

Jeff Handmaker, Karin Arts, eds.. *Mobilising International Law for "Global Justice"*.
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The field of critical international legal studies has long sought to examine and reveal the problematic normative underpinnings of international law and the adverse consequences of various features of the international legal system. Among the most prominent scholars in this field is Martti Koskenniemi, whose influential work deconstructing the liberal bases of contemporary international law and grappling with the question of authority has had considerable influence on this approach to studying international law.[1] This new collection of essays, edited by Jeff Handmaker and Karin Arts, seeks to leverage Koskenniemi's work to provide new insights into the politics of international law and how the law can be deployed more effectively to realize global justice.

The aim of this edited volume is to demonstrate how invoking different "legal vocabularies" can more effectively "mobilize international law for global justice," while, true to form for critical scholarship, also revealing numerous inconsistencies within the global liberal legal order (p. 16). The volume is thus organized in three separate parts that each seek to explore from different vantage points how international law can help realize justice. The first part (chapters 2-4) lays the theoretical groundwork and begins with a chapter by Koskenniemi, which sets the stage for the volume as a whole and to which all subsequent chapters

make reference. The second part (chapters 5-7) examines how international law has been utilized by global actors to address political problems, and how the new vocabularies in international law that have emerged to facilitate this have given rise to various challenges such as enforcing the global children's rights regime, combating foreign-based corruption, and implementing the "Responsibility to Protect" (R2P). The third and final part (chapters 8-10) of the volume looks at how international law has resonated among local and municipal governments in the quest to realize justice, focusing specifically on human rights.

The three chapters that comprise the first part of the volume build from Koskenniemi's notion of the "competing vocabularies" of international law, international politics, and international justice, whereby Koskenniemi argues that realizing justice is neither inherently political nor legal, but depends on the frame or vocabulary one adopts, which apply in different contexts. Only through what he calls the "politics of re-description"—that is, by re-describing events or developments using these different vocabularies in order to understand them from many perspectives (p. 44)—is it possible to advance justice.

The following chapter, by Warner Ten Kate and Sarah Nouwen, applies Koskenniemi's concept of re-description to politics at the Interna-

tional Criminal Court (ICC), which is used to explain why some voices are amplified and others are silenced in ICC discourse. Similarly, chapter 4, by Claudia Saba, examines how different actors adopted the discourse of international law to either justify or condemn the so-called Freedom Flotilla of activists who sought to breach the Israeli-imposed blockade of Gaza. According to Saba, the fact that activists were able to leverage international law to justify their humanitarian actions toward the Palestinians, while Israel continued to use legal arguments to justify their blockade, illustrates what Koskeniemi calls “the indeterminacy of international law” (pp. 65, 85).

The chapters in the volume’s second part shift gears to focus on new vocabularies in international law that are leveraged to address political problems. Maja Groff’s chapter (chapter 5), however, seeks to defend international law from the claim (made famous by Koskeniemi) that it is largely an “apology” for the exercise of state power,[2] instead arguing that developments like the 2007 Hague Convention on Child Support provide concrete international legal remedies for private individuals whose needs would otherwise be left unmet. On the other hand, as Abiola Makinwa’s chapter on global corruption (chapter 6) argues, the lack of a coherent set of rules and regulations to help guide the efforts to address foreign-based corruption suggests that there are several different conceptual “boxes” emerging, resulting in the sort of fragmentation that Koskeniemi laments and leading to different countries adopting different standards of compliance.

Mark Kersten’s chapter likewise adopts Koskeniemi’s “apology and utopia” framework to understand the relationship between the ICC and R2P in light of the 2011 Libya intervention. He suggests that both the ICC and R2P share a common “utopian” cosmopolitan vision that seeks to elevate the individual over the state, but that the relationship of both to the UN Security Council essentially undermines both, as illustrated by the

case of Libya. This places both the ICC and R2P in a struggle between utopian cosmopolitanism and the apology for power politics.

The third and final part of the volume examines domestic efforts to utilize global rules and norms to realize justice at home, or, in the case of chapter 8, by Aisling O’Sullivan, how global rules can be used by domestic institutions to promote global justice. Specifically, this chapter looks at the debate over trying individuals *in absentia* under the principle of universal jurisdiction, which was in part addressed by the International Court of Justice in the 2000 *Arrest Warrant* case. For O’Sullivan, the legal debates over these issues may ultimately be irresolvable due to the law’s indeterminacy.

Chapters 9 and 10 focus broadly on compliance with human rights principles, both illustrating that an appreciation of the politics of human rights is essential to realizing them in practice. Jasper Krommendijk’s chapter seeks to explain the Netherlands’ recent behavior with regard to the Convention on the Rights of the Child, concluding that the impressive measures taken by the Dutch in this regard are a result of the extensive mobilization of domestic actors around these issues, using international standards to back up their claims in domestic political settings. Chapter 10, by Barbara Oomen, looks at the phenomenon of cities adopting global human rights standards in their own municipal codes, seeing this as promising development in transcending the state-based conceptions of compliance that prevail today.

Together, these chapters do an impressive job of marshaling insights from the field of critical legal studies, and specifically the work of Koskeniemi, to illustrate how an effective engagement with the politics of international law is indispensable to any attempt to leverage it to realize global justice. This dialectic between law and politics, of course, has been one of the main themes of Koskeniemi’s scholarship for decades, so it is

hardly surprising that an edited volume inspired by his work would collectively endorse it. Even so, the chapters do have much of interest to say about the relationship between law and politics, both as vocations and as objects of study.

Yet for a book about mobilizing international law for global justice, the chapters had surprisingly little to say about global justice—what it is, where it comes from, and how we know when something is just or unjust. Both the introduction and conclusion acknowledge how such a concept is “elusive” and point out some problems with commonly invoked conceptions of justice (e.g., Rawlsian). But the reader is never offered an alternative conception of justice that international law is supposedly being mobilized to achieve. As critical scholars, the editors certainly realize the cultural embeddedness of “justice” makes it an impossible universal standard, so it is curious that the book is framed in terms of global justice at all, given the universalist and imperialistic pretensions such a concept entails.

A definite strength of this volume is its organization around the scholarship and insights of Martti Koskenniemi and specifically how he conceptualizes the relationship between international law and politics. The individual chapters are also very well researched, tightly argued, and refreshingly coherent with one another, unlike many edited volumes on the market. This volume is clearly intended for scholars and more advanced students of international law and relations and will be of most use to those who are well versed in critical legal studies, but it could also serve as an introduction to the work of Koskenniemi. Yet anyone studying the relationship between international law and politics will find much of interest in this very thoughtful set of essays.

Notes

[1]. For example, Martti Koskenniemi, *From Apology to Utopia: The Structure of International*

Legal Argument (Cambridge: Cambridge University Press, 2006).

[2]. Ibid.

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