definition of terrorism, perceptions of terrorist threat, and the relationship between *heightened* fears of terrorism and *tougher* counterterror laws. Douglas lists examples of divergent perceptions and legal responses but, unfortunately, fails to provide any explanatory conceptual framework. Chapters 4 through 9 examine the nature and evolution of different areas of terrorism-related laws, such as surveillance, state secrets rules, proscription, pretrial and post-trial detention, detention without conviction, and torture. He discusses significant judiciary rulings and their impact on constitutional principles and civil liberties. At every stage, an elementary training in law might have been appropriate for the reader, given the author's vocabulary and form of analysis.

Douglas's most valuable contribution is his illustration of the claim that law both empowers and constrains governments in their responses to terrorism. Courts, he notes, "have generally given governments and prosecutors what they wanted. The new (terrorist) offences have largely survived constitutional scrutiny" (p. 152). Yet Douglas concludes, "courts have tended to provide more protection for civilian libertarian values than governments or legislatures" (p. 223). This book offers a vivid portrait of the peculiarities of the legislative and judicial responses in each country studied. Yet the reader is left with a series of unanswered questions when it comes to understanding cross-national variation: Why does judicial deference to governments vary from one country to another? Why is Australia's law more liberal than New Zealand's? Why is U.S. law, in at least some respects, less illiberal than the UK's laws? Douglas does allude to some explanatory factors. These include "lawmakers' underlying political beliefs" (p. 218), institutional culture (and the extent to which it encourages executive deviance), and political partisanship. It remains difficult, however, to make sense of the role of these factors in the absence of a more systematic conceptual framework.

On balance, both Foley and Douglas contribute to the current debate. They raise stimulating questions about counterterrorism, arguably among the most salient and complex challenges that liberal democracies now face, and invite further disputation on the role of law and institutions in addressing the relationship between civil liberties and national security.

Contemporary Majority Nationalism. Edited by Alain-G. Gagnon, André Lecours and Geneviève Nootens. Montreal & Kingston: McGill-Queen's University Press, 2011. 248p. $95 cloth, $29.95 paper.
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— Efraim Podoksik, *Hebrew University of Jerusalem*

This edited volume brings a lot of good sense to the debate on nationalism by positing and examining the notion of majority nationalism. As the editors suggest in the introduction, there is a tendency to conflate nationalism with minority nationalism (pp. 3–4). Nationalism is often approached as a movement for secession, and is regarded as obsolete if a national group constitutes a stable majority within an independent polity. It is not only the foes of nationalism that downplay the phenomenon. Majority nationalism actually tends to redefine itself as patriotism, trying to entrench loyalty to the state and delegitimise minority aspirations. It often goes unnoticed when states are used as instruments in the hands of majority nationalisms. As the editors note quite correctly, the frequent distinction between nationalism and patriotism (which helps to disguise majority nationalism) is deceptive (p. 8). Majority and minority nationalism do not differ from each other in nature (p. 9), and culture constitutes a political resource for both of them.

The purpose of this volume is to redirect our attention to the phenomenon of majority nationalism and examine some practical and theoretical issues which it raises. The book is divided in two parts: The first part comprises four chapters, which tackle the issue from various theoretical perspectives. Among them, the chapter penned by Alain Dieckhoff appears to be most congenial to the book's underlying aim. Dieckhoff argues convincingly that the broad expectation of the end of nationalism is misplaced. A state's neutrality in many cases serves to protect the national aspirations of the majority group.

In the second part, four other chapters examine different case studies: Britain-France, Canada, the United States, and Spain. Here I would like to emphasise the contributions by James Bickerton, who provides an excellent overview of the past and present debates and practices regarding the Canadian identity, especially in the context of the Quebec issue and the relationship with the First Nations; and by Liah Greenfeld, who examines American nationalism in the context of ethnicity. Greenfeld makes a number of interesting claims, for example, that an "ethnic" discourse in America developed in the second half of the nineteenth century as a result of the influence that German scholarship—with its allegedly ascriptive view of the nation—exercised on American academics: "The fact that President Wilson, the author of the idea of 'national self-determination,' was among the first political scientists in the United States demonstrates how profound the implications of the German education of American professors were" (p. 188). (An interesting point, even if the claim that Wilson was the author of the idea of national self-determination is historically inexact.) Paradoxically, however, the emphasis on "ethnic" identity in America led to the marginalisation of the ethnic problem in respect of American nationalism. Because ethnicity was basically reduced to race and culinary practices, all ethnicities were eventually capable of assuming the American identity with regard to the most important political and cultural foundations of that society.

In two respects, however, the volume falls short of satisfying the expectations which it itself sets. First, as is

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often the case with edited volumes, not all the articles, especially in the theoretical part, focus directly on the central subject, even if they each make interesting scholarly contributions. Second, and more importantly, more could have been done regarding the theoretical elaboration of the issue, especially given the editors' claim that the notion of majority nationalism opens a completely new perspective. There is more than one way to achieve this, depending on the authors' theoretical outlook. But not to remain on the abstract level, I would like to bring just one example of how this could be done.

I believe that if one posits majority nationalism as a principal theoretical category, one should examine the question of its typology: Should all cases of majority nationalism be reduced to one archetype, or should several types be distinguished? I would posit that *prima facie,* at least three ideal types of majority nationalism could be formulated. The first is the majority nationalism of a small nation, which in most respects acts as minority nationalism. This is often a result of secession from a more powerful nation, and thus the new, smaller state continues to be apprehensive of the bigger nation and is sometimes forced to deal with the minorities related to that nation. It constantly lives in the shadow of irredentism. Estonia or Latvia might be a good example here. When the phenomenon is theorised in this way, it would probably not be seen as that "curious" as John Coakley suggests (p. 102).

Another type is the majority nationalism of an assimilating nation. Its principal concern is not to protect its independence from powerful neighbours and irredentist minorities, but to impose the culture of the majority nation on the society as a whole within the limits of a clearly-defined nation state. This nationalism often focuses not on the question of political and cultural security, but on the unique value of its heritage. Many rooted European nationalisms have developed this character (e.g. French Republicanism or Turkish Kemalism).

Finally, there is the majority nationalism of an imperial nation. Its aim is generally not assimilation, but domination within a multi-national empire, and often the mobilisation of national forces with a view towards imperial expansion. Certain types of English or Russian nationalism might fall into this category.

The sheer size of the nation does not necessarily matter, of course. The Ukrainian nation is large, but due to its strategic circumstances, its nationalism today tends to display the features of the majority nationalism of a small nation. The Serbian nation is relatively small in size, but within the Balkan Peninsula, Serbian nationalism often played the role of the majority nationalism of an imperial nation. And of course there are mixtures and vacillations. French nationalism, for example, vacillated between representing an assimilating nation and an imperial nation, whereas Hungarian nationalism wavers between a small nation and an assimilating nation.

The "patriotic" discourse of these majority nationalisms seems to differ in its character depending on those distinctions. For example, in the late 1980s the term "patriot" was employed in the Soviet Union by Russian majority nationalists to denote their "imperial" convictions. Nowadays, in Ukraine "patriot" is employed to incorporate into the Ukrainian "small nation majority nationalism," those ethnically Russian citizens who are supportive of the Ukrainian state.

If these or similar distinctions were introduced, it might contribute more conceptual clarity to the volume and help avoid misreadings of the reality of nationalism, such as Coakley's claim (pp. 106–107) that the former Soviet Union was close to a "generous" end of federalism, when contrary to what he claims, the borders in that particular "federation" (which in many respects was a sham federation) were intentionally drawn in such a way as not to correspond to the ethno-national borders of its peoples, precisely for the reason of imperial control and expansion. But then this volume marks just the beginning of a debate. We can look forward to further elaboration on this and other matters in the publications that will follow.

Negotiating in Civil Conflict: Constitutional Construction and Imperfect Bargaining in Iraq. By Haider Ala Hamoudi. Chicago: University of Chicago Press, 2013. 328p. $95.00 cloth, $35.00 paper.
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— James D. Savage, *University of Virginia*

Iraq's constitution remains a source of controversy in the debate over the lasting effects of the American-led Coalition's invasion of Iraq. The Iraqi Constitution, which was drafted in 2005, has been described by detractors as a "lost opportunity," a document with "deep structural, legal and political failings" (Jonathan Morrow, "Iraq's Constitutional Process II: An Opportunity Lost," 2005; Saad N. Jawad, "The Iraqi Constitution: Structural Flaws and Political Implications," 2013). Many of these criticisms stem from the marginalization of Sunni participants during the constitution's drafting and their subsequent, overwhelming rejection of the document. The constitution is regarded by some as vaguely and ambiguously written, leaving critical issues, such as the authority of parties and coalitions to form governments, unresolved. In the context of this debate, Haider Ala Hamoudi, a professor of law, offers a richly detailed analysis of the constitution's formulation and an optimistic view that the constitution is "remarkably successful."

Hamoudi argues that under conditions of constitutional drafting and decision-making where the participants are deeply divided, the best strategy for reaching some type of agreement is one that employs "capacious" text. By capacious text, Hamoudi means constitutional language that defers controversial and divisive decisions to the future. Where for some, compromise means debate and

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