the crucial question of enforcement, and they must likewise discuss, with equal comprehensiveness and precision, the strengths and weaknesses of the whole panoply of enforcement mechanisms that might be available. As such, Cameron and Chetail are to be lauded for their extraordinary efforts to clarify the international law framework to be applied to PMSCs, even though one might wish they had gone further to consider creative and innovative new ways that international law enforcement is evolving in the twenty-first century.

LAURA A. DICKINSON
The George Washington University Law School

Interdisciplinary Perspectives on International Law and International Relations: The State of the Art. Edited by Jeffrey L. Dunoff and Mark A. Pollack. Cambridge, New York: Cambridge University Press, 2013. Pp. xv, 680. Index. $125, cloth; $44.99, paper.

Two distinct disciplines—international relations (IR) and international law (IL)—have been working in parallel to show how international legal institutions affect human behavior. In the past twenty-five years, varied efforts have brought IR and IL together through collaborations in scholarship, the trading of ideas, and the formation of new journals open to crossing the divide. Yet even when studying many of the same phenomena, the two fields often seem unaware of insights on the other side of the disciplinary divide.[1] That synopsis is the main message from this magisterial new book, *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art*, edited by Jeffrey Dunoff, of Temple University's Beasley School of Law, and Mark Pollack, of Temple University's College of Liberal Arts. It is a fresh and welcome look about how the two disciplines might cooperate better.

That "divide" between these disciplines (p. 11), explain Dunoff and Pollack, is rooted in three factors. The first is theory. While there have been forays into each other's side, both sides of the divide remain heavily influenced by caricatures of the other. Many scholars of IL still seem to believe that IR is all about realism, even though IR moved far beyond that theory with many different perspectives years ago. IR has become an increasingly problem-driven discipline, no longer centrally focused on theoretical wars against a simplistic "realist" view that state power determines all matters of international affairs. Gross ignorance is even more widespread in IR, where many scholars wrongly see IL as dominated by doctrinal disputes and not animated by any theory of how law works—even though the study of IL is much richer than doctrine and has greatly transformed to embrace a rich array of theories about the influence of law. Both fields have evolved in ways that bring considerable overlap, but neither side seems adequately aware of the synergies between IR and IL.

The second potentially more serious source of division is epistemological. The two fields differ over the origins, limits, and validity of knowledge. Mainstream political science has moved to positivist methods focused on causality and external validity. Law, by contrast, is both more diverse in approach and less self-aware. Positivism is present and growing but is far from the mainstream, and many in the IL community still resist its application to legal scholarship. But the reality is that the "scientific" turn in the social sciences does not map neatly onto the divide. There are plenty of political scientists and lawyers in both camps. The theme of *Interdisciplinary Perspectives* is heavily oriented around how modern scientific methods can identify and test theories about institutional design, judicial behavior, and other such topics in both fields.

Third are competing conceptions of law. IR often assumes that the central role of law is instrumental: it is a contract that gets things done and that works by altering material incentives. Actors behave purposively to pursue their interests, and the role of law is to change the costs and benefits of different actions. Sanctions and other forms of

[1] For similar perspectives, see Kenneth W. Abbott, *Modern International Relations Theory: A Prospectus for International Lawyers*, 14 YALE J. INT'L L. 335 (1989); Emilie M. Hafner-Burton, David G. Victor & Yonatan Lupu, *Political Science Research on International Law: The State of the Field*, 106 AJIL 47 (2012).

enforcement thus loom especially large as a topic for IR and have become a central focus of scholarship. Lawyers have always seen law as different—as something with an internal capacity for moral obligation, not just external material incentives. Law has a deep normative dimension, and the role of sanctions is, if anything, a vibrant source for debate inside the legal community and hardly the central feature of law.

To this list of three factors that may contribute to a disciplinary divide, we would also add focus and audience. Most political-science scholarship within IR is focused on organizational questions such as how states cooperate to manage collective problems like environmental pollution. IL, for most political scientists, is just one of many forces at work. By contrast, scholars trained in IL have understandably been inclined to focus more squarely on the law itself. The audiences also differ. Most political-science research is written for graduate students in training for careers in academic political science and other like-minded scholars, but the audience for the writings of legal scholars working in IL is a more diverse array of legal professionals and policymakers. Such differences in objectives and audiences help explain why scholars from these two fields often study similar phenomena but utilize quite different research questions, methods, and findings.[2]

The strength of this edited book is the sheer breadth of the coverage and the diversity of the authors. It starts with two introductory chapters that set the stage and ends with two final chapters that draw out conclusions. In the middle are twenty-two sophisticated chapters—organized into four parts: "Theorizing International Law," "Making International Law," "The Interpretation and Application of International Law," and "Enforcement, Compliance, and Effectiveness,"—that examine important topics such as legitimacy, flexibility, enforcement, and compliance. Any effort to call out particular chapters would do injustice to the unmentioned, for the overall level of quality is strikingly high. Nonetheless, we highlight a few as particularly notable.

Andy Moravcsik's chapter, "Liberal Theories of International Law," opens a window into the thinking by political scientists about how the interests of individuals and social groups might affect the content of law and vice versa. The liberal perspective is important because one of the most important frontiers for research is how these varied interests affect what governments do and how groups in different countries work transnationally. For years people have criticized political scientists for focusing too much on states and treating governments as black boxes; liberal theory, among many other fronts, is where the field is actually toiling. It serves as a useful backdrop for research on how different interest groups might engage in self-regulation and use IL to advance their goals.[3] It is also the most interesting route for scholars who study international affairs to profit from collaboration with political scientists and economists who study lobbying and other mechanisms that organized interest groups use to advance their goals within and across countries.

Also notable is Larry Helfer's chapter, "Flexibility in International Agreements." Governments use international agreements—and make choices among them—to manage the risks associated with international cooperation. But creating flexibility has in some important cases had consequences quite different from what the law's drafters ever intended. Institutional proliferation, explains Kal Raustiala ("Institutional Proliferation and the International Legal Order"), has created similar tensions, as the sheer density of legal institutions creates both conflict and competition among systems that have big implications for world politics.

Interdisciplinary Perspectives also includes scholarship that points to interesting new lines of legal research, such as the chapter by Abraham Newman and David Zaring entitled "Regulatory Networks: Power, Legitimacy, and Compliance." Social networks are one of the most exciting areas of new research in the social sciences, and incorporating them into scholarship on the law offers

[2] For a more detailed discussion, see Hafner-Burton, Victor & Lupu, *supra* note 1.

[3] *See also* TIM BÜTHE & WALTER MATTLI, THE NEW GLOBAL RULERS: THE PRIVATIZATION OF REGULATION IN THE WORLD ECONOMY (2011).

potentially huge new insights.[4] One of Newman and Zaring's arguments is that these networks affect whether and how legal norms are seen as legitimate. The role of legitimacy in explaining the power of law is a theme that has now emerged from many different social scientific disciplines—a point also explored by Jutta Brunnée and Stephen Toope ("Constructivism and International Law"), Ian Johnstone ("Law-Making by International Organizations: Perspectives from IL/IR Theory"), Dan Bodansky ("Legitimacy in International Law and International Relations"), and others throughout the volume.

One of the most fruitful areas of interdisciplinary research on law has focused on the behavior and impact of judges. Chapters by Erik Voeten ("International Judicial Independence") and Lisa Conant ("Whose Agents? The Interpretation of International Law in National Courts") look at whether and how judges are truly independent. International judges, as Voeten notes, are particularly concentrated in the dense international network of European international law—notably in the field of human rights. The judges differ considerably in the extent to which they would like their court to act independently and to be at least in part a reflection of the desires of the governments that appoint them. Conant's study looks at the interaction between international norms and national judicial behavior and offers a promising direction for future empirical work since so much of the practical influence of IL is mediated by how law is interpreted and applied within nations. This kind of work is rich in conceptual insights and empirical sophistication. Those same approaches can now be applied in other areas of adjudicatory behavior, such as the rapidly developing field of research on investment arbitration.

Political scientists and international lawyers have had a long—although not always particularly fruitful—debate over what explains the apparently high levels of compliance with international accords.[5] Is high compliance evidence that law actually works, or does it merely reflect that treaty negotiators are good at moving the goalposts to ensure that almost all countries can comply almost all the time? Lisa Martin's chapter, "Against Compliance," offers a compact and much-needed review of the debate and wisely suggests that we put this question behind us. For empirical research, compliance is the wrong variable to explain since it is a function of the standards that are set as well as behavior. Much more fruitful is to unpack exactly how particular legal obligations and institutions influence the actual behavior of individuals and organizations.

A work like *Interdisciplinary Perspectives* offers a valuable opportunity to take stock of what has been learned. In many places the insights are uncomfortable. One of the central claims by the editors is that the "terms of trade" between the disciplines are "highly unequal" (p. 10) and that the imbalance is a big problem for the state of these two disciplines. The field of IR is increasingly contributing to IL by looking at legal questions such as what explains the patterns of legalization,[6] how different legal mechanisms such as derogations are actually used in practice,[7] or what the impact of law is on actual behavior,[8] even though IR scholars are often insufficiently versed in legal machinery.

[4] For a review of the social networks literature in IR, see Emilie M. Hafner-Burton, Miles Kahler & Alexander H. Montgomery, *Network Analysis for International Relations*, 63 INT'L ORG. 559 (2009); *see also* Yonatan Lupu & Erik Voeten, *Precedent in International Courts: A Network Analysis of Case Citations by the European Court of Human Rights*, 42 BRIT. J. POL. SCI. 413 (2012).

[5] *See* Abram Chayes & Antonia Handler Chayes, *On Compliance*, 47 INT'L ORG. 175 (1993); ANDREW T. GUZMAN, HOW INTERNATIONAL LAW WORKS: A RATIONAL CHOICE THEORY (2008); JACK L. GOLDSMITH & ERIC A. POSNER, THE LIMITS OF INTERNATIONAL LAW (2006).

[6] *See* Judith Goldstein, Miles Kahler, Robert O. Keohane & Anne-Marie Slaughter, *Introduction: Legalization and World Politics*, 54 INT'L ORG. 385 (2000); Kenneth W. Abbott & Duncan Snidal, *Hard and Soft Law in International Governance*, 54 INT'L ORG. 421 (2000).

[7] *See* Emilie M. Hafner-Burton, Laurence R. Helfer & Christopher J. Fariss, *Emergency and Escape: Explaining Derogations from Human Rights Treaties*, 65 INT'L ORG. 673 (2011).

[8] *See* THE IMPLEMENTATION AND EFFECTIVENESS OF INTERNATIONAL ENVIRONMENTAL COMMITMENTS: THEORY AND PRACTICE (David G. Victor, Kal Raustiala & Eugene B. Skolnikoff eds., 1998); George W. Downs, David M. Rocke & Peter N. Barsoom, *Is the Good News About Compliance Good News About Cooperation?*, 50 INT'L ORG. 379 (1996); Emilie

Law, with a few exceptions, has not engaged as deeply with the work on legal institutions done by political scientists. Instead, efforts by IR scholars to bridge the divide—reminiscent of those featured in this book—have created a backlash within an important segment of the IL community that does not welcome the dialogue.

Looking forward, we are less pessimistic than Dunoff and Pollack about the terms of trade between the disciplines for at least two reasons. First, over the last two decades, the quality of conceptual and empirical research on international legal issues has improved dramatically.[9] The best of IR, for example, long ago moved beyond broad and abstract debates over the "isms"—such as realism and constructivism—to look much more closely at the designs of particular institutional features and their practical impacts on behavior. In fact, this volume illustrates many of those more focused advances, such as those relating to flexibility, soft law, decentralized "complexes" of legal institutions, and enforcement mechanisms. The field of IL, meanwhile, has become vastly more interdisciplinary, with a growing number of scholars holding joint JD-PhDs in the social sciences. Tremendous progress has been made in defining key concepts, developing theories to explain cause and effect, and applying sophisticated empirical methods to test hypotheses.

Second, we suspect that these two disciplines will increasingly benefit from what other fields of science have done long ago: working in teams across boundaries on questions that intrinsically require collaboration. Research by political scientists is now looking at questions surrounding how legal institutions actually function. And IL scholars are gaining from the sophisticated methods for empirical research and for testing of hypotheses that have emerged from political science and other social sciences that desperately need more expertise on the law.[10] Among the many illustrations of these gains from trade is the chapter by Kenneth Abbott and Duncan Snidal entitled "Law, Legalization, and Politics: An Agenda for the Next Generation of IL/IR Scholars" —a long-standing collaboration across the disciplinary divide—that takes stock of what has been learned as the two disciplines study legalization.

Though we are less pessimistic about the terms of trade, we are also mindful that there are, and likely will remain, areas where few benefits will be realized from crossover. IR is fundamentally about how international institutions such as law interact with other factors like power, norms, and domestic politics. Thus, much of IR will never put law in a prized place. Similarly, important legal research about the profession and doctrine is unlikely to be of much interest to most political scientists (nor will political science offer much to those fields). Nonetheless, scholars on both sides of the divide can help break down the barriers where they need not exist—starting with better communication. Political science has notably embraced a wide array of fancy new methods, but the leading studies that deploy these techniques are barely comprehensible outside a narrow group.

The main shortcoming of this new edited book derives from the size and diversity of the effort. There is so much to learn from reading this book's twenty-six chapters that it is hard to grasp all of the study's central messages and their practical implications. The perspective is so broad that it does not chart a clear course to a practical research agenda on either side of the divide. Even so, a book of this

M. Hafner-Burton, *Trading Human Rights: How Preferential Trade Agreements Influence Government Repression*, 59 INT'L ORG. 593 (2005); EMILIE M. HAFNER-BURTON, MAKING HUMAN RIGHTS A REALITY (2013); BETH A. SIMMONS, MOBILIZING FOR HUMAN RIGHTS: INTERNATIONAL LAW IN DOMESTIC POLITICS (2009); Edward D. Mansfield, Helen V. Milner & B. Peter Rosendorff, *Free to Trade: Democracies, Autocracies, and International Trade*, 94 AM. POL. SCI. REV. 305 (2000); MICHAEL TOMZ, REPUTATION AND INTERNATIONAL COOPERATION: SOVEREIGN DEBT ACROSS THREE CENTURIES (2007); CHRISTINA L. DAVIS, WHY ADJUDICATE? ENFORCING TRADE RULES IN THE WTO (2012).

[9] *See* Hafner-Burton, Victor & Lupu, *supra* note 1; Gregory Shaffer & Tom Ginsburg, *The Empirical Turn in International Legal Scholarship*, 106 AJIL 1 (2012).

[10] *See* Kal Raustiala & Anne-Marie Slaughter, *International Law, International Relations and Compliance*, *in* HANDBOOK OF INTERNATIONAL RELATIONS 538 (Walter Carlsnaes, Thomas Risse & Beth A. Simmons eds., 2002); Laurence R. Helfer & Erik Voeten, *International Courts as Agents of Legal Change: Evidence from LGBT Rights in Europe*, 68 INT'L ORG. 77 (2014); Hafner-Burton, Helfer & Fariss, *supra* note 7; Abbott & Snidal, *supra* note 6.

length and sophistication—involving so many leading scholars from such different viewpoints all talking about the same phenomenon—is evidence that the scientific study of IL has matured on both sides. It is a topic that commands the attention of leading scholars and has spawned a rich set of new focused research questions.

EMILIE M. HAFNER-BURTON
University of California, San Diego

DAVID G. VICTOR
University of California, San Diego

BOOKS RECEIVED

International Law—General

Académie de Droit International. *Recueil des Cours: Collected Courses of The Hague Academy of International Law (Vol. 362, 2012).* Leiden: Martinus Nijhoff, 2014. Pp. 394.

Académie de Droit International. *Recueil des Cours: Collected Courses of The Hague Academy of International Law. (Vol. 363, 2012).* Leiden: Martinus Nijhoff, 2014. Pp. 453.

Académie de Droit International. *Recueil des Cours: Collected Courses of The Hague Academy of International Law (Vol. 366, 2013)*. Leiden: Brill Nijhoff, 2014. Pp. 405.

Alland, Denis, Vincent Chetail, Olivier de Frouville, and Jorge E. Viñuales (eds.). *Unity and Diversity of International Law: Essays in Honour of Professor Pierre-Marie Dupuy*. Leiden: Martinus Nijhoff, 2014. Pp. xiv, 1007.

Barton, John H. *International Law and the Future of Freedom*. Stanford: Stanford University Press, 2014. Pp. xii, 266. Index.

Foakes, Joanne. *The Position of Heads of State and Senior Officials in International Law*. Oxford: Oxford University Press, 2014. Pp. xxv, 228. Index.

Kratochwil, Friedrich. *The Status of Law in World Society: Meditations on the Role and Rule of Law*. Cambridge, UK: Cambridge University Press, 2014. Pp. xvi, 302. Index.

Marshall, David (ed.). *The International Rule of Law Movement: A Crisis of Legitimacy and the Way Forward*. Cambridge, MA: Harvard Law School Human Rights Program, 2014. Pp. xxiii, 308.

Neves, Marcelo. *Transconstitutionalism*. Oxford: Hart Publishing, 2013. Pp. xxiv, 220. Index.

Ryngaert, Cedric, and Math Noortmann (eds.). *Human Security and International Law: The Challenge of Non-State Actors*. Cambridge, UK: Intersentia, 2014. Pp. xii, 203.

Thirlway, Hugh. *The Sources of International Law.* Oxford: Oxford University Press, 2014. Pp. xxi, 239. Index.

International Economic Law & Relations

Bernstein, Lisa, and Francesco Parisi (eds.). *Customary Law and Economics*. Cheltenham, UK: Edward Elgar, 2014. Pp. xv, 761.

Brummer, Chris. *Minilateralism: How Trade Alliances, Soft Law and Financial Engineering Are Redefining Economic Statecraft.* New York: Cambridge University Press, 2014. Pp. vii, 219. Index.

Cremona, Marise, Peter Hilpold, Nikos Lavranos, Stefan Staiger Schneider, and Andreas R. Ziegler (eds.). *Reflections on the Constitutionalisation of International Economic Law: Liber Amicorum for Ernst-Ulrich Petersmann*. Leiden: Martinus Nijhoff, 2014. Pp. xiv, 622.

Lamy, Pascal. *The Geneva Consensus: Making Trade Work for All*. Cambridge, UK: Cambridge University Press, 2013. Pp. x, 202. Index.

International Tribunals

Hillebrecht, Courtney. *Domestic Politics and International Human Rights Tribunals: The Problem of Compliance*. New York: Cambridge University Press, 2014. Pp. xiv, 186. Index.

Romano, Cesare P. R., Karen J. Alter, and Yuval Shany (eds.). *The Oxford Handbook of International Adjudication*. Oxford: Oxford University Press, 2014. Pp. xcii, 975. Index.

Salles, Luiz Eduardo. *Forum Shopping in International Adjudication: The Role of Preliminary Objections*. Cambridge, UK: Cambridge University Press, 2014. Pp. xlii, 320. Index.