

BOOK ANNOTATIONS

Delegating Responsibility: International Cooperation on Migration in the European Union. By Nicholas R. Micinski. Ann Arbor, MI: University of Michigan Press, 2022. Pp. CCXLVI, 246. \$22.13 (binding).

REVIEWED BY SARAH CONLEY

Delegating Responsibility is a thoughtful analysis of the failures of the European Union's system to address the refugee crisis of 2014-17. First, it explores the nature of cooperation by distinguishing between coordination, collaboration, subcontracting, and unilateralism, while focusing on policy implementation. Second, it traces how cooperation on migration policy has evolved over time, arguing that coordination has become collaboration as state and regional institutions have increased their capacity. Finally, it uses two case studies, Italy and Greece, to understand the way states and regional institutions cooperate when faced with a crisis. These case studies lead the author to find that the capacity and credibility of the state partners or partners on the ground help to explain what type of cooperation will occur.

While the sample size of two states (Italy and Greece) and one regional body (the European Union) is quite small, Micinski uses his framework to thoroughly explore how the European Union (E.U.) response to the same refugee crisis differed immensely between these two similarly situated states. This small sample size and the unique role of the European Union as an organ in a region with highly developed economies and high state capacity make it difficult to generalize Micinski's findings and apply them more broadly. In fact, although he attempts to draw sweeping global understandings of cooperation and sovereignty from this research, Micinski acknowledges these sharp limitations. However, I argue that this book makes a strong contribution to questions of sovereignty with state relationships and the European Union, as well as provides an interesting framework, which allows for greater understanding of how larger policies are implemented and affect some of the world's most vulnerable: migrants and refugees.

Micinski opens the book compellingly with a depiction of a 2016 meeting about the ongoing refugee crisis that he attended in Athens. At this important meeting about how to manage the crisis, there were no Greek government officials present, only staff from the United Nations High Commissioner for Refugees (UNHCR) and the various non-governmental organizations (NGOs) who were the most active respondents to the crisis at the time. Micinski posits that this situation

is odd, and he goes on to state, “[t]his book is about why the European Union (E.U.) chose to subcontract to international organizations (IOs), rather than rely on E.U. agencies or the Greek state.” The author’s introduction draws the reader right into the middle of the crisis by providing a window into the high-level policy decisions being made and calls attention to an oddity: the lack of Greek governmental participation in the crisis happening in its own backyard. The puzzle is obvious, and it provides a good hook to explain the drier definitions and frameworks that are needed as the analytical tools to later unpack the case studies.

First, Micinski provides some definitions of “migrant,” “refugee,” “asylum seeker,” and “crisis.” He says that, although these terms have distinct definitions, he will refer to the events of 2014-17 using these terms interchangeably because the differences within this event are ambiguous. This explanation was somewhat convoluted, but at the same time, it is true to how both policymakers and implementers of policy speak about the crisis. After this set up, Micinski identifies six goals of migration management that are important to understanding his later frameworks, as these are the goals on which states and IOs are cooperating. The goals of migration management for states are to: (1) adjudicate who should enter a country; (2) stop migrants who should not enter; (3) monitor and regulate migrants who have temporary permission to stay; (4) remove migrants who should not have entered; (5) deter migrants so they never come; and (6) control emigration and the diaspora. The rest of the introduction goes through the methodology used (mostly interviews with policymakers and practitioners in E.U. institutions, U.N. agencies, national institutions, academia, and NGOs) and explains that Italy and Greece were chosen as the case studies because of their similarity in regime type, regional governance, proximity to borders, and migration pressure.

Chapter 2 explains the framework of international cooperation in migration management. Micinski’s core focus here is the classification of four types of international cooperation and non-cooperation: coordination, collaboration, subcontracting, and unilateralism. Coordination “implies some amount of policy adjustment or policy convergence between two or more states that is implemented separately by the national institutions.” Collaboration is “some degree of policy convergence that is implemented jointly between states working together.” Compared to collaboration, coordination requires fewer resources, but it creates less accountability, is sensitive to concerns about sovereignty, and allows for some variation in interpretation to national contexts. Subcontracting is “when states formally agree to empower an

international organization or a nonstate actor to implement their joint policy.” Finally, unilateralism, the default choice for states, is where “they implement their policies themselves without cooperation with other states.” States typically do this for the flexibility, because there are no threats to their sovereignty, to shirk their responsibility, or to create to chaos that benefits themselves.

Next, Micinski explains how the two necessary conditions of cooperation—credible partners and migration state capacity—help to determine which type of cooperation or non-cooperation will emerge in migration management. The condition of credible partners means the will of domestic political leaders to implement policies. Credibility can be defined by states having a clear interest in implementing the policy or when states are coerced or restricted to implement the policy. Migration state capacity is defined as, “the ability of a state or IO to effectively allocate resources to achieve the six goals of migration management.” When a state has a higher migration state capacity, their response will be organized and predictable when many migrants cross their border in a short amount of time. On the other hand, when a state has low migration state capacity, their response is disorganized, ad hoc, or nonexistent. E.U. member states likely will choose not to coordinate with a low migration state capacity because the state’s national authorities do not have the ability to implement policy. Instead, states will choose to collaborate or subcontract with states who have a low state capacity. Thus, high capacity and credible partners are both needed for successful coordination. According to Micinski’s cooperation framework, if there are credible partners and low capacity, there will be collaboration; if there are no credible partners but high capacity, there will be unilateralism; and if there are no credible partners and low capacity, there will be subcontracting. Overall, this framework is very orderly, and it is a thought-provoking way to categorize and understand state and regional body interactions.

Chapter 3 focuses on the story of collaboration in E.U. migration management. Micinski seeks to subvert the narrative of the E.U.’s three neat pillars from the Maastricht Treaty by arguing that the real narrative is much less orderly. He says that the history of migration management is more accurately one of messy interactions, incremental coordination, policy failures, and reluctant collaboration at the E.U. level on immigration, asylum, and border security. The four main phases of shifting competencies in European migration management began with informal coordination at the inception of the European Union, which then became informal sharing within E.U. forums with the Schengen Agreement in 1985. Then, there was formal coordination via

intergovernmental negotiations (the Maastricht, Amsterdam, and Lisbon treaties). Finally, the E.U. reached phase four: shared competency via the community method of decision-making, which is the sharing of competency between member states and E.U. institutions, institutionalizing migration management within the European Union. This section is less clear than other categorizations in the book, as sometimes there is a fifth phase mentioned, the role of E.U. summits in increasing institutionalized collaboration, but other times there are only four phases listed.

Micinski then details the two main areas of migration management: border control and asylum. This section should have been divided into two sections to differentiate border control and asylum policies more clearly, but Micinski contrasts the two topics, stating that the European Union has achieved more in border security than asylum policies. In this section, Micinski details the development of the Schengen Agreement, the E.U. border agency (Frontex), the European Border and Coast Guard, the Common European Asylum System (CEAS), and the European Asylum Support Office (EASO). While less clear-cut than other chapters, this chapter moved entirely in chronological order, describing the different mechanisms for coordination on migration management in the E.U. system and how they each came to be.

Chapter 4 presents the case study of Italy. Micinski recounts the history of migration state capacity in Italy, with the most important trends being: (1) the shift from emigration to immigration; (2) the link between migration state capacity and political regimes; and (3) general agreement between the center-left and center-right coalitions that increased migration pressure requiring a mixture of more capacity, restrictive policies, and amnesty. One important part of this history is the North African Emergency in 2011-13. This crisis involved an E.U. institutional intervention which set Italy up for greater success in the crisis of 2014-17. Next, Micinski details the credibility of Italy as a partner for E.U. migration management bodies. Italy is generally a credible partner in coordinating operations, but there is some fluctuation between different political parties. Finally, Micinski describes the Italian-led coordination to the 2014-17 crisis. The E.U. response was channeled through the Italian government, and E.U. efforts were mostly staffed by Italians. This section, while quite long and full of history, built upon the foundation laid by the previous chapters, and it was interesting to see the framework in action.

Chapter 5 presents the case study of Greece. Micinski frames it as neutrally as possible, but compared with Italy, the Greek response was

a disaster. In the Greek history of migration state capacity, Micinski identifies the most important trends as: (1) early regulation of emigration; (2) legal compliance but lack of implementation; and (3) international interventions to assist refugees. The second trend is by far the most important in the later analysis, and I think it should have been highlighted more in this section. Next, Micinski notes that Greece is not a credible partner because of their conflicting interest in implementing E.U. directives and their motivation to shirk responsibility. If Greece built up their migration state capacity in accordance with the Dublin convention, there would be more refugees in Greece. Then, Greece could not pass refugees to other E.U. states, shirking their responsibility by claiming a lack of capacity. Bringing the book back to the familiar framework at this point, Micinski argues that because Greece did not have credibility as an implementing partner and had little migration state capacity, the E.U. response to the migration crisis had to be implemented through subcontracting. This subcontracting was mostly to IOs such as UNHCR, the International Organization for Migration (IOM), the United Nations International Children's Emergency Fund (UNICEF), the Danish Refugee Council, and the International Federation of Red Cross (IFRC). These organizations were considered by the European Union to be better partners than the Greek government for implementing aid.

In the conclusion, Micinski largely addresses policymakers and provides his potential solutions for the problem of a state like Greece being a weak link in a strong regional system. I found this to be the weakest argument in the book because, as Micinski accedes, this is a small case study in a very particular region of the world, and I do not believe the findings can be so easily generalized. However, I believe that the book is a good exploration of the implementation of E.U. policy, and it addresses many interesting questions about sovereignty and how high-level views of state actions can impact vulnerable people on the ground.

One Rights: Human and Animal Rights in the Anthropocene. By Saskia Stucki. Heidelberg, Germany: SpringerBriefs in Law, 2023. Pp cxii, 112. \$37.99 (paperback).

REVIEWED BY DORA DREZGA

Saskia Stucki's *One Rights: Animal and Human Rights in the Anthropocene* provides an in-depth analysis of the evolution of new human rights and the role of animal rights within their formulation. Primarily,

the author tackles the nuanced question of what sets humans apart and what gives humans – and thereby possibly animals – the right to have rights. Certain philosophical and practical theories have laid the groundwork for the development of human rights in the Anthropocene. Stucki suggests that traditional human rights discourse and the development of animal rights should be unified under the term “One Rights” as part of the new human rights movement. In her conception, One Rights naturally encompasses animal rights as part of the human-centered development of “human” rights. In this vein, what Stucki sees as a perpetually changing body of rights, “new” human rights have expanded justifications, staying both anthropocentric and becoming inherently inclusive of animals. One Rights, as Stucki argues, is both conceptually and politically justified, and animal rights now occupy the space between their intellectual inception and gradual reception waiting to be fully integrated into legal frameworks. In this respect, Stucki asserts that certain human rights should and can justifiably be expanded to animals. However, though there is a strong argument that animal rights may already have the necessary theoretical and practical justifications to be part of new human rights, their inclusion through Stucki’s paradigms leads to issues concerning the scope and ability of such rights to be properly cabined in a legally meaningful manner.

Stucki considers two main arguments. First, she contemplates the philosophical reasons for extending human rights to animals under her One Rights terminology. Two main theories, the exceptionalist and non-exceptionalist theories dominate the discussion in philosophical classic discourse justifying human rights. The exceptionalist theory argues that only humans can have human rights because they all share some typical characteristics that afford us the privilege. Human rationality is commonly identified as the common unifying trait; however, Stucki argues that only biological humanness can be the true unifying characteristic for exceptionalist justifications. Stucki determines rationality runs the danger of under-inclusion, as some humans are not capable of rationality, and the outcome of this theory becomes the exclusion of those deemed cognitively incapable of rationality. As a result, the only true unifying characteristic becomes human biology. However, Stucki suggests that classifying human rights based on biological humanness runs the danger of becoming a cloaked argument for speciesism. This argument, she explains, is weak and insists that humans have rights due to arbitrary reasons that raise our own species above others.

Instead, Stucki believes the non-exceptionalist theory she terms “foundational pluralism,” offers a logical argument for One Rights that

is more inclusive of humans and, tangentially, animals. More inclusive than rationality, humans share certain basic fundamental interests, needs, and capabilities. The desire for a good life, vulnerability, and sentience, are identified as traits of a shared human existence that naturally encompass most if not all of humanity, ensuring that human rights truly are justified as a universal protection. Although such a pluralistic theory adequately achieves the inclusion of all human beings, Stucki suggests that it cannot be ignored that animals also fall within these justifications as they share many of the same traits that also bind humanity. This “new humanism” proffers an interest-based approach that, depending on characteristics chosen, often includes animals as would-be natural holders of the same rights under the One Rights paradigm.

Second, Stucki makes the argument that there are practical reasons why human rights should be extended to animals and why such an approach would conceptually lead to the more inclusive One Rights terminology. Human rights have evolved on a need-based approach. Politically, they ultimately emerged and served a practical function within society. Within this evolution, the current anthropocentric world has created a state of affairs that makes the extension of rights to animals not only possible but potentially necessary. The practicality of making this jump rests on ethical and prudential reasons that ultimately serve to reinforce justifications for human rights. Ethical and moral reasons that have upheld the sacrosanctity of human rights insist that such consideration be afforded to animals. Stucki suggests that the emergence of human rights as a response to injustices like genocide, oppression, and slavery are similar atrocities that humanity bestows upon animals, and as such should be similarly addressed. Extending new human rights then becomes a way to right the wrongs humans historically inflict upon the non-human world but would also require many of the same institutional (State-centric) powers to create the duties that would uphold such moral justifications and form legal obligations.

Practically, there are other strong arguments to extend rights. Stucki recognizes the interconnectedness of humans and animals and suggests that upholding animal rights as a component of One Rights would conversely positively impact human rights and reaffirm our commitment to our own species. Through the lens of social justice, animals and humans are interdependent in the sense that the treatment of animals reflects our treatment of humans. In this respect, how we treat animals, Stucki suggests, has a direct effect on how we treat humans. Numerous social justice movements are marked by the inclusion

of animal-centered discourse that has historically treated animal rights as a sub-campaign within evolving human rights. Stucki identifies and emphasizes this positive correlation between heightened violence against animals and physical violence against humans.

Beyond human-on-human violence, the second prudential reason Stucki formulates is the environmental benefit. Humans have created their own state of climate emergency, almost completely stemming from our reprehensible treatment of the environment. In its current state, it is well-recognized that humanity is creating its own destruction with natural disasters multiplying in strength and number year to year. Environmental disasters have directly impacted human health, food security, and politics to such an impressive degree that Stucki believes extending rights to animals becomes necessary to address humanity's impact on climate change. Actions such as reducing factory farming, gas emissions, and deforestation would inherently lead to the better treatment of animals, and by framing the argument as favoring extending human rights, it becomes a matter of logic rather than morality. In this way, Stucki argues, animal rights do not have to be solely pushed forward by morality or theoretical conceptions, but from selfish consideration for our own species. The interconnectedness of humans and animals then gives rise to the similar framework to One Rights, the "One Health" approach that recognizes the intertwined nature of humans and animals and the related benefits extending rights can incur.

Stucki makes strong arguments for animal rights' inclusion and the formulation of One Rights as part of the new human rights movement. Stucki's philosophical and practical reasons are thoroughly outlined and well-argued, however they falter in a few ways. Firstly, framing the evolution of animal rights as an offshoot of human rights theories is unnecessary for Stucki's main thesis. Stucki argues that rationality is an inadequate unifier that will inherently exclude those less cognitively capable from the protection afforded by human rights. Therefore, as Stucki states, because rationality is too underinclusive of humans, we must look towards other justifications, and the only justifications that adequately include humans inherently include animals. However, as Stucki herself identifies, there are differing degrees of rationality, and rationality itself is not a binary. In reality, rationality as a cognitive process can better function as a unifying factor that (on its face) excludes animals while includes humans because all humans either exhibit rational thought or are simply *capable* of rational thought. The exceptionalist argument, framed in this way, makes rationality an adequate unifying factor inclusive of all humans, but not necessarily of all animals, contra Stucki's assumption. Nevertheless, Stucki misses a

bigger issue with rationality: what is rational thought? The primary issue with such a characteristic is that as a term, “rationality” is inherently malleable and depends on how we conceptualize and define rationality. In that sense, the exceptionalist argument falters not because rationality is too constricting a term, but because it is hard to define what rationality is and how we can identify it. In fact, instead of being too narrow, it is quite possible that rationality already ends up encompassing animal behavior as well and thus serves as a sufficient justification that human right theories already open the door for the inclusion of animal rights.

Second, Stucki considers foundational pluralism to be a better theoretical explanation that is championed by new human rights and thereby forms a natural pathway that inherently includes animal rights and leads to the more comprehensive One Rights umbrella. Under this argument, Stucki neglects to emphasize the importance in choosing the common traits which may ultimately exclude or include animals from the conversation. Although briefly addressed, Stucki glosses past this most salient factor driving foundational pluralism. There certainly are several traits shared by humans and animals alike, but there are also those that are not. The “human condition,” as Stucki calls it, rests on basic interests that animals likewise possess, however, the very nature of pluralism is that it affords us the opportunity to choose characteristics that essentially only humans possess. That is to say, in contrast to human exceptionalist theories which rest on the Herculean task of identifying and placing all humans under one universal (or almost universal) trait, foundational pluralism makes it easier to cherry-pick traits that both avoid including animals but also include certain groups of humans. In the end, instead of tangentially including animals, this flexibility also allows us to choose a batch of characteristics whereby each person may relate to at least one and animals to none. In the end, although it admittedly would be difficult to cabin justifications on such a niche group of traits, Stucki puts too much faith that foundational pluralism and the new human rights movement will identify features that will naturally include animals. Instead, it is entirely possible that traits chosen exclusively include humans, and Stucki’s One Rights theory fails.

Lastly, Stucki makes an impactful argument for the practicality of animal rights. This is perhaps her strongest argument defending the inclusion of animal rights and the One Rights paradigm. From a practical standpoint, Stucki does well to point out that including animals within this discourse serves a necessary and practical function above all. If nothing else, animals should have rights because it is better for humans that animals should have rights. Within this framework,

practicality outweighs other reasons not to elevate animals within our evolving legal system. However, Stucki distracts from her powerful environmental argument favoring the extension by including an extensive review of the morality that helped form the basis for human rights. In this respect, she states that human rights grew from a desire to right certain wrongs, and the same could be done for non-humans. Yet, basing the decision of when or whether to extend human rights to right our wrongs generally not only includes animals, but then must include all other things that humanity has wronged. How far does this go? Humans have “wronged” much more than animals, and this line of reasoning opens a much bigger issue of the role of nature within the discussion. In fact, as Stucki repeatedly suggests, humans and animals are interconnected, but the same could be said for humans, animals, and nature.

Instead, nature is loudly omitted from the analysis. Though Stucki makes a convincing argument that humans should selfishly bestow rights on animals in order to save our own existence, this begs the question, doesn’t this reasoning naturally favor giving nature rights as well? Overall, it may be more practical and logical to include nature as another possible rights-holder as it encompasses animals as well as the larger natural world whose impact on human existence and necessary preservation is arguably much more salient and efficient from a law-making perspective.

Overall, Stucki makes an interesting argument that animal rights should justifiably be included within human rights and that the development of a One Rights perspective is both beneficial and possible from a lawmaking and theoretical perspective. However, further consideration of the role of nature and the prudential inclusion of the natural world, instead of solely framing the conversation within an animal rights perspective, would fill the analysis’s unfinished gaps. Once these issues are similarly addressed, they would truly make a “One Rights” conception of the new human rights movement that Stucki imagines.

Drones and International Law: A Techno-Legal Machinery. By Rebecca Mignot-Mahdavi. City, ST: University of Manchester, 2023. Pp. 258. \$125 (Hardback).

REVIEWED BY MEGAN HAINES

In the *Drones and International Law: A Techno-Legal Machinery*, Rebecca Mignot-Mahdavi argues that drones have become a unique means to wage warfare over past few presidential administrations and

how drone usage dangerously degrades the limiting norms that international law is supposed to protect. The book, published in 2023, offers a current perspective on the changing nature of warfare via drone use. It describes the expansion of so-called threats and states' justifications for *in bello* and *ad bellum* use of drones in warfare to not only strike these threats but to also expand surveillance. The author first sets out her thesis that drone programs are a "techno-legal" machinery, whose bureaucratization has eroded traditional norms limiting the conduct of warfare, particularly in the international terrorism context. She further argues that drones should be treated as different from other technological innovations. In making this argument, she challenges the notion that drones are like any other weapon and thus should not be subject to the same international norms and analysis. Despite the merits of her argument, the author does not untangle the inherent aspects of drones from the complicated nature of the counterterrorism conflicts they are currently used in. In doing so, she overemphasizes their uniqueness over their role as just another technological innovation used to exploit others. Rather than focusing on the aspects of drone warfare that are unique because of drones' current application in terrorism, the author should have expanded her argument that drones are unique in that they change the surveilled population's behaviors and daily routines.

The author first situates the reader in the current context of drone usage in warfare, which is mostly conducted between states and non-state actors for jihadist purposes, all while grappling with the fact that drone usage, especially by the United States, France, and Britain, has continued to increase. Because non-state armed groups have individualized aims without a real "center of gravity", the drone programs must increasingly look to individualized characteristics to determine whether or not an individual is a threat. At the same time, governments tend to group all non-state governments together as equivalent.

To show how the functioning of state drone programs have been integrated into a techno-legal framework and thus are no longer at the fringe of international warfare, the author first describes the evolution of drone usage and its consequences. Since the use of drones to conduct dangerous military missions is inherently less dangerous than sending soldiers in to conduct a mission, state usage of drone programs only grew and peaked in the 2010s. Moreover, the development of specific terminology around drone usage lends linguistic proof of bureaucratization. She argues that while the United States under Obama and Trump used different legal justifications for drone programs, the differences were merely rhetorical shifts and not real change, meaning that

drone bureaucracy continued to thrive under both administrations. And, because self-defense could now include action against the continuous imminence of the threat posed by certain individuals, the bar for action became lower. In other words, additional bureaucracy was needed to accomplish military objectives. Against this backdrop, drone usage to militarily strike a terrorist target became a mainstream way of conducting warfare.

This new mainstream way of conducting warfare introduces new questions about international norms that diverge from traditional questions of warfare. Firstly, the author argues that drone wars do not require geographic limitations in legal reasoning. Given that multi-national jihadist groups are one and the same in some Western governments' eyes, borders cannot limit the conduct of drone warfare to accomplish military objectives. To prove her point, the author analyzes statements from high-level officials in the US, France, and Britain who lump together multiple jihadist groups (i.e., Al Qaeda and ISIS) without differentiation despite the groups' differing aims. Doing so conflates groups interested in promoting worldwide jihad with those aimed at establishing a caliphate. Without differentiation, the terrorist threat becomes sprawling and ever-expanding geographically. Thus, drones, which easily cross international borders to target dispersed fighters, are the weapons of choice against the sprawling threat. Secondly, the author argues that the "everywhere war" is also endless. Because there is no definition to establish when war is "over" when dealing with non-state actors and because the bureaucracy is ever justifying its place by adding new enemies to the conflict, the drone war is perpetual.

With this in mind, the author argues that patterns of drone activities are recognized by the surveilled population and thus it changes its daily routine in response to the threat. The author notes that, over time, populations can decipher what type of activity might merit a drone attack and thus change behavior accordingly. For example, when gatherings of groups of people came to be associated with the buzzing of drones in the background, some people may never sit in a circle with a group of people for fear of surveillance and attack. In that sense, drones have the power to extend the sovereignty and power of the operator by unintentionally changing the behavior of the surveilled population. The author notes that research shows that both daily behavior and cultural traditions, such as funerary practices, have been shown to change under drone surveillance. While the author uses this point to explore how the conception of sovereignty changes between the surveilled state and surveilling state, she could have spent more

time exploring why drones change fundamental behavior and how such an effect is unlike those of any other weapon of war. In this chapter, unlike in the preceding chapters, the author does not spend much time explicitly linking the human psychology of drones to why they are so unique among means of warfare.

While the author's point that drones have been bureaucratized in the military-industrial complex is well-taken, it overemphasizes the novelty of such an evolution and thus the inherent uniqueness of drone usage. Any new technology applicable to the military will be integrated into the military-industrial complex. If the purpose of the military is to win wars, and doing so as precisely and strategically as possible, then any innovation that could assist in that purpose will be leveraged. Rather than acknowledging this natural integration, the author notes that drones were conducive to the decade-old military strategy labelled as 'find, fix, and finish', and because of that, stabilized into the military institution. Moreover, the mere fact that a language of acronyms is developed around a piece of technology for operators to communicate amongst themselves is not as indicative of bureaucratization as the author professes. Of course, developing language around drone wars facilitates its development, but it does not necessitate that it will increase usage as rapidly as drones have. Thus, in trying to explain the rapid integration of drones into the military-industrial complex, the author fails to put drone usage and bureaucratization into a broader history of the military's mission to incorporate effective technology into a government's toolkit.

Moreover, the author's argument about drone warfare's lack of geographic or temporal constraints is certainly an interesting one. Yes, drones by nature, facilitate a less constrained military conflict because fewer risks are involved in drone operations. However, the author's argument hinges on the type of warfare waged using drones. The author's argument only examines counterterrorist warfare against jihadist organizations, which are not conventional enemies. The author does not engage with drone warfare in other contexts, so the question of whether drone warfare in a state-on-state context would lead to the same results that the author describes still lingers. More specifically, the author notes that the "practice of extending enmity to members of terrorist networks vaguely united by common ideology accentuates the focus on individuals in the way war is conducted," but does not acknowledge that the terrorist threat is inherently focused on individuals wielding power over others to accomplish so-called objectives. Sure, drones make the expansion of warfare more possible, but that also seems to be the ever-changing nature of the terrorist threat. If

states cannot clearly define the threat because of ever-evolving organizations and tactics, then how can any kind of new warfare innovation lead to constraint?

Rather, as noted above, the book could have benefited from additional detail and material on how drones influence populations' behavior and how that is why they should be treated differently from other technological innovations in warfare. Instead, the author spends less than half of a chapter explaining how drones change a surveilled populations' behavior and does not explicitly explore how that could be a reason why they should be treated as unique instruments of warfare. As noted, the author uses this point to build on a larger argument about drones' influence on the relationship between states and notions of state sovereignty. Had she expanded beyond this to draw out the uniqueness of drones from their effect on behavior, the book's thesis would have been strengthened.

Overall, the book explores a timely topic that has transformed drastically over the last decade. With the current Trump Administration re-introducing its foreign policy priorities, the book's theories are likely to be tested in real-time. The author's argument that drones have been integrated into the military-industrial process and are now part of the longstanding bureaucracy to create a sort of techno-legal machinery is convincing. Furthermore, the idea that drones have created ever-perpetual warfare in time and space is equally as convincing. However, it is still not clear if drone warfare itself is the main causal element of these arguments or if the nature of a jihad-terrorist threat necessitates that drone warfare be conducted in this manner. To clarify the unique nature of drones themselves, the author's point on how drones change population behavior and how that impacts the future of warfare should have been emphasized more strongly.

Revolutionary Approach to International Law: The Role of International Lawyer in Asia. Edited by Eric Yong Joong Lee. Singapore: Springer Nature, 2023. Pp. viii, 320. \$199.99 (hardcover).

REVIEWED BY KYUWON LEE

Eric Yong Joong Lee's *Revolutionary Approach to International Law: The Role of International Lawyer in Asia* brings together a collection of essays on various topics written by international law scholars and practitioners in Asia, ranging from China's Belt and Road Initiative to artificial intelligence and environmental regulation. The core value of this book is derived from the contributions that Asia, a region of rich

cultural diversity and economic potential, can offer to the global scholarship. The book presents a “fundamentally innovative” viewpoint, by examining the rapid evolution of the international legal environment and structure in one sitting and thereby delivers an insightful overview of various evolving legal fields.

Fifteen writers guide readers through contemporary global issues that have sparked novel legal challenges within the international legal community. Lee, the editor, curates a selection of essays that not only address economic and business concerns but also engage with broader theoretical perspectives, such as proposing changes in general international policy-making and governance. By focusing on both practical and conceptual discussions, Lee highlights a diversity of subject matter and provides readers with a broader perspective to navigate the recent waves of global changes. This dual focus enables the book to serve as both a scholarly reference and a pragmatic guide for readers seeking to understand the evolving issues in global governance and international legal paradigm.

Despite the book being a valuable resource, its title is overly ambitious. While each author explores new and interesting perspectives, most do not reach a level that can be considered truly “revolutionary” or “distinctively Asia-specific.” By featuring specifically international law scholars and practitioners based in Asia, the book could have served as a platform to highlight the unique insights that Asian scholars bring to international legal discourse. As it stands, it lacks a unifying theme that connects the essays to the stated goal of defining the “role of Asian lawyers” in fostering a more pluralistic and flexible field of international legal research, beyond the traditional European and American epistemology.

While the articles in the books discuss a range of issues, China’s regional influence means that China’s One Belt One Road (OBOR) or Belt and Road Initiative (BRI) is analyzed in several chapters albeit from different angles. Ran Guo disputes the characterization of BRI by the United States, asserting that it is a framework designed to expand regional cooperation within the liberal international economic order. Emphasizing that China’s BRI is based on principles such as the rule of law and democracy, Guo critiques counter-initiatives led by the United States, framing them as efforts to reinforce hegemonic Western power while obstructing globalization and liberalization. After concluding that the BRI has brought a “bright future” to the world, Guo discusses how to ensure its long-term success. Guo argues that while the current soft law, non-systemic approach has been effective in the initiative’s early years, a legal and institutional framework is necessary

to better manage the shifting geopolitical landscape and resolve conflicts. Guo identifies the lack of a dispute settlement mechanism within the BRI as a critical shortcoming that must be addressed.

In a later chapter, Hamid Mukhtar and Hafiz Abdul Rehman Saleem build on Guo's argument by exploring OBOR's potential role in international dispute resolution development. Mukhtar and Saleem agree with Guo that OBOR's scale and impact on global trade and investment necessitates an efficient dispute resolution system and emphasize that a dedicated dispute resolution center could emerge from the initiative. While they acknowledge that existing dispute resolution systems may not be well-suited to OBOR, Mukhtar and Saleem suggest that, for the time being, Investor-State Dispute Settlement (ISDS) for OBOR should rely on the current arrangements while improving existing mechanisms and waiting until the circumstances are stable enough to build a new "OBOR Dispute Settlement Center."

Taking a broader view of ISDS, Dae Un Hong and Ju Yoen Lee seek to explain why there are fewer ISDS cases in East Asia compared to other regions. Hong and Lee identify several factors that may have contributed to this trend, including lower foreign direct investment (FDI) relative to gross domestic product (GDP), fewer investment treaties, a limited history of international arbitration, a preference for avoiding litigation, and investment concentration in low-dispute industries. Despite these observations, Hong and Lee also note that the steady increase of outward FDI from China and growing familiarity with international investment arbitration within the region may change this trend in the near future.

Articles by Tsung-Sheng Liao and Soojin Nam address environmental law and air pollution. Liao suggests reforms that will incorporate corporate actors into the battle against greenhouse gas concentrations, while Soojin Nam examines the Inflation Reduction Act's (IRA) Clean Vehicle Provisions through the lens of WTO and Korea-U.S. Free Trade Agreement (FTA). Recognizing that multi-national corporations (MNCs) often evade legal responsibility as non-state actors in international law despite being "crucial emitters," Liao drives forward the idea of integrating MNCs into the international climate change regime. Liao draws inspiration from the International Seabed Authority (ISA) model to illustrate how an atmospheric governance structure could be devised and managed. Interestingly, Liao takes it a step further by outlining specific structures and model contracts for a hypothetical International Atmosphere Authority (IAA) in the article. This proposal underscores the urgency of developing more robust legal mechanisms to cope with transboundary environmental challenges, especially when

international initiatives addressing climate change, such as the Paris Agreement, face another moment of losing momentum.

Nam, on the other hand, takes a more microscopic view on the global climate change problem and analyzes the revisions to the Clean Vehicles Provisions based on Korea–U.S. trade relationships. Nam notes that revisions to the eligibility requirements for electric vehicle tax credits have created tensions between the two countries, and he explores why the IRA’s local content requirements violate the General Agreement on Tariffs and Trade (GATT), the Agreement on Subsidies and Countervailing Measures, and the Korea–U.S. FTA. However, the author reminds readers of the geopolitical realities: the WTO system’s enforcement remains limited, and there is an increasing trend toward protectionism. Nam argues that neither the WTO’s dispute settlement system nor the Korea–U.S. FTA’s dispute resolution mechanisms will compel the United States to change its policies. The former lacks enforcement power, while the latter includes a security exception clause that grants parties “unfettered discretion.” Consequently, Nam concludes that Korea and other affected States have no practical recourse beyond seeking solutions through international trade rules while simultaneously adapting to the new regulatory landscape.

Unlike other authors, who focused on specific practice areas, Tikumporn Rodkhunmuang and Ridoan Karim pursued lines of research that advocate for broader theoretical and methodological changes in international legal studies. For instance, Rodkhunmuang argues for a more vigorous application of legal pluralism, cultural relativism, and decentralization in international legal studies. According to Rodkhunmuang, the existing state-centric international law framework has been insufficient to address human rights challenges, and anthropology can play a vital role in promoting multilevel governance and human-centric perspectives in global legal discourse. Meanwhile, Karim from Monash University approaches reform from a distributive justice perspective. Presumably drawing from the lessons of the COVID-19 crisis, which exposed systemic inequalities on both domestic and international levels, Karim adopts John Rawls’ philosophical framework to argue for more equitable access to the benefits of scientific and technological advancements. By weaving together concepts such as utilitarianism, the Law of Peoples, and social contract theory, Karim ultimately calls for international regulations that ensure all individuals—privileged and underprivileged alike—have fair access to scientific and technological resources.

Other particularly notable chapters address maritime law, the United States’ presence in the Middle East, and the applicability of AI

to international law. Although the book's thematic variety is valuable, a stronger editorial framework linking the essays together could have enhanced its coherence. Indeed, while the compilation of works by Asia-based international law scholars and practitioners is a meaningful step towards recognizing the region's contributions to international law, to fulfill its aspiration of establishing an "Asian framework of international law," as Lee suggests, a more explicit effort is needed to articulate and communicate this vision. Simply assembling works by Asian scholars does not automatically result in a forward-looking or independent perspective. Without a clear blueprint for how such a framework would be structured or implemented, the book's promise of "showing how Asian lawyers can revolutionize international law" remains unsubstantiated.

Readers expecting a genuinely "revolutionary" take on international law may find the book more conventional than its title suggests. Nevertheless, the book still serves as a valuable resource for understanding contemporary legal issues in Asia. At its core, *Revolutionary Approach to International Law: The Role of International Lawyer in Asia* reflects the determination and attentiveness of Asian legal scholarship to contemporary issues in the global community as well as its willingness to further develop academic diversity. That being said, the arrival of this book is particularly valuable as Asia as a region faces a huge turning point, economically and demographically, and the book invites further conversations about the role of scholars and practitioners in a post-colonial era of legal scholarship.

Female Genital Mutilation: When Culture and Law Clash. By Charlotte Proudman. Farnham, UK: Ashgate Publishing Limited, 2022. Pp. xv, 248. \$130 (hardcover).

REVIEWED BY EMMA NISONSON

In *Female Genital Mutilation: When Culture and Law Clash*, Dr. Charlotte Proudman presents an ambitious and compelling examination of Female Genital Mutilation (FGM), offering an interdisciplinary approach that blends legal analysis, cultural critique, and feminist theory. By focusing on the intersection of cultural traditions and legal frameworks, Proudman unpacks the challenges of addressing a practice deeply rooted in social norms and power dynamics. The book sheds light on the persistence of FGM and interrogates the efficacy and ethics of existing legal responses, providing a roadmap for more holistic, community-focused solutions.

The opening section of the book delves into the origins and cultural significance of FGM, emphasizing the practice's role as a social institution. Proudman traces the practice to patriarchal systems that seek to control female sexuality and ensure conformity to rigid gender roles. Communities often frame FGM as a rite of passage or a prerequisite for marriage, with claims that it preserves purity, enhances fertility, or upholds moral standards. Proudman dismantles these justifications, framing FGM instead as a harmful tradition that violates fundamental human rights.

Drawing on anthropological research, Proudman illustrates how communities sustain FGM through intergenerational social pressure. Proudman also highlights how noncompliance with FGM norms risks ostracization, stigma, or loss of social standing. Testimonies drawn from survivors provide visceral accounts of the physical pain and lifelong consequences of FGM, ranging from chronic health complications and infertility to psychological trauma and diminished sexual autonomy. These narratives serve as a powerful reminder of the stakes involved in addressing FGM, grounding the theoretical analysis in the lived experiences of women and girls.

The second section transitions to a critical examination of the legal frameworks designed to combat FGM, with a focus on the British legislative landscape. Proudman provides a comprehensive overview of key milestones, including the Prohibition of Female Circumcision Act of 1985, the Female Genital Mutilation Act of 2003, and the introduction of Female Genital Mutilation Protection Orders (FGMPOs) in 2015. While these laws represent significant progress, Proudman critiques their limited enforcement and questions their efficacy to bring about substantive change.

Proudman identifies several barriers to effective enforcement, highlighting the complex interplay of cultural, social, and institutional factors that undermine legal efforts to combat FGM. The clandestine nature of FGM poses a significant challenge, as people often carry out the practice in secrecy, either within homes or in visits to countries where it is more common and less likely to attract legal scrutiny. Healthcare professionals, who are often in the best position to identify survivors or those at risk, may fail to report cases due to a lack of training, fear of breaching patient confidentiality, or concerns about being perceived as culturally insensitive. Moreover, communities are reluctant to cooperate with authorities, driven by fears of stigmatization, criminal repercussions, and the erosion of cultural identity.

Proudman discusses the 2019 conviction of a Ugandan mother in the UK—the first successful prosecution under the Female Genital

Mutilation Act—as both a landmark achievement and a reflection of systemic failures. While the case demonstrated the potential for legal accountability, it also exposed the difficulties in gathering evidence and securing convictions in a climate of silence and fear. Proudman critiques the singular focus on criminalization, arguing that it risks alienating communities and entrenching resistance. By pushing the practice further underground, criminalization makes detection and prevention even more difficult, as families may resort to extreme secrecy or seek practitioners in unregulated environments. These dynamics underscore the need for a more balanced approach that combines enforcement with education, outreach, and culturally sensitive engagement to build trust and encourage open dialogue within affected communities.

Proudman enriches her analysis of FGM through a feminist and intersectional lens. She critiques the racialized and neo-colonial undertones of some anti-FGM campaigns, which often stigmatize practicing communities as backward or barbaric. Proudman argues that by criticizing the cultural communities who practice FGM, advocates undermine the legitimacy of anti-FGM efforts and alienates the very people they aim to protect. Instead, Proudman calls for an approach that recognizes the historical and socio-political contexts of FGM, balancing the need for legal intervention with respect for cultural autonomy.

In the final section, Proudman presents a series of recommendations for combating FGM, emphasizing the importance of local community-driven solutions. She argues that organizations must accompany legal enforcement with education, advocacy, and support services that address the root causes of FGM. Central to her vision is the idea of empowering survivors to lead anti-FGM initiatives, thereby ensuring that lived experiences and cultural insights inform interventions. Proudman discusses the role of FGMPOs as a promising, non-punitive legal remedy. By focusing on protecting individuals at risk rather than criminalizing offenders, these orders encourage community cooperation and reduce the stigma associated with reporting FGM cases. She also highlights the importance of investing in survivor support services, such as specialized healthcare and counseling, to address the physical and psychological impacts of FGM.

The book's discussion of international efforts to combat FGM is both inspiring and sobering. Proudman praises initiatives like the United Nations' campaign to end FGM by 2030 but warns against one-size-fits-all solutions. Drawing on examples from countries like Senegal and Kenya, where community-led approaches have significantly reduced FGM rates, she underscores the importance of tailoring interventions to local contexts. At the same time, she critiques the reliance

on Western funding and expertise, arguing that sustainable change requires empowering local actors and dismantling the structural inequalities that perpetuate FGM.

While *Female Genital Mutilation: When Culture and Law Clash* is a groundbreaking and meticulously researched work, it is not without its limitations. Proudman's focus on the UK legal framework provides a rich and detailed understanding of how one jurisdiction addresses FGM, particularly among diaspora communities. However, this focus leaves gaps in understanding the global narrative. Proudman's discussions of African countries are primarily contextual, offering insights into the cultural origins and persistence of FGM that lack deep analysis of the specific legal or grassroots strategies employed within these regions. By not fully exploring the innovative, community-led approaches in countries like Senegal or Kenya—where they have made significant progress in reducing FGM prevalence—Proudman misses an opportunity to highlight transferrable lessons. Including these perspectives and innovations would have enriched her recommendations and made them more globally applicable.

Another area that could benefit from further exploration is the role of men and boys in anti-FGM advocacy. Proudman briefly acknowledges the importance of engaging male allies but does not delve into their potential contributions to dismantling patriarchal norms that sustain FGM. The involvement of fathers, brothers, and community leaders is critical in shifting perceptions within practicing communities, as men often wield significant influence over cultural and family practices. Including case studies or examples of successful male-led interventions—such as programs where men publicly advocate against FGM or champion girls' rights—could have expanded the scope of her analysis. These examples would strengthen her argument and challenge the notion that FGM is solely a “women's issue,” emphasizing its societal implications and the collective responsibility to address it.

Proudman's feminist and intersectional approach is commendable for its sensitivity and depth. Some readers though may find her critique of anti-FGM campaigns as being overly cautious. Her emphasis on avoiding stigmatization and cultural imperialism, while valid, may downplay the urgency of addressing a severe human rights violation. There is room for a more robust defense of targeted legal interventions, even when they provoke cultural friction. For instance, Proudman could have more directly addressed the ethical tensions between respecting cultural autonomy and protecting fundamental human rights, particularly in cases where immediate intervention is necessary to

prevent harm. By framing certain forms of legal enforcement as both disruptive and essential, she could have offered a more balanced perspective on navigating these complex dynamics.

Female Genital Mutilation: When Culture and Law Clash is an essential contribution to the discourse on FGM and gender-based violence. Proudman's work challenges readers to confront the uncomfortable realities of FGM while offering a hopeful vision of change. Her call for a holistic, empathetic approach—one that combines legal enforcement with education, community dialogue, and survivor empowerment—is both timely and necessary. Proudman provides a nuanced and multifaceted analysis that transcends simplistic binaries of tradition versus progress by amplifying survivor voices and situating FGM within broader discussions of gender, race, and human rights. This book is an invaluable resource for policymakers, activists, and scholars seeking to understand the complexities of FGM and develop effective strategies for its eradication. At its core, Proudman's work is a testament to the power of interdisciplinary scholarship to drive meaningful social change. Her nuanced critique of existing approaches and her visionary recommendations for the future make *Female Genital Mutilation: When Culture and Law Clash* compulsory for anyone committed to advancing gender justice and human rights.

The Parthenon Marbles in International Law. By Catharine Titi. Geneva, Switzerland: Springer Nature, 2023. Pp. xviii, 311. \$179.99 (hardcover or softcover).

REVIEWED BY ELIZABETH RAPHAEL

In recent years, international legal and political scholars have contemplated reparations and justice for unethical actions by imperial powers. In *The Parthenon Marbles in International Law*, Catharine Titi focuses on the particularly infamous case of the British acquisition of the Elgin Marbles. From an explicitly legal standpoint, Titi makes a convincing case that they should be returned to Greece, and posits that diplomatic negotiations are likely a preferable strategy. Titi's scholarship on the subject contributes to an international law basis for the return of stolen cultural artifacts and artworks, particularly the emerging trend towards repatriation as codified in customary international law.

Titi's work is organized into three parts. Part I contextualizes the facts of the case from a historical and legal perspective, in part by characterizing the importance of the Elgin Marbles as art and artifact, and

in part by describing the history of Ottoman-occupied Athens, which allowed for Elgin's taking of the Marbles via bribery. Lord Elgin was a foreign ambassador for Britain in the early 19th century, and while stationed in Ottoman-occupied Greece, he oversaw the removal of the Elgin Marbles from the side of the Parthenon and exported them to England for personal use between 1800-1811. After financial troubles, Elgin sought to sell the Marbles to the British government. Of note is Titi's examination of the legality of Elgin's taking of the Marbles. Titi evaluates the shortcomings of the British Select Committee's cursory investigation into Elgin's acquisition of the Marbles when the British government was deciding whether to purchase them from Elgin. Titi presents significant evidence that Elgin stole the Marbles through bribery and thievery for personal gains by exploiting his office as a diplomat. Titi argues that the Select Committee likely overlooked discrepancies in this story in hopes of purchasing the Marbles and elevating the United Kingdom's status as a great empire, given geopolitical circumstances in 1816. Part II discusses the potential use of dispute settlement in this case. Titi argues that the best way to secure the Marbles' return is through diplomatic negotiations, rather than through formal dispute resolution. This follows from her argument that available dispute settlement mechanisms, the European Court of Justice and the International Court of Justice (ICJ), are imperfect judicial forums, as is arbitration. However, finding that the ICJ is likely the most appropriate forum, if the parties were to pursue formal dispute resolution, Titi makes a convincing argument that the dispute is between sovereign states, given that the British Museum is best classified as an organ of the state. In Part III, Titi turns to substantive law, which would be applied in a judicial context—likely through an Advisory Opinion issued by the ICJ—focusing first on treaty law, and next on customary international law. Titi acknowledges the many shortcomings of treaty law on the topic, particularly given retroactivity concerns, but is more optimistic regarding the evolution of norms in customary international law. In Part IV, Titi summarizes her argument in a call for return of the Marbles.

Titi provides a strong legal argument regarding the applicability of customary international law to the repatriation of stolen culturally significant artifacts. While treaties, such as the 1970 UNESCO Convention, 1954 Hague Convention, and the UNIDROIT Convention, provide some mechanisms for repatriation, Titi points out that they fall short due to a lack of retroactive application - a major impediment to thefts that often occurred centuries ago, like the 19th century taking of the Marbles. However, Titi highlights that customary international law

can overcome these retroactivity limitations. States have begun the repatriation of culturally significant work taken prior to entry into force of the relevant treaties. For example, Belgium has begun a process of reviewing its collection of objects acquired during the colonial period, aiming to return 84,000 museum artifacts to the Democratic Republic of Congo. Titi acknowledges the difficulty of proving custom broadly, particularly given the delicate balance between calling for the repatriation of certain cultural objects without calling for the repatriation of all objects.

From a normative standpoint, Titi makes a strong case for the emerging customary international law on the return of unlawfully removed cultural heritage, though she admits that the “precise contours” of the custom are yet to be defined. Titi cites examples of state practice, such as widespread repatriation of unlawfully acquired artifacts in the United States, Italy, and Australia, particularly with respect to human remains. With regard to *opinio juris*, Titi points both to domestic legislation and domestic court cases. Examples include a French law requiring the return of Nazi looted art, or Italy’s highest administrative court upholding prior decisions ordering the return to the Statue of the Venus of Cyrene to Libya. Titi also cites various United Nations (UN) General Assembly resolutions, such as the 1973 Resolution 3187 on “Restitution of works of art to countries victims of expropriation.”

Titi deals with a number of particularly challenging points on the customary international law of repatriation, including the role of museum actions in relation to state practice and evidence of contrary practice of keeping most unlawfully or questionably acquired art and artifacts, which may undermine repatriation as customary international law.

First, relevant actors affected by questions of repatriation are not just states. This results in repatriation being an imperfect fit with the “state practice” element of customary international law. Titi argues that museums as state organs or non-state actors can contribute to state practice. Museums, even private ones, often take their cues from the state or encourage collaboration between museums and states in a facilitator function. For example, Titi references the collaboration between the Metropolitan Museum of Art and the Manhattan District Attorney’s Office regarding the 2022 return of 27 ancient Greek, Roman, and Egyptian artifacts. A departure from a strict review of state practice, Titi’s analysis demonstrates one method of addressing the growing importance of non-state actors in international law in relation to state practice.

Next, Titi addresses the overwhelming contrary practice: for the most part, states and museums want to keep the artifacts that they have in their collection. A common refrain from repatriation skeptics argues that repatriation would ultimately “empty museums” of their objects. Titi responds to this argument by questioning its premise, as neither state practice nor *opinio juris* support this argument. Titi demonstrates that museums limit repatriation in state practice to objects *unlawfully* acquired and to those of great cultural significance. Thus, maintaining permanent collections that include objects of cultural significance lawfully acquired, or objects unlawfully acquired without great cultural significance, do not necessarily constitute contrary practice, as parties often justify the retention of objects based on either of these factors. For example, the Rosetta Stone is not a unique stele to Egyptians; however, it contributed significantly to the deciphering of Egyptian hieroglyphs by 19th century scholars. Its retention by the UK, therefore, can be justified by its relative cultural significance in the UK. In other words, the mere retention of objects does not necessarily constitute evidence of contrary practice.

Finally, Titi takes an innovative approach to equity in customary international law by straightforwardly addressing individual justice as equity. Given the detailed historical and political context that Titi has put forth in her piece, consideration of these principles feels natural when considering custom. Titi argues that equity should function as a “gap-filling” and “corrective” function in situations where the customary international law legal framework is uncertain and should thus inform the UK’s understanding of custom. Titi makes a colorable argument as to the relevance of equity in evaluating custom and its relevance to the case of the Elgin Marbles. As customary international law is notoriously difficult to change, Titi frames equity as a means of narrowing the “gulf” between what the law is and what the law should be. As it relates to cultural heritage, Titi proposes a simple argument: viewing the circumstances of the present case, equity likely points towards return to the Greek people, given the dishonest and damaging conditions of removal, the at-times carelessness with which the British Museum treated the Marbles, and the cultural importance of the Parthenon to the Greek people. Titi’s proposal to focus on equity and individualized justice might seem contrary to the principle that customary international law by its very nature demonstrates merely what the law is based on current state practice. Yet Titi has already laid the foundation for the recognition of a customary international law principle for the repatriation of unlawfully taken, culturally significant objects such as the Elgin marbles. Her forthcoming consideration of equity

brings a refreshing perspective to an explicit consideration of justice and history in making determinations without sacrificing a legal framework.

Titi's *The Parthenon Marbles in International Law* makes a strong legal case for the return of the Elgin Marbles based on principles of customary international law. Despite this strong legal case, Titi asserts that diplomatic negotiations are the best way forward. Titi devotes relatively little time to this claim in comparison to her legal argument. Titi justifies this structure based on the flexibility of diplomatic negotiations compared to legal dispute resolution, and the success of diplomatic negotiations for other instances of repatriation, though concedes that negotiations over the Marbles have failed thus far. Nevertheless, Titi's legal consideration contributes to understanding the customary international law norm of repatriation of unlawfully acquired and culturally significant artifacts, and she provides lessons for evaluating customary international law in modern scholarship more broadly.

Pawned States: State Building in the Era of International Finance. By Didac Queralt. Princeton, New Jersey: Princeton University Press, 2022. Pp. v, 343. \$35.00 (hardcover).

REVIEWED BY VICTORIA WATSON

In *Pawned States*, Didac Queralt seeks to explore why variations in state capacity – defined as a state's institutional capabilities to implement policies benefiting its constituents – exist and persist. Queralt argues these modern discrepancies can be traced back to decisions about how to finance war during the “Bond Era” (1815-1914), the period between the Napoleonic Wars and World War I, characterized by conditions of pervasive sovereign lending, access to cheap capital, and interstate conflicts. Queralt's central thesis posits that rulers in the Global South and periphery who relied on external debt, rather than domestic resource mobilization, have lower levels of state capacity today. The reliance on external finance disincentivized these rulers from reforming their tax systems, eventually pushing them into debt traps in which they conceded sources of state revenue to foreign financiers as collateral for additional loans.

Queralt makes an ambitious, valuable contribution to state capacity literature by jointly analyzing the effects of debt and tax on state building trajectories through rigorous econometric models, original datasets, and selected cases. However, his arguments suffer from two overly generalized assumptions. First is his definition of state capacity

as a vague, normative concept. Second, he assumes that uniformity of political structures and incentives of rulers in the Global South was primarily shaped by short-term access to capital, while overlooking other factors. Ultimately, these assumptions mean that Queralt stops short of convincingly demonstrating how historical reliance on external finance continues to affect contemporary state capacity.

The book begins with two chapters of introduction, which serve to outline arguments, provide necessary historical background on the changing financial landscape of the Bond Era, and situate *Pawned States* within the broader state capacity literature. Queralt begins by effectively contextualizing how financiers from Britain, France, and Germany, flush with surplus capital from the Industrial Revolution, extended sovereign loans to the developing world: previously closed economies, newly independent states, and colonial dominions. These loans were structured as private contracts between the European financiers and foreign states, who used the money to fund war, infrastructure, and balance their budgets. However, these loans often resulted in default stemming from the foreign states' structural economic weaknesses or poor track records with international investors. In return for more capital, and in spite of extreme risks, rulers of borrowing states made staggering concessions to foreign financiers by effectively 'pawning' their national assets and sources of internal revenue as collateral. This dual dynamic of foreign interference and short-sighted pursuit of immediate capital, Queralt contends, can be directly linked to eventual state weakness.

While Queralt shows thoughtful and thorough engagement with existing state building scholarship, he notably departs from established theories by introducing normative attributes of state capacity. Namely, he opens the second chapter by contrasting 'strong and inclusive' states and those with 'irresponsive government' and 'a pile of external debt.' This framing implies a broader conceptualization of state strength beyond fiscal or tax capacity, yet Queralt does not clarify what additional dimensions or attributes would distinguish a weak state or, as he later mentions, a state in 'decay.' While he explains that tax capacity is critical to other pillars of state capacity, namely the monopolization of violence and legal capacity, he does not establish concrete metrics for evaluating these elements over time. This leaves readers to infer their own definitions of state strength, which creates ambiguity not answered in the book and detracts from the analytical precision of his argument. If anything, Queralt offers a theory of state *building* rather than state *capacity*.

Additionally, rulers of the Global South are reductively portrayed as uniformly driven by demand for capital at the expense of institutional strength, rendering them practically passive actors subservient to foreign powers. This characterization oversimplifies the motivations and constraints of these leaders, neglecting the presence and complexity of internal factors like domestic elites, governance priorities, or constituent pressure on their decision-making. Queralt also explicitly contrasts Global South rulers with those in Europe who were compelled to turn to domestic elites for loans due to the lack of available foreign capital, which necessitated power sharing and development of tax apparatuses. Queralt largely disregards similar elite dynamics in the borrowing countries, as well as any mentions of whether Global South states actively negotiated, resisted, or leveraged financial arrangements to serve their varying interests. Instead of focusing on these countries, Queralt devotes substantial time in chapters Three and Four to discussing how financial elites in England and, later, France and Germany attained higher government positions, connecting financial and imperial interests. While the discussion of England's role as Europe's sole financial center for much of the nineteenth century is vital historical background, the oversimplifications of Global South rulers omit social and political considerations that would enrich and better substantiate Queralt's thesis.

Notwithstanding the assumptions about rulers and state strength, subsequent chapters offer a compelling combination of quantitative analysis and qualitative case studies to illustrate the paths from the fiscal shock of war to different state building trajectories. In Chapter Five, to cast doubt on the benefits of foreign financial control on long-term state building, Queralt demonstrates how various receiverships did not facilitate tax reforms in either the Ottoman Empire or late-Qing China, incidentally the two powers that fell in the early twentieth century. The most cogent case studies that Queralt provides are of Japan, Argentina, Siam (Thailand), Ethiopia, and Chile in penultimate Chapter Nine. These cases serve to operationalize not only the datasets and models presented throughout the work, but also the interplay of domestic credit availability and colonialism with ample historical background for the reader to follow. In the cases of Ethiopia and Siam in particular, Queralt includes some welcome discussion of internal diplomatic shortcomings that contributed to state building outcomes that is missing from other areas of the book. In addition to these case studies, Queralt notably acknowledges that the nexus between war-making and state building is heavily critiqued as Western-centric. In response, he provides sufficient considerations of South American, African, broader

European, and Asian polities' involvements in warmaking, borrowing, and receiverships. One suggestion, though, would be to follow some of these cases into the twenty-first century to trace how different borrowing and state-building trajectories may or may not have evolved under modern pressures like globalization, shifting power structures, or newer financial institutions. This would allow Queralt to better highlight the divergence among states that shared similar initial conditions of external finance but experienced distinct outcomes in the long term.

One final yet important critique of the book is that it does not adequately connect Bond Era-practices to modern-day state capacity. Despite extensive data collection, modeling, and an acknowledgement of the limitations inherent in historical data, Queralt largely cuts off empirical analysis and leaves a lacuna for its modern applicability. For instance, in Chapter Seven, which is notably data-intensive, the analysis demonstrates that war had lasting consequences for all state building generally, at least through the twentieth century. However, the latest available data stops in 2005 and many other figures presented stop in the mid-1900s. By limiting the empirical scope, Queralt misses an opportunity to investigate whether the patterns he identifies persisted or whether other global developments have reshaped state building trajectories. Without these modern follow-ups, the contemporary relevance of his findings on warmaking or fiscal patterns remain speculative. This, in turn, weakens his main claim linking Bond Era borrowing practices to present-day state capacity.

These limitations further extend beyond data availability to a broader failure to engage with contemporary financial, legal, or political developments like global debt dynamics, treaty frameworks, or contractual mechanisms governing sovereign borrowing, to name a few. Issues included in the conclusory chapter, namely modern loan conditionality, foreign intervention, and the oil curse, are also not meaningfully examined in the book, leaving their introduction to look like an afterthought than an extension of the argument. Queralt does, however, acknowledge avenues for further research, including the relationship between state building with civil war finance or colonial public finance with political institutions. For legal scholars, the lack of a clear link between exploitative loaning practices of the past and sovereign lending of the present may provide areas for further scholarship. More specifically, the book raises critical questions about the long-term consequences of private lenders with minimal oversight, arbitral mechanisms, and external borrowing for war finance.

Overall, while *Pawned States* offers a compelling historical account, its impact would have been greater had it succeeded in more

thoroughly engaging with the longer-term financial and political realities that may have stemmed from the Bond Era. While, Queralt makes a commendable, nuanced exploration of debt, tax, and state building through robust research; nevertheless, the book could have benefitted from a more exacting definition of state capacity and more in-depth examination of the varying political structures of Global South states. Further scholarship would benefit from a more nuanced integration of historical and modern analysis, as well as broader engagement with case studies. Queralt's work nevertheless offers a solid foundation for research.

Daring to Struggle: China's Global Ambitions under Xi Jinping. By Bates Gill. New York, NY: Oxford University Press, 2012. Pp. 1, 308. \$29.60 (hardcover).

REVIEWED BY WILLIAM WENIK

In *Daring to Struggle*, Bates Gill tackles the monumental challenge of presenting a coherent framework for understanding China's motivations in the international sphere. Gill's thesis is that Chinese ambitions on the global stage are not obfuscated or deceptive but can be deigned from expressions of strategic intent by authoritative powers in China as well as their actual implementation in the world. Gill distills Chinese ambitions in the foreign policy realm into six fundamental drivers – legitimacy, sovereignty, wealth, power, leadership, and ideas – and devotes the book to identifying each of these motivators and ascribing certain foreign policy actions to specific drivers. While Gill does a wondrous job in simplifying an extraordinary complex topic into a digestible format, *Daring to Struggle* falters in both its applicability to the vastly changed world during the Trump administration, as well as its lack of differentiation between universal ambitions, such as security, with uniquely Chinese concerns like legitimacy of Party rule.

Over the course of six chapters, each addressing these individual motivators, Gill seeks not only to provide insight into the base motivators of Chinese foreign policy, but also to provide a current catalog of the Peoples Republic of China's (PRC) undertakings abroad. Finally, Gill provides a chapter detailing the headwinds and challenges that the PRC faces, which will seek to stymie an ever increasingly strident China in the world. Ultimately, Gill concludes that despite these challenges, the Chinese people will rise to the occasion, in line with Xi Jinping's oft-quoted refrain "dare to struggle, dare to win," and that China will

confidently assert itself across multiple spheres in forceful assertions of Chinese sovereignty.

Gill begins by providing a background on the period of strategic opportunity that confronted China in the wake of the Cold War, and the environment in which Xi Jinping cultivated power. The historical background, and personal insights into Xi Jinping's ideology, expounded on by Gill, are used to demonstrate the incubator in which these six key drivers were developed. The Chinese experience through the Century of Humiliation, Chinese Civil War, and internal tumult from the Cultural Revolution to the White Paper movement, led to concerns about legitimacy and sovereignty being extraordinarily strident to the Chinese state. Gill identifies the Chinese Communist Party's (CCP) need to maintain its role as the only legitimate representative of China in the world at large, and to its own people, as one of the primary impetuses for China's foreign policy actions. He then moves on to explain China's aggressive actions towards Taiwan, India, Japan, and even internally in Xinjiang, Tibet, and Hong Kong as being primarily reactions towards concerns about defending its own sovereignty.

Daring to Struggle then tries to explain China in terms of more universalist drivers. While legitimacy and sovereignty motivate the PRC's foreign policy objectives in manners unfamiliar to the West, the goals of wealth, military power, leadership, and ideology are shared by many countries, including democracies like the United States and European Union powers. While these drivers are more universal, the book does try to explain these motivators in the unique context of China. The author successfully describes the width and breadth of the PRC's attempts to assert itself militarily abroad and deepen its economic footprint through projects such as the Belt and Road Initiative. Beyond this, he points to the Asian Infrastructure Investment Bank, the BRICS dialogues, and the rapidly increasing GDP per capita of China as evincing both China's nascent wealth, as well as its attempts to build competing monetary institutions to the ones established under the US led Bretton-Woods arrangements. He also gives an overview of China's attempts to supplant the institutions of the so-called 'liberal rules-based order,' and to provide an ideological alternative to what the CCP perceives to be the ossified ideas of the Old World.

Gill concludes with an overview of the headwinds and challenges that will try to stymie and contain the ambition surrounding the drivers. Among these, Gill points to increasing regional cooperation between China's Southeast Asian maritime opponents, American outreach efforts to nations such as Vietnam and the Philippines, and tightened

US-led export restrictions as stymying China's progress. However, as America further succumbs to isolationist pressures, as evidenced in Europe, these 'headwinds' for China appear to be quickly dissipating. Beyond this, Gill points to issues such as demographic challenges, pushback from international organizations, and the built-in contradictions of China's one-party system as limiting the attractiveness of its ideology to the rest of the world. However, in the absence of an assertive world leader like the United States, it doesn't seem believable that these challenges can coalesce to a meaningful degree. However, Gill does point to a number of factors, most pointedly an ever-more fiercely independent Taiwan, a strengthening Australia, and overwhelmingly negative regional opinions of China, that will still give the CCP headaches, even in America's absence. Ultimately, it seems unlikely, that in a world in which the U.S. President constantly harangues its Pacific partners and treaty allies for perceived "bad deals", that the United States will seriously assert itself in the Indo-Pacific as is required to seriously constrain China's ambitions.

While China is an authoritarian, one-party state, it is hard to imagine that in a nation of over 1.2 billion inhabitants, with competing economic interests, regional disparities, and religious and ethnic differences, that the country is truly able to "speak with one voice" as Xi Jinping exhorts it to do. Gill's arguments give the impression that the country is entirely united in all aspects of its foreign policy efforts and draws an unbroken line from the Deng Xiaoping era's efforts to "hide and bide" its capabilities to the increasingly assertive China under Xi Jinping. For instance, the author describes China's efforts to work within traditional institutions, such as the World Health Organization and the United Nations, as well as to establish its own alternative institutions like the Asian Infrastructure Investment Bank. These efforts appear discordant, and rather than explaining these policy actions in terms of an internally discordant goal, Gill instead presents actions that do not seem to be harmonious as reflective of a wholly unified PRC. While the lack of countervailing narratives can be ascribed to concerns of length for the book, it would still be helpful to present alternative viewpoints within China's power structures for the reader's benefit.

Gill nevertheless succeeds in distilling the promulgated foreign policy objectives, at least as typified under the Xi Jinping reign, of a nation that consists of the world's largest military, a five-thousand-year long history, and \$17 trillion economy, into a mere 308 pages. While the book could have benefited from additional perspectives, the work is tremendously well-researched and provides accessible context into complicated issues that range across the gamut of social, political,

economic, and military issues. Beyond this, the author's ability to describe the unique political context of China in explaining its goals is tremendous. There is no doubt that *Daring to Struggle* is an intensely well-researched and presented overview of the mainstream conclusions regarding PRC's foreign policy objectives. Gill cites innumerable position papers from government sources and think tanks, as well as contemporary media publications from around the world. Additionally, his command of Mandarin allows him to draw critical insights into publications emanating from mainland China and to provide a degree of nuance into the typically stilted and inaccessible CCP promulgations that is lost on non-fluent researchers. Many of the citations of Chinese language materials come from either official state media sources or from speeches given at CCP functions such as the National Party Congress, which lends further legitimacy to Gill's arguments but also fails to capture internal debates within the CCP, or competing regional concerns. Despite this, Gill's ability to describe the unique political context of China is unparalleled. He successfully describes the CCP's quest for legitimacy in the eyes of its own people, a concern not reflected in the Western representative democracies, uniquely motivates the CCP in driving its actions abroad. Additionally, his interpretation of sovereignty's impact on the PRC's foreign policy, specifically within the context of the so-called 'Century of Humiliation' and the internal conflicts in Xinjiang, Tibet, and Hong Kong, provides key contexts to readers about uniquely Chinese motivators. Gill is a true expert, with decades of research and language experience, and this expertise bleeds through every page.

If there is one other aspect in which *Daring to Struggle* falters, it is in the fact that the predictive worldview of the book has failed to bear out. With the rise of the frenetic Trump administration, the book may no longer serve as an accurate descriptor of the foreign policy environment confronting China. Gill points to examples of China's curtailing of imports from Australia, Japan, and South Korea as exemplars of China's growing ability to throw its weight around economically to attain foreign policy wins. However, in recent years the PRC has abandoned these trade wars with neighbors, realizing it was inflicting more harm on its own consumers than it was inflicting on others. Likewise, the author points to China's efforts to throw its weight around militarily to intimidate Vietnam, Taiwan, Japan and the Philippines as indicating the PRC's increasing power. However, these nations do not seem cowed by China's efforts, with Taiwan electing another president from the pro-independence Democratic Progressive Party, and countries around the Indo-Pacific redoubling efforts to modernize their

militaries and increase interoperability with the United States military. Finally, the image presented of a global technologically and economically dominant China seems increasingly detached from reality. In the several years since the book's publication, the Chinese economy has faltered significantly, especially in comparison to the United States, demographic challenges are starker than ever, and apart from the highly publicized success of Deepseek AI, the PRC looks no closer to supplanting Silicon Valley as the globe's technology powerhouse.

Ultimately, the author does a fantastic job in simplifying extremely complex issues and presenting a coherent and unifying view of a nation that tends to mystify Western audiences. Gill's success is in clearly delineating the extent and rationale of Chinese desires and fleshing out a much more nuanced perspective on Xi's China than the boogeyman image presented in Western media. The chapters flow extremely well, and it is easy to discern the interplay between Gill's identified six drivers of policy as elucidating his overall thesis. Finally, the ultimate prospective utility of the book is hard to discern in a world which is radically altered from the one that existed at the time of publication. U.S. policy in the region, and towards its former allies, is increasingly fractious and appears to be subject to the whipsaw opinions of the President. At the same time, the imposing dragon set to supplant the U.S. as the world's hegemony appears no closer to achieving its goals than it did in 2022, and in fact appears to have regressed in a number of economic realms. *Daring to Struggle* is a succinct and well-organized descriptor of the PRC's foreign policy motivators, but it was written to describe a world that no longer seems to exist.

The Absolutely Indispensable Man: Ralph Bunche, the United Nations, and the Fight to End Empire. By Kal Raustiala. New York, NY: Oxford University Press, 2023. Pp. xxi, 661. \$34.95 (hardcover).

REVIEWED BY JUNIUS O. WILLIAMS

It is difficult to assess the quality of a biography without assessing the quality of its subject. Thankfully for international law expert Kal Raustiala, his task was made far easier by his choice to profile Ralph J. Bunche, one of the most inspiring political figures of the 20th century. Bunche, a scholar, diplomat, and international civil servant, led a rich career, largely at the United Nations. Through his comprehensive narration of Ralph Bunche's story, Raustiala details the history of the founding of the United Nations, the end of the colonial era, and the development of U.N. mediation and peacekeeping. Furthermore, he

deftly shows how the tensions that Bunche faced throughout his career—between Americanism and internationalism; pragmatism and radicalism; optimism and pessimism—are those that continue to animate the institutional and geopolitical dynamics of the United Nations itself.

Ralph J. Bunche was born in 1903 in Detroit, Michigan. Raised in a poor, Black family, he went on to attend the University of California – Los Angeles (UCLA), Howard University, and Harvard. His early academic work on colonial administration set the stage for a career as an advocate for and counselor to the newly independent states of the Global South. His dissertation compared the French administration of Dahomey (now Benin), a French colony, and Togoland, a mandate under the now-defunct League of Nations. In theory, the mandate gave natives more autonomy than colonial rule. But Bunche concluded, to quote Raustiala, that “France seemed to govern both territories much the same way; there was no real evidence that the mandate fared better than the colony.” This conclusion, on the basis of novel insights from an underexplored region, not only established him as one of America’s foremost experts on colonial administration in French West Africa, but also planted the seed for his ironclad anti-imperialist positions. Later in his life, as Eleanor Roosevelt asked whether decolonization was moving too quickly, he quipped: “When people are seeking freedom, they’re always impatient. And I think that’s good.”

After starting his career in academia, Bunche would go on to join the Office of Strategic Services (the erstwhile wartime intelligence unit of the United States) and then the State Department as an Africa expert. While on assignment with the State Department, he had a seat at the table at the Dumbarton Oaks and San Francisco conferences that would lead to the founding of the United Nations in 1945. He would shortly thereafter join the organization as an official in the Trusteeship Department, which facilitated the autonomy and eventual independence of certain colonial territories. Decolonization would become a central feature of Bunche’s work, particularly in the 1950s and 1960s, when he acted as “midwife” for the birth of many of the fledgling nations of Africa and Asia.

Yet it is Bunche’s other work that brought him most acclaim. Recognizing his intellect, charm, and work ethic, U.N. Secretary-General Trygve Lie deployed Bunche to mediate the Arab-Israeli conflict. From 1947-1949, he engaged with the intractable problem of Palestine, achieving in the winter of 1949 an armistice agreement between Israel and several of its Arab neighbors, notably Egypt and Jordan. For this

work, in 1950, Bunche became the first person of African descent to win the Nobel Peace Prize (or, for that matter, any Nobel Prize).

Soon, he would become a household name, and his profile at the United Nations would expand. He was deployed to mediate conflicts in Congo, Kashmir, and Cyprus, among other hotspots. In the wake of the Suez Crisis of 1956, he played a crucial role in operationalizing the United Nations Emergency Force (UNEF), which would serve as a precursor to today's U.N. peacekeeping operations.

By the time he died in 1971, Bunche had served as Undersecretary-General of the United Nations, one of the organization's most powerful officials and, arguably, its most well-known.

Raustiala presents Bunche's career in great detail. His biography is well-researched, relying significantly on Bunche's private archive, much of which now sits at UCLA. This and other primary source material allow Raustiala to paint a vivid picture of Bunche's high-stakes mediations, particularly between the Arabs and Israelis in Rhodes, Greece in 1949. Bunche kept meticulous and expressive notes and letters to his wife, which Raustiala uses to humanize this legendary figure. We see Bunche at his most tired (I am "weary of Rhodes, Jews, and Egyptians, and very homesick"), despondent (Congo "was a nightmare"), and angry ("that madman [Patrice] Lumumba is recklessly on the attack now ... against Dag [Hammarskjöld] and the UN").

Through this meticulous use of both Bunche's public and private statements to paint a more robust picture of his life, Raustiala analyzes the contradictions that informed Bunche's career and the postwar international order more broadly. Despite his official role as an international civil servant, he was an unofficial counselor to the American foreign policy establishment. Though he refused repeated offers to return to the State Department in a more senior position, Bunche regularly met with U.S. Presidents and Secretaries of State for over two decades. There is no doubt that he blurred—and arguably crossed—the lines between neutral international civil servant and State Department apparatchik. On one hand, this drew the ire of several member states, chief among them the Soviet Union. Bunche was conscious of this critique, preemptively recusing himself from several appointments in fear that his American nationality would jeopardize his effectiveness as a neutral, international civil servant.

Yet, on the other hand, his access to and respect from the American foreign policy elite made him an invaluable messenger to the Secretaries-General under whom he served, particularly U Thant, who benefited from Bunche's capacious understanding of both Turtle Bay and Foggy Bottom. Raustiala marshals evidence to show that Bunche

was not simply a stooge of the Washington establishment, as some of his leftist contemporaries would accuse him of being. Despite recalcitrance from Washington—and accusations from hawkish Congressional anticommunists that he had Marxist leanings—he actively encouraged speedy independence for African countries in the early 1960s. He supported the People's Republic of China's replacement of the Republic of China (Taiwan) on the Security Council, and he later more vocally criticized the U.S. invasion of Vietnam.

Nevertheless, Bunche was an American patriot through and through. This was most clearly articulated in his attitudes towards race, a set of positions towards which Raustiala demonstrates sensitivity. Indeed, the author's familiarity with the racial politics of the time—both in the United States and abroad—enlivens and nuances his discussion of the tightrope that Bunche walked between moderate pragmatism and militant radicalism.

Bunche was unequivocal in his view that Blacks should participate fully in the American experiment rather than abandon it. "As a Negro," Bunche wrote in 1954, "my demand is simple. I just want to be an American." He championed the Black civil rights struggle in the United States, though some critics argue that he did not go far enough in this regard. He would go on to criticize the more separatist actors, like the Nation of Islam, finding "contemptible a racialist approach by any Negro." In turn, as he became closely identified with the foreign policy establishment in Washington, these voices would come to condemn him as a mere token, one detached from the everyday plight of Black Americans (see Malcolm X, who described Bunche as a "black man who didn't know his history").

These critiques would deeply offend Bunche and were, largely, unwarranted. Though he disavowed some previously expressed Marxist views, the evidence Raustiala presents suggests that Bunche's geopolitical outlook was firmly undergirded by an understanding that the world was unjustly divided based on race. He observed that the United Nations existed to make change—"even radical change"—possible without violence, including in racially charged situations. Bunche would march with Dr. Martin Luther King, Jr. and serve on the board of the National Association for the Advancement of Colored People (NAACP). Later in his life, like King, Bunche would express disappointment at the slow pace of progress in the Civil Rights Movement and sympathy with the rioters in Watts in 1965 (the violence reflected "the deep dissatisfaction 'burning painfully inside every Negro in the country today)").

Even if the caricatures of Bunche as an unfailing disciple of the White establishment are overblown, he inevitably became a mascot of respectability. The contemporaneous debates around Bunche's position as a "first" and an "only" mirror many of those between today's leftists and the Black political class. In Reverend Jesse Jackson's later-retracted comments about Barack Obama (he's "acting like he's white") and the apathy that Kamala Harris received from some Black progressives in the 2024 presidential campaign, we see the same discussions around respectability, tokenism, and assimilationism that played out in Bunche's day.

Raustiala's shrewd analysis of the racial and geopolitical dynamics of the Cold War period is informed by his expertise in international law and politics. He is a law professor and political scientist at UCLA, Bunche's alma mater, and has written widely on the United Nations. This background allows him to ably provide an overview of some of the legal dilemmas that Bunche and his colleagues faced. Chief among these was the propriety of UNEF, the first peacekeeping force, under international law. The U.N. Charter makes no explicit reference to peacekeeping. Chapter VI addresses the "Pacific Settlement of Disputes," though this is silent on the means by which to achieve this settlement. Chapter VII, meanwhile, provides the bases under which the Security Council can authorize certain actions in response to breaches of international peace and security. Peacekeeping, however, is not explicitly mentioned as one of those actions.

Bunche and his colleagues referred to the unwritten mandate for peacekeeping as chapter "six-and-a-half" of the U.N. Charter. For UNEF, the Security Council did not authorize any actions under Chapter VII given the inevitable veto from Britain and France, two of the antagonists of the Suez Crisis. It was thus the General Assembly that passed a resolution calling for an "emergency International Force" to enter Egypt to supervise the cessation of hostilities. Without a Security Council mandate, the United Nations relied on Cairo's consent, which it ultimately received.

With the Charter just over a decade old, international law was actively being created. The "six-and-a-half" moniker stuck because "peacekeeping was a legal hybrid, development in the heat of the moment and ... accepted over time by the international community." This would become especially relevant in Congo, where Bunche led mediation efforts between the central government in Kinshasa and separatists in Katanga. The mission in Congo "tested the bounds of what was acceptable in peacekeeping," even with Security Council authorization, according to Raustiala. This dilemma remains relevant today, as

the expansion of the mandate of the peacekeeping mission in Mali (MINUSMA) and its subsequent dissolution in 2023 illustrate. Understandably, since he has written the book for the layperson, Raustiala does not address these international legal issues in depth. However, it would have been helpful to expound a bit more on these issues and their contemporary relevance.

Raustiala's exposition could also use more description of Bunche's intellectual development over time. He mentions that Bunche read the work of colonial writers, like Lord Frederick Lugard, ahead of his dissertation fieldwork in French West Africa, and that he studied under Polish anthropologist Bronislaw Malinowski for his postdoctoral studies. However, Raustiala's analysis would be further enriched by more discussion of his intellectual muses even after he left the academy. He writes of Bunche's "relatively tenuous ties to the world of ideas," but this is hard to believe given his prodigious, original scholarship in the late-1930s and the headiness of the work he undertook, even if Bunche did not have time for daily leisure reading due to his grueling schedule. Put simply, we get a clear sense of who Bunche inspired, but less so of who inspired him.

Where Raustiala's picture of Ralph Bunche falls shortest is in its cursory treatment of his personal life. The author is forthcoming in his foreword: "I only spend enough time on [Bunche's] childhood and family life to give context and texture to his impact on the postwar world." Yet in my view, the time he does spend on these dimensions of Bunche's life is simply insufficient. Though Raustiala does a masterful job pulling from Bunche's letters to his wife, Ruth, we seldom hear her replies. This gives the impression that Bunche engaged in monologues, for she and other members of his family feel more like footnotes than central characters. Even acknowledging Raustiala's disclaimer—and that other authors, like Brian Urquhart, Bunche's confidante and colleague, have written more about his personal life—we are still left with a somewhat one-sided treatment of this crucial dimension of his journey.

Nevertheless, despite these deficiencies, Raustiala's biography inspires and provokes. It also casts light on the shifts in global politics that have occurred since World War II. It is hard to imagine today an international civil servant achieving the level of fame and household recognition that Bunche enjoyed, especially in the United States. He described in a 1945 speech the "full development of the International Mind or Will" as a solution to global conflict. He was an avowed globalist, an ideology which, after the horrors of two world wars was widely embraced. And, despite allowing his American patriotism to sometimes

push him over the line in terms of diplomatic protocol and propriety, he was staunchly committed to the success of the United Nations, to which he devoted most of his adult life.

Eighty years since the creation of the United Nations, one wonders where this spirit of internationalism has gone. Isolationism and tribalism, the forces Bunche spent his life trying to fight against, are on the rise. Although one leaves Raustiala's biography feeling inspired by Bunche's legacy, one cannot help but also feel that it is an elegy for a bygone era. It should remind us that the central challenge of our century will be to reclaim and rekindle the internationalist ideals that Bunche embodied to save humanity from what is yet to come.