmetries in power between various regulatory players.

In Brummer’s characterization, contractarian and network frameworks view soft law as unable to “create binding obligations on states” or even “create pressure for states parties [*sic*] to comply with their commitments.” However, while the former is likely an accurate characterization, the latter is deserving of measured skepticism. Why is it the case that contractarian and network theory’s emphasis on cooperation necessarily preclude their ability to take account of coercion? While at certain extremes there is an obvious tension between cooperative arrangements and coercive ones, it nonetheless remains very easy to conceive of a variety of arrangements that would include elements of both. Coercion exists not only when economic sanctions are issued but also when they are threatened—and even, to a lesser extent, when it is under-

stood among the parties that they will be issued if necessary. The use of such leverage is ubiquitous in international negotiations, even between parties who generally maintain friendly relations. Thus, while it is unlikely that Brummer is arguing that cooperation and coercion never operate coextensively, his description of the inadequacies of both contractarian and network frameworks seems to require that premise.

Brummer provides only theoretical descriptions of cooperative frameworks, and only in general terms. When emphasizing the role of “peer-to-peer collaboration” in cooperative theories of soft law, he states: “Key to the success of such collaboration, as framed by its leading exponents, is that the processes are distinctly noncoercive. Policies are neither advanced nor adopted by military force or economic coercion, but by the power of persuasion and attraction.” It is plain enough that cooperative frameworks would describe policymakers that opt for persuasion over military or economic coercion. But denial of the use of overt coercion is not ultimately conclusive as to whether and to what extent persuasion would preclude the use of coercion in a subtler form.

In other words, while Brummer might very well be correct that soft law is more coercive than certain cooperative theories have predicted, it is difficult to evaluate this thesis given the limited detail provided on such cooperative theories. Some of this can be excused given Brummer’s aim towards a generalist audience; yet, were he to make this argument in a law journal, it would benefit greatly from the precise identification of the specific features of cooperative frameworks that directly conflict with his view that soft law can be coercive. This can be done in theoretical terms, but he could illustrate the argument through concrete examples on how each theory would “predict” the coercive effects of a given soft law arrangement.

Subtler forms of coercion and persuasion are precisely what Brummer himself intends to emphasize as the “more coercive” features of soft law. And while the limited detail provided on cooperative theories makes it challenging to evaluate Brummer’s essentially comparative thesis, to his credit he offers a compelling account of the tools at the disposal of informal institutions in their promulgation of policy. Starting with the premise that “[l]egal obligation as evidenced by an instrument’s technical formality is a poor means, however, of identifying the true compliance pull of any international legal stan-

dard,” Brummer outlines the various methods by which a regulator can promote its policy choices. Central to this discussion is the use of reputational disciplines, according to which a regulator would be, for example, incentivized to keep its commitments in order to be trusted and taken seriously in future negotiations. He also details a variety of market and institutional disciplines, as well as monitoring practices, and the challenges that attend all three of them.

This combination of disciplines serves to highlight what is perhaps Brummer’s most compelling contribution. Informal institutions have at their disposal a variety of mechanisms that can be coordinated to serve a variety of domestic and international policy goals, and the effectiveness of such mechanisms should be taken seriously in any theoretical framework of international financial law.

In closing, it is worth noting that this book would benefit from a stronger editorial hand. Not only is the book littered with dozens of typos (some of which are rather blatant), but more substantively, its broader organizational structure often interrupts the flow of its central argument. Much of this could be due to the predicament, suggested in the book’s Acknowledgments, of being “tasked with pushing the boundary of knowledge, as we do in our more traditional scholarly journals . . . while [also being charged with] writing for a broader, generalist audience.” This predicament could even explain some of the analytical shortcomings already mentioned, given Brummer’s success in offering a short theoretical handbook on international financial law and his corresponding difficulty in making a compelling case that current scholarship on the topic is inadequate and in need of correction. Nonetheless, this book will be undoubtedly useful for anyone who seeks a concise foray into the field of international financial law. Brummer’s central argument may still constitute an important contribution to the field with additional attention to detail and nuance.

