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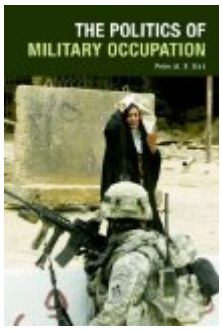
Peter M. R. Stirk. *The Politics of Military Occupation.* Edinburgh: Edinburgh University Press, 2012. 272 pp. $37.50, paper, ISBN 978-0-7486-4484-1.



Reviewed by Aaron Sullivan

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Commissioned by Margaret Sankey (Air University)

The last decade has brought the concept of military occupation and its political implications to the forefront of the American mind. The line between occupying and conquering, the role of military government, and the legitimacy of enforced constitutionalism have become topics of regular conversation. The time was thus ripe for the publication of Peter M. Stirk's *The Politics of Military Occupation* in 2009 and Stirk's book remains timely and insightful in its new, paperback edition. Works such as this one promise to bring refinement to our voluminous, but often ill-defined, discussions on the occupations of the recent, and not-so-recent, past.

One of Stirk's most useful contributions is to carefully define "military occupation" and identify it as a specific concept that emerged at a particular time and for particular reasons, rather than a vague reality that occurred where and whenever the military exerted its influence over civilians. His attempts at definition are, like all his endeavors in this work, nuanced and complex, with the most comprehensive appearing in the second chapter, in which Stirk states that military occupation "may be provisionally defined as a form of government imposed by force or threat thereof that establishes a type of mutual obligation between occupier and occupied, but without bringing about any change in allegiance" (p. 45). This concisely captures the elements that set Stirk's understanding of the concept apart from many others, namely, that "military occupation" is fundamentally distinct from conquest, that it is not merely a matter of de facto control but necessarily involves normative conceptions of obligation for both the occupiers and those occupied, and that it may be analyzed as a form of government with a politics all its own.

In stressing the difference between occupation and conquest, Stirk follows Eyal Benvenisti's *The International Law of Occupation* (1993), and like Benvenisti he traces the emergence of this crucial distinction back to the early nineteenth century. Stirk's analysis of the concept's evolution is thorough and thoughtful, stressing the wars of revolutionary and Napoleonic France, the Ameri-

can Civil War, and particularly the Hague Resolutions of 1907. Consequently, Stirk's book breaks company with such works as Eric Carlton's ***Occupation: The Policies and Practices of Military Conquerors*** (1992) which takes a broader view and finds military occupations even in the ancient world. The distinction Stirk draws is a useful one, though if accepted, it leaves one grasping for a proper descriptor of military government over captured regions prior to the late eighteenth century.

Stirk's latter chapters are his most provocative, delving into the issues of what obligations civilians owe to occupation forces, the nature of justice under military occupation, and the legitimacy of regime change. Throughout, Stirk engages with normative conceptions of what outcomes are desirable rather than merely exploring the practical consequences of different approaches. Nonetheless, he avoids any glassy-eyed idealism, suggesting that while justice under occupation is always the occupiers' justice it is nonetheless sometimes the only alternative to no justice at all, and that in cases where local government has been wholly undermined, the imposed constitutionalism inherent in regime transformation may be the only means of bringing the occupation to an end. He is, throughout, sensitive to the distinction between the rhetoric of occupiers and the reality of life under occupation.

Each chapter is, to a great degree, made up of a long series of examples and sample cases pulled from the occupations of the last two centuries and including the recent U.S. occupation of Iraq. This breadth creates the potential for some insightful comparisons and strongly emphasizes the complexity of the concept as it has been understood by various political and military leaders. Unfortunately, it also occasionally threatens to overwhelm the reader. Stirk does not provide a framework or system of categorization for the various theories and behaviors he describes, and this makes it difficult to see how one example speaks to another. The lack of structure is particularly problematic in the chapters on the forms of military government and the role of civilian governors. A breakdown of several basic archetypes of military government, for example, would have provided a useful point of reference for understanding the many cases Stirk describes.

The early chapters of ***The Politics of Military Occupation*** should be read by anyone writing on occupation or military government. Whether one chooses to adopt Stirk's definition or not, his emphasis on the need for a precise understanding of the concept and his efforts to develop one are salutary. The book as a whole will be particularly valuable to those seeking a broader understanding of the governmental, diplomatic, and moral challenges raised by military occupation. It is clear from Stirk's writing that, almost without exception, the forces of occupation have been unprepared for the number and nature of problems they faced. The middle and latter chapters will be less useful for scholars looking for a description of developments over time in occupation law and government or hoping to compare specific instances of military occupation. Stirk's book is neither organized nor, it seems, intended for that kind of study.

Nonetheless, ***The Politics of Military Occupation*** remains a useful addition to the relatively small collection of titles that offer focused historical analysis of an important, and increasingly relevant, aspect of military history.

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