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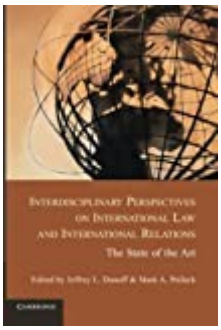

Jeffrey L. Dunoff, Mark A. Pollack, eds. *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art.* New York: Cambridge University Press, 2012. xv + 680 pp. $139.99 (cloth), ISBN 978-1-107-02074-0; $49.99 (paper), ISBN 978-1-107-68402-7.

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About two decades ago, a handful of scholars diagnosed an âestrangementâ of international law from international relations and called out for a rapprochement.[1] As the standard disciplinary history tells it, the âscientificâ turn in world politics that emerged in the aftermath of World War II, and reached near-dominance for the next few decades, had little room for international law, which had been tarnished by its association with the interwar idealists and had a normative orientation that put it at odds with calls for ârealismâ in the study of international affairs.[2] But Kenneth Abbottâs 1989 âModern International Relations Theory: A Prospectus for International Lawyersâ and Anne-Marie Slaughter Burleyâs 1993 âInternational Law and International Relations Theory: A Dual Agendaâ set the stage for a reconciliation between these two fields and, by 2000, a special issue of *International Organization,* âLegalization and World Politics,â heralded the end of the decades-long separation. These innovative scholars echoed each other in calling for the serious engagement and analysis of law in addressing pressing issues of world politics and set off a stream of research that aimed to do just that.

Jeffrey L. Dunoff and Mark A. Pollackâs *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art* has drawn together top scholars to offer a timely reflection on what has been accomplished in the still young discipline of international law and international relations (âIL/IRâ), or, as Dunoff and Pollack put it, to âassess critically the value-added (if any) of IL/IRâ (p. 4). What is more, several of the chapters in this edited volume go beyond disciplinary self-reflection and present conceptual innovations and new research, such as the lively debate in section 4 concerning the utility of the concept of compliance, and the contributions by Barbara Koremenos and Timm Betz that provide an early look at the findings of the Continent of International Law project, a novel, large-scale examination of international treaties across issues areas.[3] All together, the volume provides an excellent review for anyone wondering how the study of IL/IR has progressed since early scholarship by Abbott, Slaughter Burley, Judith Goldstein, Miles Kahler, and Robert Keohane and also offers an accessible and exciting entry point into some of the best work that is currently being done in the field.

The volume is organized into four substantive sections, in addition to introductory and concluding sections that contain chapters from the editors as well as reflections by the IL/IR pioneers, Abbott, Slaughter, and Duncan Snidal. The first of the substantive sections focuses on theory and includes contributions from leading writ-

ers in rational institutionalist, liberal, and constructivist theories of international relations and international law and an engaging chapter by Richard Steinberg that examines realism in IL/IR–âthe theory international lawyers love to hateâ (p. 6).

These chapters testify to the theoretical broadening of IL/IR. Pushing away from the largely instrumentalist view of law reflected in early work in IL/IR, Jutta BrunnÃ©e and Stephen Toope describe a constructivist approach to the field that endeavors to examine the dynamic processes of law and distinctiveness of legal norms (ch. 5). The âbottom-upâ approach of Andrew Moravcsikâs liberal theory introduces crucial, intrastate variables that legalization and rational design excluded in the assumption of exogenous state preferences, and points not only to a more complex and sophisticated understanding of preference formation in the creation of international law and institutions, but also to the relevance of these domestic-level variables in international law enforcement and compliance. Further, the volume illustrates the range of IL/IR scholarship within the rationalist framework, including the rational institutionalism or rational design in Koremenosâs chapter, as well as other distinctly rationalist contributions later in the volume, such as Joel Trachtmanâs chapter that brings open economy politics to international law and Rachel Brewsterâs review of growing scholarship on reputation as a mechanism of state compliance.

The second section of the book explores international law creation by states and international organizations as well as other sites of rule-making, including regulatory networks and nongovernmental organizations. The influence of rational design, which the editors describe as âone of the most fruitful intersections and interactions of IR and IL,â is readily apparent here (p. 628). Laurence Helferâs chapter on flexibility and exit and escape clauses in international agreements and Gregory Shaffer and Mark Pollackâs chapter on hard and soft law, both identify a concentration within the literature on initial design choices and the advantages and disadvantages presented by flexibility or hardness versus softness in international obligations. The contributions from Kal Raustiala and Daniel Bodansky stand out in this second section in endeavoring to consider at a macro level the expansion of rules and rule-makers in the international sphere. Raustiala situates the proliferation of international law within the broader phenomenon of increased institutional density and the notion of a regime complex, while Bodansky examines the concept of legitimacy in the multiplicity of rules and rule-makers that characterizes contemporary international governance.

In the third section of the volume, the contributions focus on the application and interpretation of international law. The chapters by Karen Alter and Erik Voeten provide a snapshot of the growing literature on the judicialization of international relations. Alterâs chapter offers descriptive empirics of the institutional proliferation that Raustiala introduced in the previous section and again reveals the widespread interest in questions of institutional design. Voeten concentrates on judicial independence in international courts and concludes with a suggestion that may be surprising to many international lawyers–that the most effective level of judicial independence is not complete independence of international judges from state governments. Lisa Conantâs chapter is a real highlight of this penultimate substantive section as she draws attention to the often overlooked role of domestic courts–âthe most prolific interpreters of international lawâ–and the theoretical and empirical uncertainty that persists in understanding the role of domestic courts vis-Ã -vis international law (p. 413).

The fourth and final substantive section of the volume addresses âenforcement, compliance, and effectivenessâ (p. 476). While short in the discussion of effectiveness, the section is of great importance to the ongoing research agenda on state compliance with international law, warning that studies of compliance have become much too narrow and must be reinserted into a broader consideration of international institutions and international cooperation. Lisa Martinâs chapter takes this point the furthest, arguing that the concept of compliance focuses on discrepancies between a legal obligation and the behavior of actors and should be discarded in favor of a more comprehensive evaluation of the institutional effect of international law. Jana von Stein, on the other hand, argues that the concept of compliance is important to IL/IR and can be salvaged by a clearer definition of compliance that overtly engages the institutional and behavioral effects of international law.

Looking at the volume as a whole gives the reader a solid sense that the discipline of IL/IR has been a net âvalue-add,â and the editors offer a balanced and nuanced assessment to that effect in their concluding chapter. All told, it is hard to imagine the high quality of the research represented by the edited volume without the interdisciplinary approach that is embodied in IL/IR. At same time, the volume also clearly attests to what the editors term âthe asymmetrical terms of tradeâ between international relations and international law as scholar-

ship in IL/IR has âconsist[ed] primarily of the application of theories and methods of political science as a *discipline* to the study of international law as a *subject*â (pp. 10-11). For example, in the classic rational design literature we see scholarship that addresses core international relations questions of cooperation, deploys theories and methodologies closely associated with political science, and draws on law largely to populate the data used to examine its predictions.

There are important examples that do not fit this characterization. For instance, the critical question that comes out of Raustialaâs chapter is, âwho benefits from rising densityâ of international law and institutions?–a question that clearly draws on concepts central to international law and the consequence of legal fragmentation as well as concepts of political science, such as how actors behave and who benefits in strategic environments (p. 295). Further, as the editors claim, there is nothing *per se* concerning about such an imbalanced intellectual trade. Here Dunoff and Pollack paraphrase Beth Simmons in their concluding chapter, arguing that an interdisciplinary balance between international law and international relations should not, in and of itself, be a goal of the field. Instead, what matters is whether interdisciplinarity âgenerates theoretical insights or hypotheses about topics that IL/IR scholars care aboutâ (p. 653).

What should be concerning, however, is if the topics that IL/IR scholars examine and the kinds of questions that they ask are restricted and too heavily drawn from the dominant theoretical approach to the field. The early chapters of the volume indicate a theoretical broadening of the field away from its primarily rationalist beginnings and instrumentalist conception of law. But has this broadening been replicated in the day-to-day scholarship of the field? Might a more balanced term of trade between IL/IR help? Despite Moravcsikâs call for attention to intrastate variables, we see in section 3 that that the study of international courts has overshadowed research on domestic courts and their role interpreting and applying international law. Could greater input from international legal scholars, attuned to the centrality of domestic law and courts in defining a stateâs engagement with international law, have more readily forefronted the importance of domestic courts?

Similarly, BrunnÃ©e and Toopeâs theoretical chapter on constructivism calls on IL/IR scholars to give up the âunarticulated, purely formal, and generally hierarchical concept of international law,â and examine law as a dynamic process and with serious consideration of the distinctiveness of legal norms (p. 135). But, by in large, the empirical chapters of the volume fall back on a positivist understanding of law. Stephen Ratnerâs and Ian Johnstoneâs chapters are notable exceptions, where Johnstone explains that an outdated, formal conception of law misses the discursive practices, appeals to principles, and processes of deliberation that are integral to law creation. BrunnÃ©e and Toope note an affinity between international relations theories of constructivism and international law, but the core of challenge that they present to the field of IL/IR stems from a fundamental question of legal scholarship and the nature of law. All this to suggest that a more balanced terms of trade between IR and IL could help to extend the broadened theoretical canon of IL/IR into the core research projects of the field. In which case, and at least at this particular juncture in the evolution of IL/IR, might interdisciplinarity have its own value-add?

Notes

[1]. Kenneth W. Abbott, âModern International Relations Theory: A Prospectus for International Lawyers,â *Yale Journal of International Law* 14, no. 2 (1989): 338.

[2]. Hans Morgenthau, *Politics among Nations: The Struggle for Power and Peace*, 3rd ed. (New York: Alfred A. Knopf, 1965).

[3]. Barbara Koremenos, âThe Continent of International Law,â *Journal of Conflict Resolution* 57, no. 4 (2013): 653â81.